

05/04/2005

**NOTICE OF ERROR  
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:**

Water right number: 21-7050

BLAKE BROTHER PARTNERSHIP  
C/O BRENT BLAKE  
819 N 2600 E  
ST ANTHONY ID 83445  
Telephone Number: (208)624-3860

*BRG Limited Part*

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

*Name Change*

3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 7-29-05

SIGNATURE: *[Signature]*

Please print your name: *Richard C. Cray*

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

*Ownership  
Change per  
Ryan Nikesell  
8/11/05 KMT*

**RECEIVED**

**AUG 12 2005**

Department of Water Resources  
Eastern Region

*KMT  
8/11*

# AMENDED WARRANTY DEED

FOR VALUE RECEIVED, Richard Reynolds Blake and Rhea Mecham Blake, husband and wife of 832 N., 2600 E., St. Anthony, Idaho, 83445, and Frank Brent Blake and Sharon Hansen Blake, husband wife of 819 N. 2600 E., St. Anthony, Idaho, 83445, and Blake Brothers Partnership, consisting of Richard Reynolds Blake and Frank Brent Blake, hereafter referred to as Grantors, do hereby grant, bargain, sell and convey unto BRG, Limited Partnership, (this to correct that certain Warranty Deed recorded as instrument No. 494802, dated May 4, 2005 which erroneously listed GBR L.L.C. as Grantee) whose mailing address is 1908 E 500 N., St. Anthony, Idaho 83445, hereinafter referred to as Grantee the following property located in Fremont County, State of Idaho, particularly described as follows, to-wit:

Township 8 North, Range 41 East, Boise Meridian, Fremont County, Idaho.

Section 5: W1/2, W1/2E1/2, NE1/4NE1/4, SE1/4SE1/4 LESS the East 1000 feet of the SE1/4SE1/4.

Section 6: N1/2, SE1/4.

Section 7: N1/2NE1/4.

LESS: That portion of ground in Sections 5,6 & 7 that lies West and North of a fence line around circle pivots described as follows:

Beginning at the point that is South 38°35'57" West a distance of 1693.30 feet from the Southwest corner of Section 5, (Said section corner is a steel rod with aluminum cap buried 1 foot in the ground with a steel fence post set along side). The point of beginning is the intersection of the Idaho State Fish and Game and the pivot fences; and running thence along the fence boundary around the pivots for the next 16 calls; 1). thence North 04°48'35" East a distance of 262.50 feet; 2). thence North 39°46'12" East a distance of 274.98 feet; 3). thence North 31°17'13" East a distance of 728.31 feet; 4). thence North 54°00'02" East a distance of 505.11 feet; 5). thence North 15°00'15" East a distance of 274.65 feet; 6). thence North 46°22'45" East a distance of 480.09 feet; 7). thence North 55°25'00" East a distance of 580.15 feet; 8). thence North 12°30'11" East a distance of 716.57 feet; 9). thence North 38°37'52" East a distance of 749.46 feet; 10). thence North 56°35'29" East a distance of 889.34 feet; 11). thence North 10°53'29" West a distance of 931.83 feet; 12). thence North 21°56'32" East a distance of 620.62 feet; 13). thence North 52°46'43" East a distance of 622.45 feet; 14). thence South 78°25'42" East a distance of 983.29 feet; 15). thence South 46°20'18" East a distance of 324.10 feet; 16). thence South 01°50'00" East a distance of 229.81 feet to a steel bar which bears South 48°43'55" West a distance of 1959.99 feet from the closing corner of Sections 4 and 5 which is marked by a stone with 4 notches on the West and CC chipped on the back. (Said stone has a 5/8" steel rod with aluminum cap set by it with a steel fence post along the side). Thence South 89°25'01" East a distance of 1,463.24 feet to a point that is South 00°26'21" West a distance of 1,307.7 feet from the closing corner of Sections 4 and 5 which is a marked stone with 4 notches on the East and 2 notches on the West and CC chipped on the back. (Said stone has a 5/8" steel rod with aluminum cap set by it with a steel fence post along side).

Basis of bearing is the line between the West Quarter of Section 5 and the Northwest corner of Section 5 is assumed North as per the 1890 GLO survey by Rhodes and Long.

Section 8: All LESS: Beginning at the Northeast corner of Section 8, thence West 1000 feet; thence South 422 feet; thence East 1000 feet; thence North 422 feet to the point of beginning.

Section 17: All.

Township 9 North, Range 41 East, Boise Meridian, Fremont County, Idaho.

Section 28: SE1/4SW1/4; SW1/4SE1/4; W1/2SW1/4 East of county road.

Section 33: NW1/4NE1/4; NE1/4NW1/4; NE1/4SW1/4; W1/2NW1/4; NW1/4SW1/4 lying East of County Road.

Together with the previous ground water rights transferred by warranty deed recorded as instrument No. 447649 of the records of Fremont County, Idaho.

Together with water right No. 21-7046 with a priority date of 07/13/1974 for 1.56 CFS to irrigate 78 acres in the NW1/4SW1/4; SW1/4SW1/4 of Section 8 and NW1/4NW1/4 of Section 17, all located in Township 8 North, Range 41 E., B.M.

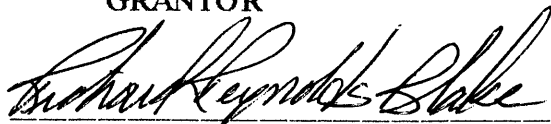
Together with water right No. 21-7050 with a priority date of 08/05/1974 for 1.44 CFS to irrigate 72 acres located in the SW1/4SW1/4 of Section 5; NE1/4NE1/4 of Section 7 and NW1/4NW1/4 OF Section 8, all located in Township 8 North, Range 41 E., B.M.

There is reserved unto Seller one-half of all geothermal and minerals located upon or under the above described real property.

Together with all tenements, improvements, hereditaments and appurtenances thereunto belonging or in anywise appertaining. These premises are subject to all easements, roadways and rights-of-way of record. They are also subject to patent reservations, easements and rights of way for highways, roads, ditches, canals, pole, power and transmission lines as they exist; and to all existing zoning ordinances and applicable building codes, laws and regulations and those matters disclosed in a Survey by Boyd L. Cardon dated July 1988 recorded December 27, 1988 as Instrument No. 408467 of the records of Fremont County, Idaho.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

GRANTOR



RICHARD REYNOLDS BLAKE

GRANTOR



FRANK BRENT BLAKE



RHEA MECHAM BLAKE

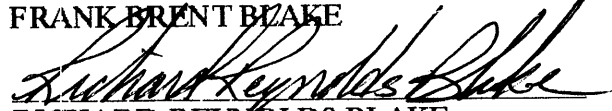


SHARON HANSEN BLAKE

## BLAKE BROTHERS PARTNERSHIP



FRANK BRENT BLAKE

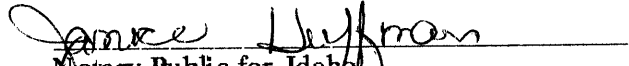


RICHARD REYNOLDS BLAKE

STATE OF IDAHO )  
 ) ss.  
 County of Fremont )

On this 3<sup>rd</sup> day of May, 2005, before me the undersigned, a notary public for the State of Idaho, personally appeared Richard Reynolds Blake and Rhea Mecham Blake, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

JANICE M. HUFFMAN  
 Notary Public  
 State of Idaho

  
 Notary Public for Idaho  
 Residing at: St. Anthony, ID  
 Commission Exp:

STATE OF IDAHO )  
 ) ss.  
 County of Fremont )

MY COMMISSION EXPIRES  
 October 6, 2006  
 BONDED THRU NOTARY PUBLIC UNDERWRITERS

On this 3<sup>rd</sup> day of May, 2005, before me, a Notary Public in and for said state, personally appeared Brent Frank Brent Blake and Sharon Hansen Blake, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the name.

JANICE M. HUFFMAN  
 Notary Public  
 State of Idaho

  
 Notary Public for Utah  
 Residing at: St. Anthony ID 83445  
 Commission Exp:  
 MY COMMISSION EXPIRES  
 October 6, 2006  
 BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF IDAHO )  
 ) ss.  
 County of Fremont )

On this 3<sup>rd</sup> day of May, 2005, before me the undersigned, a notary public for the State of Idaho, personally appeared Richard Reynolds Blake and Frank Brent Blake, d/b/a/ Blake Brothers Partnership, the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same on behalf of Blake Brothers Partnership.

JANICE M. HUFFMAN  
 Notary Public  
 State of Idaho

  
 Notary Public for Idaho  
 Residing at: St. Anthony, ID 83445  
 Commission Exp:  
 MY COMMISSION EXPIRES  
 October 6, 2006  
 BONDED THRU NOTARY PUBLIC UNDERWRITERS

BRG 1

T9n

1 north

T8n

21-7050

21-7046

R41F

