

Claim 27-12069
Timeline

05/14/1909	Quitclaim Deed, Emily (Warren) Hodder to Alice S. Miller 20" inches of decreed Blackfoot River Recorded # 26631
10/09/1911	U.S.A. Patent, to Alice S. Miller ✓ T3S, R34E, Sec. 23, Lot 3 Containing 28.50 acres Recorded # 21127
12/15/1930	Warranty Deed, William Miller to Mollie Miller T3S, R34E, Sec. 23, Lot 3 Together with all ditches, ditch rights of way and water rights Recorded #
12/01/1943	Indenture, Bingham County to J.S. Gardner Recorded # 41138
12/06/1943	Warranty Deed, Federal Land Bank to Barney & Mary Johannes T3S, R34E, Sec. 23, Lot 3 Recorded # 41081
11/25/1957	Warranty Deed, Barney Johannes to Charles F. Weaver T3S, R34E, Sec. 23, Lot 3 Together with the ditches and water rights Recorded Book 97, Page 161
07/09/2003	Deed of Personal Representative, Estate of Elsie Pearl Weaver to Charles Brent Weaver T3S, R34E, Sec. 22, Lots 10 and 16 T3S, R34E, Sec. 23, Lot 17 T3S, R34E, Sec. 23, Lot 3 Together with ditches and ditch rights, water and water rights Recorded # 529316

Pedigree of Brent Weaver Water Right
20 inches of Emily Warren Decree - April 1, 1883

DEED RECORD, BINGHAM COUNTY

Emily Hodder,
TO
Alice S. Miller.

QUITCLAIM DEED
No. 26631

This Indenture, made the 14th day of May, 1909, in the year of our Lord one thousand nine hundred and nine, between Emily Hodder, formerly Emily Warren, widow of Joseph Warren, deceased, of the county of Bingham, and state of Idaho, the part Y of the first part, and Alice S. Miller of the county of Bingham, and state of Idaho, the part Y of the second part.

Witnesseth, That the said part Y of the first part, for and in consideration of the sum of Two hundred Dollars, lawful money of the United States of America, to her in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged, do by these presents demise, release and forever quitclaim unto the said part Y of the second part, and to her heirs and assigns forever all the certain lot, piece, or parcel of land situated in the County of Bingham, and State of Idaho, and bounded and particularly described as follows, to wit:

Twenty (20) inches of the decreed water right in Blackfoot river, as evidenced by the decree of the District Court of the Fifth Judicial District of Idaho, in and for Bingham county, Idaho, in the action for the decree of the waters of Blackfoot river, wherein Fred S. Stevens et al were plaintiffs and the Eastern Idaho Water Company, a corporation et al were defendants, being twenty inches of the decreed water right of Joseph Warren, in the waters of Blackfoot river, as evidenced by the said decree of record in Bingham County, Idaho.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the succession and accretions, remainder and remainders, rents, issues and profits thereof.

To Have and to Hold, All and singular, the said premises, together with the appurtenances unto the said part Y of the second part, and to her heirs and assigns forever.

In Witness Whereof, The said part Y of the first part hereunto set her hand and seal the day and year first above written.

Emily Hodder. (SEAL)

John W. Jones. (SEAL)

State of Idaho.)
County of Bingham.) SS
I do hereby certify that on this 15th day of May in the year 1909, before me, John W. Jones, a notary public, in and for said county and state, personally appeared Emily Hodder known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that she executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal at Blackfoot, Idaho, the day and year first above written. My commission expires July 10, 1909.

John W. Jones, Notary Public.

Recorded at request of Alice S. Miller May 22, 1909 at 2:30 p.m. H. B. Curtis, Recorder.

NOTE: Recorded May 22, 1909 at 2:30 p. m.

Pedigree of Brent Weaver Water Right
20 inches of Emily Warren Decree - April 1, 1883

APR 2 2005

No. 21127.

THE UNITED STATES OF AMERICA

Blackfoot 04765.

To All to Whom These Presents Shall Come - GREETING:

WHEREAS, A certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of

Alice S. Miller,

has been established and duly consummated, in conformity to law, for the

Lot three of section Twenty-three in Township three south of Range thirty-four east of the Boise Meridian, Idaho, containing twenty-eight and fifty-hundredths acres,

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General. That the United States of America in consideration of the premises and in conformity with the several Acts of Congress in such case made and provided, has Given and Granted as these presents does Give and Grant unto the said claimant and to the heirs of the said claimant, TO HAVE AND TO HOLD THE said Tract of Land unto the said claimant and to the heirs of the said claimant, together with all the rights, privileges, immunities and appurtenances, of whatsoever kind thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant, subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, William H. Taft, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.



Given under my hand, at the City of Washington, the Fifth day of October in the year of our Lord one thousand nine hundred and eleventh and of the Independence of the United States the one hundred and Thirty-sixth.

BY THE PRESIDENT: Wm. H. Taft,

By M. F. Le Roy Secretary.

Recorded Patent Number 228619 H.W. Sanford, Recorder of the General Land Office.

Recorded at the request of Bingham Abstract Co. Ltd. Oct. 7th, A. D. 1916, at 2:45 o'clock P. M.
F. M. Fisher, Recorder

Pedigree of Brent Weaver Water Right 20 inches of Emily Warren Decree - April 1, 1883

THIS INDENTURE, Made the 10th day of December in the year of our Lord one thousand nine hundred and 1900, between

William Miller, of Bonanza, and State of Idaho, the part of the first part, and

William Miller, of Bonanza, and State of Idaho, the part of the second part.

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

One and no/100-00 DOLLARS,

lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged

do by these presents grant, sell, bargain and convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the certain lot, piece or parcel of land situate, lying and being in the County of Bingham and State of Idaho, and bounded and described as follows, to-wit:

The Lot Three (3) of Section twenty-three (23) in Township three (3) South of Range thirty-four (34) East of the Boise Meridian, in Idaho.

Together with all ditches, ditch rights of way and water rights thereto appertaining and not excepted, and particularly twenty (20) inches of decreed water in the Idaho River, as the same may be used or decreed in, after, and reserved in accordance with the decree of the Supreme Court of the State of Idaho, in the case of Emily Warren vs. William Miller, et al., docketed at Boise, Idaho, in the year 1883, and in the case of William Miller, et al., docketed at Boise, Idaho, in the year 1883.

Subject to a partial water right of the same area as of the said water right.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the rents, issues and profits thereof

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part, and to his heirs and assigns forever, and the said party of the first part, his heirs and assigns, against the said party of the second part, his heirs and assigns, against the said party of the first part and his heirs and assigns, 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 party of the first part has hereunto set his hand and seal, the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

William Miller (SEAL)

William Miller (SEAL)

William Miller (SEAL)

William Miller (SEAL)

STATE OF IDAHO, ss.
COUNTY OF BONANZA

I DO HEREBY CERTIFY, That on this 10th day of December in the year 1900, before me, Theodore H. Gagne, Notary Public, said State of Idaho, personally appeared

William Miller known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

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

My Commission expires: Seal. Theodore H. Gagne Notary Public.
Recorded at the request of Geo. Miller, Dec. 10, 1900 at 12:10 P. M.

P. B. Lence Recorder.
By J. B. Lence Deputy Recorder.

Recorder's Fee, \$



**Pedigree of Brent Weaver Water Right
20 inches of Emily Warren Decree - April 1, 1883**

411

STATE OF WASHINGTON

SS

COUNTY OF SPOKANE

On this 6th day of December 1943, before me (a notary public in and for the above named state) personally appeared S. C. Fish to me known to be the Vice-President of the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and that it executed the same, and on oath stated that he was authorized to execute said instrument, and that the seal affixed is the corporate seal of said corporation.

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

seal

E. C. Frestby

My commission expires Oct. 7
1947

Notary Public in and for the State of Washington
Residing at Spokane, Washington

Recorded at the request of Barney Johannes Dec. 10, 1943 at 3:40 P.M. Fee \$1.40
By *E. N. Gardner* Deputy Jno. H. Falk, Recorder

No. 41138

DEED BY COUNTY OF PROPERTY ACQUIRED FOR TAXES

THIS INDENTURE, Made this 1st day of December, A.D. 1943 between the County of Bingham State of Idaho, party of the first part, and J.S. Gardner of Bingham County, Idaho, party of the second part, WITNESSETH:

WHEREAS, By an order duly made by the Board of County Commissioners of said County in meeting assembled on the 17th day of October, 1929, and entered in Book G of Commissioners' Minutes at page 605, it was found and determined that the certain tract or parcel of land belonging to said County and hereinafter particularly described, was not necessary for the use of said County, and that the same should therefore, pursuant to the provisions of Section 30-708 I.C.A., as amended be sold at public auction;

WHEREAS, Pursuant to said order and the statute in such case made and provided, due notice of said sale was published for a period of thirty (30) days previous to the date of said sale by publication, in The Bingham County News, a weekly newspaper published in said County, the first publication having been made on the 8th day of November, 1929, and the last publication on the 13th day of December, 1929, affidavit of the giving of which notice has been duly filed with the Clerk of the Board of County Commissioners of said County;

WHEREAS, Said notice set forth the 16th day of December, 1929, at 10.00 o'clock A.M., at the Courthouse door of Bingham County as the time and place of sale, and further set forth the terms of said sale;

WHEREAS, The premises hereinafter described having been acquired by tax deed based upon a delinquent tax certificate for the taxes of 1921, wherein said property was assessed to Arthur W. Hale in the notice of sale aforesaid, there was inserted before (or after)

Pedigree of Brent Weaver Water Right 20 inches of Emily Warren Decree - April 1, 1883

WITNESS our hands this 10th day of April, 1943.

Henry David Trummell
Stella Mae Trummell

STATE OF CALIFORNIA
County of Solano

ss.

On April 10, 1943, before me Margueritta Wheeler Burke, a Notary Public in and for said Solano County and State, personally appeared HENRY DAVID TRUMMELL and STELLA MAE TRUMMELL, husband and wife known to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

SEAL
My commission expires Feb. 19, 1947
Recorded at the request of Gottfried Funk on December 8, 1943 at 3:04 P.M. Fee \$1.00
By *[Signature]* Deputy Jno. H. Falk, Recorder
No. 4001 DEED 20250 Miller



This Indenture, made this 8th day of December, 1943, between THE FEDERAL FARM LOAN ACT, a corporation organized and existing under the Act of Congress known as the Federal Farm Loan Act, as amended, with its principal place of business in the City of Spokane, County of Spokane, State of Washington, the party of the first part, and Barney Johannes and Mary Johannes, husband and wife, of Blackfoot, Idaho parties of the second part, WITNESSETH: That the party of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, receipt of which is hereby acknowledged, does by these presents Grant, Bargain, Sell, Convey and Warrant to the parties of the second part, and to their heirs and assigns forever, the following described real estate, situate in the County of Blaine State of Idaho to-wit:

Lot 3 of Section 25, Township 3 South, Range 44, East of the Boise Meridian.

AS TO I.R.S. attached and cancelled.

Together with all the tenements, hereditaments, rights, privileges and appurtenances thereto belonging, and all waters and water rights, and all watering and irrigating apparatus and fixtures which are appurtenant to or incident to the ownership of said premises; but nothing herein contained shall be construed as a warranty of any water right. To have and to hold said premises unto the parties of the second part, their heirs and assigns forever, subject to the following:

1. Unpaid taxes, assessments and water charges, including but not limited to those levied or imposed by the United States Reclamation or Indian Service or by any water or irrigation or drainage district or company, and all other unpaid charges, liens or assessments imposed by law on the above described property, becoming due subsequent to the year 1935.
2. Any lien imposed by law by reason of the outstanding indebtedness of any drainage, irrigation or other special improvement district; and any lien or encumbrance revived or placed on said property by, through or under the parties of the second part.
3. The exceptions, provisions and reservations contained in patents or deeds from the United States of America, or the state in which said land is situate, or in deeds from railway companies; and any and all easements, rights of way for railroads, roads or highways or other servitudes.

The party of the first part hereby covenants that, except as hereinabove stated, it will forever Warrant and Defend the title to said premises and the quiet and peaceable possession thereof unto the said parties of the second part, or their assigns, against all and every person and persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the party of the first part has caused its corporate name to be hereunto subscribed and its corporate seal to be affixed by its proper and

THE FEDERAL FARM LOAN ACT OF SPOKANE

Pedigree of Brent Weaver Water Right
20 inches of Emily Warren Decree - April 1, 1883

97 page 161

WARRANTY DEED

THIS INDENTURE, Made this 25th day of November,
in the year of our Lord one thousand nine hundred and fifty-seven, between
BARNEY JOHANNES, a widower,
of the County of Bingham, State of Idaho,
the part y of the first part, and CHARLES F. WEAVER,
of the County of Bingham, State of Idaho,
the part y of the second part.

WITNESSETH, that the said part y of the first part, for and in consideration of the
sum of THREE THOUSAND, SEVEN HUNDRED TWENTY-TWO and No/100- - DOLLARS
lawful money of the United States of America,
to him in hand paid by the said
part y of the second part, the receipt whereof is hereby acknowledged, has granted,
bargained and sold, by these presents do es grant, bargain, sell, convey and confirm unto
the said part y of the second part, and to his heirs and assigns forever, all of the
following described real estate, situated in the County of
Bingham, State of Idaho, to-wit:

The Lot Three in Section Twenty-three,
in Township Three South, of Range Thirty-four,
East of the Boise Meridian, in Idaho;

Together with the ditches and water
rights thereunto appertaining and belonging.



APR 8 2005
RECEIVED

**Pedigree of Brent Weaver Water Right
20 inches of Emily Warren Decree - April 1, 1883**

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 party of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the part y of the second part, and to his heirs and assigns forever and the said part y of the first part and his heirs, the said premises to the quiet and peaceable possession of the said part y of the second part, his heirs and assigns, against the said part y of the first part, and his 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 part y of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of _____ (SEAL)
 _____ (SEAL)
 _____ (SEAL)
 _____ (SEAL)

STATE OF IDAHO }
 County of Bingham } ss.

On this 10th day of November, in the year 19 57, before me,

H. William Furchner, a Notary Public in and for said State, personally appeared

BARNEY JOHANNES, a widower,

known to me to be the person whose name is subscribed to the within instrument and

acknowledged to me that he 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.

My commission expires:

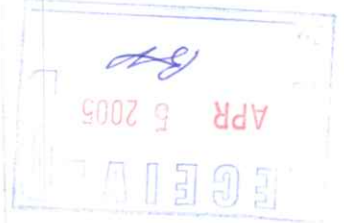
Notary Public for the State of Idaho

January 31st, 19 58.

residing at Blackfoot, Idaho

No. _____	
WARRANTY DEED	
TO _____	
Dated _____, 19 _____	STATE OF IDAHO
County of _____	ss.
I hereby certify that this instrument was filed for record at request of _____ at _____ minutes past _____ o'clock P. M. this _____ day of _____ A. D. 19 _____ in my office, and duly recorded in Book _____ of _____ at page _____	
By _____	Ex-Officio Recorder,
Fees \$1.50	Deputy,
Mail to _____	

Printed and For Sale by—Gateway Printers, Inc., Pocatello



APR 2005

DEED OF PERSONAL REPRESENTATIVE

WITNESSETH:

FOR VALUE RECEIVED, the Grantor does hereby grant, bargain, sell and convey unto the Grantee all the right, title, interest and estate of said deceased, at the time of decedent's death, in and to the following-described premises located in the County of Bingham, State of Idaho, to-wit:

IN WITNESS WHEREOF, the said Personal Representative has hereunto set his hand the day and year first above written.

1 of 2

RECEIVED IN THE REQUEST OF
Blaser Susan
PO Box 1047
Blackfoot ID 83221

2003 JUL 16 PM 4:43
Weaver

FEED 9-4427-1890
SEP

CLARK COUNTY RECORDS
BLACKFOOT ID 83221

Pedigree of Brent Weaver Water Right
20 inches of Emily Warren Decree - April 1, 1883



Charles Brent Weaver
CHARLES BRENT WEAVER

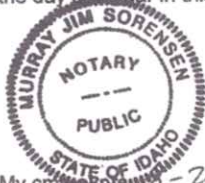
STATE OF IDAHO

County of Bingham

)
) ss.
)

On this 9 day of July, 2003, before me, the undersigned, a notary public in and for said state, personally appeared CHARLES BRENT WEAVER, known to me to be the Personal Representative of the Estate of ELSIE PEARL WEAVER, deceased, whose name is subscribed to the within instrument and acknowledged to me that he executed the same as such Personal Representative.

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



My commission expires

8-21-09

[Signature]
Notary Public for State of Idaho
Residing at Blackfoot, Idaho

Deed of Personal Representative

2 of 2

Weaver

Pedigree of Brent Weaver Water Right
20 inches of Emily Warren Decree - April 1, 1883

EXHIBIT "A"

Lots 10 and 16 in Section 22; Lot 17 in Section 23; The Lot 3 in Section 23, in Township 3 South Range 34 East of the Boise Meridian, Bingham County, Idaho.

LESS:

Part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23 Township 3 South Range 34 East of the Boise Meridian described as: Beginning at a point that is N 0°20'00" E. 798.20 feet along the Section line and E. 1030.86 feet from the W. quarter corner of said Section 23 and running thence N 86°01'06" E. 292.49 feet along a fence line to the North-South half section line; thence along said half-section line N 00°20'00" E. 499.43 feet thence S. 88°28'46" 291.81 feet along a fence along the South line of a County Road thence S. 00°20'00" W. 512.00 feet to the point of beginning. Contains 3.386 acres.

LESS:

Part of the N.W. $\frac{1}{4}$ of Section 23, Township 3 South, Range 34 East of the Boise Meridian, Bingham County, Idaho described as:

Beginning at a point that is N 00°06'00" E. 2659.50 feet along the section line to the West $\frac{1}{4}$ corner of said Section, and N. 00°07'49" E. 769.14 feet along the Section line to an original meander corner and N. 61°31'32" E. 1245.04 feet from the Southwest corner of said Section 23 and running thence N. 1°21'59" E. 599.48 feet to the South bank of a secondary channel of the Snake River; thence N. 68°43'24" E. 134.38 feet along said secondary channel; thence N. 60°25'21" E. 111.68 feet along said secondary channel to an existing fence line; thence S. 1°20'43" W. 701.95 feet along said fence line to a point in the North right-of-way fence of a county road; thence S. 89°37'33" W. 220.16 feet along said right-of-way to the point of beginning.

Together with all and singular, the tenements, hereditaments, and appurtenances, ditches and ditch rights, water and water rights, thereunto belonging or in anywise appertaining.

Subject to reservations in United States patents and State deeds or other restrictions imposed by law, easements and right-of-way, zoning and building ordinances, use restrictions of record, and taxes and assessments for the year 2003 and thereafter.

529316