

RECEIVED

JUL 25 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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 (under the "split" heading), 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
3-10198					

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) is 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 Rd
4. New Owner/Claimant(s) City of Weiser
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 55 W. Idaho St
 City, State and ZIP Code Weiser, Idaho 83672
 New Telephone Number (208) 414-1966
5. Date you acquired the property March 1990

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) City of Weiser by Nathan Marwin
(include title if applicable) Public Works Director

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 _____



THE CITY OF WEISER, IDAHO

55 WEST IDAHO 83672 • (208)414-1965

OFFICE OF THE PUBLIC WORKS DIRECTOR

July 21, 2006

This farm ground has been irrigated after the year 2000.

Thank-you

Public Works Director

Nate Marvin
Nate Marvin

06/16/2006

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

RIGHT NUMBER: 3-10198

NAME AND ADDRESS: ~~ROBERTS FARMS INC~~
~~1449 LARSEN RD~~
~~WEISER ID 83672~~

City of Weiser

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.660 CFS

PRIORITY DATE: 01/15/1907

POINT OF DIVERSION:

T10N R05W S20 NENE Lot 1 Within WASHINGTON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.660 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R05W S17

NESE

20.00

T10N R05W S17

SESE

13.00

33 ACRES TOTAL

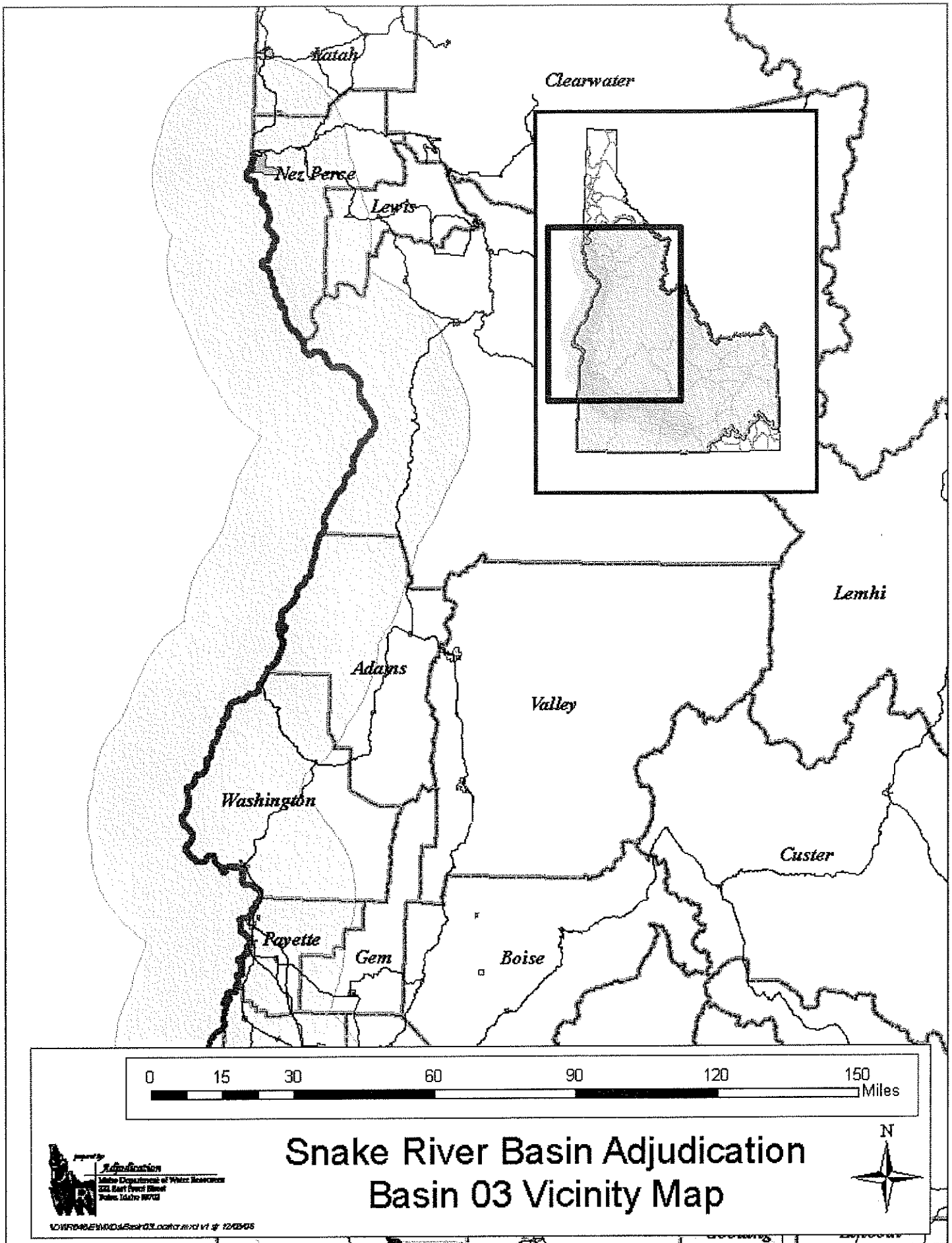
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

THIS RIGHT IS CLAIMED AS A SPLIT OF THE OLD LICENSE ISSUED WITH A 1907 PRIORITY FOR THE PORTION OF THE LANDS ORIGINALLY HELD BY THE SUNNYSIDE ORCHARD CO. WHICH THE CLAIMANT NOW OWNS. THE LICENSE WAS ISSUED AT THE DIVERSION RATE OF ONE INCH TO THE ACRE WHICH IS BEING CLAIMED HERE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The following rights are also diverted through point of diversion described above: 3-10199.



QUITCLAIM DEED

FOR VALUE RECEIVED, SHARON K. MACKAY, a married woman, Grantor, does hereby convey, release, remise, and forever quitclaim unto STEPHEN WAYNE MACKAY, a married man, whose current address is: 380 Deck, Ontario, Oregon 97914, Grantee, the following-described real property situated in the County of Washington, State of Idaho, to-wit:

SKM
Portions of Lots 5, 6, 24, 37 and 38, and all of Lot 23, Sunnyside Orchard Tract, as shown on the Official Plat thereof on file in the office of the County Recorder of Washington County, Idaho, more particularly described by metes and bounds as follows:

Commencing at the East one-quarter corner of Section 17, Township 10 North, Range 5 West, Boise Meridian, Washington County, Idaho, and running South 0°00'00" West 668.75 feet (formerly described as 670 feet) along the Easterly boundary of said Section 17 to a point;

Thence North 89°55'37" West 30.00 feet to the southeast corner of Lot 6, said Sunnyside Orchard Tract;

Thence continuing North 89°55'37" West 297.76 feet along the southerly boundary of said Lot 6 to the TRUE POINT OF BEGINNING;

Thence continuing North 89°55'37" West 972.24 feet along said southerly boundary of Lot 6 and the southerly boundary of Lot 23 to the southwest corner of said Lot 23;

Thence North 0°00'00" East 246.49 feet along the Westerly boundary of said Lot 23 to a point on the southwesterly right-of-way line of proposed relocated Hansen Road;

Thence North 44°09'11" West 439.88 feet along said southwesterly right-of-way line of proposed relocated Hansen Road to a point of curve;

Thence continuing along said southwesterly right-of-way of proposed relocated Hansen Road northwesterly 191.66 feet along a curve to the left having a radius of 240.00 feet, tangents of 101.27 feet, a central angle of 45°45'21" and whose long chord bears North 67°01'52" West 186.61 feet to a point of tangent;

Thence North 0°05'28" East 15.00 feet to a point on the northerly boundary of Lot 37, said Sunnyside Orchard Tract;

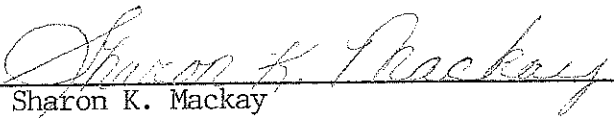
Thence South 89°54'32" East 819.52 feet along the northerly boundaries of Lots 37 and 24, said Sunnyside Orchard Tract to a point;

Thence South 44°09'11" East 905.75 feet to the TRUE POINT OF BEGINNING.

EXCEPT a portion of Delicious Street of said Sunnyside Orchard Tract as included in the above metes and bounds description.

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

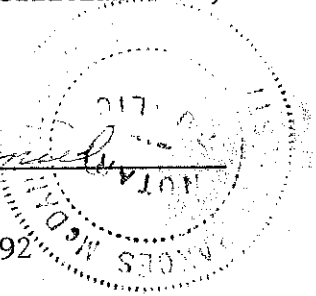
DATED This 30th day of March, 1990.


Sharon K. Mackay

STATE OF IDAHO)
County of Washington } ss

On this 30th day of March, 1990, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared SHARON K. MACKAY, a married person, known to me to be the person executing the within instrument, and acknowledged to me that she 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.


Notary Public for Idaho
Residing at Weiser, Idaho
My Commission expires 9/1/92


INSTRUMENT NO. 149040
STATE OF IDAHO, COUNTY OF WASHINGTON ss.
Filed for record at the request of

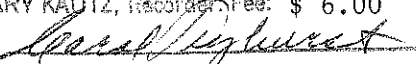
WASHINGTON COUNTY TITLE CO

52 Min. past 3:00 o'clock P.M.

This 30TH day of MARCH 1990

INDEX TO DEEDS

MARY KALITZ, Recorder Fee: \$ 6.00

By  Deputy

WASHINGTON COUNTY TITLE CO.

Comp. Index ✓
Comp. Rel. ✓
Film ✓
Compare ✓
Card Rel. ✓
Bk. Rel. ✓
Up-date ✓
Return ✓

Index No. 149042
 3

(Optional)

Recorded	☐	Platted	☐	Key Punched	☐	To Treasurer	☐
Microfilmed	☐	Deed Card	☐	Master File	☐		☐
Indexed	☐	Compared	☐	Abstracted	☐		

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

STEVEN B. MACKAY and ELIZABETH C. MACKAY, H&W, and STEPHEN WAYNE MACKAY,
 a married man dealing with his sole and separate property, GRANTOR(S)
 of Weiser County of Washington, State of Idaho
 hereby CONVEYS, GRANTS and WARRANTS TO CITY OF WEISER, a Municipal corporation
 of the State of Idaho,

GRANTEE(S)

whose current address is 55 West Idaho Street, Weiser, ID 83672
 for the sum of TEN AND NO/100 DOLLARS (\$10.00) and other Dollars (\$))
 good and valuable consideration
 the following described tract(s) of land in Washington County, State of Idaho:

(SEE EXHIBIT 'A' ATTACHED HERETO)

Location of above described property

House No.

Street

No. _____

WARRANTY DEED

—JO—

Dated _____, 19__

STATE OF IDAHO

County of WASHINGTON } ss.

I hereby certify that this instrument was
filed for record at request of _____
WASHINGTON COUNTY TITLE CO.

at 52 minutes past 3:00
o'clock P M, this 30TH day
of MARCH, A.D. 19 90
in my office, and duly recorded in XXXX
of DEEDS # 149042 XXXXX

MARY KAUTZ

Ex-Officio Recorder.

By *Mary Kautz* Deputy.

Fees \$ NONE

WASHINGTON COUNTY TITLE CO.

Comp. Index
Comp. Rel.
File
Compare
Card Rel.
Ex. Rel.
Up-date
Return

MAIL DEED TO:

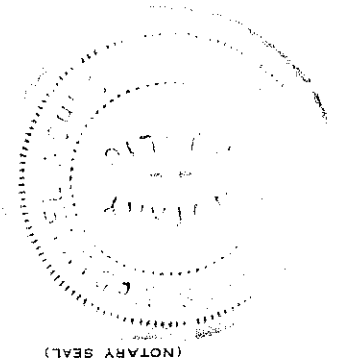
CHARLES R. KROLL
Attorney for City of Welser
P O Box 367
Welser, ID 83672

MAIL TAX NOTICE TO:

Name _____
Address _____
City & State _____
Zip _____

WITNESS the hand of said Grantors this

Stephen B. Mackay
Elizabeth C. Mackay



Residing at: Welser, ID.

State of Idaho }
County of Washington } ss.
On the 30th day of March A.D. 19 90.
Personally appeared before me STEVEN B. MACKAY and ELIZABETH C. MACKAY, H&W, and STEPHEN WAYNE MACKAY, a married man,
the signer(s) of the within instrument, who duly acknowledged to me that they
executed the same.

Stephen Wayne Mackay
Stephen Wayne Mackay
A.D. 19 90.

My Commission expires: 9/1/92

(NOTARY PUBLIC)

Stephen B. Mackay

EXHIBIT 'A'

Portions of Lots 5, 6, 24, 37 and 38, and all of Lot 23, Sunnyside Orchard Tract, as shown on the official plat thereof on file in the office of the County Recorder of Washington County, Idaho, more particularly described by metes and bounds as follows:

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thence North 44°09'11" West 439.88 feet along said southwesterly right of way line of proposed relocated Hansen Road to a point of curve;

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EXCEPT a portion of Delicious Street of said Sunnyside Orchard Tract as included in the above metes and bounds description.

SUBJECT to rights of way for irrigation or drainage ditches, and dedications of record on official Sunnyside Orchard Tract plat on record in the office of the County Recorder of Washington County, Idaho. AND

RESERVING UNTO GRANTOR easements for Grantor's existing irrigation and drainage ditches and pipelines, including the right of ingress and egress for the repair, maintenance, and/or replacement of said pipelines or ditches.



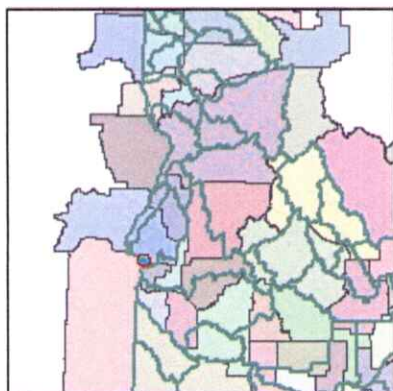
Idaho Department of Water Resources

SRBA Recommendation:

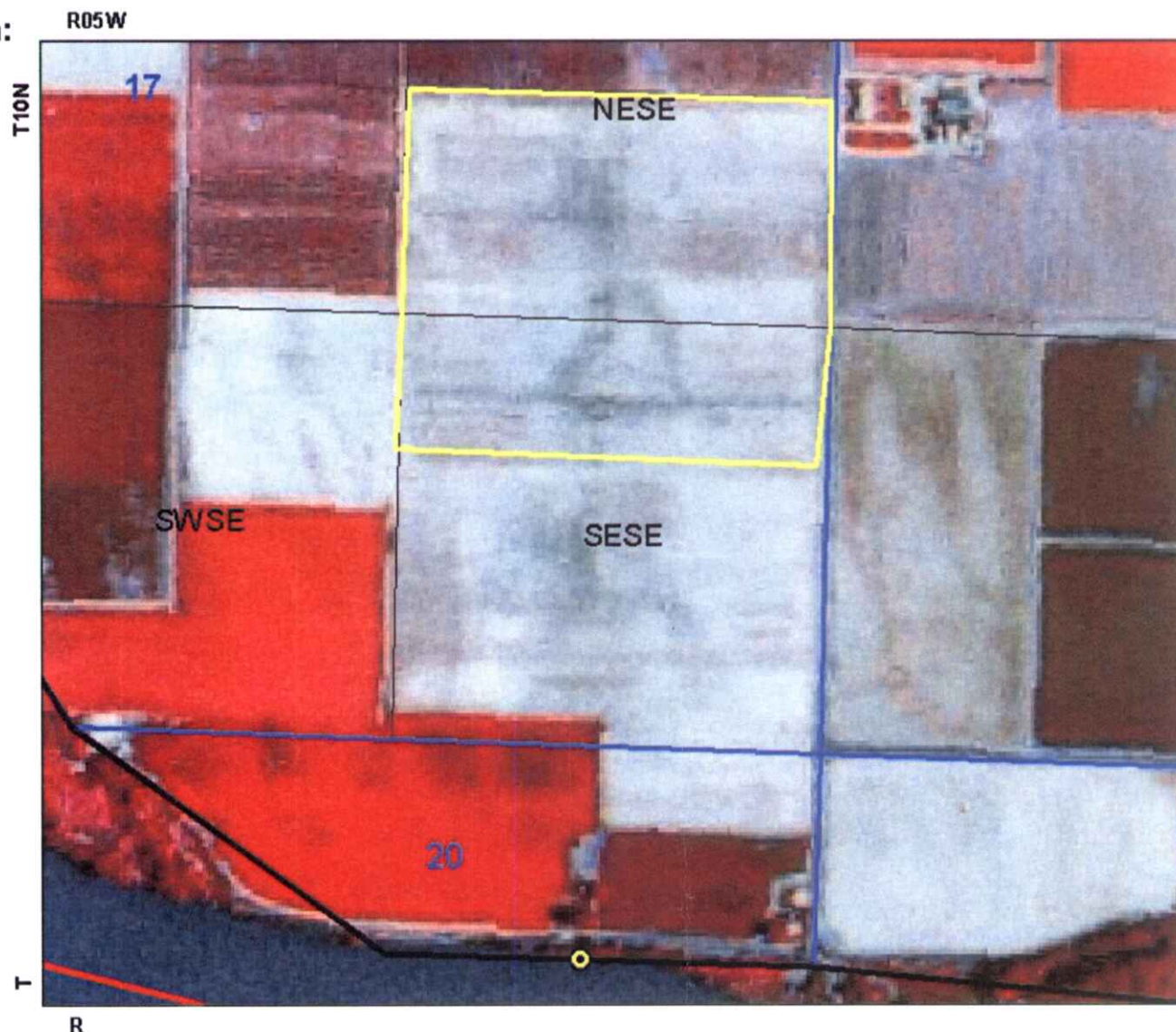
3-10198

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 3



0 0.2 0.4 Miles

Prepared by J. Dean
On Monday, June 12, 2006
1987/88 Aerial Photography