

06/03/2005

**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: 21-33C

COLLEEN HARNDEN
195 KIM WAY
CRESCENT CITY CA 95531

COLLEEN BLANCHARD
PO BOX 178
CHESTER ID 83421
Telephone Number: (208)624-3672

MARIE SEELEY
33 S 5TH W
REXBURG ID 83440
Telephone Number: (208)356-3284

*Wilcox Brothers' LLC
+ Floyd Wilcox + Sons
1110 Golden Beauty Dr
Rexburg, ID 83440*

- See attached deed -

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:

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: 10-11-05 SIGNATURE: *Terry Wilcox*
Please print your name: Terry Wilcox

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

*KMD
10/12*

WARRANTY DEED

476958

Order No.:3040221818-L

FOR VALUE RECEIVED

Colleen Blanchard, an undivided 50% interest, Marie Seeley, an undivided 25% interest, and Colleen Harnden, an undivided 25% interest

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Wilcox Brothers, L.L.C., and Floyd Wilcox & Sons Inc.

whose current address is

30 Golden Beauty Drive, Rexburg, ID 83440

the grantee(s), the following described premises, in Fremont County, Idaho, TO WIT:

Lot 11 of Section 13; Lots two and three and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14; the North 88 rods of the NE $\frac{1}{4}$ of Section 23, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, all in Township 8 North, Range 41 East, Boise Meridian, Fremont County, Idaho.

Less: Beginning at a point that is North 00°00'23" East along the section line 1212.59 feet from the East $\frac{1}{4}$ corner of Section 23, Township 8 North, Range 41 East of the Boise Meridian, and running thence North 89°59'37" West 25.41 feet; thence North 49°06'05" West 132.23 feet; thence North 01°42'00" West 155.80 feet; thence North 88°48'19" East 130.03 feet to the East line of said Section 23; thence North 88°48'19" East into Section 24 a distance of 427.52 feet; thence South 146.73 feet, more or less to the South line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 24; thence North 89°50'08" West along said South line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ a distance of 427.45 feet to the West line of said Section 24; thence South 00°00'23" West along the Section line 108.43 feet more or less to the point of beginning.

Also less the following: A fraction of Section 13, Township 8 North, Range 41 East, Boise Meridian, Fremont County, Idaho, on the South side of Fall River . Beginning at a point 1289.85 feet West and 1130.00 feet North 0°18'06" East of the South quarter corner of Section 13, Township 8 North, Range 41 East, Boise Meridian, Fremont County, Idaho (said point of beginning is a half-inch steel rod on the west side of a county road) and running thence West 470.00 feet; thence North 130.00 feet to the South bank of Fall River; thence more or less along the said South bank North 60°14'55" East 547.85 feet; thence South 1°32'00" West 210.70 feet along an existing fence line; thence South 191.24 feet to the point of beginning.

Also included is an access roadway easement 25 feet in width, the centerline of which commences at a point 216 feet South of Fall River and 378 feet North of the Curr Ditch on a surveyed boundary line between Lots 10 and 11 of Section 13, Township 8 North, Range 41 East, Boise Meridian, Fremont County, Idaho and running thence East 250 feet, more or less, to the county roadway. More precisely described as a roadway easement 25 feet in width, the centerline of which is described as beginning at a point 1308.00 feet North 0°18'06" East and 1290.78 feet West of the South quarter corner of Section 13, Township 8 North, Range 41 East, Boise Meridian, Fremont County, Idaho, and running thence South 70°48'00" East 58.5 feet, more or less, to the West right of way line of the county road.

Also less: Beginning at a point on the South boundary line of Section 14 in Township 8 North of Range 41 East of the Boise Meridian, which is 1,769.0 feet due West from the Southeast corner of said Section 14, thence North 9°2' East 1,465.0 feet; thence North 52°2' East 390 feet, thence North 70°26' East 280.0 feet, thence North 82°26' East 85 feet, thence North 3°34' West 64 feet, thence North 84° West 32 feet, thence South 72° West 528.0 feet; thence South 43° West 406 feet the last three courses being on the meander line of the left bank of Henry's Fork River according to the United States Land Office survey thereof, thence South 9°2' West 1,414.0 feet, thence East 151.88 feet to the point of beginning.

Together with the following described water rights:

120 inches of the June 1, 1888

120 inches of the June 1, 1888

120 inches of the June 1, 1892

200 inches of the June 1, 1892

All of the above is decreed water from Fall River Water out of the Curr Ditch.
Also 5 acre feet of the Fremont Madison Irrigation District.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 9/23/02

Colleen Blanchard

Marie Seeley

Colleen B Harnden
Colleen Harnden

State of Idaho

}
} ss.
}

County of Fremont

On this _____, before me, a Notary Public in and for said state, personally appeared Colleen Blanchard, Marie Seeley

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public for the State of Idaho

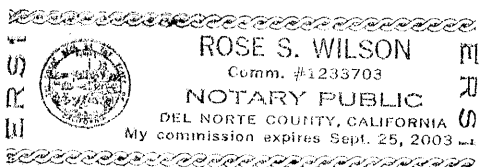
Residing at:

Commission Expires:

**STATE OF CALIFORNIA)
COUNTY OF DEL NORTE)**

On September 23, 2002, before me, the undersigned, personally appeared COLLEEN B. HARNDEN, also known as COLLEEN HARNDEN personally known to me (or proved on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities and that by their signature on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand, and official seal.



Rose S. Wilson
ROSE S. WILSON, NOTARY PUBLIC

Microfilm No. 476958
Day 23 20 02
At 15:14 O'Clock P M
ABBIE MACE
FREMONT CO RECORDER
Fee \$ 6-35 Deputy
Recorded at Request of _____

ALBERTSON, JAMES L.
P.O. BOX 102
FREMONT, ID 83440

WARRANTY DEED

Order No.:3040221818-L

FOR VALUE RECEIVED

Colleen Blanchard, an undivided 50% interest, Marie Seeley, an undivided 25% interest, and Colleen Harnden, an undivided 25% interest

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

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Together with the following described water rights:

120 inches of the June 1, 1888

120 inches of the June 1, 1888

120 inches of the June 1, 1892

476957
Microfilm No. _____
Day Oct 20 02
At 15:12 O'Clock P M
ABBIE MACE
FREMONT CO RECORDER
Fee \$ 6.00
Recorded at Request of _____

200 inches of the June 1, 1892

All of the above is decreed water from Fall River Water out of the Curr Ditch.
Also 5 acre feet of the Fremont Madison Irrigation District.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: _____

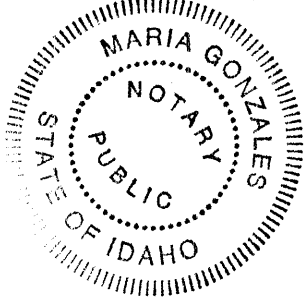
Colleen Blanchard Sept 20, 2002 Marie Seeley
Colleen Blanchard Marie Seeley

Colleen Harnden

State of Idaho }
County of Fremont Madison } ss.

On this Sept. 20, 2002, before me, a Notary Public in and for said state, personally appeared Colleen Blanchard, Marie Seeley and Colleen Harnden

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Maria Gonzales
Notary Public for the State of Idaho
Residing at: Dexbury
Commission Expires: 3/4/06