

RECEIVED

MAR 20 2006

DEPARTMENT OF
WATER RESOURCES

AFFIDAVIT

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

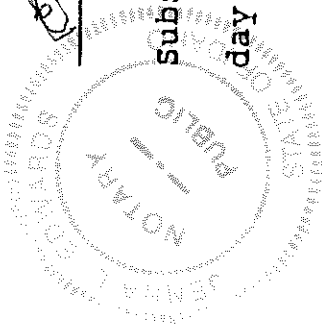
3-4016

State of Idaho)
County of)

being first duly sworn,

deposes and says:

*We lived on the farm across the road
from the farm in Preston that farm
was in irrigation in the early 40's.
10 N-05W Section 22 NE Lot 2 of Wash County
Crystal Lake*



E. W. Hoffer *Mavis Hoffer*
(Signature)

Subscribed and sworn to before me this
day 17th of March, 2006

John E. Elmer
(Notary Public)

SEAL

Residing at Payette, Coeur d'Alene
concluded exp. 3/27/09

DEPARTMENT OF
WATER RESOURCES

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

State of Idaho
County of Washington

deposes and says: The Farm located on Crystal was run by Ray & Helen Eisenhardt. We started to water out of the snake mist as far as I know we started on Aug. 19 43 to get water out of the snake. this farm is now owned by Wright and Mrs. Margaret

Comptroller (Notary Public)
Residing at 444/4/09 Lawrence ID

WARRANTY DEED

INSTRUMENT NO. 153085
PAGE 1 OF 1

For Value Received
husband and wife,

RAYMOND F. EISENBARTH and
HELEN L. EISENBARTH,

DEPARTMENT OF
WATER RESOURCES

the grantors do hereby grant, bargain, sell and convey unto
NAN NAGASAKA, husband and wife, whose address is Route 1, Weiser,
Idaho 83672

the grantees, the following described real estate situated in
State of Idaho, to-wit:

All of Lot 33 and all that part of Lot 32 of Southern Idaho
Land Company Orchard and Garden Tract, as the same is shown
upon the official plat thereof now on file in the office of the
County Recorder of Washington County, Idaho, lying West of
the right-of-way of the Oregon Short Line Railroad.

The same being in Section 22 of Township 10 North, Range 5
West of the Boise Meridian.

Together with the tenements, hereditaments and appurtenances
thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S,
their heirs and assigns forever. And the said Grantor S do hereby covenant to and
with the said Grantees, that the Y are the owner S in fee simple of said premises; that said
premises are free from all encumbrances

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

Dated this 20 day of September, 19 79

Raymond F. Eisenbarth

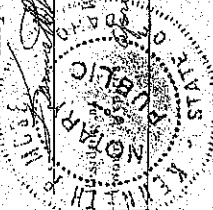
Helen L. Eisenbarth

STATE OF IDAHO, COUNTY OF Washington
I, in this day of September, 1979,
before me, a notary public in and for said State, personally
appeared RAYMOND F. EISENBARTH and
HELEN L. EISENBARTH, husband and wife,

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Raymond F. Eisenbarth
Notary Public
Idaho

April 1 - 1980



STATE OF IDAHO, COUNTY OF WASHINGTON
I hereby certify that this instrument was filed for record at
the request of WASHINGTON COUNTY TITLE
at this 57 minutes past 3:00 o'clock P. m.,
19 91 day of OCTOBER
of 91, in my office, and duly recorded in ~~XXX~~
of deeds at ~~XXX~~ # 153085

by *Mary Kautz*
Ex Officio Recorder

Fee \$3.00
Mail to WASHINGTON COUNTY TITLE

One Index
One Rel.
Film
Compare
Card Rel.
Ex Rel.
Update
Return

INSTRUMENT No.

RECEIVED

MAR 20 2006

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DEPARTMENT OF
WATER RESOURCES

THIS INDENTURE, Made this 1st day of March in the year of our Lord one thousand nine hundred and eleven between Frank C Heffner and Nancy Heffner his wife, of Eagle, County of Ada, State of Idaho the parties of the first part, and H W Warren of Boise, County of Ada, State of Idaho the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Nineteen Thousand Three Hundred Thirty-two & no/100 Dollars, lawful money of the United States of America, to them in hand paid by the said party 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 party of the second part, and to his heirs, and assigns forever, all the following described real estate, situated in Washington County, State of Idaho, to wit:

Lot numbered Thirty-three (33) containing 31.91 acres, all of Lot numbered Twenty-four (24) south of the right of way of the Oregon Short Line Railroad, containing 39.75 acres, and the North one-half of Lot numbered Thirty-seven (37) containing 20 acres, all in the Southern Idaho Land Company's Orchard and Garden Tracts, as the same are numbered and designated in the official plat of said Southern Idaho Land Company's Orchard and Garden Tracts of record in the office of the recorder of Washington County, Idaho, together with all water rights, canals and ditches appurtenant thereto or used in connection therewith, including a proportionate interest in the pumping plant irrigating said land. Being the right to 91.66 shares of stock in the Barton Island Water Users Association; subject to mortgage to Joel Roullard of which grantee assumes and agrees to pay the sum of Three thousand nine hundred forty seven & 79/100 Dollars being at the rate of Forty-three & 07/100 Dollars per acre; together with interest thereon from March 1 1911, and the taxes of 1911 which grantee agrees to pay.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and 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 party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceful possession of the said party of the second part, his 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 first above written.

Signed, Sealed and Delivered in the Presence of

Frank C Heffner (SEAL)

Nancy Heffner (SEAL)

State of Idaho)
County of Ada) s s

On this 1st day of March in the year 1911, before me D E Brinck, a Notary Public in and for said County, personally appeared Frank C Heffner and Nancy Heffner, his wife, known to me to be the persons 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.

Seal

(D E Brinck, Notary Public)
(Ada County, Idaho)

D E Brinck Notary Public

Filed for record at request of Boise Title and Trust Co at 9 o'clock A M March 28 1911.

Frank E Smith Recorder

RECEIVED

MAR 20 2006

INSTRUMENT NO 21691

DEPARTMENT OF
WATER RESOURCES

THIS INDENTURE, Made this 19th day of March in the year of our Lord one thousand nine hundred and thirteen, between H W Warren and Laura E Warren his wife of Washington, State of Idaho, the parties of the first part and Frank M Gardner of Eagle, County of Ada, State of Idaho, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Two Thousand Dollars lawful money of the United States of America to them in hand paid by the said party 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 party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in Washington County, State of Idaho, to-wit:

All of lot No thirty three (33) containing 31.91 acres and the southeast quarter (SE4) of lot no twenty four (24) containing 10 acres, of the Southern Idaho Land Company's Orchard and Garden tracts, as recorded in office of County Recorder of Washington County, Idaho, together with all water, water rights, laterals, flumes, canals, or pipes and pumping outfits thereto belonging or used in connection with watering said land.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and 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 party of the second part, and to his heirs and assigns forever. And the said parties of the first part and their heirs, the said premises in the quiet and peaceful possession of the said party of the second part, his 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 first above written.

Signed, sealed and delivered in the presence of

A H Keller

H W Warren

(SEAL)

Laura E Warren

(SEAL)

State of Idaho I ss
County of Washington I I

On this 19th day of March in the year 1913, before me B L Burley, a Notary Public in and for said County, personally appeared H W Warren and Laura E Warren, known to me to be the persons 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.

Seal

(B L Burley, Notary Public)
(Washington County, Idaho)

B L Burley, Notary Public

Filed for record at request of O M Harvey Title & Trust Co at 3:05 o'clock P M March 21, 1913

Fees \$1.20

Frank E Smith, Recorder

THIS INSTRUMENT, Made this 3d day of February in the year of our Lord nineteen hundred and Twenty-three between Jos C Anderson and Alice Anderson his wife of Weiser, County of Washington, State of Idaho, the parties of the first part, and Minnie McClellan of Payette, County of Payette, State of Idaho, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten Dollars and other valuable consideration, lawful money of the United States of America, to them in hand paid by the said party 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 party of the second part, and to her heirs and assigns forever, all the following described real estate situated in Washington County, State of Idaho, to-wit:

All of lot 33 containing 31.91 acres of land and the south-east quarter of lot 24 containing 10 acres, of the Southern Idaho Company's Orchard and Garden tracts, as shown upon the official plat thereof now on file in the office of the County Recorder of Washington County, Idaho, the same being the southeast quarter of the northeast quarter of the northeast quarter and lot two of section 22, all in township 10 north range 5 West Boise Meridian containing 41.91 acres.

Together with all water, water rights, ditches, pipe lines used for or pertaining to the irrigation of the above described land.

This deed is given subject to a certain mortgage in the sum of \$1500.00 now resting against the above described land.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and 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 party of the second part, and to her 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 party of the second part, her 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 first above written.

Signed, Sealed and Delivered
in the Presence of _____
STATE OF IDAHO } ss
County of Washington }

Jos C Anderson (Seal)
Alice Anderson (Seal)

On this 3d day of Febry, in the year 1923, before me the undersigned, a Notary Public in and for said county and state personally appeared Jos C Anderson and Alice Anderson his wife, known to me to be the persons 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.

Seal
(F B Lloyd, Notary Public)
(State of Idaho
Residing at Weiser, Idaho

\$2.50 Documentary Revenue Stamps (JCA 2-3 1923)

Filed for record at the request of W C Dunbar at 9:00 o'clock A M, December 10, 1923.

Frank E Smith, Recorder

By B B Hunt, Deputy

Fee \$1.20

WARRANTY

DEED

THIS INDENTURE, Made this 25th day of March, in the year 1950 between Fred Eisenbarth and Christina Eisenbarth his wife of Weiser, County of Washington, State of Idaho the parties of the first part, and Raymond F. Eisenbarth of Weiser, County of Washington, State of Idaho, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One dollar and other valuable consideration DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate situated in Washington County, State of Idaho, to-wit:

All that part of lot number Thirty-two (32) of the Southern Idaho Land Companys Orchard and garden tracts as the same is shown upon the official plat thereof now on file in the office of the County recorder of Washington County, Idaho lying West or Westerly of the right-of-way of the Oregon Shortline Railroad, together with all water rights or pumping plants used for or pertaining to the irrigation of the above described land.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and 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 party of the second part, and to his 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 party of the second part his heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEPEND.

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

Signed, sealed and delivered
in the presence of -

Fred Eisenbarth (SEAL)

Christina Eisenbarth (SEAL)

STATE OF IDAHO,)
County of Washington) ss.

On this 4th day of April 1950, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Fred Eisenbarth and Christina Eisenbarth, his wife known to me to be the persons 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.

Seal
{ John B. Lloyd Notary Public }
{ State of Idaho }

John B. Lloyd Notary Public
My commission expires April 1, 1954
Residing at Weiser, Idaho.

\$4.40 Documentary Revenue Stamps

Filed for record at the request of Fred Eisenbarth at 4:10 o'clock P.M., April 5th, 1950.

Naomi Black, Recorder

By: Ruth Ann Hunt, Deputy

Fees \$1.50

THIS INDENTURE, Made this 21st day of June 1910, by and between the Southern Idaho Land Company, a corporation duly organized and existing under and by virtue of the laws of the State of Idaho, whose principal place of business is at Boise, Ada County, Idaho, the party of the first part, and Ida L Shellenberger, of Boise, Ada County, Idaho, the party of the second part,

WITNESSETH, That whereas, the said party of the first part is a corporation duly organized and existing under and by virtue of the laws of the State of Idaho, and in pursuance of such statutes in such cases made and provided, has acquired and is the owner of certain real estate hereinafter described;

AND WHEREAS, the Board of Directors of said corporation duly assembled, duly adopted the following resolution:

"BE IT RESOLVED by the Board of Directors of the Southern Idaho Land Company, that John H Ireton, President of Said Company, is hereby authorized and directed to execute and deliver to Ida L Shellenberger for and in behalf of said corporation, a warranty deed to 144.85 acres of land, more or less, lying partly in Lots 32, 31, 17, 27, and 37 being in the Southern Idaho Land Company's orchard and garden tracts, in Washington County, Idaho, together with 145 shares of water stock, subject to that certain mortgage on said land held by Joel Roullard and wife and dated March 20, 1909, and said party of the second part agrees to assume and pay on said mortgage the sum of \$43.07 per acre for each and every acre above described, together with the interest thereon from March 20, 1910, and

BE IT FURTHER RESOLVED, that R J Cherry, the Secretary of said Corporation, is hereby authorized and directed to affix to said deed the Corporate name and seal of said Corporation."

NOW THEREFORE, in pursuance of said resolution aforesaid, and for and in consideration of the sum of Seventeen Thousand Three Hundred Eighty Two (\$17,382.00) Dollars, lawful money of the United States of America, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part and to her heirs and assigns forever, all the following described real estate, situated in the County of Washington, State of Idaho, to wit:

All of Lot Thirty Two (32), except the right of way of the O S L R R and a strip of land Fifty feet wide running parallel to said O S L R R used as a wagon road, containing 38.55 acres; except a strip of land 20 feet wide on the south side of said lot; All of Lot Thirty One (31) lying east of the right of way of the O S L R R excepting a strip of land Fifty feet wide running parallel with said O S L R R and a strip of land twenty feet wide on the south side of said lot used for a wagon road, containing 33.40 acres;

All of Lots Seventeen (17) and Twenty Seven (27) lying west of Crystal Lake, containing 56.90 acres except a right of way for a wagon road of 40 feet between said lots, and all of the South half of Lot Thirty Seven (37) lying east and north of the O S L R R excepting a strip of land fifty feet wide running parallel with said O S L R R used for a wagon road and also a strip of land Twenty feet wide leading from said wagon road to a pumping plant located on Crystal Lake in said lot as well as a piece of land One Hundred feet long and Thirty feet wide the same to be used for a right of way to said pumping plant and for the buildings of said pumping plant said Half of said Lot containing Sixteen acres more or less, all the above described land lying and being in what is known as the Southern Idaho Land Company's orchard and garden tracts, as the same appears on the official plat of said Southern Idaho Land Company's orchard and garden tracts, hereafter to be filed for record with the Recorder of said Washington County, Idaho.

Also One Hundred and Forty Five (145) shares of water stock in a certain water users association hereafter to be organized for the purpose of diverting water for irrigation from Crystal Lake in Washington County, Idaho.

110 White Water

This deed is given subject to that certain mortgage held by Joel Roullard and his wife on the above described land and other lands, which said mortgage is dated March 20, 1909, and said party of the second part hereby agrees to assume and pay on said mortgage the sum of \$43.07 per acre for each and every acre of land herein described, together with the interest thereon from March 20, 1910, said party of the second part further agrees to pay all taxes and water assessments that are now or which may become due on said described land.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining and 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 party of the second part, and to his heirs and assigns forever. And the said party of the first part, its successors and assigns, the said premises in the quiet and peaceable possession of the said party of the second part, her heirs and assigns, against the said party of the first part, and its successors and assigns 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 party of the first part, by resolution of its Board of Directors, has caused these presents to be subscribed by its President, and its corporate name and seal to be hereunto affixed by its Secretary, the day and year first above written.

SOUTHERN IDAHO LAND COMPANY

By John H Ireton President

Seal
(Southern Idaho Land Company)
(Corporate Seal, Idaho)

Attest R J Cherry Secretary

State of Idaho ↓ ss
County of Ada ↓

On this 21st day of June, 1910, before me, S E Blaine, a Notary Public in and for said County, personally appeared John H Ireton, known to me to be the President of the corporation that executed the within instrument and acknowledged to me that such corporation 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.

S E Blaine
Notary Public
Seal
(S E Blaine, Notary Public)
(Ada County, Idaho)

Filed for record at request of Geo H Shellenberger at 9 o'clock A M December 9 1910.

Frank E Smith
Recorder

By Harriet Smith
Deputy

Fees, \$2.40

6-5-38

Wei 5-82

R5W

T 10 N



L-Cropland
P-Pasture