

12/07/2006

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DEC 18 2006

DEPARTMENT OF
WATER RESOURCES

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: December 13, 2006

Water right number: 67-2241

ROBERT F WILEY
INDIAN VALLEY ID 83632
Telephone Number: (208)355-2364

John W. Schwenkfelden
Family Trust

208(887-3540) cell 208(447-4355)

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:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-12-06 SIGNATURE: [Signature]

Please print your name: John Robert Schwenkfelden

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

This document was prepared by:

Philip A. Peterson
WHITE PETERSON
Attorneys at Law
5700 East Franklin Road, Suite 200
Post Office Box 247
Nampa, Idaho (ID) 83653-0247

**After recording please
return this document to:**

TIMBERLINE TITLE & ESCROW, INC.
204 Illinois Avenue
Council, Idaho (ID) 83612

[The space above is for Recorder's use.]

WARRANTY DEED

MARY M. WILEY, an unmarried woman (a widow), whose address is 160 West Baseline Road, Rupert, Idaho 83350-8312, hereinafter referred to as the "**Grantor**," hereby conveys, grants and warrants to:

- JOHN R. SCHWENKFELDER, TRUSTEE OF THE JOHN W. SCHWENKFELDER FAMILY TRUST, f/b/o JOHN R. SCHWENKFELDER, UNDER TRUST AGREEMENT DATED JUNE 30, 2000, 5500 West Old School Lane, Meridian, Idaho 83642-5047, hereinafter referred to as the "**Grantee**,"

for the sum of TEN DOLLARS and other good and valuable consideration, all Grantor's right, title and interest in and to the following described real property, situated in the County of Adams and the County of Washington, State of Idaho, and more particularly described as:

Please see Exhibit A, consisting of two (2) pages, attached hereto and incorporated herein by this reference;

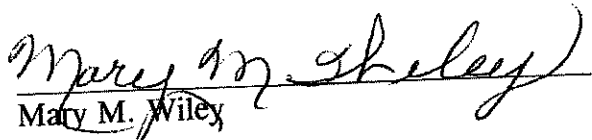
TOGETHER WITH all water rights, ditch rights, rights of way, buildings, structures, improvements, fixtures, tenements,

hereditaments and appurtenances now or hereafter thereto belonging or used in connection therewith; and

SUBJECT TO taxes and assessments for the year 2005 and all subsequent years, to any and all existing easements, rights of way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

Grantor covenants and warrants to Grantee that Grantor is the owner in fee simple of said premises;¹ that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record; and that Grantor will warrant and defend the title from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on the 16 day of December, 2005.


Mary M. Wiley
"Grantor"

Attachment: Exhibit A

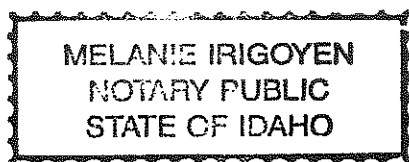
¹The Grantor herein is vested with an undivided one-half tenant in common interest in the real property hereinabove described; and, by Personal Representative's Deed of even date herewith, the remaining undivided one-half tenant in common interest in the above-described real property is being conveyed to the Grantee herein. The Personal Representative's Deed conveys the undivided one-half tenant in common interest of the Estate of Robert F. Wiley, Deceased. The probate for the estate has been filed in the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Cassia, Magistrate Division, Case Number CV 2004-1019. Address of the Court Clerk is Larry Mickelsen, Clerk of the Magistrate Court, Cassia County Courthouse, 1459 Overland Avenue, Burley, Idaho (ID) 83318-1862; the telephone number is (208) 878-7351.

STATE OF Idaho)
County of Minidoka) : ss.

On this 14th day of December, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared MARY M. WILEY, known or identified 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 on the day and year in this certificate first above written.

[SEAL]



Melanie Irigoyen
NOTARY PUBLIC FOR Idaho

Residing at: Rupert

My commission expires: 4-9-11

EXHIBIT A

Real property situated in Adams County, Idaho, and Washington County, Idaho, more particularly described as follows:

Property situated in both Adams and Washington Counties, Idaho

Parcel 1: In Township 13 North, Range 1 West of the Boise Meridian:
In Section 7: Lot 1 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$, being situated partly in Adams County and partly in Washington County, Idaho;

Property situated in Adams County, Idaho

Parcel 2: In Township 13 North, Range 1 West of the Boise Meridian:
In Section 6: the E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 5 and 6, and all that part of Lot 7 located North of the South Adams County line;

Parcel 3: In Township 13 North, Range 2 West of the Boise Meridian:
In Section 1: the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying North of the South Adams County line;

Property situated in Washington County, Idaho

Parcel 4: In Township 13 North, Range 1 West of the Boise Meridian:
In Section 6: all that part of Lot 7 lying South of the North Washington County line;

Parcel 5: In Township 13 North, Range 1 West of the Boise Meridian:
In Section 7: Lots 1, 2, 3, 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$;

Parcel 6: In Township 13 North, Range 1 West of the Boise Meridian:
In Section 17: the W $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Parcel 7: In Township 13 North, Range 1 West of the Boise Meridian:

In Section 18: the E½ of said Section 18;

Parcel 8: In Township 13 North, Range 2 West of the Boise Meridian:

In Section 1: that part of SE¼SE¼ and NW¼SE¼ lying South of the North Washington County line;

Parcel 9: In Township 13 North, Range 2 West of the Boise Meridian:

In Section 12: the NE¼NE¼, S½NE¼, and SE¼;

Parcel 10: In Township 13 North, Range 1 West of the Boise Meridian:

In Section 19: Lots 1 and 2 and the E½NW¼.

[End of legal description.]