

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

DEC 12 2005

DEPARTMENT OF
WATER RESOURCES

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, 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
3-10001 V1		NO			
3-10002 V1		NO			

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**.
- 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).

OR

If your water right(s) and/or adjudication claim(s) are 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) ROBERTS FARM, INC.
1449 LARSEN ROAD, WEISER, ID 83672
4. New Owner/Claimant(s) LEROY E. BRANDT
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 2630 W Pendleton
 City, State and ZIP Code Meridian, Idaho 83642
 New Telephone Number (208) 888-3994
5. Date you acquired the property 12-6-2005

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) Leroy E. Brandt
(include title if applicable) LEROY E. BRANDT

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 _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

Page 1

12/02/2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 3-10001 V1

WATER RIGHT NUMBER: 3-10001 V1

Owner TypeName and Address

Current Owner

ROBERTS FARMS INC
1449 LARSEN RD
WEISER, ID 83672
(208)549-2507

Priority Date: 04/01/1920

Basis: Beneficial Use

Status: Active

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Diversion Rate

3.400 CFS

Annual VolumeTotal Diversion:

3.400 CFS

Location of Point(s) of Diversion

SNAKE RIVER

SW1/4SW1/4NW1/4

Sec. 5, Twp 10N, Rge 05W, B.M.

WASHINGTON County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
10N 05W 5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	170.0
			21.0	1.0			8.0	21.0	38.0	24.0			19.0	38.0			

Total Acres: 170

Conditions of Approval:

1. THIS CLAIM IS BASED ON REMARKS FOUND IN THE APPLICATION FOR PERMIT FOR WATER RIGHT NO. 03-02043. THE REMARKS STATED THAT A PUMP WAS FIRST PLACED IN THE RIVER IN 1920. THIS RIGHT MAY DEFAULT TO LICENSE 03-02043 IF NECESSARY. TWO SYSTEMS WERE LICENSED UNDER WATER RIGHT 03-02043, AND THESE ARE BEING CLAIMED AS A03-10001 AND A03-10002.
2. C18 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.
3. E53 Right Nos. 3-10001 and 3-10002 are limited to a total combined annual diversion volume of 1138.5 AF.

Remarks:

Page 2

12/02/2005

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 3-10001 V1Comments:

1. mmount 7/14/2005 Priority Date

Comment: The claimed priority date is based on the date the 10 h.p. pump was installed, and is based on and according to the permit for 3-2043.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	1138.5	253

Combined Water Rights: 3-10001 , 3-10002

Water Supply Bank:

Page 1

12/02/2005

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 3-10002 V1

WATER RIGHT NUMBER: 3-10002 V1

Owner Type Name and Address
 Current Owner ROBERTS FARMS INC
 1449 LARSEN RD
 WEISER, ID 83672
 (208)549-2507

Priority Date: 04/01/1947
 Basis: Beneficial Use
 Status: Active

Source Tributary
 SNAKE RIVER COLUMBIA RIVER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 03/01 to 11/15 1.860 CFS
Total Diversion: 1.860 CFS

Location of Point(s) of Diversion
 SNAKE RIVER NE1/4SW1/4NW1/4 Sec. 5, Twp 10N, Rge 05W, B.M.
 WASHINGTON County

Place of Use
 IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
10N 05W 5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	80.0
	11.0	12.0			24.0	10.0	6.0	17.0									
11N 05W 32											.3	2.4					2.7

Total Acres: 82.7

Conditions of Approval:

1. C18 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.
2. THIS CLAIM IS BASED ON REMARKS FOUND IN THE APPLICATION FOR PERMIT FOR WATER RIGHT NO. 03-02043. THE REMARKS STATED THAT A PUMP WAS FIRST PLACED IN THE RIVER IN 1947. THIS RIGHT MAY DEFAULT TO LICENSE 03-02043 IF NECESSARY. TWO SYSTEMS WERE LICENSED UNDER WATER RIGHT 03-02043, AND THESE ARE BEING CLAIMED AS A03-10001 AND A03-10002.
3. E53 Right Nos. 3-10001 and 3-10002 are limited to a total combined annual diversion volume of 1138.5 AF.

Remarks:

Page 2

12/02/2005

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 3-10002 V1

Comments:

1. mmount 7/14/2005 Priority Date

Comment: The claimed priority date is for 1920 (the date in which the 10 h.p. pump was installed - for the claim 3-10001 area), which is based on the license permit (for 3-2043) and not the actual license. The recommended priority date (1947) is based on the date the 5 h.p. pump was installed, according to what was stated on the permit.

2. mmount 7/14/2005 PDU

Comment: The claim pou is for 80 ac - however according to the aerial photo not all of the 34 acres in the NE1/4, NW1/4 are being irrigated. In order to stay within the allowed licensed acreage for both 3-10001 and 3-10002, (as per 3-2043) 10 acres must be removed. I recommended that 10 acres be removed from the NE1/4, NW 1/4 from claim 3-10002.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	1138.5	253

Combined Water Rights: 3-10001 , 3-10002

Water Supply Bank:



Instrument # 199550
WEISER, WASHINGTON, IDAHO
2005-12-06 03:00:00 No. of Pages: 2
Recorded for : AMERITITLE
SHARON WIDNER
Ex-Officio Recorder Deputy *Sharon Widner* Fee: 6.00
Index to: DEED

DEED

For Value Received, **Roberts Farms, Inc.**
a corporation duly organized and existing under the laws of the State of Idaho,
grantor does hereby grant, bargain, sell and convey unto

Leroy E. Brandt, an unmarried man

the grantee whose address is **2630 W. Parkstone Drive, Meridian, Idaho 83642**

the following described premises in **WASHINGTON COUNTY, IDAHO**, to-wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

Together with all water, water rights, ditches and ditch rights appurtenant thereto an in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantee, his heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and Secretary this 5th day of December, 2005

Dated: 12-5-05

Roberts Farms, Inc.

BY: Bradley H. Roberts (President)
Bradley H. Roberts, President

BY: Sidney W. Roberts Sec/Treas.
Sidney W. Roberts, Secretary/Treasurer

STATE OF IDAHO)
)ss
COUNTY OF WASHINGTON)

On this 5 day of December, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Bradley H. Roberts and Sidney W. Roberts, known or identified to me to be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

Nancy I. Lazaro
Notary Public for Idaho

Residing at: Weiser

My Commission Expires: 10/31/07

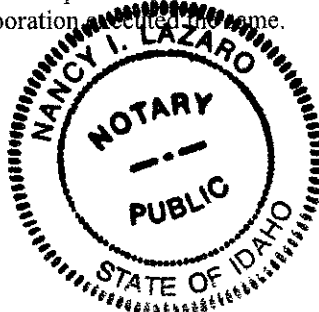


EXHIBIT A

IN TOWNSHIP 10 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

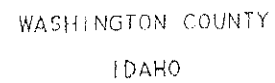
SECTION 5: All that portion of Lot 2, S1/2NE1/4 and N1/2SE1/4 of Section 5, lying South and West of the right-of-way of the Oregon Short Line Railroad and also that portion of Section 5 described as follows:

Commencing at the North one-quarter of Section 5, Township 10 North, Range 5 West of the Boise Meridian; thence Westerly along the North line of Section 5 a distance of 1911.9 feet; thence S 25°30' W 179 feet; thence S 46°37' E 170 feet; thence S 29°47' E 257.7 feet; thence S 7°16' E 466.7 feet; thence S 8°29' W 574.4 feet; thence S 19°25' W 1106 feet; thence S 15°34' W 187.7 feet; thence S 24°04' W 421.7 feet; thence S 49°20' W 173.5 feet; thence S 21°48' W 536 feet; thence S 5°21' W 196.5 feet; thence Easterly and parallel to the North line of said Section 5 a distance of 2738.7 feet; thence N 0°15' E a distance of 3,974.6 feet to the point of beginning. EXCEPTING THAT PORTION THEREOF lying North and East of the Southwesterly right-of-way of the Oregon Short Line Railroad.

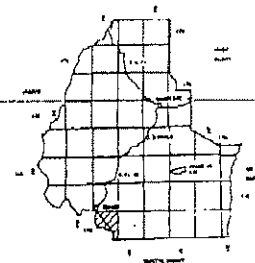
SAVE AND EXCEPT:

All that portion of Lots 2 and 3 lying South and West of the Oregon Short Line Railroad.

BHR LWR



BASED ON COMPLETION, SURVEYS AND OTHER
INFORMATION ON FILE AT THE OFFICE OF THE COUNTY
RECORDS OF SAN JUAN COUNTY, 1980-1981. THE
INFORMATION PROVIDED ONLY - DOES NOT CONSTITUTE
AN OFFICIAL RECORD.



6		2	7	8	
7	3	6	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 12-17-2008 BY 60322
REASON: E.O. 13526

J. N. S. J. H. M. C. B. + J. M. F. O. A.



266

SECTION 5
T. 10N., R. 5W., B.M.
10N 05W Q3(5)

1235 ✓