

RECEIVED

AUG 30 2004

DEPARTMENT OF
WATER RESOURCES

August 25, 2004

State of Idaho
Department of Water Resources
1301 North Orchard Street
P O Box 83720
Boise, Idaho 83720-0098

Enclosed please find papers pertaining to water right #37-4163 as follows.

Copies of:

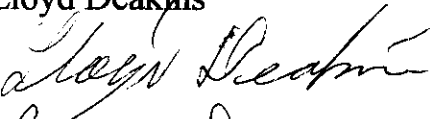
Affidavit of Clifton E. Jensen

Assessor's plat showing location of subject property

Warranty Deed transactions

If there are questions or additional information needed please contact us.

Lloyd Deakins




Barbara Deakins

Address: P. O. Box 163
Hagerman, ID 83332-0163

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DEPARTMENT OF
WATER RESOURCES

AFFIDAVIT

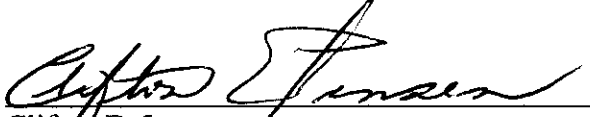
State of Idaho)
) SS
County of Gooding)

Before me this day personally appeared Clifton E. Jensen, who, being first duly sworn, deposes and says:

That I, Clifton E. Jensen of 17825 A, U. S. Highway #30, Bliss, Idaho 83314, have been the neighbor of the property presently owned by Lloyd and Barbara Deakins for over 57 years. I have been a licensed real estate agent for the State of Idaho since 1970 and have been involved in the sale of the subject property twice.

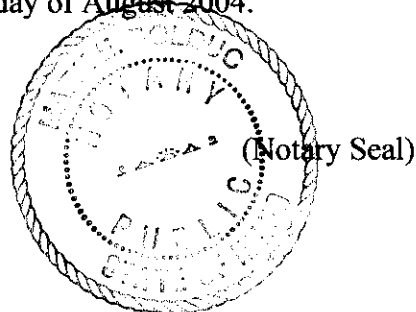
In the early to mid 1960's, Mr. & Mrs. Fred Leach developed the existing spring on a 15 acre parcel that was part of a larger farm that they later sold to Mr. & Mrs. Talbot. At that time, Fred & Nettie built a home on the property and not only used the spring water for irrigation & stockwater purposes but for domestic purposes also. The subject property was being irrigated prior to the priority date of 6-1-67, which is on water right #37-4163, but from a different source.

I am attaching a copy of the assessor's plat showing the location of the subject property, a copy of the Warranty Deed from Nettie Marie Leach to Ardis Allen recorded April 5, 1988 as microfilmed instrument #131647 and a copy of the Warranty Deed from Ardis Allen to Lloyd & Barbara Deakins recorded April 18, 1994 as microfilmed instrument #156590. In the two transactions, water right #37-4163 was transferred to the new owners and has been used on the subject property prior to June of 1967 to the present.


Clifton E. Jensen

Sworn to and subscribed before me this 16 day of August 2004.


Notary Public for the State of Idaho
Residing at Hagerman, Idaho
My Bond Expires: 06-08-06



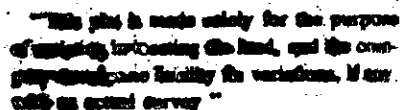


EXHIBIT A

That portion of the West one-half of the Northwest Quarter of Section 35, Township 6 South, Range 13, East of the Boise Meridian, County of Gooding, State of Idaho, described as follows:

BEGINNING at the Northwest corner of said Section 35;
Thence South 625.6 feet along the West line of said Section 35;
Thence North 76°32' East 207.3 feet;
Thence South 86°42' East 43.43 feet to the TRUE POINT OF BEGINNING;
Thence South 8°13' East 792.43 feet;
Thence North 78°41' East 980.86 feet to the East line of the
Northwest Quarter of the Northwest Quarter of said Section 35;
Thence North 486.41 feet along said East line;
Thence North 82°12' West 552.56 feet;
Thence North 86°42' West 528.47 feet to the TRUE POINT OF
BEGINNING.

LESS AND EXCEPTING a portion of the Northwest Quarter of the Northwest Quarter described as follows:

COMMENCING at the Northwest corner of Section 35, Township 6 South, Range 13, East of the Boise Meridian;
Thence South 0°40'22" West 1316.06 feet along the Westerly boundary of said Section 35 to the Southwest corner of the Northwest Quarter of the Northwest Quarter;
Thence South 89°36'42" East 1322.78 feet along the Southerly boundary of the Northwest Quarter of the Northwest Quarter of said Section 35 to the Southeast corner thereof;
Thence North 0°43'53" East 138.42 feet along the Easterly boundary of the Northwest Quarter of the Northwest Quarter of said Section 35 to the Southeast corner of the Nettie M. Leach property;
Thence South 79°21'22" West 15.27 feet along the Southerly boundary of the Nettie M. Leach property to the REAL POINT OF BEGINNING;
Thence South 79°21'22" West 171.18 feet to a point on the top of the canyon rim;
Thence along the top of the canyon rim the following five courses and distances:
North 39°12'17" West 117.50 feet;
North 31°42'10" West 107.09 feet;
North 10°17'12" East 27.93 feet;
South 45°55'22" East 90.11 feet;
South 63°16'41" East 256.49 feet to the REAL POINT OF BEGINNING.

156590
STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of FIRST AMERICAN TITLE
39 min. past 4 o'clock P. M. this 18
of April, 1994 6.00
JOHN A. MYERS Recorder
By Cheryl Sitis Deputy

WARRANTY DEED

For Value Received

NETTIE MARIE LEACH, a widow

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

ARDIS ALLEN, a single woman
P. O. BOX #506
HAGERMAN, IDAHO 83332

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

Township 6 South, Range 13 East of the Boise Meridian, Gooding County, Idaho
Section 35: A tract of land in the $\frac{1}{2}$ NW $\frac{1}{4}$, described as follows:
BEGINNING at the Northwest corner of said Section 35;
Thence South 625.6 feet along the West line of said Section 35;
Thence N $76^{\circ} 32'$ E, 207.3 feet;
Thence S $86^{\circ} 42'$ E, 43.43 feet to the True Point of Beginning;
Thence S $8^{\circ} 13'$ E, 792.43 feet;
Thence N $78^{\circ} 41'$ E, 980.86 feet to the East line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 35;
Thence North 486.41 feet along said East line;
Thence N $82^{\circ} 12'$ W, 552.56 feet;
Thence N $86^{\circ} 42'$ W, 528.47 feet to the True Point of Beginning.

LESS AND EXCEPTING a portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:
Commencing at the Northwest corner of Section 35, Township 6 South, Range 13 East of the Boise Meridian;
Thence South $0^{\circ} 40' 22''$ West, 1316.06 feet along the Westerly boundary of said Section 35 to the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South $89^{\circ} 36' 42''$ East, 1322.78 feet along the Southerly boundary of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ said Section 35 to the Southeast corner thereof;
Thence North $0^{\circ} 43' 53''$ East, 138.42 feet along the Easterly boundary of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ said Section 35 to the Southeast corner of the Nettie M. Leach property;
Thence South $79^{\circ} 21' 22''$ West, 15.27 feet along the Southerly boundary of the Nettie M. Leach property to THE REAL POINT OF BEGINNING;
Thence South $79^{\circ} 21' 22''$ West, 171.18 feet to a point on the top of the canyon rim;
Thence along the top of the canyon rim the following five courses and distances:
North $39^{\circ} 12' 17''$ West, 117.50 feet;
North $31^{\circ} 42' 10''$ West, 107.09 feet;
North $10^{\circ} 17' 12''$ East, 27.93 feet;
South $45^{\circ} 55' 22''$ East, 90.11 feet;
South $63^{\circ} 16' 41''$ East, 256.49 feet to THE REAL POINT OF BEGINNING.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 31, 1988

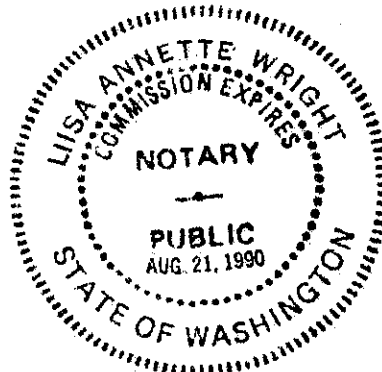
Nettie Marie Leach
NETTIE MARIE LEACH
March 31, 1988

~~WASHINGTON~~
STATE OF ~~IDAHO~~, COUNTY OF *Snohomish*
On this *31st* day of March, 1988,
before me, a notary public in and for said State, personally appeared
NETTIE MARIE LEACH, a widow

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that she executed the same.

Lisa A. Wright
Notary Public

Residing at *Leach,* ~~Idaho~~



131647

STATE OF IDAHO, COUNTY OF GOODING
FILED FOR REGISTRATION
05 1000000 3 1000000 5
of April 1988
JOHN A. AVERETT, Recorder
By Helen K. Pratt Deputy
Fee 46⁰⁰



WARRANTY DEED

For Value Received

Ardis Allen, a single woman,
 hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto
 Lloyd Deakins and Barbara Deakins, Husband and Wife,
 hereinafter referred to as Grantee, whose current address is

P.O. Box 163, Hagerman, ID 83332
 the following described premises, to-wit:

SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

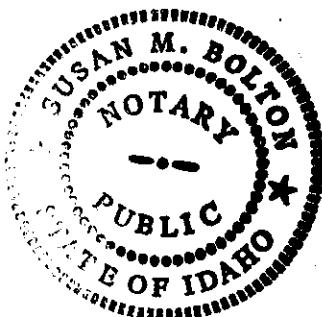
Dated: April 18, 1994.

Ardis Allen
 Ardis Allen

STATE OF IDAHO

COUNTY OF Gooding

On This 18th day of April, in the year 1994, before me, a Notary Public in and for said State, personally appeared Ardis Allen, known or identified to me to be the person whose name is subscribed to the within Instrument, and acknowledged to me that she executed the same.



Susan M. Bolton
 Notary Public for Idaho
 Residing at Gooding, Idaho
 Commission Expires: 10-16-98