

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71508RECEIVED
APPLICATION FOR TRANSFER OF WATER RIGHT

MAR 04 2004

PART 1

WATER RESOURCES
Name of applicant FREDERICK L. ASHWORTH Jr & DAWN B ROY Phone 208-896-4067
Post Office address 7726 RIVERFRONT DRIVE MARSHALL ID 83639

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes APPLICANT HAS PURCHASED A SUBDIVISION LOT AND DESIRES TO INSTALL A SEPARATE PUMP AND SYSTEM FOR HIS USE

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|------------------|--------------------|-------------------|------------------------------|
| <u>02-02073B</u> | <u>1-19-1949</u> | <u>.04</u> | <u>IRRIGATION</u> | <u>03-15</u> to <u>11-15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred .04 cubic feet per second and/or 8.1 acre-feet per annum.
3. Source of water SNAKE RIVER tributary to COLUMBIA RIVER
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>4</u>		<u>SW</u>	<u>SW</u>	<u>23</u>	<u>2N</u>	<u>4W</u>	<u>OWYHEE</u>	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>2N</u>	<u>4W</u>	<u>23</u>											<u>1.8</u>						<u>1.8</u>

Total acres 1.8

PART 1

6. General Information:

a. Description of diversion system PUMP IN RIVER - 5HP
DIVERSION TO BE SHARED WITH OWNER OF ADJACENT LOT

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NONE

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

02 - 02073 B (SEE ATTACHED)

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Snake River tributary to Columbia River.

4. Date or priority 01-19-1949

5. Water is used for the following purpose:

amount 2.06 cfs for IRRIGATION purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.06 cubic feet per second and/or 3400 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	23	2N	4W	OWYHEE	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	4W	23							Lot 1			Lot 3	10	Lot 4					129.2
		26																	14.0

89.2

Total acres 103.2

9. Describe any other water rights used for the same purpose as described above

NONE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-2073C

WATER RIGHT NUMBER: 2-2073C

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ESTATE OF ESTHER F ASHE C/O JACK HURT 4470 VEGAS VALLEY #108 LAS VEGAS, NV 89121 (702)457-3477
Current Owner	VANCE VAN HALL RT 1 BOX 16 MARSING, ID 83639 (208)896-4848

Priority Date: 01/19/1949

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	2.060 CFS	
	<u>Total Diversion:</u>	2.060 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	L4 (NE1/4SE1/4SW1/4)	Sec. 23, Twp 02N, Rge 04W, B.M.
OWYHEE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
02N	04W	23										50.2	10.0	29.0				89.2	
												L 3		L 4					
02N	04W	26																14.0	
																		L 1	

Total Acres: 103.2

Conditions of Approval:Remarks:

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .04 cfs for IRRIGATION purposes from 3-15 to 11-15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
1				23	2N	4W	OWYHEE	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
													1.8						1.8

Total acres 1.8

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 2.02 for IRRIGATION purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
1				26	2N	4W	OWYHEE	
1		NE NW		26	2N	4W	OWYHEE	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	4W	23																	129.2 87.4
2N	4W	26					Lot 14				Lot 3	50.2	10	29.2					14.0

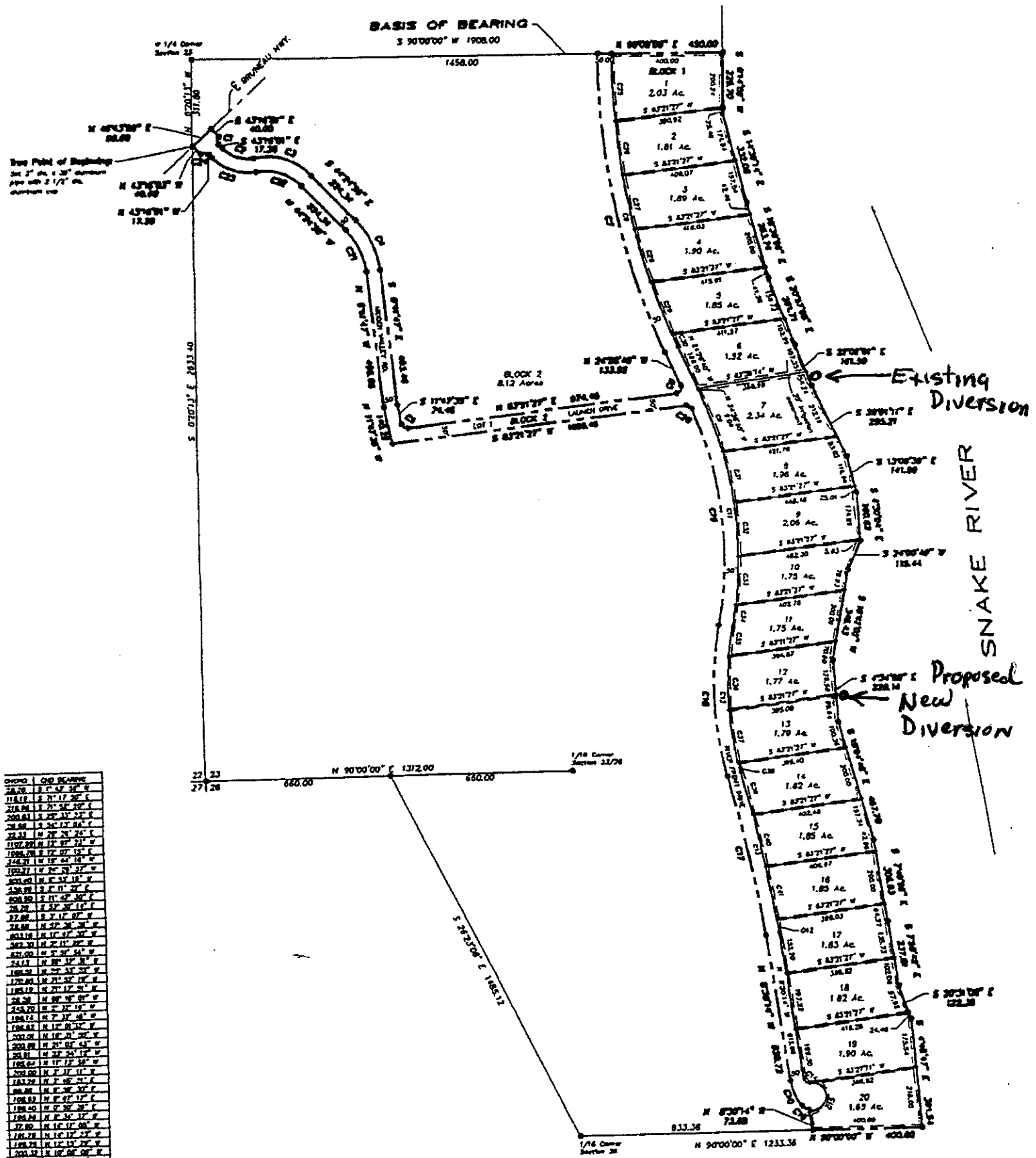
Total acres 143.2 101.4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

The grid is a large rectangle divided into a 10x10 grid of squares. Each square is further divided into a 3x3 grid of smaller squares by dashed lines. The handwritten text "MAP ATTACHED" is written diagonally across the center of the grid, from the middle of the second row to the middle of the eighth row.

A PORTION OF GOV'T. LOTS 3 & 4 AND THE SW1/4SW1/4 OF SECTION 23
ALSO GOV'T. LOT 1 OF SECTION 26
TOWNSHIP 2 NORTH, RANGE 4 WEST, BOISE MERIDIAN
OWYHEE COUNTY, IDAHO
1995



PART 3**B. CHANGES IN NATURE OF USE**

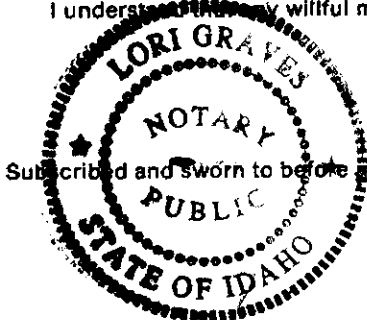
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	NONE			_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this _____

17th

day of _____

2004

(Signature of Applicant)

Lori Graves

(Notary Public)

My commission expires _____

6/18/04

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by KG Date 3/4/04

Protest filed by _____

Prelim. check by _____ Fee 100.00Receipted by KG Date 3/4/04W031345

Published in _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

PC47452

WARRANTY DEED

FOR VALUE RECEIVED Hidden Valley Estates Limited Partnership,
an Idaho Limited Partnership

the Grantor, does hereby grant, bargain, sell and convey unto Frederick L. Ashworth, Jr. and
Dawn B. Roy, husband and wife

the Grantees, whose address is 1204 N. Perry Loop, Kennewick, WA 99336-1535

the following described premises, to-wit:

Lot 12, Block 1, HIDDEN VALLEY ESTATES SUBDIVISION, Owyhee County,
Idaho, according to the plat thereof recorded February 16, 1995 as
Instrument No. 214934, records of said County.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns
forever. And the said Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said
premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2002 and
subsequent years, covenants, conditions, restrictions and easements of record; and that it will warrant and defend the same from
all lawful claims whatsoever.

DATED: November 25, 2002

Hidden Valley Estates Limited Partnership

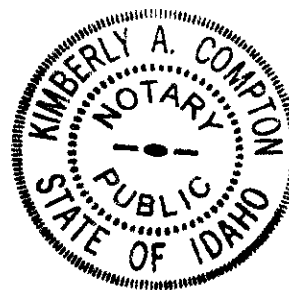
[Signature]

STATE OF IDAHO

COUNTY OF CANYON

On this 26th day of November in the year 2002, before me, a Notary Public,
personally appeared Jess Vankell known or identified to me to be the partner
in the partnership of Hidden Valley Estates Limited Partnership and the partner
who subscribed said partnership name to the foregoing instrument, and
acknowledged to me that he executed the same in said partnership name.

[Signature]
Notary Public
Residing at Wilder
My commission expires 1-27-05



PIONEER TITLE COMPANY OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

610 SOUTH KIMBALL
CALDWELL, ID 83605

Instrument # 241785
MURPHY, OWYHEE, IDAHO
2002-12-03 04:29:36 No. of Pages: 1
Recorded for: PIONEER TITLE
CYNTHIA A. EATON Fee: 3.00
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

[Signature]