

RECEIVED
AUG 30 2007
DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)
_____)

A.

Subcase

63-15603

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

John & Helen Huffman

Address:

2045 E. Amity Rd.

Meridian, ID 83642

Daytime Phone:

888-0099

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

John & Helen Huffman

Address:

2045 E. Amity Rd.

Meridian, ID 83642

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address** John & Helen Huffman
Should be: 2045 E. Amity Rd., Meridian, ID
2. ☒ **Source** unnamed drain trib to Boise River
Should be: wastewater
3. ☒ **Quantity**
Should be: 0.260 C.F.S.
4. ☒ **Priority Date**
Should be: May 01, 1905
5. ☒ **Point of Diversion** Township 03N Range 01E Section 32
Should be: 1/4 of 1/4 NE of 1/4 NW Lot ADA county
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: irrigation
8. ☒ **Period of Year**
Should be: 03/15 to 11/15
9. ☒ **Place of Use**
Should be: 2045 E. Amity, Meridian, ID 83642
10. ☒ **I object because:**
☐ This water right Should not exist.
☒ This water right was not recommended, but Should be recommended with the elements described above. - see original Notice of Claim to A Water Right... 6/7/1989

E. **REASONS SUPPORTING OBJECTIONS(S):** additional supporting documents attached: Warrick letter, Moody affidavit, deeds, etc.

Other supporting documents are still in preparation to be submitted at a later date.

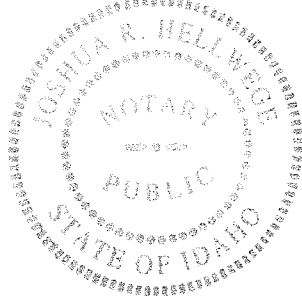
F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Ada)

[Signature] [Signature], duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



[Signature] [Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 29 August, 2007

[Signature]
Notary Public for Boise, ID
Residing at: Boise, ID
My Commission Expires: 1-12-2012

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 29th of August, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

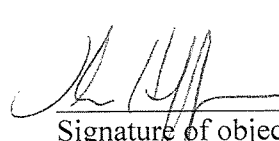
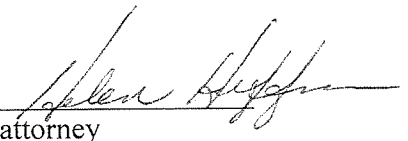
Name: _____
Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

Signature of objector or attorney
mailing on Objector's behalf

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-15603

Date Received: 6/07/1989

Receipt No: 400,3137 (63)

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

208-888-0099 AUG 30 2007

DEPARTMENT OF
WATER RESOURCES

1. Name: JOHN HUFFMAN
Address: 2045 E. AMITY RD.
MERIDIAN, ID

83642

OR

Name: HELEN L. HUFFMAN
Address: 2045 E. AMITY RD.
MERIDIAN, ID

83642

208-888-0099

2. Date of Priority: MAY 01, 1905

3. Source: UNNAMED DRAIN
WASTEWATER

Trib. to: BOISE RIVER
BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	01E	32	NE	NW			ADA

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.260		

7. Total Quantity Appropriated is:
0.260 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

A63-15603

Page

1

Date: 06/07/89

MICROFILMED

AUG 25 1992

To Whom It May Concern:

I am writing on this first day of December, 2006 my recollections of the water usage from Blacks Creed Reservoir and Ten Mile Creek and particularly for the property located at 2125 and 2045 East Amity Road, Meridian, Idaho, presently owned by John & Helen Huffman.

To set the history the oldest pioneers in the area are Earl Hill, Gayle Fulcher, and I, Paul Warrick.

My mother, Cora Dick Warrick was a sister to Catherine Dick Fulcher and Lena Dick Moody, who married Robert Moody 1920 in Boise. Robert & Lena Moody owned the property farmed now by John & Helen Huffman. Lena's father, Wilmer Dick owned property East of what is now the gravel pit on Amity Rd East of Meridian Road.

Moody's lived at 2045 E. Amity prior to Dec, 1921 when the twins were born, Norman & Noreen Moody. In the 1920's when I, Paul Warrick, was growing up, my Uncle Robert Moody farmed the 2045, 2125 East Amity property and the adjacent land East (Seewald's now called Frisch's) until it was divided into two parcels and sold after his death many years later.

Most of the time there was a larger head of water coming in from George Atkinson farm above 2045 and 2125 and Frisch's which he used for farming.

The George Atkinson farm was farmed for many years by another Uncle of mine, Ben Fulcher. *THE FORMER GRIMMET PLACE AND PROPERTY*

The properties discussed here were getting water out of Ten Mile Creek just before it dropped into the start of Ten Mile Drain Ditch on the Angus Hill farm in addition to their regular Project water they had a lot to irrigate with and they made the most of it.

The creek on the old map traveled right through the properties Fulcher's, mine, Seewald's, (now Frisch) through what was later Brent Patrick's, (now also Huffman's 2125 E. Amity property) and on to Moody's, (now Huffman's 2045 E. Amity property) and on West past Huffman's then West past what is now Brown's property. *FROM ATKINSON BEING FARMED BY FULCHER*

After Mr. McKay bought *THE ORIGINAL* Grimmet's place South of me, Fulcher's, Huffman's, 2045 E. Amity, there seemed to be even more water received that 2045, 2125, Frisch's and Warrick's to the East, had to contend with and control. Most of the time there was more water than we could use and the ditches could handle and we were forced to control it.

In fact the Board of Control had to finally put in an overflow drain from the Beasley lateral through Gayle Fulcher's field, West off of South Eagle Rd, Page one Warrick letter

9-20-07 P.W. THERE WAS ENOUGH WATER COMING FROM THE TEN MILE CREEK TO FLOOD MY CORNER AND GO STRAIGHT THRU THE FRISCH PLACE AND THRU THE HUFFMAN'S (ALL FORMERLY THE MOODY PLACE) AND WATERED MOST OF WHAT IS NOW THE HUFFMAN PLACE, PASTURES, LAWNS AND GARDENS, THEN ON TO HOWYLER'S.

Page two Warrick letter

to the Ten Mile Drain to handle the waste water from the McKay land that was next to Eagle Rd to keep from flooding our properties, mine on the ground at the end of the Beasley, had been flooded many times before. However, at that time the water coming into 2045 East Amity from McKay's farm was not diverted as there was no other place for it to go except down the ditch going west.

I think that that water should be available in the same fashion that it was delivered through "Seewalds", now Frisch, to 2125 E. Amity Rd.

I would think that over 70 years that I know of using that water and having it to take care of including the extra so it didn't damage any one should have created a right by beneficial use not only for the water expected to run in the East West ditch but also the drainage North from farms above 2045 and 2125 East Amity.

Written first by hand and herein typed and attested to again by the signature and date written below.

Signed

Paul Warrick

Date: 7-23-07

Paul Warrick

2445 E. Amity Rd
MERIDIAN, IDAHO

IN WITNESS WHEREOF, The said party of the first part has hereunto set their hand and seal the day and year first above written

Signed, sealed and delivered in the presence of:

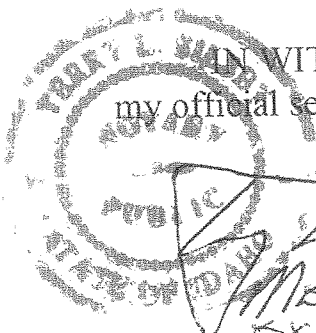
STATE OF IDAHO,

Count of Ada

One this 23RD day of

July
In the year 2007, before me VERA L. SIMS, a Notary Public in and for said county, personally appeared Paul Warrick, 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 date and year in this certificate first above written.



VERA L. SIMS
MERIDIAN ID
EXPIRES 1-22-08

I, Norman Moody, son of Robert Moody was born and raised at 2045 East Amity Rd, Meridian, Idaho.

I know that my Grandfather, Charles Moody, owned this property located on the South side of Amity Road, between South Locust Grove Road and Eagle Road, Meridian Idaho, and also the land adjacent on the East side, 2125 E. Amity, Meridian, Idaho, since approximately 1908, now owned by John and Helen Huffman.

My Grandfather, Charles Moody irrigated this land, farmed and grew hay. His son Robert helped, and I, his grandson Norman, also helped farm and harvest hay. It was my understanding and belief that my grandfather bought this land that had been previously irrigated from the same 10 mile source and farmed in the same manner my Grandfather used after his purchase.

I know that it was farmed and irrigated with water from 10 Mile Creek through a ditch that ran from approximately the East side of Finnley Fulcher's land, (now McKay's) North through Fulchers' and through the Moody Family Property.

I personally have helped farm, raise and harvest hay and irrigate with that water. This water from 10 mile creek flowed through (Moody's, later Seewald's) what is now the Frisch and Huffman property, dividing it as it traveled through. The land was higher along the creek, and the ground was watered both north and south from it as it traveled west, Northwest.

It ran through that ditch across the back of the home I was raised in, watering the fruit trees and garden. That ditch ended to the best of my knowledge at Joe Huwyler's.

It is obvious, looking at a map, that when my Grandfather Charles Moody was farming these properties beginning at least in 1908, that the 10 Mile Creek was a main source of irrigation water for land North of the South property line lateral ditch, all the way running West through the property of Charles Moody, 2125 and the top North half of 2045 East Amity, now owned by John and Helen Huffman.

To my recollection, the ditch that ran through these properties, ended at Joe Huwyler's place just west of the old Moody home place. In short it is my belief that water from the Ten Mile source was used on these properties and should be recognized as a primary source of irrigation.

Written first by hand and herein typed and attested to again by the signature and date written below. The lower South fields could get irrigation from the 10 mile source, however it wouldn't go North far enough to irrigate above the waste ditch where the 10 mile water came across to irrigate. That ditch ran through Ben Fulcher's on the South side and North to our SW corner to irrigate fields from Southwest Ben Moody and

Signed

Norman Moody

Date:

7/23/07

236 Holland Dr (236 HOLLAND DR.)
Nampa ID

Norman Moody

IN WITNESS WHEREOF, The said party of the first part has hereunto set their hand and seal the day and year first above written

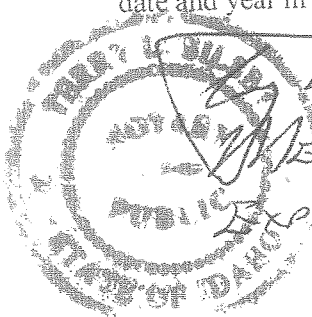
Signed, sealed and delivered in the presence of:

STATE OF IDAHO.

Count of Ada

One this 23RD day of JULY
In the year 2007, before me TERRY L. SISKY, a Notary Public in and for
said county, personally appeared Norman Moody,
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 date and year in this certificate first above written.



Terry L. Sisky
MEIDIAN IDAHO COUNTY OF ADA
EXPIRES 1-22-08

Instrument Numbered 7710

This Indenture, Made this 22nd day of June in the year of our Lord one thousand nine hundred and five between William H. Stevens and Emma M. Stevens, husband and wife of Boise County of Ada State of Idaho the parties of the first part and William M. Linnville, a widower 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 thirty six hundred (\$3600) 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 Ada County Idaho, to-wit:

The North half (N 1/2) of Northwest quarter (NW 1/4) and Southwest quarter (SW 1/4) of Northwest quarter (NW 1/4) of section thirty two (32) Township three (3) North, Range one (1) East Boise Meridian, containing 120 acres more or less. Together with any and all water rights and rights in ditches and laterals thereunto belonging or in anywise appertaining.

Together with all and singular the tenements, hereditaments and appurtenances therunto 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 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 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

W.J. Abbs William D. Stevens (SEAL) Emma M. Stevens (SEAL)

STATE OF IDAHO, County of Ada ss. On this 22nd day of June in the year 1905 before me W.J. Abbs a Notary Public in and for said County, personally appeared William D. Stevens

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same, and on this 22nd day of June in the year 1905 before me, the officer above described, personally appeared Emma M. Stevens

known to me to be the person whose name is subscribed to the within instrument, described as a married woman; and upon an examination without the hearing of her husband, I made her acquainted with the contents of the instrument, and thereupon she acknowledged to me that she executed the same, and that she does not wish to retract such execution.

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) W.J. Abbs Notary Public

STATE OF IDAHO, County of Ada, ss. I hereby certify that this Deed was filed for record at the request of McGrew & Abbs at 4.02 o'clock P M, this 22 day of June A. D. 1905. Fees \$1.20

By Deputy M.L. Buddy Recorder

1297

Instrument Numbered 21723

This Indenture, Made this 20th day of November in the year of our Lord one thousand, nine hundred and eight between

William M. Linville, a widower

of Meridian County of Ada State of Idaho

the party of the first part, and Charles E. Moody

of Meridian County of Ada State of Idaho

the party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Thirty four hundred (\$3400) 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, he 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 his heirs and assigns forever, all the following described real estate, situated in Ada County, State of Idaho, to-wit:

The Northeast quarter (NE $\frac{1}{4}$) of Northwest quarter (NW $\frac{1}{4}$) of Section thirty two (32) Township three (3) North, Range one (1) East Boise Meridian, together with any and all water rights and rights in laterals and ditches thereunto belonging or used in connection therewith, consisting principally of that certain water right represented by twenty five shares of the Capital Stock of the New York Canal Company, Limited and twenty five shares of the Capital Stock of the Idaho Iowa Lateral & Reservoir Company, Ltd.

together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, 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, and his 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 party 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 ha B hereunto set his
hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

William M. Linville



W. J. Abbs



STATE OF IDAHO,

County of Ada

ss.

On this 20th day of November in

the year 1908, before me W. J. Abbs, a Notary Public

in and for said County, personally appeared William M. Linville

known to me to be the person whose name is subscribed to the within instrument, and acknowledged
to me that he executed the same; and on this 20th day of November in the
year 1908, before me, the officer above described, personally appeared

known to me to be the person whose name is subscribed to the within
instrument, described as a married woman, and upon an examination without the hearing of her husband,
I made her acquainted with the contents of the instrument, and thereupon she acknowledged to me that
she executed the same, and that she does not wish to retract such execution.

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

W. J. Abbs

(Seal)

Notary Public

STATE OF IDAHO,

County of Ada, ss.

I hereby certify that this Deed was filed for record at the request

of Buiss T. & T. Co at 4:24 o'clock P. M., this 21

day of Nov. A. D. 1908 Fees \$1.20

By W. L. Luedd Deputy Recorder.

IAN - 5 1909 O. K.

Instrument Numbered 102776

160/254

This Indenture, Made this Twenty-third day of November in the year of
our Lord one thousand nine hundred and Twenty-two , between
Charles E. Moody and Laura A. Moody, husband and wife,
of Nampa County of Canyon State of Idaho
the parties of the first part, and
Robert C. Moody
of Meridian County of Ada State of Idaho
the part y of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
Fifteen Hundred - - - - - (\$1500.00) DOLLARS,
lawful money of the United States of America, to them in hand paid by
the said part y of the second part, the receipt whereof is hereby acknowledged, ha ve granted, bargained and sold, and by these
presents do grant, bargain, sell, convey and confirm unto the said part y of the second part and to his heirs and assigns
forever, all the following described real estate, situated in _____
County of Ada , State of Idaho, to-wit:

The west half of the west half of the northeast quarter of the northwest
quarter ($W\frac{1}{2}$ of $W\frac{1}{2}$ of $NE\frac{1}{4}$ of $NW\frac{1}{4}$) of section thirty-two (32) township three (3) north
range one (1) east of Boise Meridian. Area ten acres.

Together with all irrigation ditches or laterals or water rights therein
appertaining or in any wise belonging thereto-including six and one fourths shares
of the Capital Stock of The New York Canal Company, Limited,

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 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
part y of the second part, and to his heirs and assigns forever. And the said part ies of the first part, and their
heirs, the said premises in the quiet and peaceable possession of the said part y of the second part, his heirs and
assigns, against the said part ies of the first part, and their heirs, and against all and every person and persons whom-
soever, 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:	
W. Scott Neal	Charles E. Moody.....[Seal]
.....	Laura A. Moody.....[Seal]
.....	[Seal]
.....	[Seal]

\$1.50 U.S.I.B. stamps cancelled
W.S.N. Nov. 23, 1922

STATE OF IDAHO, }
COUNTY OF Ada } ss.

On this Twenty-third day of November
in the year 1922, before me W. Scott Neal, a Notary Public in and for
and State, personally appeared
Charles E. Moody and Laura A. Moody, 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.

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)

W. Scott Neal, Notary Public
Residing at Boise, Idaho

STATE OF IDAHO, }
COUNTY OF ADA, } ss.

of Robert C. Moody
day of November

, A. D. 1922 . Fees, \$1.20

I hereby certify that this deed was filed for record at the request

at 3:16 o'clock P.M., this 23rd

By.....
Deputy.

Stephen Utter
Recorder.

155/171
Sidney Pitman et al

to

Instrument Number 98004.

Charles E. Moody

Dated Feb. 7th, 1922.

QUITCLAIM DEED.

THIS INDENTURE, Made this 7th day of February, in the year of our Lord one thousand nine hundred and twenty two between Sidney Pitman a widower, and Robert Pitman a single man, of Meridian County of Ada State of Idaho the parties of the first part, and Charles E. Moody of Meridian 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 Five hundred and 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, do by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to his heirs and assigns, all that certain lot, piece, or parcel of land, situate, lying and being in county of Ada, State of Idaho, bounded and particularly described as follows, to wit:

The Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of the NW $\frac{1}{4}$) of Section Thirty-Two (32), Township Three North of Range One (1) East of the Boise Meridian, containing 40 acres more or less, together with 25 shares in the New York Canal Company, together with any and all ditch and water rights thereunto belonging or in anywise appertaining.

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.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever.

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	Sidney Pitman	(Seal)
the Presence of - - - - -	Robert Pitman	(Seal)
State of Idaho	} ss.	
County of Ada.		

On this 7th day of February, in the year 1922, before me J. A. Fenton, a Notary Public in and for said State, personally appeared Sidney Pitman and Robert Pitman, 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)

J. A. Fenton,

Notary Public Residing at Meridian, Idaho.

Recorded at request of First National Bank of Meridian, at 14 minutes past 9 o'clock A.M., this 8th day of February, 1922.

Fees \$1.20.

Stephen Mitter
Recorder.

STATE OF IDAHO }
County of Ada } ss.

I hereby certify that the foregoing instrument is a true and correct copy of the original on file in this office.

Dated Apr 16, 1954.

(COURT SEAL)

John Jackson
Probate Judge and Ex-Officio Clerk

Recorded at request of Security Abstract and Title Co at 24 minutes past 3 o'clock P.M., this 16 day of April, 1954.

Fees, \$2.00

John G. Brown
Recorder.

✓ Charles E. Moody, et ux
to

Instrument No. 358678

Robert C. Moody, et ux
Dated: July 15th, 1953

THIS INDENTURE, Made the 15th day of July in the year of our Lord one thousand nine hundred and fifty-three between Charles E. Moody and Laura A. Moody, husband and wife, of the County of __, State of Idaho, the parties of the first part, and Robert C. Moody and Lena L. Moody, husband and wife, of the county of Ada, State of Idaho, the parties of the second part, WITNESSETH:

That the said parties of the first part, for and in consideration of the parental duty which the said parties of the first part has and bears unto the said parties of the second part, and also for the better maintenance, support, protection and livelihood of the said parties of the second part, do by these presents give, grant, alien, and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate, situated in __, County of Ada, State of Idaho, to-wit:

The East half (E½) of the West half (W½) of the North east Quarter (NE¼) of the North west Quarter (NW¼) of Section Thirty-two (32) Township Three North (3N) of Range One East (1E) of the Boise Meridian in said Ada County, Idaho, together with any and all water and ditch rights thereto belonging or in any way appertaining thereto.

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 the rents and profits thereof shall be applied to their sole and separate use.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the said parties of the second part, hve heirs and assigns forever, as the separate property of the said second parties and not in anywise community property.

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
Presence of ----

Charles E. Moody (Seal)
Laura A. Moody (Seal)

INSTRUMENT NO. 452480

IN THE PROBATE COURT OF ADA COUNTY, STATE OF IDAHO

* * *

IN THE MATTER OF THE ESTATE OF

ROBERT C. MOODY, also known
as R. C. MOODY,
Deceased.

DEGREE OF SETTLEMENT OF FINAL
ACCOUNT AND FINAL DISTRIBUTION

* * *

LENA L. MOODY, the administratrix of the estate of ROBERT C. MOODY, also known as R. C. MOODY, deceased, having on the 24 day of April, 1959, filed, rendered and presented for settlement her Final Account and Report of her administration of said estate, which account was for final distribution and settlement, and having with said account filed a petition for final distribution of the estate.

And the said account and petition this day coming on regularly to be heard, and proof having been made to the satisfaction of the Court that notice of the day appointed for the settlement of said account and hearing of said petition had been duly given as required by law and the order of the Court, and no exception or objection in writing to said account or petition having been filed or made; that said administratrix appearing by her attorney, Grant L. Ambrose;

And it appearing to the Court, after having fully examined the said account and the vouchers filed herein and heard the testimony in support thereof, that said account is in all respects true and correct; that the sum of \$ None has been expended by the administratrix as necessary charges, debts, claims and expenses of administration; and that said account in all respects is true and correct and entitled to be settled, allowed and approved, and the Court having duly considered all matters aforesaid;

IT IS ORDERED, ADJUDGED AND DECREED that the said final account be and the same is hereby in all respects as the same was rendered and presented for settlement, approved, allowed and settled;

And it further appearing that since the rendition of said final account, no further money or property has been received by said administratrix, and no further disbursements have been made by her, and that there will be no further expenses connected with the closing of said estate, and it appearing that all claims and debts against the decedent, and all state, county and municipal taxes, and all debts, expenses and charges of administration have been fully paid and discharged, all inheritance tax due on said estate has been paid and that said estate is ready for distribution and is in condition to be closed.

And it further appearing to the Court that the said Robert C. Moody died intestate in the County of Ada, State of Idaho, on the 8th day of May, 1958 and that said decedent was a bona fide resident of Ada County, Idaho, at the time of his death, leaving surviving the following heir at law, namely: Lena L. Moody, wife.

That all of the property of said deceased, Robert O. Moody, also known as R. O. Moody, at the time of his death, was the community property of said deceased and Lena L. Moody, his surviving wife.

That the said Lena L. Moody is entitled to all of the said estate as the sole heir at law.

THAT IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the residue of the estate of ROBERT O. MOODY, also known as R. O. MOODY, deceased, hereinafter particularly described and now remaining in the hands of the administratrix as follows, to-wit:

REAL PROPERTY

SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32, Township 3 North, Range 1 East, Boise Meridian, in Ada County, Idaho.

E $\frac{1}{2}$ of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 32, Township 3 North, Range 1 East, Boise Meridian, in Ada County, Idaho.

W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32, Township 3 North, Range 1 East, Boise Meridian, in Ada County, Idaho.

PERSONAL PROPERTY

Checking account, First Security Bank, Boise, Idaho.
1958 two ton Chevrolet truck
1948 Chrysler automobile
6 Head milk cows
3 Head young heifers
1 John Deere tractor
Household furniture and fixtures

and any and all other property not now known or discovered, which may belong to the said estate or to which the said estate may have any interest, be and the same is hereby distributed as follows, to-wit: Lena L. Moody, wife.

DONE IN OPEN COURT This 2nd day of April, 1959.

State of Idaho
County of Ada

I hereby certify that the foregoing instrument is a true and correct copy of the original on file in this office.

Dated APR 2 1959

W. E. SWIN

Probate Judge and Ex-Officio Clerk

By W. E. Swin Deputy Clerk



W. E. Swin
Probate Judge

IN THE COUNTY OF ADA

I received the request of Robert S. Ambrose

on the 22 day of April, 1959.

By Ray G. Galt Deputy

NOTED

175

929 East First
Meridian, Idaho.

#472345

3

WARRANTY DEED

PRINTED AND FOR SALE BY SCHWARTZ PRINTING CO. Nampa

BOOK 465 PAGE 155

THIS INDENTURE, Made this 9th day of January
in the year of our Lord one thousand nine hundred and Sixty, between
LENA L. MOODY, a widow
of Meridian, County of Ada, State of Idaho
the part y of the first part, and
FRANK HOCHSTETLER AND ALTA HOCHSTETLER, husband and wife
of the County of Ada, State of Idaho
the part ies of the second part.

WITNESSETH, That the said part y of the first part, for and in consideration of the sum of
Fifteen Thousand and no/100

DOLLARS,

lawful money of the United States of America, to her in hand paid by the said
parties 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 part ies
of the second part, and to their heirs and assigns forever, all of the following described real estate,
situated in the County of Ada, State of Idaho, to-wit:

The West half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest
Quarter (NW $\frac{1}{4}$) of Section 32 Twp 3 North Range 1 East Boise Meridian
EXCEPT an irregular shaped plot described by metes and bounds as
follows: Commencing at the Quarter Corner common to Sections 28 and
32 Twp 3 North Range 1 East Boise Meridian; thence South 89°45' West
661.07 feet to real point of beginning; thence South 0°15' East 753.55
feet to a point; thence North 58°18'30" West 388.57 feet to a point;
thence North 0°15' West 539.83 feet to a point; thence North 89°45'
East 330.53 feet to the point of beginning. Excepting all road rights
of way and containing 4.79 acres more or less.
Together with any and all water rights and ditch rights appertaining
thereto.



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 part y of the first part.

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together
with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever,
and the said part y of the first part, and her heirs, the said premises in the quiet and peaceable
possession of the said parties of the second part, their heirs and assigns, against the said part y
of the first part, and her 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.

WIT- 4000-156

BEFORE ME, the undersigned authority, on this day personally appeared Lewis H. Hardy, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 10th day of January, 1927, at the city and county of San Francisco, State of California.

Notary Public for the State of California.

My commission expires July 12, 1928.

WITNESSETH that I, the undersigned, a Notary Public for the State of California, do hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears from the records of my office.

#494-44

245 355

WARRANTY DEED

BOOK 477 PAGE 255 A-9418

For Value Received, NORMAN C. MOODY and COLLEEN MOODY, husband and wife,

the grantor, do hereby grant, bargain, sell and convey unto

HALSEY KUDEBBH and VICIE KUDEBBH, husband and wife,
the grantee, the following described premises, in Ada County Idaho, to wit:

Commencing at the quarter corner common to
Sections 29 and 32, T. 3 N., R. 1 E., B.M.,
thence
South 89°45' West 661.07 feet to the real
point of beginning; thence
South 0° 15' East 752.55 feet to a point;
thence
North 56°16'30" West 398.57 feet to a point;
thence
North 0° 15' West 529.82 feet to a point;
thence
North 89°45' East 330.53 feet to the point
of beginning.
EXCEPTING all road rights of way, and
containing 4.79 acres, more or less.

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

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

Dated: March 20, 1961.

Norman C. Moody
Colleen Moody

STATE OF IDAHO, COUNTY OF Ada
On this 20th day of March, 1961,
before me, a notary public in and for said State, personally
appeared NORMAN C. MOODY and COLLEEN
MOODY, 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.

Robert H. Bolivar
Notary Public
Residing at Boise, Idaho
Comm. Expires 12-31-62

STATE OF IDAHO, COUNTY OF Ada
I hereby certify that this instrument was filed for record at
the request of SECURITY TITLE INSURANCE CO.

at 31 minutes past 8 o'clock A.M.,
this 31 day of March,
1961, in my office, and duly recorded in Book
of Deeds at page

VERN THOMAS
Ex-Officio Recorder
By *Guided Francis* Deputy.
Fees \$.90
Mail to First Federal Savings & Loan
Boise.

INSTRUMENT No. 499744

Box 2268

#515551

24 1 11 50

BOOK 483 PAGE 590 WARRANTY DEED

For Value Received HALSEY KUDEBEH and VICIE KUDEBEH, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto FRED H. HEBDON and ERMA MARIE HEBDON, husband and wife,

the grantees, the following described premises, in ADA County Idaho, to wit:

A portion of the E $\frac{1}{2}$ of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32, T. 3 N., R. 1 E., B.M., in Ada County, State of Idaho, more particularly described as follows:

Commencing at the quarter corner common to Sections 29 and 32, T. 3 N., R. 1 E., B.M.; thence South 89°45' West, 661.07 feet to the real point of beginning; thence South 0°15' East, 752.55 feet to a point; thence North 56°16'30" West, 398.57 feet to a point; thence North 0°15' West, 529.82 feet to a point; thence North 89°45' East, 330.53 feet to the point of beginning;

EXCEPTING all road right-of-way.

Subject to that certain mortgage in favor of FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF BOISE, recorded March 30, 1961 under Instrument No. 499600, records of Ada County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances, except general taxes for the year 1961,

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

Dated: July 6, 1961

STATE OF Idaho, COUNTY OF Ada
On this 10th day of July, 1961,
before me, a notary public in and for said State, personally appeared

HALSEY KUDEBEH and VICIE

KUDEBEH, 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.

Residing at
Comm. Expires

STATE OF IDAHO, COUNTY OF Ada
I hereby certify that this instrument was filed for record at the request of SECURITY TITLE INSURANCE CO.

at 8 minutes past 17th day of Nov., 1961, in my office, and duly recorded in Book of Deeds at page

WMR THOMAS
Ex-Officio Recorder

By Ray Gilman Deputy.

Fees \$ 1.20
Mail to:

INSTRUMENT NO. 515551

A-9998

WARRANTY DEED

345 257

FOR VALUE RECEIVED

ALTA HOCHSTETLER, a widow

the Grantor does hereby grant, bargain, sell and convey unto

ROGER A. ADAMS and HELEN L. ADAMS, husband and wife

the Grantee s, whose address is

the following described premises, to-wit:

The West half ($W\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section 32, Township 3 North, Range 1 East, Boise Meridian, EXCEPT an irregular shaped plot described by metes and bounds as follows:

Commencing at the Quarter corner common to Section 29 and 32, T. 3 N., R. 1 E., Boise Meridian; thence South $89^{\circ}45'$ West 661.07 feet to the real point of beginning;
 thence South $0^{\circ}15'$ East 752.55 feet to a point;
 thence North $56^{\circ}16'30''$ West 389.59 feet to a point;
 thence North $0^{\circ}15'$ West 529.82 feet to a point;
 thence North $89^{\circ}45'$ East 330.53 feet to the Point of Beginning.

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 do es hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that said premises are free from all encumbrances

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

Dated: 10 - 17, 1977.

STATE OF IDAHO, COUNTY OF ADA

On this 19 day of OCTOBER, 19 77, before me, a notary public in and for said State, personally appeared

Alta Hochstetler

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Residing at _____, Idaho
 Comm. Expires NON EXPIRING

STATE OF IDAHO, COUNTY OF Ada

I hereby certify that this instrument was filed for record at the request of Helen L. Adams

at 29 minutes past 1 o'clock P m., this 19th day of Oct., 19 77, in my office, and duly recorded in Book of Deeds at page

CLARENCE A. PLANTING

Ex-Officio Recorder

By Terrene Edwards Deputy,
 Fees \$ 1.00
 Mail to: _____



PIONEER TITLE COMPANY
 OF ADA COUNTY
 1110 W. Jefferson St.
 Boise, Idaho 83702 - 208 344-6515
 Representing Pioneer National Title Insurance

7848016

FA-44648

(Optional)
Recorded ☐
Microfilmed ☐
Indexed ☐

Platted ☐
Deed Card ☐
Compared ☐

Key Punched ☐
Master File ☐
Abstracted ☐

To Treasurer ☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED 402 505

FRED H. HEBDON and ERMA M. HEBDON, Husband and Wife,
of Meridian County of Ada
hereby CONVEYS, GRANTS and WARRANTS TO

GRANTOR(S)
State of Idaho

BRENT OWEN PATRICK and CHERYL CAY PATRICK, Husband and Wife,
of Meridian County of Ada 1000 Amity Rd

GRANTEE(S)
State of Idaho

for the sum of TEN (\$10.00)-----Dollars (\$10.00)

the following described tract(s) of land in Ada County, State of Idaho:

A portion of the E1/2 of the W1/2 of the NE1/4 of the
NW1/4 of Section 32, T. 3 N., R. 1 E., B.M., in Ada
County, State of Idaho, more particularly described as
follows:

Commencing at the quarter corner common to Sections 29
and 32, T. 3 N., R. 1 E., B.M., thence
South 89°45' West, 661.07 feet to the real point of beginning,
thence

South 0°15' East, 752.55 feet to a point; thence
North 56°16'30" West, 398.57 feet to a point; thence
North 0°15' West, 529.82 feet to a point; thence
North 89°45' East, 330.53 feet to the point of beginning.

EXCEPTING all road right-of-way.

STATE OF IDAHO, COUNTY OF ADA, ss.

FIRST AMERICAN TITLE CO.

Filed for record at the rec.

10 Min. past 8 o'clock

M. this 10th day of June 1977

By J. A. PLANKINS, Recorder

By

Brent Owen Patrick

Deputy

Location of above described property

House No.

Street

WITNESS the hand of said Grantors this

10th day of June A.D. 1975

Fred H. Hebdon

Erma M. Hebdon

(NOTARY SEAL)

Utah
State of Idaho
County of Davis

ss. On the 10th day of June A.D. 1975

personally appeared before me Fred H. Hebdon and Erma M. Hebdon,
Husband and wife

the signer(s) of the within instrument, who duly acknowledged to me that they
executed the same.

[Signature]
(NOTARY PUBLIC)

Residing at: West Bountiful, Utah My Commission expires: February 1, 1977

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name

Address

City & State

Zip

2490-30024

94008133
FIRST AMERICAN TITLE CO.

RECORDER
J. DAVID NAVARRO
BOISE ID

WARRANTY DEED

1777001306

For Value Received

'94 AUG 31 PM 4:55

BRENT OWEN PATRICK AND CHERYL CAY PATRICK, ALSO KNOWN AS CHERYL C. PATRICK, HUSBAND AND WIFE
RECORDED AT THE REQUEST OF

the grantors, do hereby grant, bargain, sell and convey unto

JOHN W. HUFFMAN and HELEN L. HUFFMAN, husband and wife
the grantees, whose current address is

2125 East Ashty Road - Meridian, ID 83642

the following described premises, to-wit:

AS ATTACHED HERETO ON EXHIBIT "A" AND BY THIS REFERENCE
INCORPORATED HEREIN.

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto the said Grantees, their heirs and assigns
forever. And the said Grantors do hereby covenant to and with the
said Grantees, that they are the owners in fee simple of said
premises; that said premises are free from all encumbrances except
current years taxes, levies, and assessments, and except U.S.
Patent reservations, restrictions, easements of record, and
easements visible upon the premises, and that they will warrant and
defend the same from all claims whatsoever.

Dated:

Brent Owen Patrick
BRENT OWEN PATRICK

Cheryl Cay Patrick
CHERYL CAY PATRICK

STATE OF IDAHO)
COUNTY OF VALLEY) : SS

On this 14TH day of JULY, in the year 1994,
before me, a Notary Public in and for said State, personally
appeared Brent Owen Patrick AND Cheryl Cay Patrick known or
identified to me to be the person(s) whose names(s) are subscribed
to the within Instrument, and acknowledged to me that they executed
the same.

Notary Public of Idaho
Residing at McCall, ID
Commission Expires: FEB 7TH 1997

EXHIBIT "A"

A part of the East half of the West half of the Northeast quarter of the Northwest quarter of Section 32, Township 3 North, Range 1 East, Boise-Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the quarter corner common to Sections 29 and 32, Township 3 North, Range 1 East, Boise-Meridian; thence South $89^{\circ}45'$ West 661.07 feet to the REAL POINT OF BEGINNING; thence

South $0^{\circ}15'$ East 752.55 feet to a point; thence

North $56^{\circ}16'30''$ West 398.57 feet to a point; thence

North $0^{\circ}15'$ West 529.82 feet to a point; thence

North $89^{\circ}45'$ East 330.53 feet to the POINT OF BEGINNING.

QUITCLAIM DEED 8508335

For Value Received

HELEN L. HUFFMAN, who acquired title as Helen L. Sjaastad,
formerly known as Helen L. Adams, as separate propertydo hereby convey, release, remise and forever quitclaim unto HELEN L. HUFFMAN, a married woman,
as her sole and separate property

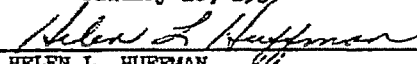
whose current address is 2045 E. Amity Rd. Meridian, Idaho 83642

the following described premises, to-wit:

SEE EXHIBIT I ATTACHED HERETO AND MADE A PART HEREOF

together with their appurtenances.

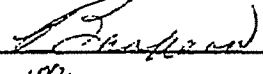
Dated: January 16, 1985


HELEN L. HUFFMAN

STATE OF IDAHO, COUNTY OF

On this 12 day of February, 1985,
before me, a notary public in and for the said State, personally appeared Helen L. Huffmanknown to me to be the person whose name
subscribed to this within instrument, and acknowledged to
me that she executed the same.
Notary Public
Residing at Boise, Id., Idaho
Comm. Expires 19 July 1987

STATE OF IDAHO, COUNTY OF Blaine

I hereby certify that this instrument was filed for record at
the request of SAFECO TITLEat 00 minutes past 12 o'clock P.M.,
this 14 day of Feb. 1985, in my office, and duly recorded in Book
of Deeds at PageJOHN EASTINA
Ex-Officio RecorderBy  Deputy.Fees \$ 400
Mail to:

INSTRUMENT NO.



SAFECO

300 NORTH SIXTH STREET
P.O. BOX 2520
BOISE, IDAHO 83701
(208) 343-3667LINDA VISTA PLAZA OFFICE
6401 FAIRVIEW AVENUE
BOISE, IDAHO 83704
(208) 376-8300

No. 110014

EXHIBIT I

The West half of the Northeast Quarter of the Northwest Quarter of Section 32, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, EXCEPT, an irregular shaped plot described by metes and bounds as follows:

Commencing at the Quarter corner common to Sections 29 and 32, Township 3 North, Range 1 East, Boise Meridian; thence
South 89°45' West 661.07 feet to the REAL POINT OF BEGINNING;
thence
South 0°15' East 752.55 feet to a point; thence
North 56°16'30" West 389.57 feet to a point;
thence
North 01°15' West 529.82 feet to a point; thence
North 89°45' East 330.53 feet to the POINT OF BEGINNING.



QUITCLAIM DEED

For Value Received

Helen L. Huffman, a married woman

do hereby convey, release, remise and forever quit claim unto

John W. Huffman and Helen L. Huffman, husband and wife

the following described premises, to-wit:

The West half of the Northeast 1/4 of the Northwest 1/4 of Section 32, Township 3 North, Range 1 East, Boise Meridian;
EXCEPT an irregular shaped plat described by metes and bounds as follows:

Commencing at the Quarter corner common to Section 29 and 32, T. 3N., R. 1 E., Boise Meridian; thence
South 89°45' West 661.07 feet to the REAL POINT OF BEGINNING; thence
South 0°15' East 752.55 feet to a point; thence
North 56°16'30" West 389.57 feet to a point; thence
North 0°15' West 529.82 feet to a point; thence
North 89°45' East 330.53 feet to the POINT OF BEGINNING.

EXCEPT ditch and road rights-of-way.

9135059

ADA COUNTY, ID. FOR BOISE TITLE & ESCROW
J. DAVIS HAVAS
RECORDER BY *[Signature]*

'91 JUN 28 PM 2 22

together with their appurtenances.

Dated:

[Signature]
Helen L. Huffman, a married woman

STATE OF IDAHO, COUNTY OF
On this 21st day of JUNE, 1991,
before me, a notary public in and for said State, personally
appeared

HELEN L. HUFFMAN

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.

[Signature]
Notary Public
Residing at BOISE, Idaho
Comm. Expires 4-95

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____
19____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy
Fees \$ _____
Mail to: _____

INSTRUMENT NO.

22490-30024

34088138
FIRST AMERICAN TITLE CO.

RECORDER
J. DAVID NAVARRO
BOISE ID

WARRANTY DEED

1777001306

For Value Received

'94 AUG 31 PM 4:55

BRENT OWEN PATRICK AND CHERYL CAY PATRICK, ~~ATTEST~~ ^{6.00} KNOWN AS CHERYL C. PATRICK, HUSBAND AND WIFE
RECORDED AT THE REQUEST OF

the grantors, do hereby grant, bargain, sell and convey unto

JOHN W. HUFFMAN and HELEN L. HUFFMAN, husband and wife
the grantees, whose current address is

2125 East Asity Road - Meridian, ID 83642

the following described premises, to-wit:

AS ATTACHED HERETO ON EXHIBIT "A" AND BY THIS REFERENCE
INCORPORATED HEREIN.

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto the said Grantees, their heirs and assigns
forever. And the said Grantors do hereby covenant to and with the
said Grantees, that they are the owners in fee simple of said
premises; that said premises are free from all encumbrances except
current years taxes, levies, and assessments, and except U.S.
Patent reservations, restrictions, easements of record, and
easements visible upon the premises, and that they will warrant and
defend the same from all claims whatsoever.

Dated:

Brent Owen Patrick
BRENT OWEN PATRICK

Cheryl Cay Patrick
CHERYL CAY PATRICK

STATE OF IDAHO)

COUNTY OF VALLEY) SS

On this 14TH day of JULY, in the year 1994,
before me, a Notary Public in and for said State, personally
appeared Brent Owen Patrick AND Cheryl Cay Patrick known or
identified to me to be the person(s) whose names(s) are subscribed
to the within Instrument, and acknowledged to me that they executed
the same.



Notary Public
Notary Public of Idaho
Residing at MECAL, ID
Commission Expires: FEB 7TH 1997

EXHIBIT "A"

A part of the East half of the West half of the Northeast quarter of the Northwest quarter of Section 32, Township 3 North, Range 1 East, Boise-Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the quarter corner common to Sections 29 and 32, Township 3 North, Range 1 East, Boise-Meridian; thence South 89°45' West 661.07 feet to the REAL POINT OF BEGINNING; thence South 0°15' East 752.55 feet to a point; thence North 56°16'30" West 398.57 feet to a point; thence North 0°15' West 529.82 feet to a point; thence North 89°45' East 330.53 feet to the POINT OF BEGINNING.

STATE OF IDAHO)
 (ss.
County of)

_____ being first duly sworn depose and say that he
of lawful age and _____ claimant of the Water Right mentioned in the fore-
going notice and whose name _____ subscribed thereto. That the statements in
said notice are true, and that the original notice, of which the foregoing is
a true copy, was posted in a conspicuous place at or near the place of intended
diversion (as provided by law) on the _____ day of _____ 19____, at _____
minutes past _____ o'clock _____ M.

Subscribed and sworn to before me this _____ day of _____ 190____

And I further certify that on the date last above given personally
appeared before me the affiant above named, 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.

NOTE: The above Certificate may, where there are several claimants, be made and
sworn to be one of them)

File No. 191

State of Idaho
Office of State Engineer

This instrument was received by mail and filed in the office of the
State Engineer at _____ minutes past 10 o'clock A.M., this 18th day of May, A.D. 1901
and abstract of same duly entered in Book No. 1 of Water Locations, at Page _____
/s/ D. W. Ross
State Engineer

NO.....
NOTICE OF WATER RIGHT
OF

_____ County, Idaho
Dated _____ 1 _____
STATE OF IDAHO)
County of _____) ss.

I hereby certify that this instrument was filed for record at request
of _____ at _____ minutes past _____ o'clock _____ M., this _____ day of
_____ A. D. 190____, in my office, and duly recorded in Book _____ of _____
at page _____

Ex-officio Recorder

NOTICE OF WATER RIGHT

STATE OF IDAHO)
 (ss.
County of Ada)

TO ALL CONCERNED

NOTICE IS HEREBY GIVEN:

1st. That I, JAMES H. GRIMMETT, a citizen of the United States of America, hereby claim the use of 10 Ten Mile Creek to the extent of 4 Four cubic feet per second.

It is intended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows: taken out at the Lower end of a place known as Slide Bluff on the West Side of the Creek about one mile West of the Silver City road.
(In above description give legal subdivision of land or describe the place with reference to some prominent landmark.)

2d. The purpose for which said water is intended to be used is Irrigation.

The place of intended use is about 3/4 three fourths of a mile In a Westernly direction from Slide Bluff

3d. It is intended to divert said water by means of ditch and Flume. The general course of the proposed conduit is a Westernly direction. The length of the proposed conduit is about 3/4 three fourths of a mile. The destination of the proposed conduit is discribed in the following.

It is intended to use said waters for irrigating the following described lands: S.E.4.N.W.4.N.E. 4. S.W.4 N.W.4.S.E.4.N.E.4.S.E.4. All In Sec.32, 3 N. R.1.E.

The area of lands proposed to be irrigated by said conduit is 160 acers.

WITNESS My hand at Boise, Ada Co. Idaho this 4 Fourth day of May, 1901

/s/ JAMES H. GRIMMETT)
 ()
 () Claimants
 ()

STATE OF IDAHO)
 (ss.
COUNTY OF ADA)

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, do hereby certify that the annexed and foregoing is a full, true and correct copy of Notice of Water Right No. 191, dated May 4, 1901, as same appears on file in the office of the Department of Reclamation of the State of Idaho, at Boise, Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the State Department of Reclamation, at Boise, Idaho, this 2nd day of June, A. D. 1944.

Mark R. Kulp

State Reclamation Engineer

By *Jeannie L. Anderson*
Chief Clerk

WILLIAM WYMER
CHAIRMAN OF THE BOARD
ALOYS SCHULER
VICE CHAIRMAN OF THE BOARD
FORREST SOWER
PROJECT MANAGER
W. J. FARRELL
SECRETARY-TREASURER

REFERENCES—FIRST SECURITY BANK OF IDAHO, BOISE
BUREAU OF RECLAMATION—BOISE, IDAHO; WASHINGTON, D.C.

OPERATING AGENCY FOR 167,000
ACRES FOR THE FOLLOWING
IRRIGATION DISTRICTS:

NAMPA & MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

214 BROADWAY

BOX 2298

BOISE, IDAHO

NY-315
NM-1137

May 5, 1949

Sec 4-T&N

Mrs. Julia Reeves,
Meridian, Idaho

Dear Mrs. Reeves:

The following are the terms agreed upon, at the regular meeting of the Board of Control yesterday, for providing water from Ten Mile Drain to the land presently owned by D. Junier McKay.

The diversion point is to be from the above drain at a point about 1000 feet south of the north line of Sec. 9, T. 3N., R. 1E. The water level at this diversion is not to be checked more than two feet above the present bottom of drain ditch. Water from this diversion to a point 50 feet north of the north line of said Section 9 is to be carried in a 15 inch concrete pipe with cemented joints along the west side of the Ten Mile Drain. Top soil is to be piled separately in the excavation for the pipe so that it may be placed in its original position when the pipe is backfilled.

From the lower end of the pipeline, water will be carried through an open ditch constructed along the west edge of the present spoil banks on the west side of the drain to north line of your property.

The Board of Control will assume the maintenance of the above diversion, pipeline and ditch.

Mr. McKay agrees to abandon his present ditch through your property and construct a new one along the north side of ~~his~~ property from the drain ditch west to the northwest corner. Mr. McKay is to be responsible for the operation and maintenance of this property line ditch.

The amount of damage caused by the excavation for the pipeline is to be determined by a three-man committee consisting of Mr. Cecil L. Weeks, myself and a third member chosen by us. The amount so appraised will be paid to you by the Board of Control.

Very truly yours,

Forrest Sower
Forrest Sower
Project Manager

FS:vh

Idaho Water Resources
2735 Airport Way
Boise, Idaho 83705

September 2, 1995

Dear Sirs:

My name is Paul Warrick. I have lived and farmed at 2445 East Amity Road, Meridian since buying the land in 1941. I was born in February of 1918 on my parents farm across the road on Amity.

I am now, and have been on the board of directors of the New York Irrigation District for the last thirteen years, also on the board of Central of the five irrigation districts served by the New York Canal for four terms.

Mr. D.J. McKay has asked me about the waste water from the Ten Mile Creek drain.

The first time that I was aware of this was back in 1925. Early in July, there wasn't enough water to make deliveries. My father had a nice little orchard of forty to fifty fruit trees. He checked into the possibility of pumping enough water out of the Ten Mile Drain to save the trees. He found that George Atkinson had a water right and would be taking what he wanted. Mr. Linville who lived just below us had a water right but he was not going to use it then.

My father bought an old Maxwell car and a pump. He built a heavy platform just above the water and set the motor and the pump on this. As I had to make about four trips a day up to the pump to see that the master had water and gas, it is firmly in my memory.

A few years later, my Uncle Ben Fulcher, rented George Atkinson's place and farmed it for many years until Mr. McKay bought it.

My Uncle Lloyd Goddie worked there and irrigated during the summer. During all this time, it was common knowledge that they were picking up the waste water from the Ten Mile Drain and using it to supplement in order to keep up with crop demands.

After Mr. McKay purchased this farm, he continued to use this water as long as it was available to him.

Sincerely,



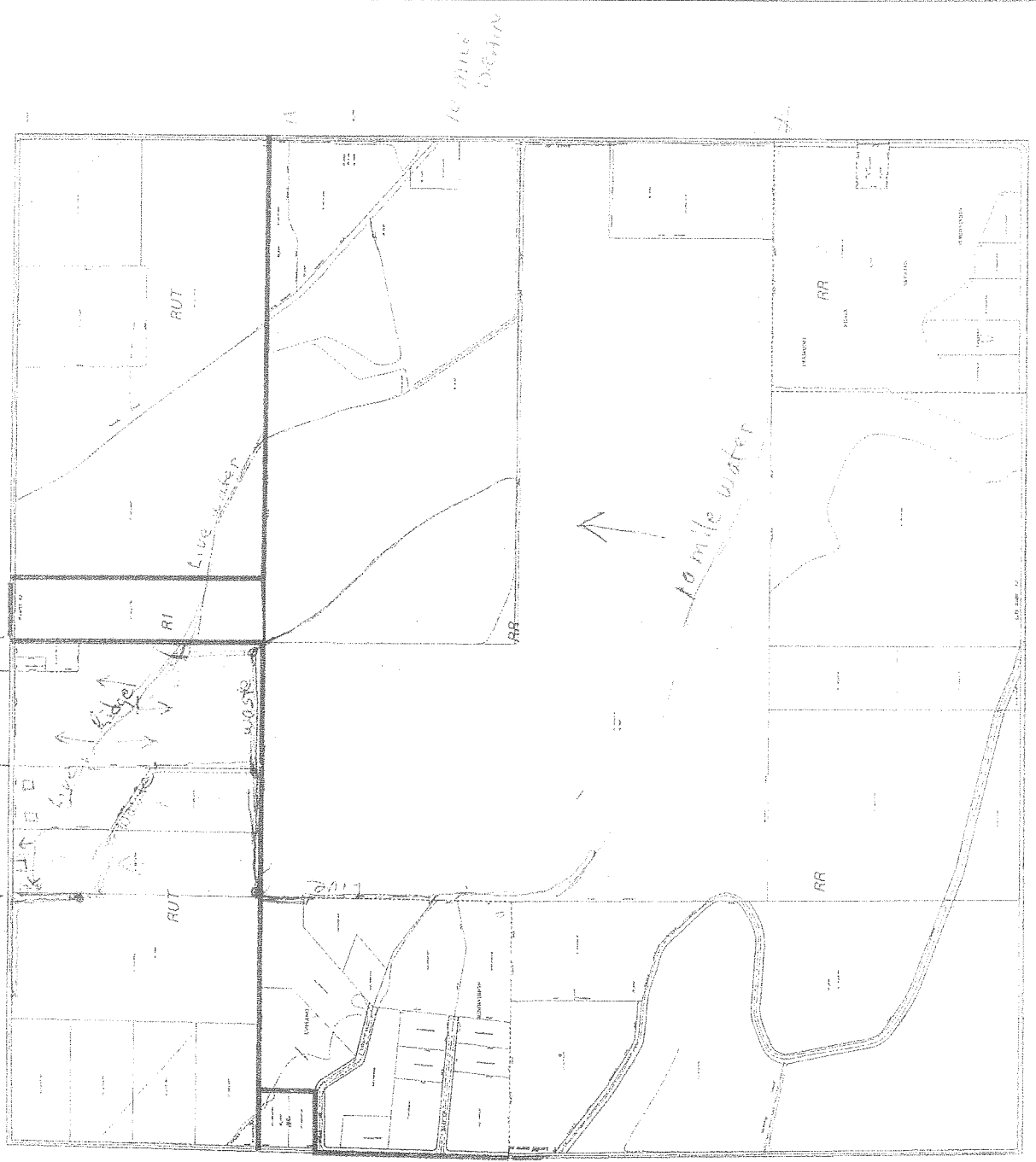
Paul Warrick

1901 - 2005

prior

Brown Huffman Frisch

Seeley



Comes now, Helen L. Huffman, of 2045 East Amity Road, Meridian, County of Ada, State of Idaho and who makes this her statement and General Affidavit upon oath and affirmation of belief and personal knowledge that the following matters, facts and things set forth are true and correct to the best of her knowledge.

July 16, 1974, Roger Adams and I, Helen Huffman, husband and wife, purchased approximately 15 acres from Alta Hochstetler, widow, the property legal as Parcel#2730 of NE4 NW4 Sec 32 3N 1E, what is now known as 2045 E. Amity Road, Meridian, Idaho 83642 and the five acres sitting adjacent South of the Patrick property, Parcel#2710 of NE4 NW4 Sec 32 3N 1E,

Alta Hochstetler walked the property lines with us and explained the irrigation practice that she and her husband had used as they were instructed by the Moody's that used to own their property and the Seller that they bought it from. Alta told me that we could rely on the water that flowed continuously from the ditch that came across from the East through that property East of us. She told me that sometimes we would have too much water as others ordered water to run in that live ditch for their irrigation and waste water added to it also.

Alta explained to me that water from 10 mile ditch also came through from Fulcher's and McKay's, that used to be Grimmit's property, and had been used for our property since our place was homesteaded. Alta told me that we would be able to irrigate on a continuous basis using that water since it was the only one that watered the North side and central area of the property. Alta also explained that we would also get waste water in that ditch that came from Fulcher, Warrick, and McKay. She told me that we also would get the run off from the South West ridge above us and we could order with our Lucky Peak and Andersen water rights from the New York Irrigation canal that could be delivered from the Pierce Lateral that came down the hill South of our property and was delivered into that South West corner of our property.

We were told that delivery ditch from Pierce was an easement beginning through McKay's property and jumping across the property line West halfway down, then back East to our SW corner and that it also was used to deliver water to Huwyler's, now Brown's and could not be interrupted by someone else.

I would visit frequently with Junior McKay and he assured us that he would not interrupt the ditch bringing water to us through his property and that we would also always have his waste water to irrigate with. In fact sometimes we had more water than we could handle and were forced to take care of it and make provisions for it and became dependent on it.

In 1976 my husband, Roger Adams passed away with cancer.

In 1994, John Huffman and I, Helen Huffman, husband and wife purchased the five acres east of us from Brent and Cheri Patrick.

Brent Patrick showed us how to irrigate both North and South from the live ditch that ran through the center of that property from the East through the Seewald/Frisch's property.

The Frisch's have interrupted that ditch carrying water across their property into our Patrick property, (previously Brent Patrick's), and re-routed it to the South end of their property bringing it into our property at our South East corner and the East side where they attempted to bring it back up the original delivery point. Falling short of bringing it back into the Patrick property, we were left with pumping and ordering through the Beasley lateral to try to irrigate the upper portion of the Patrick property

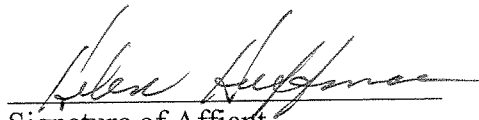
It is my understanding from talking with the Moody's, Alta Hochstetler, Paul Warrick, Brent Patrick, Junior McKay, that 10 mile water has been used for irrigation and in some cases stock water since anyone's memory, long before 1901.

We have used water that came from 10 mile creek for 33 years now and believe that our usage should constitute a water right to maintain our property.

We object to having that water cut off and have to proceed now to address that with the persons that are responsible for interrupting our source, leaving part of our property dry without irrigation at all. This may appear at an inspection at this time that we are not irrigating this portion as which is not true, even though it has been temporarily dry to inability to reach with the water as explained herein.

The Grimmet 10 mile water rights directly affect us since part of that original Grimmet property that held those water rights housed the ditch that delivered water to our property

WITNESS my signature this 29 day of August, 2007


Signature of Affiant

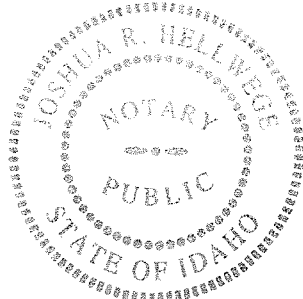
SUBSCRIBED AND SWORN to before me this 29 day of August, 2007.


Boise, Idaho
1-12-2012

Notary Public for Idaho,

Residing at

My commission expires:



Comes now, Terry L. Silsby, of 2674 N. Old Stone Way, Meridian, County of Ada, State of Idaho and who makes this his statement and General Affidavit upon oath and affirmation of belief and personal knowledge that the following matters, facts and things set forth are true and correct to the best of his knowledge.

I, Terry L. Silsby, hereby assert several facts for the record regarding usage of water on the properties of 2045 E Amity Road and 2125 E Amity Road, from the source commonly known as 10-mile Creek.

In 1974, one Mrs. Alta Hochstetler, widow, sold the location common known as 2045 E. Amity Rd to my parents, Roger and Helen Adams with a contract. Roger passed away in 1976, my mother, as Helen Adams, (now remarried and known as Helen Huffman), paid off that contract and received a transfer of deed in 1977. My mother has since been married to John Huffman for over 23 years.

Adjacent to our east border are five acres that were owned by Brent and Cheri Patrick, who then sold to my parents, John & Helen Huffman. Adjacent to Patrick's on the East side, was an approximate 20 acre piece owned by Mr. Seewald, who passed away and the land was sold or deeded to Marvin and Donna Frisch. I lived on the farm from 1974 (the recorded ownership from Mrs. Hochstetler was in 1977, but the contract started when we moved there in 1974), through my high school and college years, returned to finish college, and lived on the farm through June of 1991, and have actively participated in the farming and irrigation of the property for the entire time since then as well.

I was one of the main "irrigators" of the family, because it was something I truly enjoyed doing, and still do.

We received water from five directions, and watered the entire property from these.

Two of the ditches that came from the East, originating from live water from 10-mile creek, splitting, then coming to us at two locations, (#1 - through the Seewald/Frisch property to the 2125 E Amity Patrick's Property, (now Huffman property purchased from the Patricks) and to us, and #2- across the south end of the Seewald/Frisch property, to our SE corner) #3 came from the hill to the south from the lateral on the ridge above and south of us, and #4 came from the waste water from the McKay property south and east of us which was from McKay's two sources, one of which was 10 Mile Creek. #5 came to the Patrick/Huffman property along Amity Rd from the 10 Mile Creek. So, we got water from 10 Mile Creek that went past the Fulcher's, along and through Paul Warrick's property, divided and went three directions, and divided three different directions, and from waste water originating from 10 mile creek after it went over the McKay property.

The map shown by the Department of Water Resources shows only a part of the Patrick/Huffman property being watered by the 10 Mile Water. This is not correct.

I question the motive that lies behind the attempt to limit the perception of how much area was watered from the 10 Mile Creek. Our entire property at 2045 E. Amity could be watered from 10 Mile Creek, and all of the 2125 E Amity Property could be watered from 10 Mile Creek.

Furthermore, I question the relationship and motive behind the legal counsel and the irrigation entities, with "Father - Son" relationships involved, and with motives to profit between irrigation entities and individuals involved.

At a certain point, Patrick's property was forced to try to irrigate from the North as the ditch providing water straight into the property from the East was changed by the owners of the property's diagonal line that had come from the Seewald/Frisch property. The Patrick ground was then graded to slope to the south from a raised area South of Amity Rd behind the homes there.. We watered from there, but, we also got the 10 Mile Creek water from the South, after it had come across the south portion of the Seewald/Frisch Property, reaching our SE corner, and then North again to the "Patrick" now Huffman/Huffman line.

We continued to receive 10 Mile Creek water, even after they changed the ditch through those respective properties, because it was diverted south at Frisch's property line and came to us, Huffman's property, along the

south line between Frisch and McKay. Additionally, Mr. Warrick and Mr. Fulcher continued to redirect 10 Mile Creek water west to our property, past the Seewald/Frisch southern-most property line, which We had been using since 1974 to water, and all the previous owners of our property had been using this water all these years since the property was first homesteaded and irrigated from the 10 Mile Creek.

I personally watered the majority of our entire property from that flow, and we pumped from our own ditch that this water contributed to and our waste water ditch from the South/West of our property, back up onto our North side of the property to irrigate pasture, garden, fruit trees and grapes that had previously been flood irrigated from the ditch running through our property.

We have had the best property in the whole area for water rights. In fact, there were long parts of the summer where We didn't have to order water from the lateral of the New York Canal, because the 10 Mile Creek water flow was over flowing our banks, and I was able to get the water all the way along the East West Ditch along our Page Two Terry Silsby Affidavit

Southern Property line, to the South West corner of our property, then gravity flow took it North and irrigated most all the lower $\frac{3}{4}$ our land.

Our South East portion of our property flows water diagonally North and West, so, water coming in at our SE corner where the McKay/Sewald-Frisch/Huffman lines meet, the water flows diagonally to the North West and center of our property, and so water that makes it to the center of our back line, flows West where it was pumped to the North for upper irrigation.

Our property is the "bottom" from two different elevations, and all the water from Eagle, the south ridge behind us, and from Locust Grove, naturally flowed to us.

There is a slight increase in grade from the center of our property going each way, east and west.

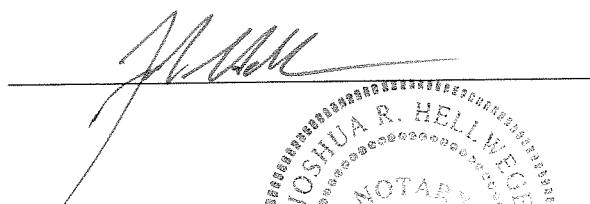
It is a strong indication of how strong the flow of water has been from the 10 Mile Creek flow, including water from McKay dropping North, that pushed a full head of water (it took a over a 40 inch head of water to overflow our ditches), all the way to the middle of our south end, and most of it all the way to the South West corner.

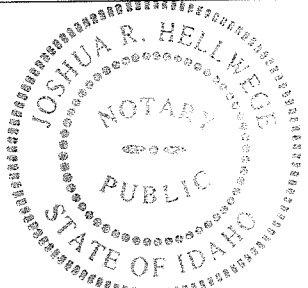
We used that water on all of our property, watered our alfalfa, corn, grass pastures, vegetable gardens, Windbreak trees, grapes, and fruit trees, and our horses and cattle drank from it.

WITNESS my signature this 29 day of August, 2007


Signature of Affiant

SUBSCRIBED AND SWORN to before me this 29 day of August, 2007.





Notary Public for Idaho,

Residing at Boise, Idaho
My commission expires: 1-12-2012