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MEMORANDUM

Date: May 10, 2001

To: WR File Nos. 85-4047, 85-4048, 85-4359, and 85-4477

From: Jeff Peppersack

Re: Change in Ownership

I spoke with Mr. Gordon regarding the change in ownership notices that were submitted. Mr. Gordon indicated that the water rights with place of use in sec. 8 and NWNW of Sec. 18 (85-4047, 84-4048, 85-4359, and part of 85-4477) were not his and he did not wish to pursue changes to them. He did want to make sure that the stockwater portion of 85-4477 in sec. 24 was changed to his name. I explained that 85-4477 would require a split which is \$100 instead of \$25. He can use the \$25 submitted for the other three that will not be changed to make up the balance for the split. Mr. Gordon was ok with that.

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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

RECEIVED
JAN 16 2001
IDWR/North

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
See Exhibit "A"					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

See Exhibit "B"

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

See Exhibit "C"

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Virginia Gaiser (deceased)
4. New Owner/Claimant(s) Clayton Gordon
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 2153 23rd Street
- City, State and ZIP Code Clarkston, WA 99403
- New Telephone Number () (509) 758-2719
5. Date you acquired the property 3/8/00

See 85-~~4476~~⁰⁴⁴⁷⁶ for support documentation.

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6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) X Clayton Jordan
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by <u>JP</u>	Date <u>11/16/01</u>	Fee <u>\$225.00</u>	<u>9 WRS @ \$25 each</u>
Received by <u>JP</u>	Date <u>11/16/01</u>	Receipt No. <u>N014102</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

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EXHIBIT "A"

<u>NUMBER</u>	<u>SRBA#</u>	<u>AS SHOWN IN EXHIBIT</u>
85-04359		A-1
85-04047		A-2
A85-04048		A-3
A85-11754	39576	A-4
A85-04476		A-5
A85-04477		A-6
A85-04478		A-7
A85-04479		A-8
A85-07422		A-9

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 7, 2001

CLAYTON GORDON
2153 23RD ST
CLARKSTON WA 99403

RE: Change of Ownership for Water Rights 85-04047/85-04048/85-04359/
85-04477

Dear Mr. Gordon:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

✓ **Evidence of Water Right Ownership:** copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

During our review of the documentation you submitted we found some discrepancies between that documentation and the legal description of the place of use for the water rights indicated in your notice. I have enclosed a copy of the water rights for your reference. Please note that decreed water right 85-04048 (copy enclosed) is in Section 8. *The legal description that was submitted with your ownership change request does not list Section 8 in those properties.*

The legal description you provided for decreed water right 85-04477 matches only the stockwater portion of Section 24. The domestic portion for this right is in Section 18 and that is not listed on your support documentation (see enclosed copy of decree). If your ownership involves **only** the stockwater portion in Section 24 it will be necessary to split this right and a \$100.00 filing fee is required. If your ownership includes the domestic portion of this right in Section 18 you will need to provide proof of ownership to that effect.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

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Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend". The signature is fluid and cursive, with the first name "Kari" being more prominent.

Kari Lynn Townsend
Secretary

Enclosure(s)

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