

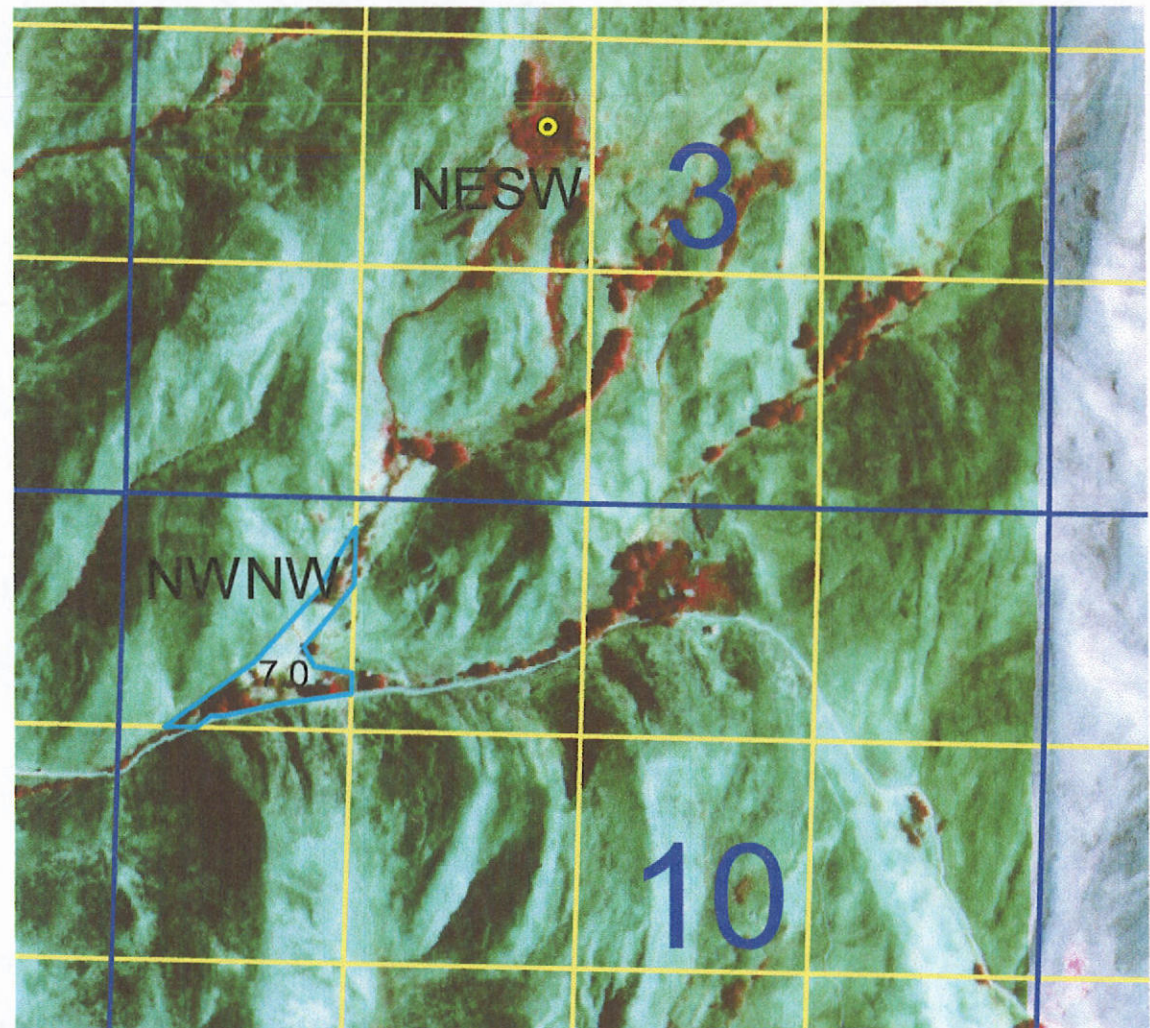
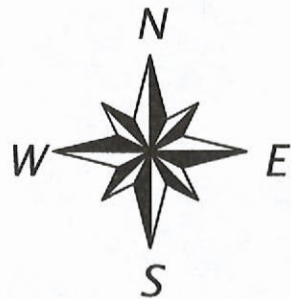
Idaho Department of Water Resources

Claim Number: 65-00115

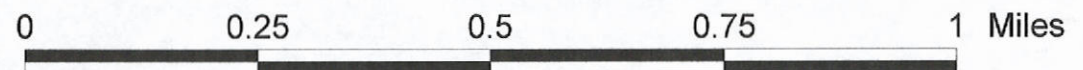
Legal: T07N, R01W, S10

Reviewed By: *SB*

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-00115
Date Received: 7/27/1994
Receipt No: W017815 (LATE FEE)
Received By: TM

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: JERRY L RADANDT 208-365-5081
Address: 2848 S BOISE AVE
EMMETT ID 83617

2. Date of Priority: APR 1, 1915

3. Source: SPRING Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	01W	3	NE	SW			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		
STOCKWATER	01/01	12/31	0.020		0.70

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 0.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	01W	10	NW	NW		IRR	7.0
Section Acres							7.0

10. Place of Use: Continued

Total Acres 7.0

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

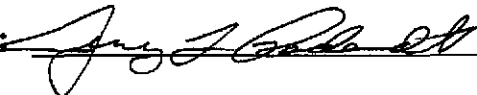
16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): 

Date: 7-27-94

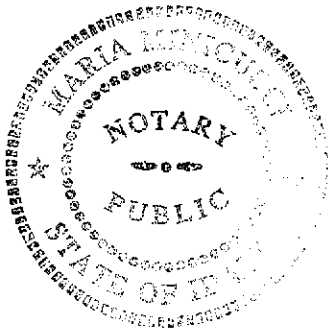
Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of July 19 94

Wan Henshaw
Notary Public

Seal



Residing at Bose Idaho

My Commission Expires 6/27/1999

06/07/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-115

NAME AND ADDRESS: AMY E ENGLISH
ROBERT M ENGLISH
4337 B HWY 90
PACE, FL 32571

SOURCE: SPRING TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR
STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER
DAY.

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION: T07N R01W S3 NESW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.06 CFS
STOCKWATER	1-01 12-31	0.02 CFS
		0.70 AFY

PLACE OF USE:

IRRIGATION Within GEM County
T07N R01W S10 NWNW 7
STOCKWATER Use same as IRRIGATION

7 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

03/08/2001

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: April 13, 2001

Water right number: 65-115

JERRY L RADANDT
2848 S BOISE AVE
EMMETT ID 83617
Telephone Number: (208)365-5081

RECEIVED
APR 13 2001
WATER RESOURCES
WESTERN REGION

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

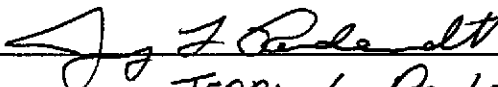
2. Describe the changes you wish to make in the proposed recommendation:

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: 4-6-01

SIGNATURE:



Please print your name:

JERRY L. RADANDT

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

AJ0749NP
No. R65-00115

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/14/00
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JERRY L RADANDT 2848 S BOISE AVE EMMETT ID 83617 (208) 365-5081	04/01/1915	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.060 CFS 0.020 CFS	0.70 AFA
TOTAL DIVERSION:					0.060 CFS	

Water Source: SPRING

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T07N R01W S03 NESW

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	01W	10	:																	:	7.0
TOTAL ACRES																				7.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: GEM

Conditions of Approval:

- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:39:05
06/11/00
17

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-00115

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																																					
C	JERRY L RADANDT	04/01/1915	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.060 CFS 0.020 CFS	0.70 AFA																																																																																																																																					
TOTAL DIVERSION:					0.060 CFS	0.70 AFA																																																																																																																																					
Water Source: SPRING		Tributary to: PAYETTE RIVER		Stage: DECREED																																																																																																																																							
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Place of use Legal Description for: IRRIGATION																																																																																																																																											
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Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: GEM

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag: Presumption Flag:

NOV
NOB

WR5809NP
No. 65-00115

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/30/00
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEO RADANDT	04/01/1915	IRRIGATION	03/15 11/15	0.060 CFS	
C	BESSIE RADANDT BOX 391 EMMETT ID 83617		STOCKWATER	01/01 12/31	0.020 CFS	0.70 AFA
TOTAL DIVERSION:					0.060 CFS	0.70 AFA

Water Source: SPRING

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion:

T07N R01W S03

NESW

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	01W	10	:																	:	7.0
TOTAL ACRES																				7.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: GEM

Dates:	App. Received:	Priority Date:	04/01/1915
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:38:45
06/11/00

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-00115

LAST: RADANDT
ADDRESS: BOX 391
CITY: EMMETT
PHONE NUMBER: 208-000-0000

FIRST: LEO
STATE: ID ZIP: 83617

OWNER CODE: O

LAST: RADANDT
ADDRESS: BOX 391
CITY: EMMETT
PHONE NUMBER: 208-000-0000

FIRST: BESSIE
STATE: ID ZIP: 83617

OWNER CODE: O

LAST: RADANDT
ADDRESS: 2848 S BOISE AVE
CITY: EMMETT
PHONE NUMBER: 208-365-5081

FIRST: JERRY L
STATE: ID ZIP: 83617

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-00115 PRIORITY DATE: 04-01-1915 STAGE: D

B. WR RECORD: # 65-00115 PRIORITY DATE: 04-01-1915 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☐) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☐) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☐) Y(☐) N(☐)

LICENSE ISSUED

N/A(☐) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

04-01-1915

REVIEWED BY SB

DATE 6-14-00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-00115	07N 01W	3		NE	SW			GEM		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-01274 65-01274
A65-01999 65-01999

WR RECORDS IN SAME 40 ACRE TRACT
65-01274
65-01999
65-13590

SOURCE: SPRING

TRIB: PAYETTE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-00115	07N 01W	3		NE	SW			GEM		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-01274 65-01274
A65-01999 65-01999

65-01274
65-01999
65-13590

SOURCE: SPRING

TRIB: PAYETTE RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY GEM	DIVERSION NAME	DIVERSION NBR
07N	01W	3		NE	SW					
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: SPRING

TRIB: PAYETTE RIVER

REVIEWED BY: SB DATE: 6-13-00

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A65-00115

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	01W	10	NW	NW		RADANDT, JERRY L	A65-00115 /	7.0	65-00115 /	7.0	
			NW	NW		RADANDT, JERRY L	A65-01999 /		65-01999 /		
			NW	NW		RADANDT, JERRY	65-01999 /		- /		
			NW	NW		RADANDT, LEO			65-01998 /		
			NW	NW		RADANDT, JERRY L			65-13532 /	6.0	
			NW	NW		BISHOP, EARL D			65-13876 /		

ADDITIONAL POU FOUND

TOTAL ACRES A65-00115 7.00 7.00

POU COUNTY: GEM

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-00115	STOCKWATER	RADANDT, JERRY L	FROM 01-01 TO 12-31	0.020 CFS	
A65-01999	STOCKWATER	RADANDT, JERRY L	FROM 01-01 TO 12-31	0.020 CFS	0.70 AF/A
65-01999	STOCKWATER	RADANDT, JERRY	FROM 01-01 TO 12-31	0.020 CFS	0.70 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

NOTES: add decreased

TOTAL ACRES: 7 N/A ()
REVIEWED BY: SB DATE: 6-14-00

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-00115 IRRIGATION	FROM 03-15 TO 11-15	0.060 CFS	
A65-00115 STOCKWATER	FROM 01-01 TO 12-31	0.020 CFS	0.70 AF/A
TOTAL DIVERSION RATE/VOLUME		0.060 CFS	0.70 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-00115 IRRIGATION	FROM 03-15 TO 11-15	0.060 CFS	
65-00115 STOCKWATER	FROM 01-01 TO 12-31	0.020 CFS	0.70 AF/A
TOTAL DIVERSION RATE/VOLUME		0.060 CFS	0.70 AF/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☐) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☒)

PAGE: 10

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

10

CLAIM NUMBER: A65-00115

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.060 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.060 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES x 0.02 CFS/ACRE = 0.4 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 0.70 AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION STOCKWATER	03-15	11-15	DATABASE 0.060	EXAMINER _____	0.70	DATABASE	0.0	EXAMINER _____
	01-01	12-31	0.020	_____			0.0	_____
_____	_____	_____		_____				_____
_____	_____	_____		_____				_____
_____	_____	_____		_____				_____
_____	_____	_____		_____				_____
TOTAL FOR THIS RIGHT			0.060	_____	0.70		0.0	_____

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

N05
N08

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(☒)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-00115

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.060 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-00115	0.060	-		65-00115	0.060
TOTAL CFS		0.060				0.060

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE Y FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: *Dave Boert* DATE: 6-14-00

NAME OF FIELD EXAMINER: _____ TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>GIS map</u>	DATE <u>6-14-00</u>	Y(☒) N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:38:45
06/11/00

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A65-00115

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N	Done	SB 6-14-00		
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

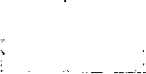
BARCODE UPDATED
WHOM/DATE

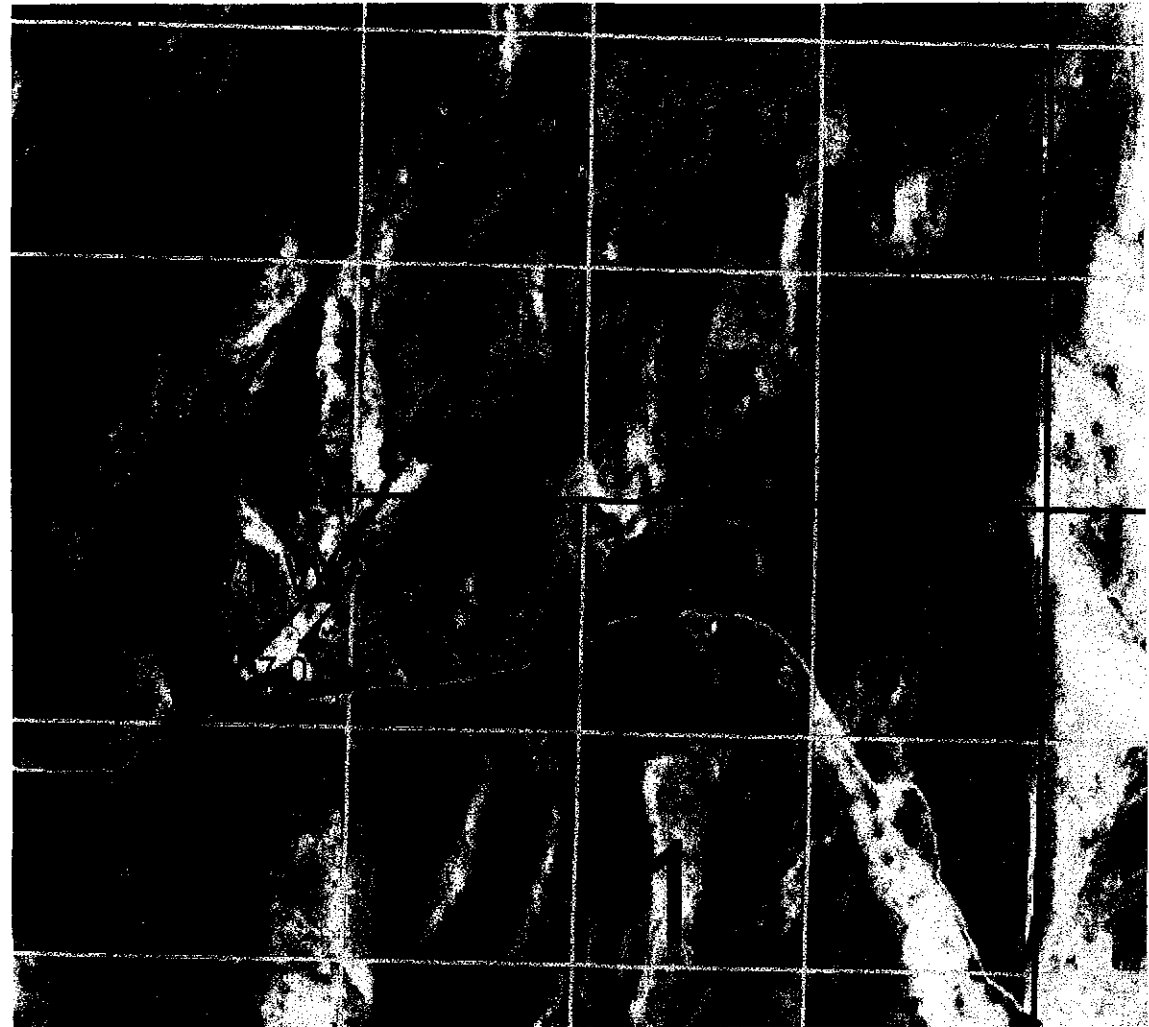
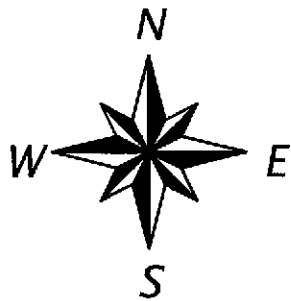
Idaho Department of Water Resources

Claim Number: 65-00115

Legal: T07N, R01W, S10

Reviewed By: *SB*

- ⊙ Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 65-115
Date Received: 7/27/94
Receipt No: W017815
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): ROBERT M ENGLISH
4337 B HWY 90
PACE FL USA 32571

Phone:

AMY E ENGLISH
4337 B HWY 90
PACE FL USA 32571

Phone:

2. Date of Priority: 04/01/1915

3. Source: SPRING Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	01W	3	NE SW	GEM	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.06	
STOCKWATER	1/01	12/31	0.02	0.7

7. Total Quantity Appropriated is:
0.06 C.F.S. and/or 0.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	01W	10	NW NW		IRRIGATION	7
Section Acres						7
Total Acres						7

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 6/7/2001

15. Basis of Claim: Decreed

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s):

65-1999, 65-13532, 65-115, 65-1998

No claim

Adjudication Claim No(s):

pd issued Licence Book

RECEIVED

MAY 29 2001

WATER RESOURCES
WESTERN REGION

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

Jerry Radandt/Leo & Bessie Radandt

4. New Owner/Claimant(s)

Robert M. English and Amy E. English

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

4337 B Highway 90

City, State and ZIP Code

Pace, Florida 32571

New Telephone Number

()

5. Date you acquired the property

May 18, 2001

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate

Number and type of stock

Diversion rate in CFS

Number of homes

Other uses

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

X Robert M. English
Amy E. English

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

WARRANTY DEED

Order No.:405002195

FOR VALUE RECEIVED

Tract I - Jerry L. Radandt as his sole and separate property and Hendrika Radandt, wife of Jerry L. Radandt

the grantors, do hereby grant, bargain, sell and convey unto

Robert M. English and Amy E. English, Husband and Wife

whose current address is

4337 B Highway 90 Pace, FL 32571

the grantees, the following described premises, in Gem County, Idaho, TO WIT:

TRACT I

A tract of land situated in a portion of the NW ¼ of Section 10, Township 7 North, Range 1 West, B.M., Gem County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the NW ¼ of Section 10, T. 7 N., R. 1 W., B.M., Gem County, Idaho; thence South 86°54'18" East, 185.16 feet, along the North line of said NW ¼ to the REAL POINT OF BEGINNING; thence continuing South 86°54'18" East 380.16 feet; thence South 04°35'33" West, 220.08 feet; thence South 86°54'18" East, 316.58 feet; thence South 04°35'33" West, 176.65 feet; thence South 41°04'33" East, 600.72 feet; thence North 89°58'10" West, 365.36 feet to a point referred hereinafter as Point "A"; thence North 13°20'19" West, 103.81 feet; thence North 41°04'32" West, 489.31 feet; thence North 04°35'33" East, 110.71 feet; thence South 85°59'33" West, 318.44 feet; thence North 06°47'46" West, 330.07 feet to the REAL POINT OF BEGINNING.

INCLUDING an ingress, egress and utility easement lying 40.00 feet Easterly of the following described line:

BEGINNING at Point "A" described above; thence

South 13°20'19" East, 276.61 feet to a point on the Northerly right of way of Butte Road and the terminus of this easement.

TOGETHER WITH EASEMENT (Exhibit "A" Attached)

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 Grantee(s), that they are the owners 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 they will warrant and defend the same from all lawful claims whatsoever.

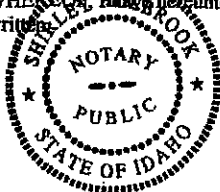
Dated: May 14, 2001

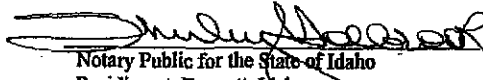

Jerry L. Radandt


Hendrika Radandt

State of Idaho)
County of Gem)

On this 21st day of May, 01, before me, a Notary Public in and for said state, personally appeared Jerry L. Radandt and Hendrika Radandt known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that they executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for the State of Idaho
Residing at: Emmett, Idaho
Commission Expires: 4/19/2006

WARRANTY DEED

FOR VALUE RECEIVED TRACT II - JERRY L. RADANDT AS HIS SOLE AND SEPARATE PROPERTY AND HENDRIKA RADANDT, WIFE OF JERRY L. RADANDT

the grantors, do hereby grant, bargain, sell and convey unto Robert M. English and Amy E. English, Husband and Wife

whose current address is 4337 B Highway 90 Pace, FL 32571

the grantees, the following described premises, in Gem County, Idaho, TO WIT:

TRACT II

A tract of land situated in a portion of the NW $\frac{1}{4}$ of Section 10, Township 7 North, Range 1 West, B.M., Gem County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the NW $\frac{1}{4}$ of Section 10, T. 7 N., R. 1 W., B.M., Gem County, Idaho; thence South 00°11'22" West, 1483.62 feet, along the West line of said NW $\frac{1}{4}$ to a point on the Northerly right of way of Butte Road; thence North 66°28'48" East, 598.23 feet, along said Northerly right of way to the REAL POINT OF BEGINNING; thence North 00°58'54" East, 129.07 feet; thence North 50°08'57" East, 83.40 feet; thence North 80°00'46" East, 300.06 feet; thence North 13°20'19" West, 117.80 feet to a point referred to hereinafter as Point "A"; thence South 89°58'10" East, 365.36 feet; thence North 41°04'33" West, 134.04 feet; thence South 89°58'10" East, 437.79 feet to a point referred to hereinafter as Point "C"; thence continuing South 89°58'10" East, 40.16 feet to a point referred to hereinafter as Point "B"; thence South 05°12'42" East, 251.23 feet to a point on the Northerly right of way of Butte Road; thence South 80°48'49" West, 618.61 feet, along said right of way; thence South 78°38'40" West, 511.98 feet, along said right of way to the REAL POINT OF BEGINNING.

SUBJECT TO the following described easements:

Easement A:

An easement for ingress, egress and utility purposes lying 40.00 feet Easterly of the following described line:

BEGINNING at Point "A" described above; thence

South 13°20'19" East, 276.61 feet to a point on the Northerly right of way of Butte Road and the terminus of this easement.

Easement B:

An easement for ingress, egress and utility purposes lying 40.00 feet Westerly of the following described line:

BEGINNING at Point "B" described above; thence

South 05°12'42" East, 251.23 feet to a point on the Northerly right of way of Butte Road and the terminus of this easement.

Easement C:

An easement for ingress, egress and utility purposes lying 40.00 feet Westerly of the following described line:

BEGINNING at Point "C" described above; thence

South 05°12'42" East, 40.17 feet to the point of terminus of this easement.

TOGETHER WITH AN EASEMENT (Exhibit "A" Attached) 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 Grantee(s), that they are the owners 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 they will warrant and defend the same from all lawful claims whatsoever.

Dated: May 14, 2001

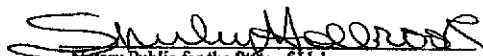

Jerry L. Radandt


Hendrika Radandt

State of Idaho
County of Gem

On the 14th day of May, 01, before me, a Notary Public in and for said state, personally appeared Jerry L. Radandt and Hendrika Radandt, known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that they executed same.




Notary Public for the State of Idaho
Residing at: Emmett, Idaho
Commission Expires: 4/19/2006

WARRANTY DEED

Order No.:405002195

FOR VALUE RECEIVED

Tract III- Jerry L. Radandt as his sole and separate property and Hendrika Radandt, wife of Jerry L. Radandt
the grantors, do hereby grant, bargain, sell and convey unto

Robert M. English and Amy E. English, Husband and Wife

whose current address is 4337 B Highway 90 Pace, FL 32571

the grantees, the following described premises, in Gem County, Idaho, TO WIT:

TRACT III

A tract of land situated in a portion of the NW ¼ of Section 10, Township 7 North, Range 1 West, B.M., Gem County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the NW ¼ of Section 10, T. 7 N., R. 1 W., B.M., Gem County, Idaho; thence

South 86°54'18" East, 565.32 feet, along the North line of said NW ¼; thence

South 04°35'33" West, 220.08 feet; thence

South 86°54'18" East, 316.58 feet to the REAL POINT OF BEGINNING; thence continuing

South 86°54'18" East, 476.28 feet; thence

South 26°52'58" East, 563.27 feet to a point referred to hereinafter as Point "C"; thence

North 89°58'10" West, 437.79 feet; thence

North 41°04'33" West, 466.68 feet; thence

North 04°35'33" East, 176.65 feet to the REAL POINT OF BEGINNING.

INCLUDING an ingress, egress and utility easement lying 40.00 feet Westerly of the following described line

BEGINNING at Point "C" described above; thence

South 89°58'10" East, 40.16 feet to the REAL POINT OF BEGINNING; thence

South 05°12'42" East, 251.23 feet to a point on the Northerly right of way of Butte Road and the terminus of this easement.

TOGETHER WITH EASEMENT (Exhibit "A" Attached)

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 they are the owners 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 they will warrant and defend the same from all lawful claims whatsoever.

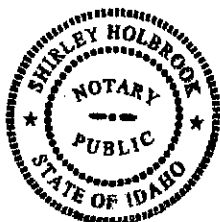
Dated: May 14, 2001


Jerry L. Radandt


Hendrika Radandt

State of Idaho }
County of Gem } ss }

On this 21st day of May, 01, before me, a Notary Public in and for said state, personally appeared Jerry L. Radandt and Hendrika Radandt known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that they executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for the State of Idaho
Residing at: Emmett, Idaho
Commission Expires: 04/19/2006

"EXHIBIT A"

TOGETHER WITH all water and ditch rights appurtenant to or used for the benefit of said described premises, including all shares of water appurtenant to the above described premises from a certain spring known to all parties and delivered to individual parcels by $\frac{1}{2}$ " stub lines from the 2" main line and as described in Warranty Deed, Instrument No. 99618, records of Gem County, Idaho. Also including any easements or rights of ways appurtenant to or used for the benefit of or dedicated to said described premises.

SUBJECT TO an easement over and across the above described premises in a location known to all parties for a 2" main line for the delivery of water from the spring mentioned herein to the above described premises and adjoining premises and requirements for maintenance thereof and as described in Warranty Deed, Instrument No. 99618, records of Gem County, Idaho. And subject to any other easements, rights of way, reservations and exceptions, if any.

Together with appurtenances.

WARRANTY DEED

Order No.:405002195

For Value Received Joni L. Nevers, as her sole and separate property
the grantor, does hereby grant, bargain, sell and convey unto

Robert M. English and Amy E. English, Husband and Wife

whose current address is 4337 B Highway 90 Pace, FL 32571

the grantees, the following described premises, in Gem County, Idaho, TO WIT:

TRACT IV

A tract of land situated in a portion of the NW ¼ of Section 10, Township 7 North, Range 1 West, Boise Meridian, Gem County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the NW ¼ of Section 10, T. 7 N., R. 1 W., B.M., Gem County, Idaho; thence
South 86°54'18" East 565.32 feet along the North line of said NW ¼ to the REAL POINT OF BEGINNING;
thence continuing
South 86°54'18" East, 1105.02 feet; thence
South 23°49'27" West, 135.12 feet; thence
South 01°40'15" West, 273.52 feet; thence
South 05°12'42" East, 309.20 feet to a point referred to hereinafter as Point "B"; thence
North 89°58'10" West, 40.16 feet; thence
North 26°52'58" West, 563.27 feet; thence
North 86°54'18" West, 792.86 feet; thence
North 04°35'33" East, 220.08 feet to the REAL POINT OF BEGINNING.

INCLUDING an ingress, egress and utility easement lying 40.00 feet Westerly of the following described line:

BEGINNING at Point "B" described above; thence

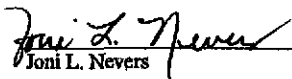
South 05°12'42" East, 251.23 feet to a point on the Northerly right of way of Butte Road and the terminus of this easement.

TOGETHER WITH EASEMENT (Exhibit "A") Attached

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 she is the owner 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 she will warrant and defend the same from all lawful claims whatsoever.

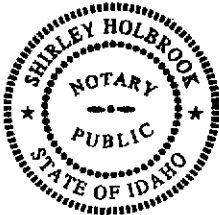
Dated: May 15, 2001

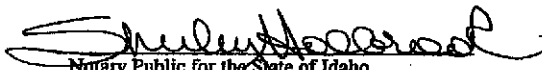

Joni L. Nevers

State of Idaho }
County of Gem }

On this 21st day of May, 01, before me, a Notary Public in and for said state, personally appeared Joni L. Nevers

known or identified to me to be the person whose name is subscribed to the within Instrument and acknowledged to me that she executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for the State of Idaho
Residing at: Emmett, Idaho
Commission Expires: 4/19/2006

"EXHIBIT A"

TOGETHER WITH all water and ditch rights appurtenant to or used for the benefit of said described premises, including all shares of water appurtenant to the above described premises from a certain spring known to all parties and delivered to individual parcels by $\frac{1}{2}$ " stub lines from the 2" main line and as described in Warranty Deed, Instrument No. 99618, records of Gem County, Idaho. Also including any easements or rights of ways appurtenant to or used for the benefit of or dedicated to said described premises.

SUBJECT TO an easement over and across the above described premises in a location known to all parties for a 2" main line for the delivery of water from the spring mentioned herein to the above described premises and adjoining premises and requirements for maintenance thereof and as described in Warranty Deed, Instrument No. 99618, records of Gem County, Idaho. And subject to any other easements, rights of way, reservations and exceptions, if any.

Together with appurtenances.

THIS INDENTURE, Made this 15th day of December
in the year of our Lord one thousand nine hundred and Sixty-Nine (1969), between
LEO D. RADANDT and BESSIE RADANDT, husband and wife,

of Emmett, County of Gem, State of Idaho

the parties of the first part, and

ROGER L. DARNELL and ROSE M. DARNELL, husband and wife,

of Emmett, County of Gem, State of Idaho

the parties of the second part, WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of

Ten and no/100 (\$10.00) and other valuable consideration - DOLLARS,

lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey, and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate, situated in the County of Gem, State of Idaho, to-wit:

S $\frac{1}{2}$ of SE $\frac{1}{4}$, Section 34, Twp. 8 N., R. 1 W.B.M. And, Lots 1, 2, 3 and 4; SE $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 3, and N $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 10, all in Twp. 7 N., R. 1 W.B.M. Including all water and ditch rights appurtenant thereto or used in connection therewith. Subject to easements and rights of way, if any.

EXCEPTING the following described tract of land:

Beginning at the NW corner of Section 10, Twp. 7 N., R. 1 W.B.M., thence South along the West sideline of said Section 10, 1190.15 feet; thence N.77°39.3'E. 512.23 feet; thence N.79°49.4'E. 618.92 feet; thence N.6°12.3'W. 560.57 feet; thence North 0°45.6'E. 273.73 feet; thence N.22°50.0'E. 691.98 feet; thence West 1324.90 feet to the West sideline of Section 3 in said township and range; thence S.0°25'E. along said West sideline of said Section 3 a distance of 497.47 feet to the point of beginning, and containing 40.46 acres, more or less.

Said grantors reserve a perpetual easement across a portion of the lands being conveyed, which easement shall consist of a right of way and buried pipeline easement, to convey water from two artesian wells, located on the property being conveyed pursuant to this Deed. The exact location of the pipeline is unknown at this time. The grantors also reserve a perpetual right to the waters of two artesian wells located on the properties being conveyed pursuant to this deed, subject, however, to the right of grantees, their heirs, successors and assigns, to use "adequate stock water" for livestock of grantees, their heirs, successors and assigns, to be kept or pastured on the property being conveyed pursuant to this deed.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever, and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Leo D. Radandt (Seal)
Bessie Radandt (Seal)

(Seal)
(Seal)

STATE OF IDAHO,

County of Gem.

ss.

On this

15th

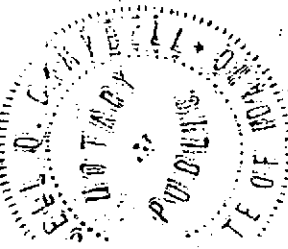
day of

December in the year 1959, before me,

the undersigned, a Notary Public

in and for said State personally appeared LEO D. RADANDT and BESSIE M. RADANDT, husband and wife, whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Russell D. Darnell
Notary Public for the State of Idaho
Residing at Emmett, Idaho

99618

No. _____

WARRANTY DEED

Radandt, Leo D. et ux
(Bessie)

—TO—

Darnell, Roger L. et ux
(Rose M.)

Dated _____, 19____

STATE OF IDAHO,

County of Gem } ss.

I hereby certify that this instrument was
at 33 Minutes past 10
Roger L. Darnell
filed for record at request of
o'clock A. M., this 14th day
of April, A.D., 1970
as a
in my office, and duly recorded in Book
Deed under Instrument No.
of 99618 at page:

Russell D. Darnell
Ex-Officio Recorder.

By _____ Deputy.

Fees, \$ 2.00

Mail to _____