

Idaho Department of Water Resources

63-4288

T04N R01W S12



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter



0 500 1000 1500 2000 Feet

IDWR
Prepared by: Sandy Egbert
Date: 11-18-05
1987 Photography

Idaho Department of Water Resources

63-4288

T04N R01W S12



- Point of Diversion
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IDWR
Prepared by: Sandy Egbert
Date: 11-18-05
1987 Photography

0 500 1000 1500 2000 Feet

south end of Roylance Property (4171 Old Valley Road)



Legend

- Major Streets**
 - MINOR ARTERIAL
 - MAJOR COLLECTOR
 - SECTION
 - PRINCIPAL ARTERIAL
 - INTERSTATE
 - Other
- Minor Streets**
 - LOCAL
 - PARKS
 - PRIVATE
 - RESIDENTIAL
 - Other
- Street Names (minor)**
- Addresses**
- ☐ Parcels
Ada-OQ2003
- ☐ Schools
- ☐ Parks
- ☐ City Limits
- ☐ Kuna
- ☐ Boise
- ☐ Garden City
- ☐ Eagle
- ☐ Star
- ☐ Meridian
- ☐ Other



Scale: 1:1,485



This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

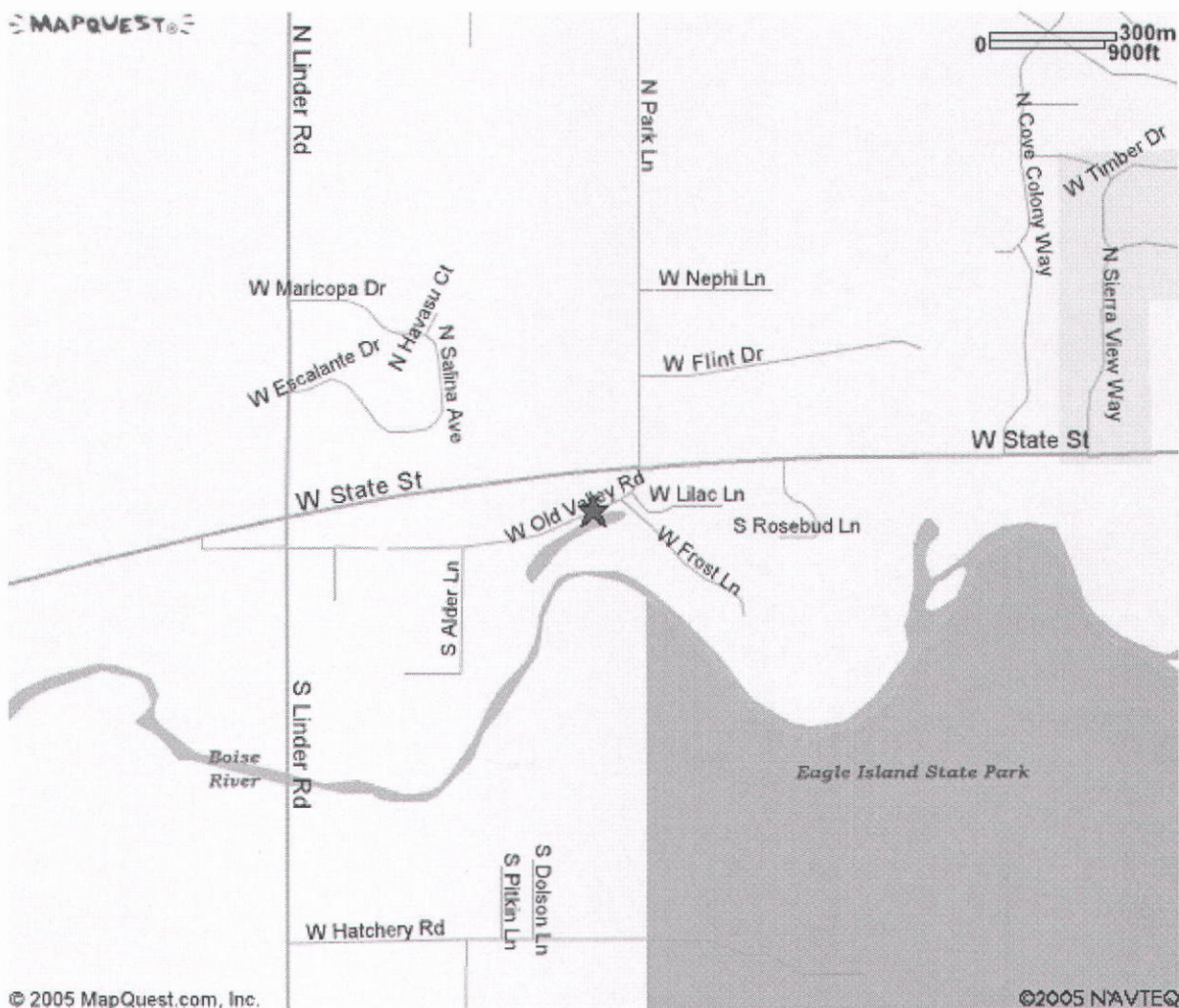
Notes: The building with the green roof is the main house. There is also a smaller rental house at the south end of the parcel. The large rectangular building is likely part of the original fish hatchery facility.



4170 Old Valley Rd
Eagle ID
83616-4454 US

Notes:

Original Moore House site



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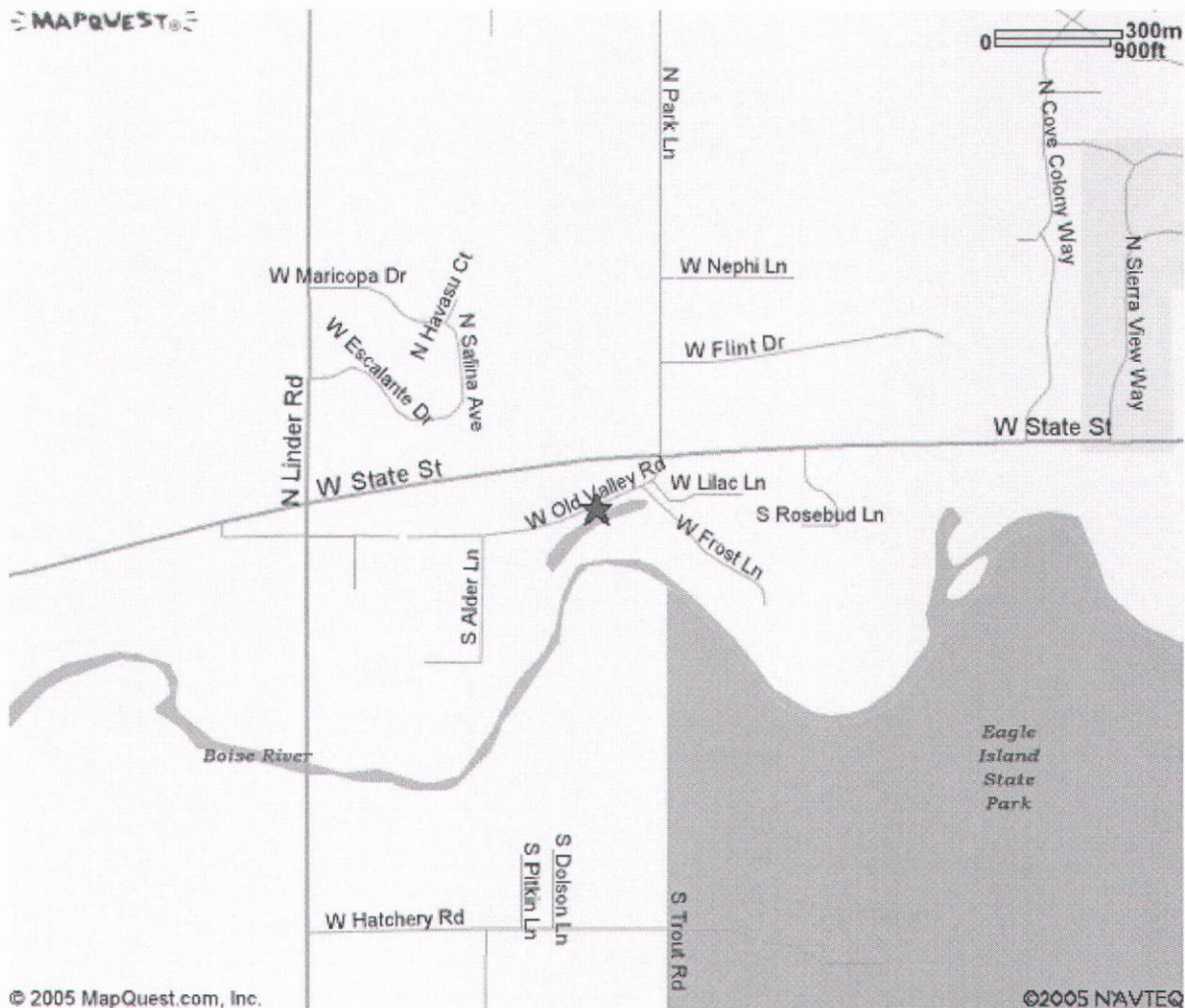
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4210 Old Valley Rd
Eagle ID
83616-4456 US

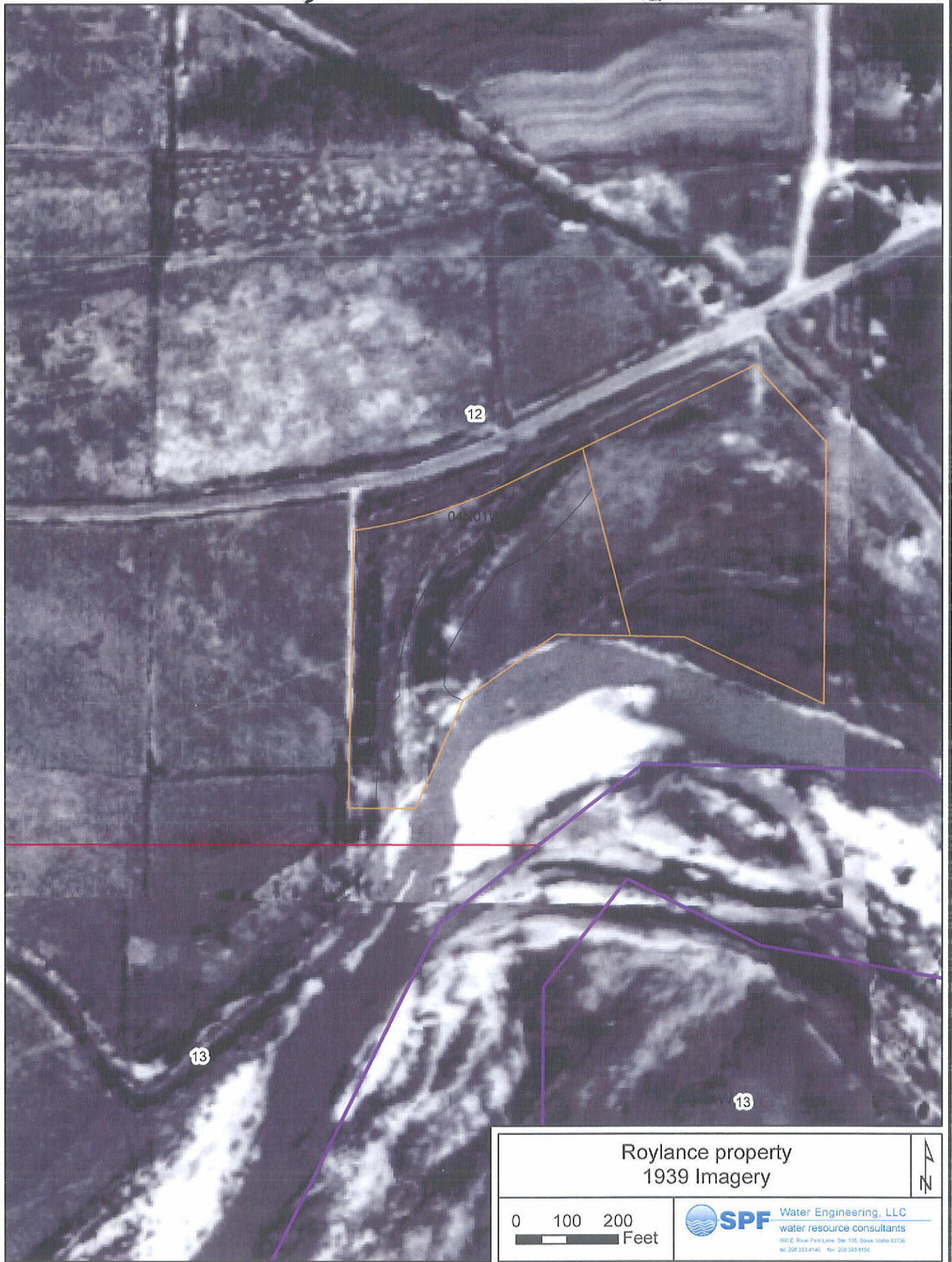
Notes:

Marion Moore's house across the street
from Chuck Roberts house



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Roylance property
1939 Imagery



0 100 200
Feet



Water Engineering, LLC
water resource consultants
600 E. River Park Lane, Ste. 105, Boise, Idaho 83706
tel: 208.383.4140 fax: 208.383.4156

RECEIVED

AUG 17 2005

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO
IN AND FOR THE COUNTY OF TWIN FALLS WATER RESOURCES
WESTERN REGION

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 63-4288
Date Received: 8-17-05
Receipt No: W033295
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FIVE R PROPERTIES, LLC
701 EAST STATE STREET, STE 150
EAGLE ID 83616
Attn: ROBERT W NAHAS

Phone: (208) 336-6661

And,

ROYLANCE INVESTMENTS, LLC
391 WEST STATE STREET, STE E
EAGLE ID 83616
Attn: DAVID H ROYLANCE

Phone: (208) 939-2824

2. Date of Priority: 04/01/1915

3. Source: GROUND WATER

Trib. to: N/A

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	12	SE SW 3	ADA	

5. Description of diverting works:

6 inch artesian flowing well

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/1	11/15	0.12	
DOMESTIC	1/01	12/31	0.08	
FISH PROPOGATION	1/01	12/31	0.12	
RECREATION	1/01	12/31	0.12	

63-4288

06/28/2005

1

AESTHETIC
STOCKWATER

1/01 12/31 0.12
1/01 12/31 0.04

7. Total Quantity Appropriated is:
0.12 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
DOMESTIC (2 homes), STOCKWATER (6 horses), FISH PROPOGATION, RECREATION, and
AESTHETIC (3 ponds)

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	12	SE	SW	3	STOCKWATER DOMESTIC FISH PROPOGATION RECREATION AESTHETIC IRRIGATION
						4
						Section Acres
						4
						Total Acres
						4

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used: 63-22815

14. Remarks:

15. Basis of Claim: Statutory Claim

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am David H. Roylance, Member of Roylance Investments, LLC that I have signed the foregoing document in the space below as Member of Roylance Investments, LLC and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

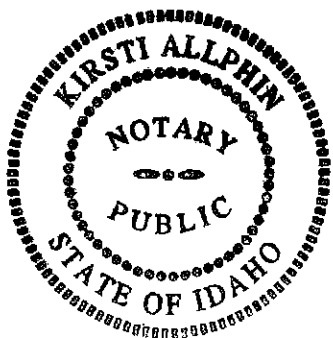
Member, Roylance Investments, LLC
Title and Organization

7/28/05
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28th day of July 2005

Kirsti Allphen
Notary Public



Residing at Nampa, ID
My commission Expires 6-15-10

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Robert W. Nahas, Member of
Title
Five R Properties, LLC, that I have signed the foregoing
Organization
document in the space below as Member of
Title
Five R Properties, LLC and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Member, Five R Properties, LLC
Title and Organization

8/1/05
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this

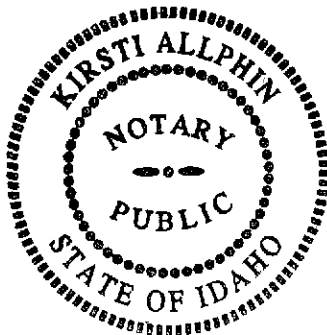
of 1st day 2005
August

Kirsti Allphin

Notary Public

Residing at Nampa, ID

My commission Expires 6-15-10



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Richard P. Knowlton &/or Greta B. Knowlton
(name of claimant)

of South Park Lane, Rt. #1, Eagle, ID 83616, claims a right to the diversion and beneficial use of
(mailing address)

the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) groundwater (artesian flowing)
_____, tributary to, _____

- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed;

Amount	<u>0.08</u>	Use	<u>domestic</u>	Period of Use:	From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount	<u>0.08</u>	Use	<u>irrigation</u>	Period of Use:	From	<u>April 1</u>	To	<u>Nov. 1</u>
Amount	<u>0.12</u>	Use	<u>Rec. & fish</u>	Period of Use:	From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
	(cls, gpm or a/f)		(dom., irri., stock etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 0.12 cubic feet per second, or _____ acre feet per annum, and/or 55 gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) April 1, 1915

A claim is not acceptable on a ground-water source with a priority later than March 23, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)

SE ¼ SW ¼, Sec. 12 Twp. 4N Rge. 1W B. M. County of Ada

Additional points of diversion:

- B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. 6" Artesian flowing well with a series of about 11 ponds used for recreation and fish propagation irrigation and domestic purposes.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

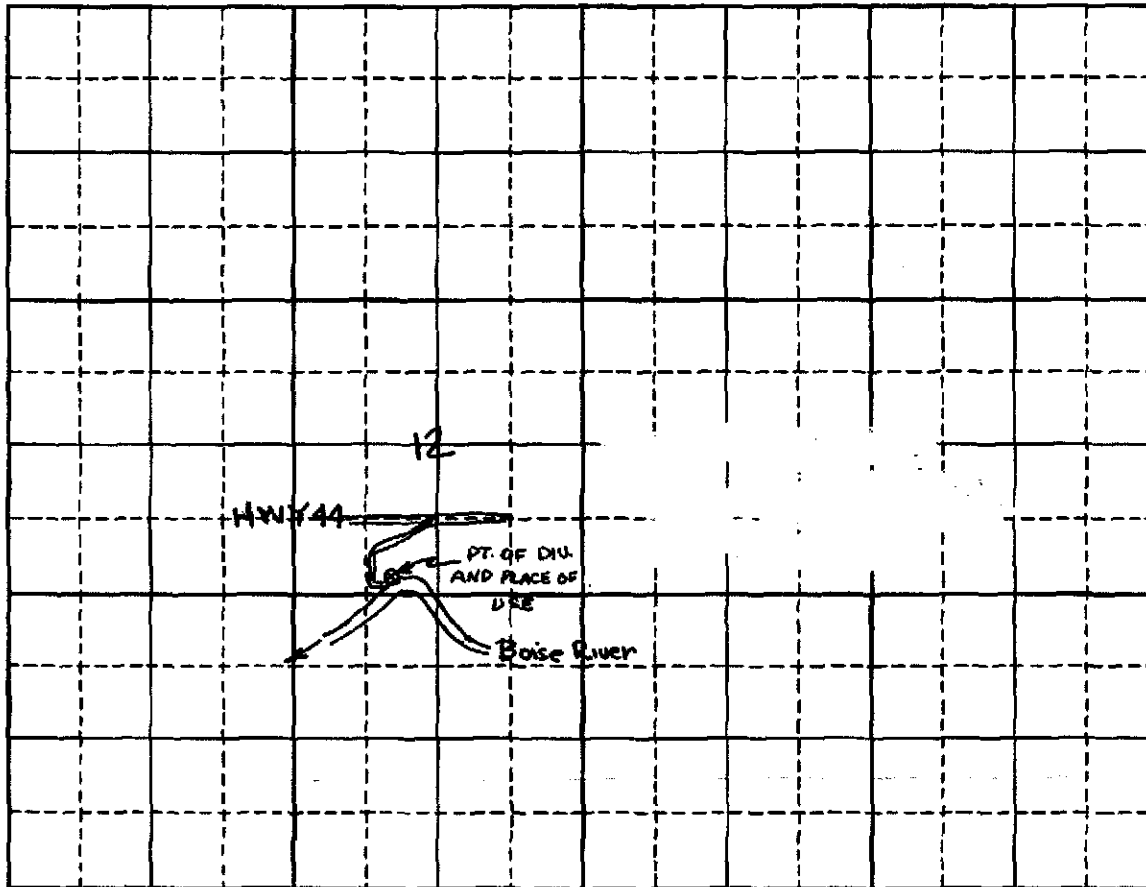
Total No. of acres 4

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:**

Domestic use at two houses, gardens and grounds

- (7) If you are claiming water as a member of an organization, list name of organization:

- (8) Remarks Water was used as a fish hatchery for many years but is now used
mainly for private recreation.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of Ada)

(X) Greta B. Knowlton
(Claimant)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right; together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Richard P. Knowlton
(Claimant)

Sworn to before me this 24th day of

January

19 75

Notary Public

Residing at

Nancy L. Atkinson
Boise, Id

My commission expires 12-26-78

For Department Use Only

Received by <u>Ch 11:15 AM</u>	Date <u>1-24-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>KHF</u>	Date <u>1-24-75</u>		claimant by:	
\$10.00 fee received by <u>Ch</u>	Date <u>1-24-75</u>	<u>#15397</u>		
Approved for publication by <u>gg 26</u>				
Published in <u>The Daily News-Press</u>				
Dates <u>Feb 13 & 14 75</u>				

Idaho Department of Water Resources

63-4288

T04N R01W S12



- ⊙ Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter



0 500 1000 1500 2000 Feet



IDWR

Prepared by: Sandy Egbert

Date: 11-18-05

1987 Photography

12/11/2005

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

RIGHT NUMBER: 63-4288
NAME AND ADDRESS: ROYLANCE INVESTMENTS LLC
391 W STATE ST SUITE E
EAGLE ID 83616

FIVE R PROPERTIES LLC
ROBERT W NAHAS
701 E STATE ST SUITE 150
EAGLE ID 83616

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.090 CFS
13.500 AFY

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 03/28/1928

POINT OF DIVERSION:

T04N R01W S12 SESW Lot 3 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	0.090 CFS 13.50 AFY
DOMESTIC	01/01 12/31	0.040 CFS
RECREATION STORAGE	01/01 12/31	0.090 CFS 9.35 AFY
AESTHETIC STORAGE	01/01 12/31	0.090 CFS 9.35 AFY

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION Within ADA County
T04N R01W S12 Lot 3 SESW 3.0
DOMESTIC Within ADA County
T04N R01W S12 Lot 3 SESW
RECREATION STORAGE Within ADA County
T04N R01W S12 Lot 3 SESW
AESTHETIC STORAGE Within ADA County
T04N R01W S12 Lot 3 SESW

3 ACRES TOTAL

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

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

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.

12/11/2005

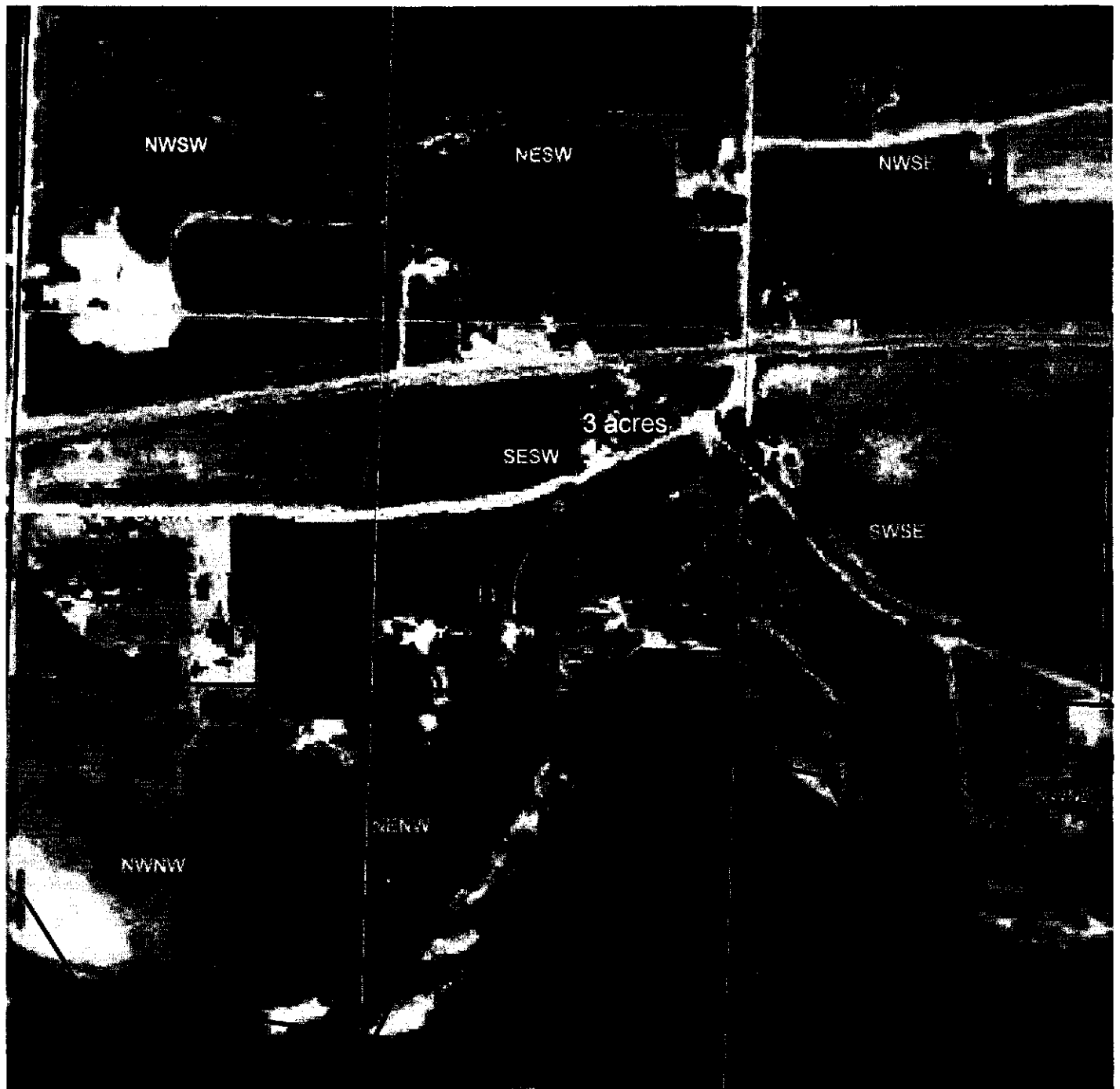
IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

63-4288

T04N R01W S12



- ⊙ Point of Diversion
- ▭ Place of Use
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0 500 1000 1500 2000 Feet

IDWR
Prepared by: Sandy Egbert
Date: 11-18-05
1987 Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4288 V1

WATER RIGHT NUMBER: 63-4288 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GRETA B KNOWLTON S PARK LN RT 1 EAGLE, ID 83616
Original Owner	RICHARD P KNOWLTON S PARK LN RT 1 EAGLE, ID 83616
Current Owner	ROYLANCE INVESTMENTS LLC 391 W STATE ST SUITE E EAGLE, ID 83616 (208)939-2824
Current Owner	FIVE R PROPERTIES LLC ROBERT W NAHAS 701 E STATE ST SUITE 150 EAGLE, ID 83616 (208)336-6661

Priority Date: 03/28/1928

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.090 CFS	13.50 AF
DOMESTIC	01/01 to 12/31	0.040 CFS	
RECREATION STORAGE	01/01 to 12/31	0.090 CFS	9.35 AF
AESTHETIC STORAGE	01/01 to 12/31	0.090 CFS	9.35 AF
	<u>Total Diversion:</u>	0.090 CFS	13.50 AF

Location of Point(s) of Diversion

GROUND WATER

L3 (SE1/4SW1/4)

Sec. 12, Twp 04N, Rge 01W, B.M.

ADA County

Place of Use

IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
04N 01W 12	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	3.0
			3.0		3.0
			L 3		

Total Acres: 3

DOMESTIC

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 63-4288 V1

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X					
														L 3					

RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X					
														L 3					

AESTHETIC STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X					
														L 3					

Conditions of Approval:

1. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
2. C18 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.
3. X01 Domestic use is for 1 home.
4. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4288 V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			10/28/2005	segbert	Active
Priority Date	11/17/2005 1:09:31 PM	segbert			Active
POD	11/17/2005 1:10:15 PM	segbert			Active
Source	11/17/2005 1:11:33 PM	segbert			Active
POU	11/17/2005 1:11:51 PM	segbert			Active
Use	11/17/2005 1:15:17 PM	segbert			Active
Season	11/17/2005 1:16:38 PM	segbert			Active
Quantity	11/17/2005 1:17:35 PM	segbert			Active
Summary			12/11/2005	jshurte	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	11/17/2005 1:10:10 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4288 V1

General	11/17/2005 1:09:26 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Chain of title prepared by Terry Scanlan
POD	11/17/2005 1:10:41 PM	segbert	Updated shape
Source	11/17/2005 1:11:28 PM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
POU	11/17/2005 1:11:46 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
POU	11/17/2005 1:14:07 PM	segbert	Updated shape for Active POU
Use	11/17/2005 1:15:14 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
POU	11/17/2005 1:13:54 PM	segbert	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4288 V1

Season	11/17/2005 1:16:36 PM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	11/17/2005 1:17:34 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - under .2 cfs Description for Question 10 - 4.5 x 3 acres
POU	11/17/2005 1:13:17 PM	segbert	Updated shape for Active POU
POU	11/17/2005 1:14:17 PM	segbert	Updated shape for Active POU
Summary	12/11/2005 1:35:15 PM	jshurte	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right?
Summary	10/28/2005 10:45:42 AM	segbert	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4288

WATER RIGHT NUMBER: 63-4288

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GRETA B KNOWLTON S PARK LN RT 1 EAGLE, ID 83616
Original Owner	RICHARD P KNOWLTON S PARK LN RT 1 EAGLE, ID 83616
Current Owner	ROYLANCE INVESTMENTS LLC 391 W STATE ST SUITE E ✓ EAGLE, ID 83616 (208)939-2824
Current Owner	FIVE R PROPERTIES LLC ✓ ROBERT W NAHAS 701 E STATE ST SUITE 150 EAGLE, ID 83616 (208)336-6661

Priority Date: 04/01/1915 3-28, 1928

Basis: Beneficial Use ✓

Status: Active ✓

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.120 CFS ,09	13.5
~~RUSH PROPAGATION~~	~~01/01 to 12/31~~	~~0.120 CFS ,09~~	
RECREATION <i>storage for</i>	01/01 to 12/31	0.120 CFS	9.35
DOMESTIC <i>1 Anne</i>	01/01 to 12/31	0.080 CFS ,04	
~~STOCKWATER~~	~~01/01 to 12/31~~	~~0.040 CFS~~	
AESTHETIC <i>storage for</i>	01/01 to 12/31	0.120 CFS ,09	9.35
	<u>Total Diversion:</u>	0.120 CFS ,09	13.5

4.5 x 3 acres
1.7 acres x
5.5 ft deep

Location of Point(s) of Diversion

GROUND WATER

L3 (SE1/4SW1/4)

Sec. 12, Twp 04N, Rge 01W, B.M.

ADA County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	12																	4.0
																			3.0

X 01
N12
N10

Disallowed on
Preliminary
Re done in field
if error found

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4288

Total Acres: 4

FISH PROPAGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X					
														L 3					

RECREATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X					
														L 3					

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X					
														L 3					

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X					
														L 3					

AESTHETIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X					
														L 3					

Conditions of Approval:Remarks:

Egbert, Sandy

From: Terry Scanlan [TScanlan@spfwater.com]
Sent: Friday, November 18, 2005 9:59 AM
To: Egbert, Sandy
Cc: Dave Roylance
Subject: 63-4228

Sandy –

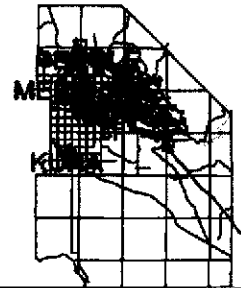
Dave Roylance left me a message today in response to your question.

He believes that the average depth of the ponds on his property is 5.5 feet.

He also reports that there are two homes on the property, so I guess we have a need both the existing decree and the statutory claim for domestic. The attached photo shows both homes. We probably only need stockwater under only one of the water rights.

Terry

11/18/2005



Major Streets

- ☒ MINOR ARTERIAL
- ☒ MAJOR COLLECTOR
- ☒ SECTION
- ☒ PRINCIPAL ARTERIAL
- ☒ INTERSTATE
- ☒ Other

Minor Streets

- LOCAL
PARKS
PRIVATE
RESIDENTIAL**

Street Names (minor)

Addresses

- ☐ **Parcels**
Ada-OQ2003

- ☐ Schools
☐ Parks
City Limits

- ☐ Kuna
☐ Boise
☐ Garden City
☐ Eagle
☐ Star
☐ Meridian
☐ Other



Scale: 1:1,485



This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Notes: The building with the green roof is the main house. There is also a smaller rental house at the south end of the parcel. The large rectangular building is likely part of the original fish hatchery facility.



RECEIVED

NOV 17 2005

WATER RESOURCES
WESTERN REGION

November 15, 2005

Sandy Egbert
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Evidence of Priority for Water Right 63-4288

Dear Sandy:

As a follow-up to my letter of November 12 on this subject, I enclose a chain-of-title for the property associated with water right 63-4288. The chain of title shows ownership of the property passing to Eagle Trout Hatchery, Inc. on April 28, 1928. We assume that the artesian well used for hatchery supply and other uses on the property was in place at that time, as it is unlikely the land would have been owned by Eagle Trout Hatchery, Inc. unless a supply of high-quality cold water was available.

We also checked with Idaho Department of Fish and Game (IDF&G) about the possible existence of a State-operated fish hatchery at this site prior to 1937 (as suggested in my letter of November 12). IDF&G did not have any records of a fish hatchery at this site. Thus, we do not know if Eagle Trout Hatchery, Inc. was a contract hatchery for IDF&G. Telephone notes from this contact are enclosed.

Also enclosed is a print from the Ada County Assessors office for this property. The assessor indicates that the home on this property was built in 1940. We do not know if there was a domestic use on the property prior to 1940, but perhaps we can assume that there was an accomplished transfer from fish propagation to domestic use at that time. We do not have any evidence of commercial fish propagation at this site in recent years.

Based on this information and the information in my letter of November 12, I recommend that a priority date of April 28, 1928 be recommended for this water right claim.

Sincerely,

Terry M. Scanlan, P.E., P.G.

Cc: Dave Roylance

Chain of Title

UNITED STATES PATENT

THE UNITED STATES OF AMERICA.

To

CERTIFICATE No. 129

To all to Whom these Presents shall come, GREETING:

Richard M. BranninWhereas, Richard M. Brannin, of Ada
County, Idaho Territoryhas deposited in the General Land Office of the United States a Certificate of the
Register of the Land Office at Boise City, Idaho Territory whereby it appears that full payment has been
made by the said Richard M. Branninaccording to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for
the sale of Public Lands," and the acts supplemental thereto, for

The Lot numbered Three of Section Twelve, and the Lot
numbered Two of Section Thirteen in Township Four, North of
Range One West, in the District of lands subject to sale
at Boise City, Idaho Territory, containing Forty six acres,
and ninety-four hundredths of an acre.

according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General,
which said Tract has been purchased by the said Richard M. Brannin

Now Know Ye, That the United States of America, in consideration of the premises, and in conformity with the
several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant
unto the said Richard M. Brannin
and to his heirs, the said Tract above described:

To Have and to Hold the same, together with all the rights, privileges, immunities and appurtenances, of
whatsoever nature, thereunto belonging; unto the said Richard M. Brannin
and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural,
manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be
recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the prop-
rietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises
hereby granted, as provided by law; and there is reserved from the lands hereby granted, a right of way thereon for ditches
or canals constructed by the authority of the United States.

In Testimony Whereof, I, Ulysses S. Grant President of the United States of America,
have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the Seventh
day of August, in the year of our Lord one thousand eight
hundred and Seventy two, and of the Independence of the United
States the one hundred and Seventy seventh

By the President: U. S. Grant
By J. B. Sturgis Asst Secretary.
L. B. Brynston Recorder of the General Land Office.

Recorded, Vol. 2, Page 5

State of Idaho, } ss.
County of Ada
at 3:00 o'clock P. M., this 28th day of March, A. D. 1896

I hereby certify that this instrument was recorded at the request of

Edmund A. Davis

Charles H. Kinsley Recorder.
By Scott L. Lamoignon Deputy.

Brammon
To
Davis & Hart.

✓
✓✓

This Indenture, Made the Fourth day of March, in the year of our Lord, One thousand eight hundred and seventy five Between Richard B. Brammon of Ada County in the Territory of Idaho, of the first part, and Edwin J. Davis, and Edward Hart, of Ada County in the Territory of Idaho, of the second part the parties of the second part, Witnesseth, that the said party of the first part, for and in consideration of the sum of Two hundred (200⁰⁰) Dollars, Lawful Money of the United States of America, to him in hand paid, by the said parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, conveyed, and confirmed, and by these presents do.. grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever. All that certain lot, or piece, or parcel of land, situated, lying and being in the County of Ada, Territory of Idaho, and more particularly described as follows to wit, Lot number Three (3) of Section number Twelve (12) and Lot number Two, 2 of Section number Thirteen (13) in Township number Four 4, North of Range number One, 1, West of the Boise Meridian, in the County and Territory aforesaid and containing Forty six Acres and ninety four hundredths of an acre.

Together with all and singular the tenements, hereditaments and appurtenances therunto belonging, or in any wise appertaining, and the reversion and reversions, remainders and remainders, rents, issues and profits thereof; And also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part, of, in or to the above described premises, and every part and parcel thereof, with the appurtenances.

To have and to hold, all and singular the above mentioned and described premises, together with the appurtenances, unto the said parties of the second part, and to their 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 parties of the second part, their 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 for ever defend.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of

Richard M. Brannin

Theophilus W. Randau }
W. P. Thompson }

Territory of Idaho }
County of Ada } ss

On this fourth day of March A.D. One thousand eight hundred and seventy five personally appeared before me, W. W. Slidden Probate Judge in and for the said Ada County Richard Brannin whose name is subscribed to the annexed instrument as a party thereto, personally known to me to be the same person described in and who executed the said annexed instrument, as a party thereto, who acknowledged to me that he had executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

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. W. Slidden
Probate Judge,

Recorded at the request of Edwin H. Davis March 4th A.D. 1875 at 2. Min. past 4. P.M.

W. M. Hawthorn
Recorder.

Document Numbered 10707

This Indenture, Made this Third day of April in the year of our Lord one thousand nine hundred and Six (1906) between Mary G. Davis (a single woman) of Boise County of Ada State of Idaho the party of the first part, and Edward N. Hart and Nettie J. Hart of Boise County of Ada State of Idaho the parties of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Five hundred (\$500) 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, he is granted, bargained and sold, and by these presents do he grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate, situated in Ada County State of Idaho, to wit:

An undivided one half ($\frac{1}{2}$) interest in and to Lot number three (3) of Section number twelve (12) and lot number two (2) of Section number thirteen (13) all being in township number four (4) North of Range number one (1) West, Boise Meridian, and containing forty six and $\frac{94}{100}$ acres of land. Together with all water 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 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 parties of the second part, and to their heirs and assigns forever. And the said party 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 party 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, except as against taxes for 1906 which parties of second part assume.

IN WITNESS WHEREOF, The said part y of the first part ha hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Sherman G. King

Mary G. Davis

(SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

County of Ada

ss.

On this third day of April

in the year, 1906, before me Sherman G. King, a Notary Public

in and for said County, personally appeared Mary G. Davis (a single woman)

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same; and on this day of in the year, 1906,

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.

Sherman G. King

(Seal)

Notary Public

STATE OF IDAHO,

County of Ada, ss.

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

R. N. Hart

at 2.45 o'clock P. M., this 3rd

day of April A. D. 1906 Fees \$1.20

By Deputy.

W. L. Luddy
Recorder

Instrument Numbered 68506.....

THIS INDENTURE, Made this 5th day of April in the year of
our Lord one thousand nine hundred and Seventeen between _____

Edward H. Hart, and Nettie J. Hart, (husband and wife)

OF Boise County of Ada State of Idaho

the parties of the first part, and Eliza McGovern.

of _____ County of Ada State of Idaho

the part y of the second part,

1 WITNESSETH, That the said parties of the first part, for and in consideration of the sum of _____

One Thousand (\$1,000) Dollars 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, he, vs 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 her heirs and assigns forever, all the following described real estate, situated in

County.....State of Idaho, to-wit: All that portion of Lot Three (3), in Section Twelve (12), and all that portion of Lot Two (2), in Section Thirteen (13), Township Four (4) North of Range One (1) West of Boise Meridian, lying South of the County Road; together with all water and ditch rights belonging thereto or thereunto appertaining.

Said premises together with the rents and profits thereof to be the sole and separate property of the grantee herein free from community rights.

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 said part y of the second part, and to her heirs and assigns forever. And the said part ias 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, her heirs and assigns, against the said part ias 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 part 1st of the first part ha vs hereunto set their hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness to Mark of Edward N. Hart,

by Wm. G. Messersmith.

Edward N. ^{his} X Hart
mark

Nettie J. Hart.



STATE OF IDAHO,

County of Ada

ss.

On this 5th day of April

in the year 1917, before me Wm. G. Messersmith, a Notary Public in and for said county, personally appeared Edward N. Hart, and Nettie J. Hart, (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.

(S E A L)

Wm. G. Messersmith

Notary Public for Idaho, Residence, Boise,
Idaho

STATE OF IDAHO,

County of Ada

ss.

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

of Wm. G. Messersmith

at 2:27 o'clock

P. M., this

5

day of April

A. D. 1917. Fees \$1.20

By _____

Deputy.

Stephen Mitten

Recorder.

COMPARED

THIS INDENTURE, Made this 7th day of April in the year of our Lord one thousand nine hundred and Seventeen, between

Eliza McGovern, wife,
of _____ County of Ada State of Idaho
the party of the first part, and

George A. McGovern, her husband,
of _____ County of Ada State of Idaho
the part Y of the second part,

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

Love and affection _____

~~TO HAVE AND TO HOLD~~ _____
~~TO HAVE AND TO HOLD~~ _____
~~TO HAVE AND TO HOLD~~ _____
_____ has 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:

All that portion of Lot Three (3) in Section Twelve (12), and all that portion of Lot Two (2) in Section Thirteen (13), Township Four (4) North of Range One (1) West, Boise Meridian, lying south of the County Road; together with all water and ditch rights belonging thereto or thereunto appertaining.

Said premises to be the sole and separate property of the grantee herein, together with the rents and profits thereof.

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 said part Y of the second part, and to his 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 part Y of the second part, his 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.

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

Signed, sealed and delivered in the presence of;

Luther W. Tennyson.

Eliza McGovern



STATE OF IDAHO, } ss.
County of Ada

On this 7th day of April

in the year 1917, before me Luther W. Tennyson, a Notary Public in and for said county, personally appeared

Eliza McGovern

known to me to be the person whose name is subscribed to 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.

Luther W. Tennyson,

(S E A L)

Notary Public for Idaho

Residing at Boise, Idaho.

STATE OF IDAHO, } ss.
County of Ada

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

of Geo. A. McGovern at 2:37 o'clock P. M., this 16

day of Sept. A. D. 1918 Fees \$1.20

By Deputy.

Stephen Utter

Recorder.

Instrument Numbered 114313

This Indenture, Made this 24 day of October in the year of our Lord one thousand nine hundred and twenty-four , between

✓ George A. McGovern, a widower
of Boise County of Ada State of Idaho

the part y of the first part, and
✓ Bertram A. Delano
of Boise County of Ada State of Idaho

the party of the second part,

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

Four Thousand seven hundred and no/100 - - - - - DOLLARS

lawful money of the United States of America, to him in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, he a granted, bargained and sold, and by these presents do es grant, bargain, sell, convey and confirm unto the said part y of the second part and to his heirs and assigns forever, all the following described real estate, situated in

County of Ada , State of Idaho, to-wit:

All that portion of Lot Three in Section Twelve, and all that portion of Lot Two in Section Thirteen, Township Four North, Range One West of Boise Meridian, lying south of the County Road, together with all water and ditch rights belonging thereto or thereunto appertaining.

Subject to a mortgage to the State of Idaho in the sum of \$800.00 dated September 17, 1924, which second party assumes and agrees to pay, and taxes for the year 1924.

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 part y of the second part, and to his heirs and assigns forever. And the said part y of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said part y of the second part, his heirs and assigns, against the said part y of the first part, and his heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

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

Signed, sealed and delivered in the presence of:

Harry G. Wyman

George A. McGovern

(Seal)

(Seal)

(Seal)

(Seal)

\$5.00 U.S.I.R.S. cancelled.

10/2/24 G.A.M.

STATE OF IDAHO, } ss.
COUNTY OF Ada

On this 2d day of October

in the year 19 24, before me Hazel M. Hines, a Notary Public in and for said State, personally appeared

George A. McGovern

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.

(SEAL)

Hazel M. Hines

Notary Public

Residing at Boise, Idaho.

STATE OF IDAHO, } ss.
COUNTY OF ADA,

of H.G. Wyman

at 13

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

minutes past 4 o'clock P.M., this 20

day of Jan.

, A. D. 1925 .

Stephen M. Mott

Recorder.

Fees, \$ 1.20

✓ Bertram A. Delano et ux

To

Instrument Number 129733

✓ C. R. Clendenning et al

Dated March 17, 1928

RECORDED IN THE . . .

THIS INDENTURE, Made this 17th day of March in the year of our Lord one thousand nine hundred and twenty eight between Bertram A. Delano and Julia R. Delano, his wife, of Boise, Ada County, Idaho, the parties of the first part, and C. R. Clendenning and Thomas Thornton, a bachelor, of Boise, Ada County, Idaho, the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten and no one Hundredths Dollars, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, and other valuable consideration, have granted, bargained, and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate, situate in Ada County, State of Idaho, to-wit:

All that portion of Lot Three in Section Twelve, and all that portion of Lot Two in Section Thirteen, Township Four North, Range One West of Boise Meridian, lying South of the County Road, together with all water and ditch rights belonging thereto or thereunto appertaining.

This conveyance is subject to a mortgage to the State of Idaho in the sum of \$800.00, dated September 17, 1924, and to a mortgage to George A. McGovern amounting to \$2200.00, dated October 2, 1924, also subject to all taxes for 1928 and drainage assessments for 1928 and succeeding years, all of which the parties of the second part hereby assume and agree to pay.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise 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 parties of the second part, and to their heirs and assigns forever.

And the said parties of the first part, for themselves, their heirs, executors and administrators, do covenant and agree with the said parties of the second part, their heirs and assigns, that the said parties of the first part, at the time of executing and delivering these presents, are lawfully seised in fee simple absolute of, in and to the above granted and described premises, with the appurtenances, and have good right, power and authority to grant, bargain, sell and convey the same in manner aforesaid; and that the same now are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of whatsoever kind or nature, except the mortgages, taxes and assessments hereinabove specifically enumerated, and the said parties of the first part, for themselves, their heirs, executors, and administrators, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, their heirs, executors and administrators 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.

Bertram A. Delano (Seal)

Julia R. Delano (Seal)

STATE OF IDAHO }
County of Ada } ss.

On this 17th day of March in the year 1928, before me Thos. L. Martin a Notary Public in and for said state, personally appeared Bertram A. Delano and Julia R. Delano, his wife, known to me to be the persons whose names are subscribed to the within instrument, and they and each of them acknowledged to me that they and each of them 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.

Thos. L. Martin
Notary Public for the State of Idaho
Residing at Boise City in said State

(Seal)

My Commission expires Sept. 24th 1930

Recorded at request of C. R. Clendenning at 23 minutes past 1 o'clock P.M.
this 17th day of March, 1928.

Fees \$1.40

Stephen M. Hester
Recorder.

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

✓ C. R. Glendenning and Elizabeth Glendenning, husband and wife, and Thomas Thornton, a bachelor,
of Boise, County of Ada, State of Idaho,

the parties of the first part, and

✓ Eagle Trout Hatchery, Incorporated, an Idaho corporation,
of Boise, 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 sum of

Ten and no/100 - - - - - DOLLARS

lawful money of the United States of America, to them in hand paid by

the said parties 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 parties of the second part and to its heirs and assigns forever, all the following described real estate, situated in - - - -

County of Ada, State of Idaho, to-wit:

All that portion of Lot Three (3) in Section Twelve (12) and all that portion of Lot Two (2) in Section Thirteen (13) in Township Four (4) North of Range One (1) West of the Boise Meridian, in Ada County, Idaho, lying South of the County Road;

Subject, however, to the following described mortgages, to-wit: Mortgage to the State of Idaho in the sum of \$800.00, dated September 17, 1924, and to a mortgage to George A. McGovern amounting to \$2200.00, dated October 2, 1924; also subject to all taxes and assessments for 1928.

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 parties of the second part, and to its 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 parties of the second part, its heirs and assigns, against the said parties of the first part, and the heirs and assigns of the first part, 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 1st of the first part has hereunto set their hand s and seal s the day and year first above written.

Signed, sealed and delivered in the presence of:

G. R. Glendenning (Seal)

Mrs. Elizabeth Glendenning (Seal)

Thomas Thornton (Seal)

(Seal)

STATE OF IDAHO,

COUNTY OF Ada

ss.

On this 28th day of April

in the year 19 28, before me P. E. Cavaney, a Notary Public in and for said State, personally appeared

G. R. Glendenning and Elizabeth Glendenning, husband and wife and Thomas Thornton, a bachelor, known to me to be the person s 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)

P. E. Cavaney
Notary Public,
Residing at Boise, Idaho.

STATE OF IDAHO,
COUNTY OF ADA, } ss.

of Thomas Thornton
day of April

I hereby certify that this deed was filed for record at the request
at 20 minutes past 11 o'clock A. M., this 20
A. D. 19 28.

Fees, \$1.20

Stephen Little -
Recorder.

INSTRUMENT NUMBER 154409

THIS INDENTURE, Made this 12th day of July, 1933, between Earl Coleman, the Sheriff of Ada County, State of Idaho, the party of the first part, and Harriet G. Coppedge

of the County of Ada, State of Idaho,

the party of the second part, WITNESSETH:

WHEREAS, A Judgment and Decree of Foreclosure and Sale was rendered in the District Court of the Third Judicial District of the State of Idaho, in and for the County of Ada, on the 14th day of March, 1932, and thereafter entered on the 14th day of March, 1932, in an action then pending in said Court in favor of Harriet G. Coppedge

as Plaintiff and against

Eagle Trout Hatchery, Inc. a corporation, Ralph H. Olson and Dorothy Olson, husband and wife, C. R. Glendenning and Elizabeth Glendenning, husband and wife, and Nancy Morton and Ada L. Hamilton, Executors of the last Will and Testament of George A. McGovern, deceased,

, Defendant,

and an Execution and Order of Sale issued out of and under the seal of the said District Court reciting the material parts of said Judgment and Decree, duly attested on the 19th day of March, 1932, and to the Sheriff of Ada County, State of Idaho, directed and to John McGrath as such Sheriff delivered on the 19th day of March, 1932, for execution, commanding and requiring him as such Sheriff to proceed to notice for sale and sell the premises in said writ mentioned and described in said Judgment and Decree, in the manner prescribed by law and to apply the proceeds of such sale to the satisfaction of said Judgment with interest thereon and costs, together with Sheriff's fees, and to execute the usual certificate and deed to the purchaser or purchasers, and

WHEREAS, In compliance with said writ, and on the 19th day of April, 1932, between the hours of 9 o'clock in the morning and 5 o'clock in the afternoon, to-wit: at the hour of two o'clock in the afternoon of that day in front of the front door of the County Court House in Ada County, State of Idaho, and after due and legal notice having been given in the said behalf as by the Statutes of Idaho in such case made and provided,

John McGrath, Sheriff, duly sold at public auction, all and singular the premises hereinafter described and in said writ mentioned and described, and by said Decree directed to be sold to

Harriet G. Coppedge

who was the highest bidder therefor in the sum of Twenty Four Hundred and Thirty Seven and 35/100 Dollars

And whereupon the said purchaser paid to said Sheriff the sum of \$ 2437.35 so bidden by said purchaser and thereupon

John McGrath as such Sheriff made and issued such Certificate of Sale as by law directed in duplicate and delivered one to the said purchaser and filed the other in the office of the Recorder for said Ada County for record, and

WHEREAS, The period of one year has expired since the date of said sale and no Redemption of or for said premises has been made:

NOW, THEREFORE, THIS INDENTURE WITNESSETH, That the said party of the first part, the said

Karl Coleman

Sheriff as aforesaid, in order to carry into effect the sale so made by

John McGrath

Sheriff, as aforesaid in pursuance of said writ and in conformity to the statutes in

such case made and provided, and also in consideration of the premises, and of the said sum of \$ 2437.36

so bidden and paid by the said purchaser to

John McGrath

, Sheriff

as aforesaid, the receipt whereof is hereby acknowledged, hath Bargained, Sold and Conveyed and by these presents doth Bargain, Sell and

Convey unto the party of the second part and to

her

heirs and assigns forever, all and singular the

following described lands and premises, to-wit:

All that portion of Lot Three (3) in Section Twelve (12) and all that portion of Lot Two (2) in Section Thirteen (13) in Township Four North of Range One (1) West of the Boise Meridian, in Ada County, Idaho, lying South of the County Road. Excepting that portion of the property now occupied by state highway which is described in the partial release recorded in Book 40 of Satisfactions of Mortgages, at Page 39, records of the County Recorder, of Ada County, Idaho. Together with all water rights thereunto belonging.

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

TO HAVE AND TO HOLD All and singular the above mentioned and described premises hereby conveyed, or intended so to be, together with the appurtenances unto the said party of the second part

her

heirs and assigns forever.

IN WITNESS WHEREOF, I, the party of the first part to these presents, Sheriff as aforesaid, have hereunto set my hand the day and year first above written.

Karl Coleman

Sheriff of Ada County, State of Idaho.

STATE OF IDAHO, } ss.
COUNTY OF ADA }

On this 12th day of July in the year 1933, before me

Stephen Utter, Clerk District Court

in and for said Ada County personally appeared Karl Coleman

known to me to be the person whose name is subscribed to the within instrument as Sheriff of Ada County, State of Idaho, and acknowledged to me that he executed the same as such Sheriff of Ada County, State of Idaho.

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)

Stephen Utter
Clerk District Court, Ex-Officio
Auditor & Recorder of Ada County,
Idaho
By Josephine Smith, Deputy

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

at 35 minutes past 10 o'clock A. M., this 27 day of Oct., A. D. 19 33
Fees, \$ 2.00

Ex-Officio Recorder.

INSTRUMENT NUMBER 154432

THIS INDENTURE, Made this 30th day of October, 1933, between Earl Coleman, the Sheriff of Ada County, State of Idaho, the party of the first part, and Aloise Georges

of the County of Ada, State of Idaho, the party of the second part, WITNESSETH:

WHEREAS, A Judgment and Decree of Foreclosure and Sale was rendered in the District Court of the Third Judicial District of the State of Idaho, in and for the County of Ada, on the 27th day of September, 1932, and thereafter entered on the 27th day of September, 1932, in an action then pending in said Court in favor of Aloise Georges

as Plaintiff and against Dave Owen and Matilda Owen, husband and wife

, Defendants,

and an Execution and Order of Sale issued out of and under the seal of the said District Court reciting the material parts of said Judgment and Decree, duly attested on the 27th day of September, 1932, and to the Sheriff of Ada County, State of Idaho, directed and to John McGrath as such Sheriff delivered on the 28th day of September, 1932, for execution, commanding and requiring him as such Sheriff to proceed to notice for sale and sell the premises in said writ mentioned and described in said Judgment and Decree, in the manner prescribed by law and to apply the proceeds of such sale to the satisfaction of said Judgment with interest thereon and costs, together with Sheriff's fees, and to execute the usual certificate and deed to the purchaser or purchasers, and

WHEREAS, In compliance with said writ, and on the 28th day of October, 1932, between the hours of 9 o'clock in the morning and 5 o'clock in the afternoon, to-wit: at the hour of two o'clock in the afternoon of that day in front of the front door of the County Court House in Ada County, State of Idaho, and after due and legal notice having been given in the said behalf as by the Statutes of Idaho in such case made and provided,

John McGrath, Sheriff, duly sold at public auction, all and singular the premises hereinafter described and in said writ mentioned and described, and by said Decree directed to be sold to

Aloise Georges

who was the highest bidder therefor in the sum of Two Thousand Nine Hundred Twenty Two and 37/100 Dollars

And whereupon the said purchaser paid to said Sheriff the sum of \$ 2922.37 so bidden by said purchaser and thereupon

John McGrath as such Sheriff made and issued such Certificate of Sale as by law directed in duplicate and delivered one to the said purchaser and filed the other in the office of the Recorder for said Ada County for record, and

WHEREAS, The period of one year has expired since the date of said sale and no Redemption of or for said premises has been made:

NOW, THEREFORE, THIS INDENTURE WITNESSETH, That the said party of the first part, the said

Earl Coleman

Sheriff as aforesaid, in order to carry into effect the sale so made by

John McGrath

Sheriff, as aforesaid in pursuance of said writ and in conformity to the statutes in

such case made and provided, and also in consideration of the premises, and of the said sum of \$ 2922.57

so bidden and paid by the said purchaser to J ohn McGrath

, Sheriff

as aforesaid, the receipt whereof is hereby acknowledged, hath Bargained, Sold and Conveyed and by these presents doth Bargain, Sell and

Convey unto the party of the second part and to

his

heirs and assigns forever, all and singular the

following described lands and premises, to-wit:

Lot Eleven (11) in Londoner's Second Subdivision. Said Londoner's Second Subdivision being the Southwest Quarter (SW $\frac{1}{4}$) of Section Fourteen (14), Township Three (3) North, Range Two (2) East of the Boise Meridian, Ada County, State of Idaho, as shown and designated on the official plat of the said Londoner's Second Subdivision, now on file in the office of the County Recorder of Ada County, State of Idaho, together with all improvements thereon and all appurtenances thereto belonging, or in anywise appertaining, together with all ditches and lateral rights thereon, including Ten (10) shares of the capital stock of the South Boise Water Company, represented by its certificate #38, dated the 8th. day of March, 1923, and assigned and pledged with this loan.

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

TO HAVE AND TO HOLD All and singular the above mentioned and described premises hereby conveyed, or intended so to be, together with the appurtenances unto the said party of the second part

his

heirs and assigns forever.

IN WITNESS WHEREOF, I, the party of the first part to these presents, Sheriff as aforesaid, have hereunto set my hand the day and year first above written.

Earl Coleman

Sheriff of Ada County, State of Idaho.

STATE OF IDAHO. } ss.
COUNTY OF ADA }

On this 30th day of October In the year 19 33 , before me

Stephen Utter, Clerk of the District Court

in and for said Ada County personally appeared Earl Coleman

known to me to be the person whose name is subscribed to the within instrument as Sheriff of Ada County, State of Idaho, and acknowledged to me that he executed the same as such Sheriff of Ada County, State of Idaho.

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)

Stephen Utter, Clerk
By Frances Wood, Deputy

I hereby certify that this instrument was filed for record at the request of Aloise Georges

at 55 minutes past 10 o'clock A. M., this 30 day of Oct. , A. D. 19 33 .
Fees, \$ 2.00
Ex-Officio Recorder.

This Indenture, Made this 3rd day of May in the year of our Lord one thousand nine hundred and thirty-seven, between

✓ Harriet Coppedge Adams formerly Harriet G. Coppedge and R. W. Adams, her husband
of Boise, County of Ada, State of Idaho
the part ias of the first part, and

✓ Virgil Roberts and Ida Roberts, husband and wife,
of Boise, County of Ada, State of Idaho,
the part ias of the second part,

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

TEN - - - - -

DOLLARS

lawful money of the United States of America,

to them in hand paid by the said part ias 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 part ias of the second part and to their heirs and assigns forever, all the following described real estate, situated in

the County, of Ada, State of Idaho, to-wit:

All that portion of Lot Three (3) in Section Twelve (12) and all that portion of Lot Two (2) in Section Thirteen (13) in Township Four North of Range One (1) West of the Boise Meridian, in Ada County, Idaho, lying South of the County Road. Excepting that portion of the property now occupied by state highway and described in the partial release recorded in Book 40 of Satisfactions of Mortgages at page 39, records of the County Recorder, of Ada County, Idaho, together with all water rights thereunto belonging subject to the taxes for the year 1937, which grantees assume.

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 ias 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 ias of the second part, and to their heirs and assigns forever. And the said part ias of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said part ias of the second part, their heirs and assigns, against the said part ias 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 ha ve hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of:

{ U.S.I.R. Stamp \$2.00 cancelled }
{ H. C. A. }

Harriet Coppedge Adams (Seal)

R. W. Adams (Seal)

(Seal)

(Seal)

STATE OF IDAHO, } ss.
COUNTY OF ADA }

On this 3rd day of May
in the year 19 37, before me, Daisy Warren, a Notary Public in and for
said State, personally appeared

Harriet Coppedge Adams formerly Harriet G. Coppedge and R. W. Adams
her husband

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)

Daisy Warren
Notary Public for the State of Idaho,
Residing at Boise, Idaho.

STATE OF IDAHO, } ss.
COUNTY OF ADA }

of Davison & Davison
day of May

Fees, \$ 1.20

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

at 15 minutes past 11 o'clock A.M., this 28
A. D. 19 37.

Stephen Utter
Recorder.

This Indenture, Made this 1st day of July in the year of our Lord one thousand nine hundred and fifty, between

✓ VIRGIL ROBERTS and IDA ROBERTS, husband and wife,

of Boise County of Ada State of Idaho

the parties of the first part, and

✓ BILL SNYDER and ALICE SNYDER, husband and wife,

of Boise 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 sum of

TEN AND NO/100

DOLLARS

lawful money of the United States of America, and other good and valuable

consideration

to them in hand paid by the said parties 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 parties

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:

From Station 483x21 of State Highway as shown on the official plot of the Linder Corner (S.A.P. 142-B) Highway Survey on file in the office of Department of Highway of the State of Idaho, which point is recorded, under Recorder's fee #148121, in Deed Book 197, at page 299, in the records of Ada County, Idaho; as being 2640 feet East and 1095 feet North of the Section corner common to Sections 11, 12, 13, and 14, Township 4 North, Range 1 West of the Boise Meridian; thence South 63°07' West 174.0 feet to a point; thence South 26°35' East 40.0 feet to an iron pin which is the real place of beginning;

Thence South 44°12' East 207.8 feet to an iron pin; thence South 0°31' East 515.3 feet to an iron pin; thence North 65°19' West 305.5 feet to an iron pin; thence North 89°51' West 251.6 feet to an iron pin; thence South 53°47' West 223.7 feet to an iron pin; thence South 22°43' West 233.2 feet to an iron pin; thence South 89°36' West 132.1 feet to an iron pin; thence North 0°07' East 544.0 feet to an iron pin; thence North 81°34' East 26.75 feet to an iron pin; thence North 70°38' East 317.9 feet to an iron pin; thence North 63°07' East 508.5 feet to the real point of beginning, which is a parcel of land lying in the SE¼ SW¼ of Section 12, Township 4 North, Range 1 West of the Boise Meridian

SUBJECT TO:

General Taxes for the year 1950.

Liens, levies and assessments of Drainage District #2, and the rights and powers of said district as by law provided; said assessments collected with general taxes.

Right of Way easement granted by the Eagle Trout Hatchery, Inc. to Mountain States Telephone and Telegraph Co., recorded February 27, 1929 in Book 12 of Miscellaneous Records at Page 4, records of Ada County, Idaho; together with the right, privilege and authority to construct, operate and maintain its lines of with necessary poles, cables, wires and fixtures upon, over and across the property.*

(U.S.I.R. Stamps

\$6.60

Cancelled)

(B.O.S.

7/6/50

)

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 parties of the second part, and to their 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 parties of the second

part, their 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

Virgil Roberts

(SEAL)

Ida Roberts

(SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

County of ADA

ss.

On this 1st day of July

in the year 1950, before me, the undersigned, a Notary Public in and for said State, personally appeared VIRGIL ROBERTS and IDA ROBERTS, 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)

Ruby C. Fredricks
Notary Public for the State of Idaho
Residing at Boise, Idaho

* Liens, levies and assessments of Eagle Fire Protection District, and the rights and powers of said district as by law provided;

Right of way granted State of Idaho by Eagle Trout Hatchery, Inc., recorded September 14, 1931 in Book 197 of Deeds at Page 299, in records of Ada County, Idaho; together with the right of relocation of irrigation and drainage ditches along highway.

Power line easement granted the Idaho Power Co., by Virgil Roberts and Ida Roberts, husband and wife, recorded March 18, 1939, in Book 16 of Miscellaneous Records at Page 220, records of Ada County, Idaho.

STATE OF IDAHO, }
County of Ada, } ss.

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

of Bill Snyder

at 45 minutes past 2 o'clock P.M., this 6

day of July

, A.D. 1950.

Ruby C. Fredricks

Fees, \$2.25

Recorder.

✓ This Indenture, Made this 1ST day of September in the year of our Lord one thousand nine hundred and fifty-three, between
 BILL SNYDER and ALICE SNYDER, husband and wife,
 of Boise, County of Ada, State of Idaho,
 the parties of the first part, and
 MILTON C. PRATT and IDAHO H. PRATT, husband and wife,
 of Kuna, 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 sum of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS

DOLLARS

lawful money of the United States of America

to them in hand paid by the said parties 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 parties 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:

From Station 463/21 of State Highway as shown on the official plat of the Linder Corner (S.A.P. 142-0) Highway Survey on file in the office of the Department of Highway of the State of Idaho, which point is recorded, under Recorder's fee #146121, in Deed Book 197, page 299, in Records of Ada County, Idaho; as being 264.0 feet East and 1095 ft. North of the Section corner common to Sections 11, 12, 13 and 14, Township 4 North, Range 1 West of the Boise Meridian; thence South 63° 07' West 174.0 feet to a point; thence South 26° 55' East 40.0 feet to an iron pin which is the real place of beginning:

Thence South 44° 12' East 207.8 feet to an iron pin; thence South 0° 31' East 515.3 feet to an iron pin; thence North 65° 19' West 305.5 feet to an iron pin; thence North 89° 51' West 251.6 feet to an iron pin; thence South 53° 47' West 223.7 feet to an iron pin; thence South 22° 43' West 233.2 ft. to an iron pin; thence South 89° 38' West 132.1 feet to an iron pin; thence North 0° 07' East 544.0 feet to an iron pin; thence North 81° 34' East 26.75 feet to an iron pin; thence North 70° 38' East 317.9 feet to an iron pin; thence North 63° 07' East 508.5 feet to the real point of beginning, which is a parcel of land lying in the SE 1/4 SW 1/4 of Sec. 12, T. 4 N., R. 1 W. of the Boise Meridian.

Together with all water, water rights, ditches, and rights of ways for ditches belonging thereto.

SUBJECT TO all taxes, liens, levies or assessments of every kind or nature accruing subsequent to September 1, 1953.

(U.S.I.R. Stamps \$7.70 Cancelled)

(M.H.M.)

9/8/53

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 parties of the second part, and to their 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 parties of the second part, their 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

Bill Snyder (SEAL)

Alice Snyder (SEAL)

(SEAL)

(SEAL)

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

On this _____ day of September,
in the year 1953, before me, the undersigned, a Notary Public in and for
said State, personally appeared

BILL SNYDER and ALICE SNYDER, 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)

Floyd Robison,
Notary Public for the State of Idaho,
Residing at Kuna, Idaho.

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

I hereby certify that this instrument was filed for record at the request
of Idaho Title Co., at 07 minutes past 9 o'clock A. M., this 9
day of September, A.D. 1953.

Fees, \$ 2.00.

[Signature]
Recorder.

BODY 434 PAGE 131

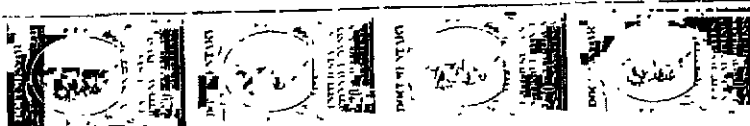
THIS INDENTURE, Made this 12th day of January
in the year of our Lord one thousand nine hundred and fifty-seven, between
MILTON O. PRATT and IDAHO H. PRATT, husband and wife,
of Wilder, County of Canyon, State of Idaho,
the parties of the first part, and EARL M. PHILLIPS and CORA D. PHILLIPS,
husband and wife,
of Meridian, 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 sum of
Ten Dollars and other valuable considerations, ~~partly~~
lawful money of the United States of America, to them in hand paid by the said
parties 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 parties
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:

From Station 463+21 of State Highway as shown on the official plat
of the Linder Corner (S.A.F. 142-B) Highway Survey on file in the
office of Department of Highway of the State of Idaho, which point
is recorded, under Recorder's Fee No. 146121, in Deed Book 197,
at page 299, in the records of Ada County, Idaho; as being 264.0 feet
East and 109.5 feet North of the Section corner common to Sections
11, 12, 13 and 14, Township 4 North, Range 1 West of the Boise
Meridian; thence South 63°07' West 174.0 feet to a point; thence
South 26°55' East 40.0 feet to an iron pin which is the real place
of beginning;

thence South 44°12' East 207.8 feet to an iron pin; thence South 00
31' East 515.3 feet to an iron pin; thence North 65°19' West 305.5
feet to an iron pin; thence North 89°51' West 251.6 feet to an iron
pin; thence South 53°47' West 223.7 feet to an iron pin; thence South
22°43' West 233.2 feet to an iron pin; thence South 89°38' West 132.1
feet to an iron pin; thence North 0°07' East 544.0 feet to an iron
pin; thence North 81°34' East 26.75 feet to an iron pin; thence
North 70°38' East 317.9 feet to an iron pin; thence North 63°07'
East 508.5 feet to the real point of beginning, which is a parcel
of land lying in the SE 1/4 SW 1/4 of Section 12, Twp. 4 N. R. 1 W. B.L.

This deed is given subject to a valid and subsisting mortgage upon
said premises in which mortgage First Federal Savings and Loan
Association of Boise, Idaho is mortgagee, said mortgage having a
principal balance due of \$2,100.00.



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 parties of the second part, and to their 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 parties of the second part, their 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.

—

WARRANTY DEED

For Value Received

EARL M. PHILLIPS and CORA D. PHILLIPS,
husband and wife,

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

RICHARD P. KNOWLTON and GRETA B. KNOWLTON,
husband and wife,

the grantee & the following described premises, in Ada County Idaho, to wit:

Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T. 4 N., R. 1 W.B.M.,
in Ada County, Idaho, more particularly described as
follows:

From Station 463/21 of State Highway as shown on the official plat of the Linder Corner (S.A.F. 142-B) Highway Survey on file in the office of the Department of Highway of the State of Idaho, which point is recorded under Recorder's Fee No. 146121, in Deed Book 197, at Page 299, in the records of Ada County, Idaho; as being 2640 feet East and 1095 feet North of the Section corner common to Sections 11, 12, 13 and 14, T. 4 N., R. 1 W.B.M.; thence South 63°07' West 174.0 feet to a point; thence South 26°55' East 40.0 feet to an iron pin which is the real place of beginning; thence South 44°12' East 207.8 feet to an iron pin; thence South 0°31' East 515.3 feet to an iron pin; thence North 65°19' West 305.5 feet to an iron pin; thence North 89°51' West 251.6 feet to an iron pin; thence South 53°47' West 223.7 feet to an iron pin; thence South 89°38' West 132.1 feet to an iron pin; thence North 0°07' East 544.0 feet to an iron pin; thence North 81°34' East 26.75 feet to an iron pin; thence North 70°38' East 317.9 feet to an iron pin; thence North 63°07' East 508.5 feet to the real 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 s do hereby covenant to and
with the said Grantee s, that they are the owners in fee simple of said premises; that they are free
from all incumbrances except taxes for the year 1962.

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

Dated: Dated June 29, 1962.



STATE OF IDAHO, COUNTY OF Ada
On this 9th day of July, 1962,
before me, a notary public in and for said State, personally
appeared EARL M. PHILLIPS and CORA
D. PHILLIPS, husband and wife,

known to me to be the person whose name s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Richard P. Knowlton
Notary Public
Residing at Boise, Idaho
Comm. Expires 7/1/64

STATE OF IDAHO, COUNTY OF Ada
I hereby certify that this instrument was filed for record at
the request of *Earl M. Phillips and Cora D. Phillips*

at _____ minutes past _____ o'clock/ m.
this _____ day of _____
1962, in my office, and duly recorded in Book
of Deeds at page _____

LAWRENCE A. PLANTING
Ex-Officio Recorder

By _____ Deputy
Fees \$ _____
Mail to: _____

INSTRUMENT No. 2100001

719628



MICROFILM SYSTEMS

WARRANTY DEED

For Value Received

RICHARD P. KNOWLTON and GRETA B. KNOWLTON, husband and wife

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

RICHARD J. STEWART and CONNIE L. STEWART, husband and wife
the grantees, whose current address is Route 1, So. Park Lane, Eagle, Idaho

the following described premises, in Ada County Idaho, to-wit:

Part of the SE1/4SW1/4 of Section 12, T. 4 N., R. 1. W., B. M.,
in Ada County, Idaho, more particularly described on attached
Exhibit A.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee's,
their heirs and assigns forever. And the said Grantor's do hereby covenant to and
with the said Grantee's, that they are the owners in fee simple of said premises; that they are free
from all incumbrances except taxes for 1976, rights of way and easements of record

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

Dated: May 12, 1976

Richard P. Knowlton
Richard P. Knowlton

Greta B. Knowlton
Greta B. Knowlton

STATE OF IDAHO, COUNTY OF Ada

On this 12th day of May, 1976
before me, a notary public in and for the said State, personally appeared Richard P. Knowlton and
Greta B. Knowlton

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

[Signature]
Notary Public
Boise, Idaho
Residing at
Commission Expires Jan. 15, 1977

STATE OF IDAHO, COUNTY OF

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

SAFECO TITLE

at minutes past o'clock P.
this day of
1976, in my office, and duly recorded in Book
of Deeds at Page

CLERK OF DISTRICT COURT

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to: Title & Trust (Phyllis H.)

INSTRUMENT No.

EXHIBIT A

DESCRIPTION:

Parcel I.

Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T. 4 N., R. 1 W., B.M., in Ada County, Idaho, more particularly described as follows:

From Station 463+21 of State Highway as shown on the official plat of the Linder Corner (S.A.F. 142-B) Highway Survey on file in the office of Department of Highway of the State of Idaho, which point is recorded under Recorder's fee No. 146121, in Deed Book 197, at page 299, in the records of Ada County, Idaho; as being 2640 feet East and 1095 feet North of the Section corner common to Sections 11, 12, 13 and 14, T. 4 N., R. 1 W., B.M.; thence

South 63°07' West, 174.0 feet to a point; thence
South 26°55' East, 40.0 feet to an iron pin which is the real place of beginning; thence
South 44°12' East, 207.8 feet to an iron pin; thence
South 0°31' East, 515.3 feet to an iron pin; thence
North 65°19' West, 305.5 feet to an iron pin; thence
North 89°51' West, 251.6 feet to an iron pin; thence
South 53°47' West, 223.7 feet to an iron pin; thence
South 22°43' West, 233.2 feet to an iron pin; thence
South 89°38' West, 132.1 feet to an iron pin; thence
North 0°07' East, 544.0 feet to an iron pin; thence
North 81°34' East, 26.75 feet to an iron pin; thence
North 70°38' East, 317.9 feet to an iron pin; thence
North 63°07' East, 508.5 feet to the real point of beginning.

Parcel II.

A non-exclusive easement for road right of way, being a strip 25 feet in width lying Southerly and Westerly of, and adjacent to the following described line:

Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T. 4 N., R. 1 W., B.M., in Ada County, Idaho, more particularly described as follows:

From Station 463+21 of State Highway as shown on the official plat of the Linder Corner (S.A.F. 142-B) Highway Survey on file in the office of Department of Highway of the State of Idaho, which point is recorded under Recorder's fee No. 146121, in Deed Book 197, at page 299, in the records of Ada County, Idaho; as being 2640 feet East and 1095 feet North of the Section corner common to Sections 11, 12, 13 and 14, T. 4 N., R. 1 W., B.M.; thence

South 63°07' West, 174.0 feet to a point; thence
South 26°55' East, 40.0 feet to an iron pin which is the real place of beginning; thence
South 44°12' East, 207.8 feet to an iron pin; thence
South 0°31' East, 515.3 feet to an iron pin; thence
North 65°19' West, 305.5 feet to an iron pin; thence
North 89°51' West, 251.6 feet to an iron pin; thence
South 53°47' West, 223.7 feet to an iron pin; thence

Continued

PK *AK*

DESCRIPTION CONTINUED

South 22°43' West, 233.2 feet to an iron pin; thence
South 89°38' West, 132.1 feet to an iron pin; thence
North 0°07' East, 544.0 feet to an iron pin, being the Northernly
terminus of this easement line.

Ada County, Idaho, ss.
Request of
SAFECO TITLE
TIME 8:00 A.M.
DATE 5-13-76
CLARENCE A. PLANTING
RECORDED

3.00
J. B. L.

161

RMR.



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

8151 W. Rifleman Ave / Boise, Idaho 83704 / (208) 377-2700

P184144

WARRANTY DEED

For Value Received

RICHARD J. STEWART and CONNIE L. STEWART, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

KEVIN D. SHANER and MARY R. SHANER, husband and wife

hereinafter referred to as Grantee, whose current address is

2611 BROOKDALE LANE, DUARTE, CA 91010

the following described premises, to-wit:

SEE ATTACHED EXHIBIT "A", WHICH BY THIS REFERENCE IS INCORPORATED HEREIN AND MADE A PART OF

PIONEER TITLE
ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

1999 OCT 14 PM 4:03

RECORDED - REQUEST OF

FEE *10* DEPUTY *[Signature]*

99101577

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner 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 Grantor will warrant and defend the same from all claims whatsoever.

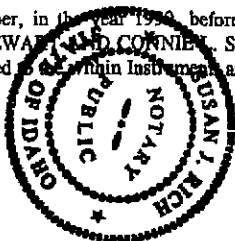
Dated: October 14, 1999.

[Signature of Richard J. Stewart]
RICHARD J. STEWART

[Signature of Connie L. Stewart]
CONNIE L. STEWART

STATE OF IDAHO)
)
COUNTY OF ADA)

On This *14th* day of October, in the year 1999, before me, a Notary Public in and for said State, personally appeared RICHARD J. STEWART and CONNIE L. STEWART, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.



[Signature of Susan J. Rich]
Notary Public of Idaho
Residing at Boise, Idaho
Commission expires: 05-05-2005

SCHEDULE C

The land referred to in this Commitment is described as follows:

PART OF THE SOUTHEAST SOUTHWEST OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, IN ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN; THENCE
NORTH 00 DEGREE 27'14" EAST 277.99 FEET TO AN IRON PIN, WHICH IS THE REAL POINT OF BEGINNING; THENCE
NORTH 64 DEGREES 20'43" WEST, 305.50 FEET ALONG THE NORTHERLY BANK OF THE BOISE RIVER TO AN IRON PIN; THENCE
NORTH 88 DEGREES 52'46" WEST, 106.52 FEET ALONG THE RIVER BANK TO AN IRON PIN; THENCE
NORTH 14 DEGREES 13'53" WEST, 380.88 FEET TO AN IRON PIN ON THE SOUTHERLY BOUNDARY LINE OF OLD VALLEY ROAD; THENCE
NORTH 64 DEGREES 26'26" EAST, 375.19 FEET ALONG THE SOUTHERLY BOUNDARY LINE OF OLD VALLEY ROAD TO AN IRON PIN; THENCE
SOUTH 43 DEGREES 13'46" EAST, 206.05 FEET ALONG THE SOUTHWESTERLY SIDE OF A 20 FEET WIDE ACCESS EASEMENT, TO AN IRON PIN; THENCE
SOUTH 00 DEGREE 27'14" WEST, 515.30 FEET TO THE REAL POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

INITIAL *TP*
mg



PIONEER TITLE COMPANY
OF ADA COUNTY

ADA COUNTY RECORDER
J. DAVID HAVARRO
BOISE, IDAHO

RECORDED - REC OF

FEE 3 DEPUTY

99085626

1999 AU 26 AM 11:13

821 West State Street / Boise, Idaho 83702
(208) 336-6700

8151 W. Rifleman Street / Boise, Idaho 83704
(208) 377-2700

SPACE ABOVE FOR RECORDING DATA

QUITCLAIM DEED

FOR VALUE RECEIVED Richard J. and Connie L. Stewart, husband and wife

do hereby convey, release, remise and forever quitclaim

Richard J. and Connie L. Stewart

unto

4171 Old Valley Road, Eagle, Idaho 83616

whose address is:

the following described premises, to wit:

Parcel "B"

Part of the SE $\frac{1}{4}$ of Section 12, T.4N., R.1W., B.M., in Ada County, Idaho being more particularly described as follows:

Commencing at the S $\frac{1}{4}$ corner of Section 12, T.4N., R.1W., B.M.; thence N00°27'14"E, 277.99 feet to an iron pin; thence N64°20'43"W, 305.50 feet along the northerly bank of the Boise River to an iron pin; thence N88°52'46"W, 106.52 feet along the river bank, to an iron pin which is the REAL POINT OF BEGINNING;

Thence N88°52'46"W, 145.08 feet along the river bank, to an iron pin;

Thence S54°45'14"W, 223.70 feet along the river bank, to an iron pin;

Thence S23°51'14"W, 233.20 feet along the river bank, to an iron pin;

Thence N89°23'46"W, 132.10 feet, leaving the river bank, to an iron pin;

Thence N01°01'30"E, 546.15 feet to an iron pin on the southerly boundary line of Old Settlers Road;

Thence N82°12'25"E, 4.98 feet along the southerly boundary line of Old Valley Road, to an iron pin;

Thence 21.41 feet along a curve to the left having a radius of 995.00 feet, central angle of 01°13'59", tangents of 10.71 feet, and a chord bearing N81°35'53"E, 21.41 feet, to an Old Valley Road Right-of-Way Brass Cap;

Thence 287.11 feet along a curve to the left, having a radius of 995.00 feet, central angle of 16°31'59", tangents of 144.56 feet, and a chord bearing of N72°42'26"E, 286.12 feet to a PT curve point, which lies S64°26'26"W, 10.00 feet

along the said southerly boundary line from an iron pin witness corner;

Thence N64°26'26"E, 167.86 feet along said southerly boundary line, to an iron pin;

Thence S 14°13'53"E, 380.88 feet to the REAL POINT OF BEGINNING.

Comprising 5.0006 Acres and including a 20-foot width access easement along the westerly boundary, from Old Valley Road as described in Instrument No. 96101147, and 7618064.

together with their appurtenances.

Dated: 8/26/99

Richard J. Stewart

Aug 26, 1999

Connie L. Stewart

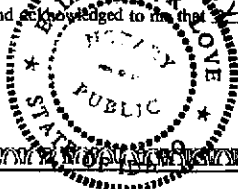
STATE OF Idaho, County of Ada, ss.

On this 26th day of August, 1999, before me

personally appeared, *Richard J. Stewart*, a notary public,

known or identified to me to be the person(s) whose name(s) *Connie L. Stewart*

instrument, and acknowledged to me that they executed the same.



Notary Public: *Elizabeth H. Prie*

Residing at: *Meridian, ID*

My Commission Expires: 6-23-03



PIONEER TITLE COMPANY
OF ADA COUNTY

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

RECORDED - REG. OF

FEE 3- DEPUTY

1999 AU 26 AM 11:13

99085625

821 West State Street / Boise, Idaho 83702
(208) 336-6700

8151 W. Rifleman Street / Boise, Idaho 83704
(208) 377-2700

SPACE ABOVE FOR RECORDING DATA

QUITCLAIM DEED

FOR VALUE RECEIVED Richard J. and Connie L. Stewart, husband and wife

do hereby convey, release, remise and forever quitclaim

unto Richard J. and Connie L. Stewart

whose address is: 4171 Old Valley Road, Eagle, Idaho 83616

the following described premises, to wit:

Parcel "A"

Part of the SESW of Section 12, T.4N., R.1W., B.M., in Ada County, Idaho, being more particularly described as follows:

Commencing at the S $\frac{1}{4}$ corner of Section 12, T.4N., R.1W., B.M.; thence N00°27'14"E, 277.99 feet to an iron pin, which is the REAL POINT OF BEGINNING;

Thence N64°20'43"W, 305.50 feet along the northerly bank of the Boise River to an iron pin;
Thence N88°52'46"W, 106.52 feet along the river bank to an iron pin;
Thence N14°13'53"W, 380.88 feet to an iron pin on the southerly boundary line of Old Valley Road;
Thence N64°26'26"E, 375.19 feet along the southerly boundary line of Old Valley Road to an iron pin;
Thence S43°13'46"E, 206.05 feet along the southwesterly side of a 20 feet wide access easement, to an iron pin;
Thence S00°27'14"W, 515.30 feet to the REAL POINT OF BEGINNING;

Comprising 5.0005 Acres

together with their appurtenances.

Dated:

8/26/99

Richard J. Stewart

Aug 26, 1999

Connie L. Stewart

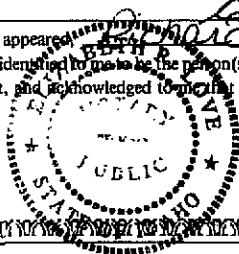
STATE OF Idaho, County of Ada, ss.

On this 26th day of August, in the year of 1999, before me

personally appeared Richard J. and Connie L. Stewart, a notary public,

known or identified to me to be the person(s) whose name(s) are subscribed to the within

instrument, and he acknowledged to me that he executed the same.



Notary Public: Elizabeth K. Jue
Residing at: Idaho
My Commission Expires: 6-23-05



ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 05/26/05 04:40 PM
DEPUTY Bonnie Oberbiller
RECORDED - REQUEST OF
Title One

AMOUNT 6.00 2



Order No.: A0539211 TR/AG

WARRANTY DEED

FOR VALUE RECEIVED,

KEVIN D. SHANER and MARY R. SHANER, HUSBAND & WIFE

The Grantor(s), do(es) hereby grant, bargain sell and convey unto

NAHAS ENTERPRISES, INC., AS TO AN UNDIVIDED 50% INTEREST, AND

ROYLANCE INVESTMENTS, LLC, AS TO AN UNDIVIDED 50% INTEREST

whose current address is 701 E. STATE ST. #150, EAGLE, ID 83616

the Grantee(s), the following described premises, in Ada County, Idaho, TO WIT:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 05/24/05

KEVIN D. SHANER

MARY R. SHANER

STATE OF IDAHO
COUNTY OF ADA

ON THIS 24 OF MAY, 2005, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC PERSONALLY APPEARED KEVIN D. SHANER, MARY R. SHANER, KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

AGUNNING
NOTARY PUBLIC
RESIDING AT: EAGLE
MY COMMISSION EXPIRES:
06/19/06

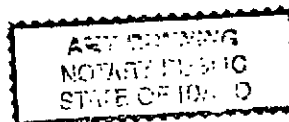


EXHIBIT "A"

Part of the Southeast Southwest of Section 12, Township 4 North, Range 1 West, Boise Meridian, in Ada County, Idaho, being more particularly described as follows:

Commencing at the South quarter corner of Section 12, Township 4 North, Range 1 West, Boise Meridian; thence

North 00 degrees 27'14" East, 277.99 feet to an iron pin, which is the REAL POINT OF BEGINNING; thence

North 64 degrees 20'43" West, 305.50 feet along the Northerly bank of the Boise River to an iron pin; thence

North 88 degrees 52'46" West, 106.52 feet along the River Bank to an iron pin; thence

North 14 degrees 13'53" West, 380.88 feet to an iron pin on the Southerly boundary line of Old Valley Road; thence

North 64 degrees 26'26" East, 375.19 feet along the Southerly boundary line of Old Valley Road to an iron pin; thence

South 43 degrees 13'46" East, 206.05 feet along the Southwesterly side of a 20 foot wide access easement to an iron pin; thence

South 00 degrees 27'14" West, 515.30 feet to the REAL POINT OF BEGINNING.

Exhibit "A"

Legal Description



ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 05/26/05 04:40 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Title One

AMOUNT 6.00 2



105067580

Order No.: A0538971 TR/AG

WARRANTY DEED

FOR VALUE RECEIVED,

RICHARD J. STEWART and CONNIE L. STEWART, HUSBAND AND WIFE
The Grantor(s), do(es) hereby grant, bargain sell and convey unto

NAHAS ENTERPRISES, INC., AN IDAHO CORPORATION, AS TO AN UNDIVIDED 50%
INTEREST AND ROYLANCE INVESTMENTS, LLC, AN IDAHO LIMITED LIABILITY
COMPANY, AS TO AN UNDIVIDED 50% INTEREST

whose current address is 4171 W. OLD VALLEY ROAD EAGLE, ID 83616

the Grantee(s), the following described premises, in Ada County, Idaho, TO WIT:

SEE ATTACHED LEGAL DESCRIPTION MARKED EXHIBIT "A" WHICH BY THIS
REFERENCE BECOMES A PART THEREOF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and
assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the
owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this
conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to all existing
patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building
codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the
current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful
claims whatsoever.

Dated: 05/24/05

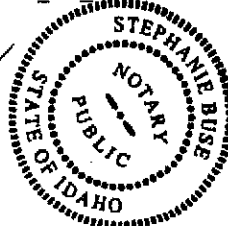
RICHARD J. STEWART

CONNIE L. STEWART

STATE OF IDAHO
COUNTY OF ADA

ON THIS 25 OF MAY, 2005, BEFORE ME, THE UNDERSIGNED, A NOTARY
PUBLIC PERSONALLY APPEARED, RICHARD J. STEWART, CONNIE L. STEWART,
KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE
TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN
INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC
RESIDING AT: EAGLE Boise Id
MY COMMISSION EXPIRES:
06/19/08
(SEAL)



Residing in Boise, Idaho
My Commission Expires 08/31/08

EXHIBIT "A"

PARCEL I

Part of the Southeast Southwest of Section 12, Township 4 North, Range 1 West, Boise Meridian, in Ada County, Idaho, being more particularly described as follows:

Commencing at the South quarter corner of Section 12, Township 4 North, Range 1 West, Boise Meridian; thence

North 00°27'14" East, 277.99 feet to an iron pin; thence

North 64°20'43" West, 305.50 feet along the Northerly bank of the Boise River to an iron pin; thence

North 88°52'46" West, 106.52 feet along the river bank, to an iron pin which is the REAL POINT OF BEGINNING; thence

North 88°52'46" West, 145.08 feet along the river bank, to an iron pin; thence

South 54°45'14" West, 223.70 feet along the river bank, to an iron pin; thence

South 23°51'14" West, 233.20 feet along the river bank, to an iron pin; thence

North 89°23'46" West, 132.10 feet, leaving the river bank, to an iron pin; thence

North 01°01'30" East, 546.15 feet to an iron pin on the Southerly boundary line of Old Settlers Road; thence

North 82°12'25" East, 4.98 feet along the Southerly boundary line of Old Valley Road, to an iron pin; thence

21.41 feet along a curve to the left having a radius of 995.00 feet, central angle of 01°13'59", tangents of 10.71 feet, and a chord bearing North 81°35'53" East, 21.41 feet, to an Old Valley Road right-of-Way brass cap;

thence 287.11 feet along a curve to the left, having a radius of 995.00 feet, central angle of 16°31'59", tangents of 144.56 feet, and a chord bearing of North 72°42'26" East, 286.12 feet to a PT curve point, which lies South

64°26'26" West, 10.00 feet along the said Southerly boundary line from an iron pin witness corner; thence

North 64°26'26" East, 167.86 feet along said Southerly boundary line, to an iron pin; thence

South 14°13'53" East, 380.88 feet to the REAL POINT OF BEGINNING.

PARCEL II

A non-exclusive easement for road right-of-way, being a strip 25 feet in width lying Southerly and Westerly of, and adjacent to the following described line:

Part of the Southeast quarter Southwest quarter of Section 12, Township 4 North, Range 1 West, Boise Meridian, in Ada County, Idaho, more particularly described as follows:

From Station 463+21 of State Highway as shown on the official plat of the Linder Corner (S.A.F. 142-B) Highway Survey on file in the office of Department of Highway of the State of Idaho, which point is recorded under Recorder's Fee No. 146121, in Deed Book 197, at Page 299, in the records of Ada County, Idaho, as being 2640 feet East and 1095 feet North of the section corner common to Sections 11, 12, 13 and 14, Township 4 North, Range 1 West, Boise Meridian; thence

South 63°07' West, 174.0 feet to a point; thence

South 26°55' East, 40.0 feet to an iron pin which is the REAL PLACE OF BEGINNING; thence

South 44°12' East, 207.8 feet to an iron pin; thence

South 0°31' East, 515.3 feet to an iron pin; thence

North 65°19' West, 305.5 feet to an iron pin; thence

North 89°51' West, 251.6 feet to an iron pin; thence

South 53°47' West, 223.7 feet to an iron pin; thence

South 22°43' West, 233.2 feet to an iron pin; thence

South 89°38' West, 132.1 feet to an iron pin; thence

North 0°07' East, 544.0 feet to an iron pin, being the Northerly terminus of this easement line.

Exhibit "A"

Legal Description

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 05/27/05 04:26 PM
DEPUTY Bonnie Oberblittg
RECORDED - REQUEST OF
Title One

AMOUNT 9.00 3

105060203

CORPORATION WARRANTY DEED

For Value Received NAHAS ENTERPRISES, INC.

A Corporation duly organized and existing under the laws of the State of hereby Grant, Bargain, Sell and Convey unto FIVE R PROPERTIES, LLC

Whose current address is: 701 E. STATE ST. #150, EAGLE, ID 83616

The following described real estate, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever.

The Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that it is free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, including irrigation and utility easements, (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. In constraining this Deed and where the context so requires, the singular includes the plural, and the masculine, includes the feminine and neuter.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed.

Dated: 05/13/05

NAHAS ENTERPRISES, INC. BY:

ROBERT NAHAS, PRESIDENT

STATE OF IDAHO
COUNTY OF ADA

ON THIS 27 DAY OF MAY, 2005, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY APPEARED ROBERT NAHAS, KNOWN TO ME TO BE THE PRESIDENT OF THE CORPORATION THAT EXECUTED THIS INSTRUMENT AND THE PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID CORPORATION, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME.
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC
RESIDING AT: EAGLE, ID
MY COMMISSION EXPIRES ON: 6/19/06

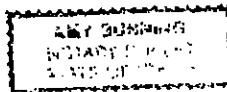


EXHIBIT "A"

PARCEL I

Part of the Southeast Southwest of Section 12, Township 4 North, Range 1 West, Boise Meridian, in Ada County, Idaho, being more particularly described as follows:

Commencing at the South quarter corner of Section 12, Township 4 North, Range 1 West, Boise Meridian; thence
North 00°27'14" East, 277.99 feet to an iron pin; thence
North 64°20'43" West, 305.50 feet along the Northerly bank of the Boise River to an iron pin; thence
North 88°52'46" West, 106.52 feet along the river bank, to an iron pin which is the REAL POINT OF BEGINNING; thence
North 88°52'46" West, 145.08 feet along the river bank, to an iron pin; thence
South 54°45'14" West, 223.70 feet along the river bank, to an iron pin; thence
South 23°51'14" West, 233.20 feet along the river bank, to an iron pin; thence
North 89°23'46" West, 132.10 feet, leaving the river bank, to an iron pin; thence
North 01°01'30" East, 546.15 feet to an iron pin on the Southerly boundary line of Old Settlers Road; thence
North 82°12'25" East, 4.98 feet along the Southerly boundary line of Old Valley Road, to an iron pin; thence
21.41 feet along a curve to the left having a radius of 995.00 feet, central angle of 01°13'59", tangents of 10.71 feet, and a chord bearing North 81°35'53" East, 21.41 feet, to an Old Valley Road right-of-Way brass cap; thence
287.11 feet along a curve to the left, having a radius of 995.00 feet, central angle of 16°31'59", tangents of 144.56 feet, and a chord bearing of North 72°42'26" East, 286.12 feet to a PT curve point, which lies South 64°26'26" West, 10.00 feet along the said Southerly boundary line from an iron pin witness corner; thence
North 64°26'26" East, 167.86 feet along said Southerly boundary line, to an iron pin; thence
South 14°13'53" East, 380.88 feet to the REAL POINT OF BEGINNING.

PARCEL II

A non-exclusive easement for road right-of-way, being a strip 25 feet in width lying Southerly and Westerly of, and adjacent to the following described line:

Part of the Southeast quarter Southwest quarter of Section 12, Township 4 North, Range 1 West, Boise Meridian, in Ada County, Idaho, more particularly described as follows:

From Station 463+21 of State Highway as shown on the official plat of the Linder Corner (S.A.F. 142-B) Highway Survey on file in the office of Department of Highway of the State of Idaho, which point is recorded under Recorder's Fee No. 146121, in Deed Book 197, at Page 299, in the records of Ada County, Idaho, as being 2640 feet East and 1095 feet North of the section corner common to Sections 11, 12, 13 and 14, Township 4 North, Range 1 West, Boise Meridian; thence
South 63°07' West, 174.0 feet to a point; thence
South 26°55' East, 40.0 feet to an iron pin which is the REAL PLACE OF BEGINNING; thence
South 44°12' East, 207.8 feet to an iron pin; thence
South 0°31' East, 515.3 feet to an iron pin; thence
North 65°19' West, 305.5 feet to an iron pin; thence
North 89°51' West, 251.6 feet to an iron pin; thence
South 53°47' West, 223.7 feet to an iron pin; thence
South 22°43' West, 233.2 feet to an iron pin; thence
South 89°38' West, 132.1 feet to an iron pin; thence
North 0°07' East, 544.0 feet to an iron pin, being the Northerly terminus of this easement line.

Exhibit "A"

Legal Description

7

EXHIBIT "A"

Part of the Southeast Southwest of Section 12, Township 4 North, Range 1 West, Boise Meridian, in Ada County, Idaho, being more particularly described as follows:

Commencing at the South quarter corner of Section 12, Township 4 North, Range 1 West, Boise Meridian; thence

North 00 degrees 27'14" East, 277.99 feet to an iron pin, which is the REAL POINT OF BEGINNING; thence

North 64 degrees 20'43" West, 305.50 feet along the Northerly bank of the Boise River to an iron pin; thence

North 88 degrees 52'46" West, 106.52 feet along the River Bank to an iron pin; thence

North 14 degrees 13'53" West, 380.88 feet to an iron pin on the Southerly boundary line of Old Valley Road; thence

North 64 degrees 26'26" East, 375.19 feet along the Southerly boundary line of Old Valley Road to an iron pin; thence

South 43 degrees 13'46" East, 206.05 feet along the Southwesterly side of a 20 foot wide access easement to an iron pin; thence

South 00 degrees 27'14" West, 515.30 feet to the REAL POINT OF BEGINNING.

Exhibit "A"

Legal Description

IDFG Contact

Terry Scanlan

From: Jason Thompson
Sent: Tuesday, November 15, 2005 3:08 PM
To: Terry Scanlan
Subject: Hatchery Information

Terry, I talked with Tom Frew at the Idaho Dept of Fish and Game today (11/15/05) about the old fish hatchery on Old Valley Road. He said the only information he could find about a hatchery in Eagle prior to 1936 was regarding some fish holding ponds located on Eagle Island in a 1927 Fish and Game Bicentennial Report. The fish holding ponds were developed in conjunction with a bird rearing facility. He could not find any ownership or operation information, except that the ponds were stocked by the Ada County Sportsman's League. He could not find any water supply or well information. He said we could come to Fish and Game and photocopy the report.

Jason

11/15/2005

Ada County Assessor Information

Details

Photo

Valuation

Tax Districts

Characteristics

Parcel: S0412347190**Year:** 2005**Zone Code:** RUT**Total Acres:** 5.001**Tax Code Area:** 100**Property Description:**

PAR #7190 OF SE4SW4

SEC 12 4N 1W

PAR B R/S #4724

#7195-B

Address: 4171 W OLD VALLEY RD EAGLE , ID 83616**Subdivision:** 4N 1W 12**Land Group Type:** SECT**Township/Range/Section:** 4N1W12



Ada County Assessor's Land Records/GIS

Main Menu

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[Disclaimer](#)

Property Search

[Search by Parcel](#)
[Search by Address](#)
[Search by Subdivision](#)
[Online Documents](#)

[Interactive Map](#)

Residential Characteristics

[Back to Parcel Search](#)

Year Built:	1940
Year Remodel:	1971
Effective Age:	1950
Construction Class:	3
Number of Bedrooms:	3
Number of Bathrooms:	1.75
Number of FirePlaces:	2
Air Conditioning:	Y
Car Storage Sq Ft #1:	0
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	1800
Porch Sq Ft:	0
Deck Sq Ft:	500
Deck Covered:	N
Patio Sq Ft:	360
Patio Covered:	Y
Pool Sq Ft:	0
Total Sq Ft:	2264
Main Floor Sq Ft:	2264
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0
Year Built:	1940
Year Remodel:	0
Effective Age:	0
Construction Class:	3
Number of Bedrooms:	1
Number of Bathrooms:	0.75
Number of FirePlaces:	1
Air Conditioning:	Y
Car Storage Sq Ft #1:	120
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	0
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	104
Patio Covered:	Y

Pool Sq Ft:	0
Total Sq Ft:	752
Main Floor Sq Ft:	752
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

[Contact Us](#) | [Disclaimer](#)



RECEIVED

NOV 15 2005

WATER RESOURCES
WESTERN REGION

November 12, 2005

Sandy Egbert
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Evidence of Priority for Water Right 63-4288

Dear Sandy:

On behalf of Roylance Investments LLC and Five R Properties LLC (collectively "Roylance"), I have enclosed copies of a statement signed by Chuck Roberts and Marion Moore regarding water use under statutory claim 63-4288.

The statement was submitted in support of claim 63-30485 which is associated with the Fease/Ellensohn property located ¼ mile to the west of the Roylance property. However, information on pages 3 and 4 also relate to Roylance's claim 63-4288. The statement indicates the following:

- Moore lived in a house at 4210 Old Valley Road, and previously lived in a house at 4170 Old Valley Road. He lived there beginning in about 1927.
- The Roberts' family moved onto a property located across Old Valley Road from Moore in 1936. This appears to be the current Roylance property at 4171 Old Valley Road and probably also the adjacent parcels to the west.
- Both Moore and Roberts indicated that the Fish and Game Department had a fish hatchery at the site prior to the 1936 purchase by the Roberts.
- Roberts indicates that the property had three artesian wells used for filling the ponds and irrigating a hay field.

Based on these statements, it appears that artesian wells were in use at the Roylance property and also at adjacent properties to the west prior to 1936. Apparently these adjacent properties and the Roylance property were all owned by the Roberts family originally, as Chuck Roberts' statement indicated that the property had been approximately 27 acres. Water rights for properties to the west appear to be statutory claims 63-4337 (Virgil Roberts, now-owned by Kenyon, 1965-priority) and 63-4332 (Marten, 1915-priority). The three artesian wells noted in the statement by Chuck

Roberts were likely the Roylance well and the two wells claimed by Marten. The Virgil Roberts well likely was constructed later, based on the 1965 priority date.

Aerial photos from 1939 show the existence on the Roylance property of the fish hatchery raceway (extending north from the well, along the west edge of the property) and the ponds. These ponds and raceway are still present on the Roylance property. The 1939 aerial photos (available in the IDWR database) do not show any significant ponds or raceways on the adjacent parcels.

We will attempt to find additional documents related to the State fish hatchery at this property through chain of title search, or from Idaho Fish and Game Department records. We hope that these additional documents will be adequate to establish the 1915 priority date. If we are unable to find additional documentation, we trust that the attached statements will be adequate to support a 1936 priority date.

In the meantime, please contact me with any questions or comments.

Sincerely,



Terry M. Scanlan, P.E., P.G.

Cc: Dave Roylance

- 6) They grew hay on the ground around the house (see attached photos) and used water from the well to help irrigate it. Clarence told us he always had problems getting the place irrigated, because he was the end of the ditch, so he relied on the well water to supplement irrigating the property west of the house.

November 16, 1997

Marion Moore currently lives down the street from me at 4210 Old Valley Road. I talked with him today to get more history of our place. Here is what he told me:

- 1) He has lived in this area since 1927 (he is 77 years old).
- 2) They lived in a house, that later burned down, that was located where Fitzgerald's live now (4170 Old Valley Road).
- 3) Virgil Roberts lived across the street from them in what is now the house owned by the Kenyans and was the only house over there at that time. He remembered the Fish and Game Hatchery being there at one time and thought the Roberts had purchased the property from them. He remembered they had two boys (Dan and ?) and three daughters (Vivian, Margie and Virgie).
- 4) He remembered Jack Kollander and his nephew Karl Goble and that Mr. Kollander had a milk herd.
- 5) He remembered Shad Clark living in our house and that he also had a milk herd.
- 6) He also remembered Clarence Levie and his milk herd.

AUGUST 8, 2005

I spoke with Chuck Roberts today and asked him what he knew about our property. Mr. Roberts works for Ada County Weed and Gopher Control and currently lives in the Boise Valley. He was born in 1929 and his family bought the property on Old Valley Road across the street from the Moores in 1936. He lived there for about ten years. Below is a list of some of the facts he recalls:

- 1) They bought their property from the Fish and Game Department and it had been used as a fish hatchery.
- 2) The property was around 27 acres.
- 3) There were five boys (Don, John, Chuck, Bob and Lewis) and three girls (Vivian, Margie and Virginia) in their family.
- 4) They had about 6 dairy cows.
- 5) The property had three artesian wells on it. He thought one of them might have been capped, and the other two were used for the house, filling the ponds and irrigating a hay field.
- 6) He remembered the Kollanders and thought they lived on the NE corner of Park Lane and State Street. He didn't know if they also owned our place.
- 7) He remembered that Babe Ward lived on our property at that time and he had two sons that were both older than he.

- 8) He remembered there being a dairy herd on our property and crops in the fields.

Please sign and date below if the facts of this document that pertain to our conversation(s) are true to the best of your knowledge. Thanks for your cooperation.

Signed Marion G. Moore date 9/12/05

Witnessed Mary Moore date 9/12/05

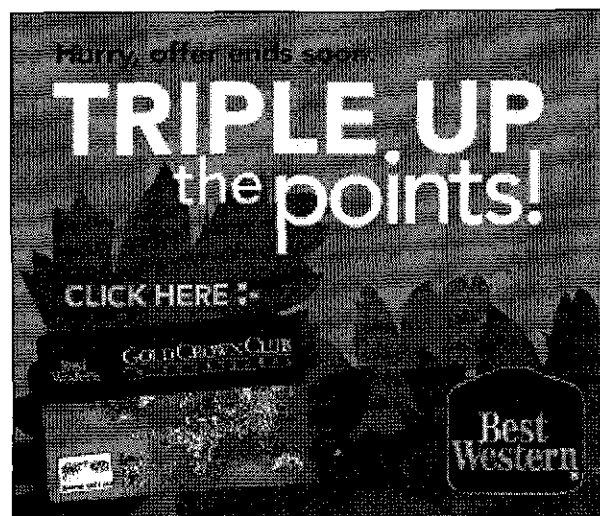
COMMENTS:

MAPQUEST

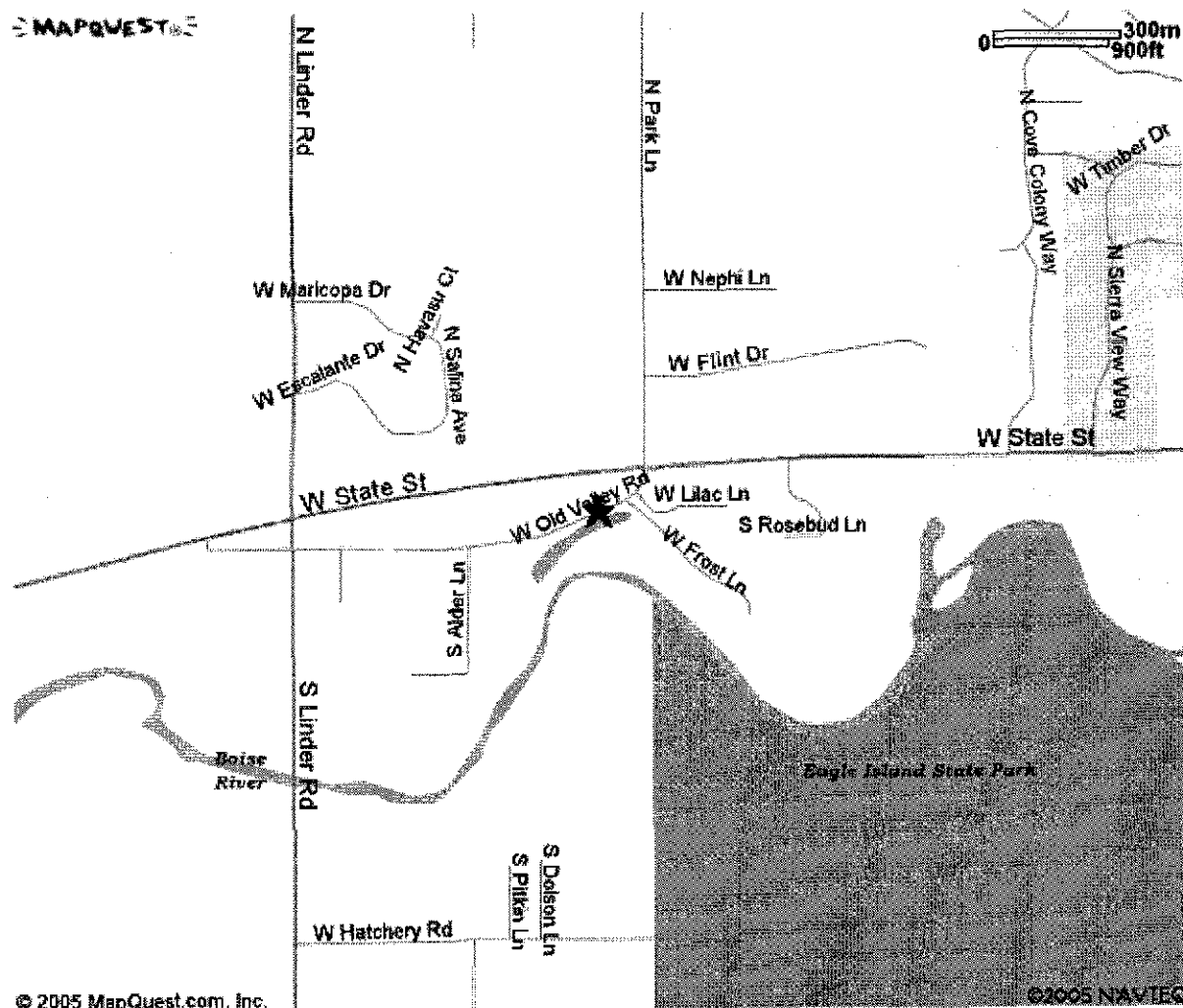
4170 Old Valley Rd
Eagle ID
83616-4454 US

Notes:

Original Moore House site



MAPQUEST



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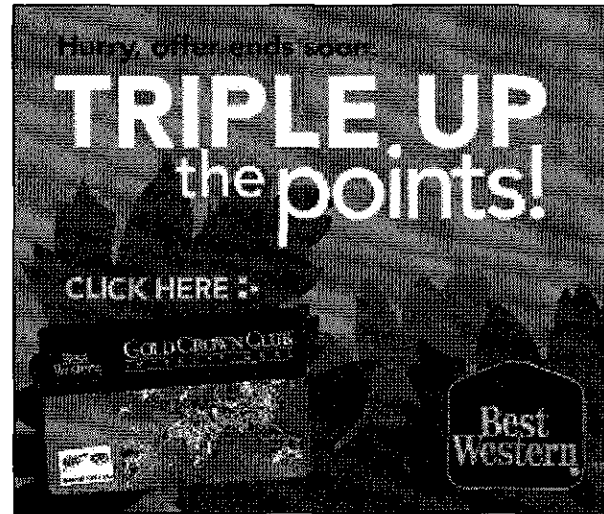
This map is informational only. No representation is made or warranty given as to its content. User assumes all risk of use. MapQuest and its suppliers assume no responsibility for any loss or delay resulting from such use.

MAPQUEST

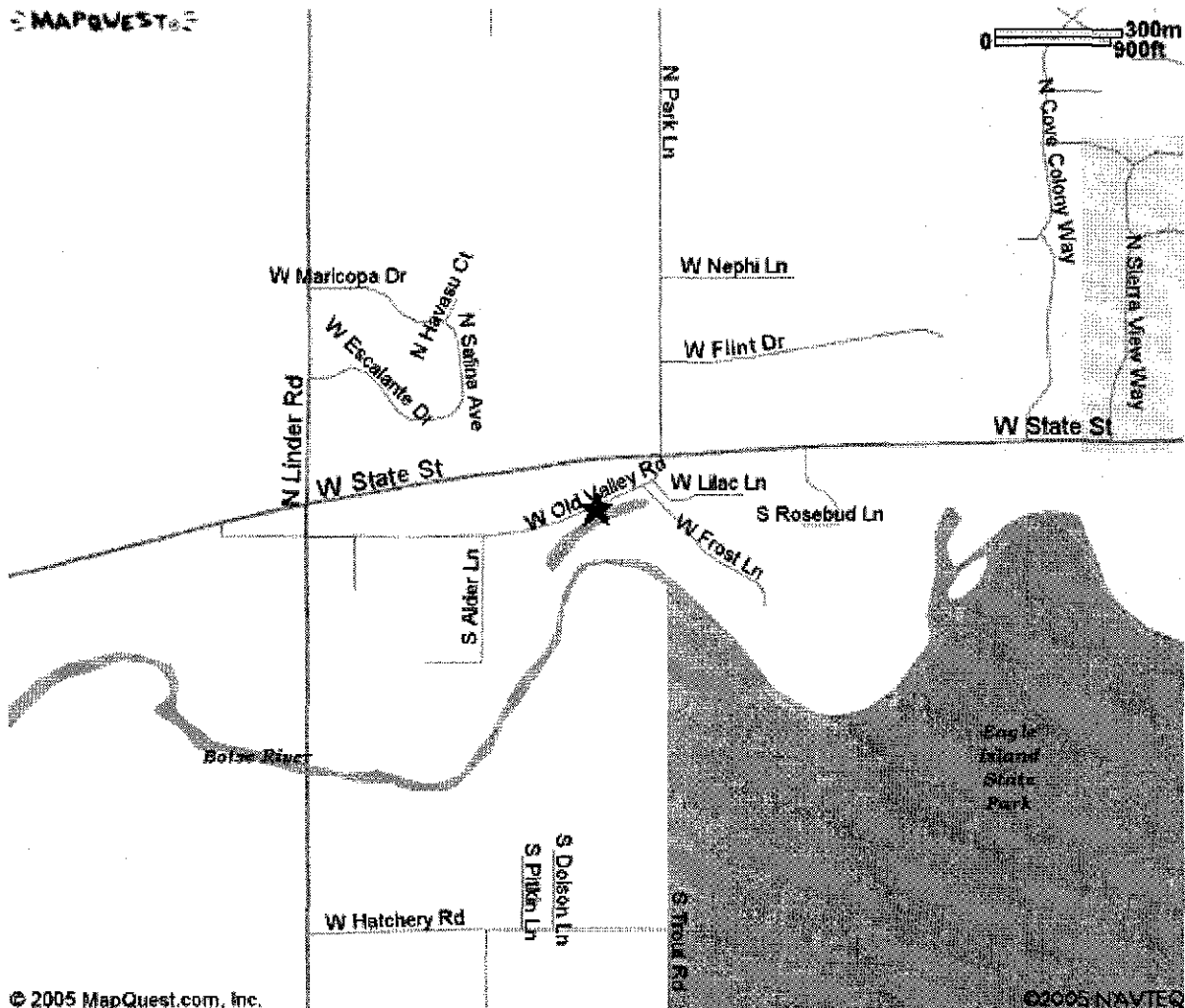
4210 Old Valley Rd
Eagle ID
83616-4456 US

Notes:

Marion Moore's house across the street
from Chuck Roberts house

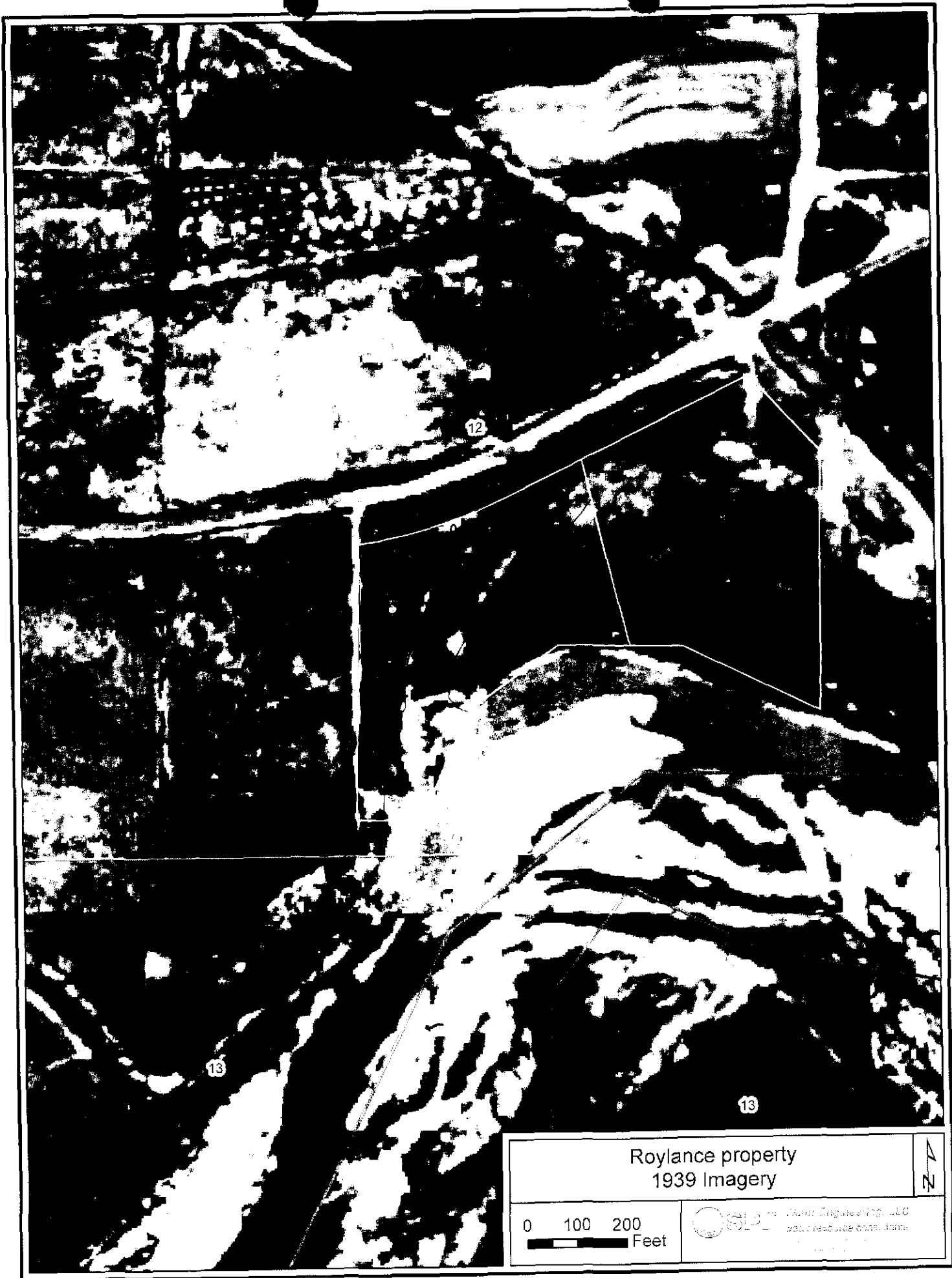


MAPQUEST



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State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

October 20, 2005

ROYLANCE INVESTMENTS LLC
391 W STATE ST SUITE E
EAGLE, ID 83616

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FIVE R PROPERTIES LLC
ROBERT W NAHAS
701 E STATE ST SUITE 150
EAGLE, ID 83616

RE: EVIDENCE OF PRIORITY

Snake River Basin Adjudication Water Right No. 63-4288

We are in the process of reviewing your water right referenced above but we need more information from you to complete the process. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. This claim(s) has not been confirmed by a previous filing with the Idaho Department of Water Resources (IDWR) since there is no decree, license, or permit on file to verify the use of this water. For this reason, IDWR is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

In the file we have a letter from Richard Stewart documenting his historic use of water but he only goes back 27 years. The letter is dated May 13, 2005 so the documentation only goes back to 1978 yet a 1915 Priority Date was claimed. We need more documentation on the earlier Priority Date in order to recommend this water right.

If no evidence of this priority date is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. The required evidence supporting the priority date(s) requested needs to be submitted by October 28, 2005.

Please let me know if you have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Sincerely,

Sandy Egbert
GIS Specialist

Enclosures

Priority Date Data Entry Form

Claim Number 63-4288

Claimed Priority Date: 4/1/1915

Claimed Basis: Beneficial Use

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date Recommended Basis BU

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

*affidavit in the file goes back 27 years
or to 1978 - not far enough for a w.*

Reviewer: Date:

Point of Diversion and Source Data Entry Form

Claim Number 63-4288

Claimed Point of Diversion and Source

T04N R01W S12 SESW Lot 3 Within ADA County Source: GROUND WATER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number 63-4288

Claimed Place Of Use

T04N R01W S12 Lot 3 SESW ³
~~20~~
 T04N R01W S12 Lot 3 SESW
 T04N R01W S12 Lot 3 SESW
 T04N R01W S12 Lot 3 SESW
 T04N R01W S12 Lot 3 SESW
 T04N R01W S12 Lot 3 SESW

Total Acres ³
~~4~~☒ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres ____

Document how the POU was verified:

aerial photography - Reduced pow to 3 acres -
 all the irrigations found on this parcel - domestic
 includes 1/2 acre of irrigation

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number 63-4288

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			
~~FISH PROPAGATION~~			
RECREATION			
DOMESTIC	2		
~~STOCKWATER~~		8 Horses	
AESTHETIC			

___ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
-----------	-----------------	-----------------	------------

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Left a message 9-15 for Bob Mahus to call me back regarding fish propagation - Returned my call - told me to contact Jason Dunsen @ Roylance 939-2824
 Took off 1 home and all of Stockwater - they are claimed on decedent right 63-22815. Part of data shows my 2 homes
 Talked to Jason on 10-7. He said they do not have fish so I took fish prop off
 Jason said to call his dad Dave at the same # to ask about the priority date.
 Called Dave @ Roylance 10-11-05. He did not return my call.

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number 63-4288

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	03/01	11/15	0.12	135
~~STOCKWATER~~	~~01/01~~	~~12/31~~	~~0.04~~	
~~FISH PROPAGATION~~	~~01/01~~	~~12/31~~	~~0.12~~	
DOMESTIC	01/01	12/31	0.08	
RECREATION	01/01	12/31	0.12	
AESTHETIC	01/01	12/31	0.12	

Overall Diversion Rate 0.12, 09 Overall Diversion Volume 135☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
-----------	-------	-----	------	--------

Overall Diversion Rate

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate

Overall Diversion Volume

Document how the Period of Use and/or Diversion Rate were verified:

Irrig Volume $1.09 \times 1.9835 \times 260 \text{ days} = 46.4 \text{ AF}$ $4.5 \times 3 \text{ acres} = 13.5 \text{ AF}$

Reviewer: _____

Date: _____

Contacts Data Entry Form**Claim Number: 63-4288**

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	GRETA B KNOWLTON	S PARK LN RT 1	EAGLE	ID	83616	
Original Owner	RICHARD P KNOWLTON	S PARK LN RT 1	EAGLE	ID	83616	
Current Owner	ROYLANCE INVESTMENTS LLC	DAVID H ROYLANCE 391 W STATE ST SUITE E	EAGLE	ID	83616	(208)939-2824
Current Owner	FIVE R PROPERTIES LLC	ROBERT W NAHAS 701 E STATE ST SUITE 150	EAGLE	ID	83616	(208)336-6661

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: _____

Date: _____

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-22815

WATER RIGHT NUMBER: 63-22815

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CONNIE L STEWART 4171 OLD VALLEY RD EAGLE, ID 83616 (208)939-6366
Current Owner	ROYLANCE INVESTMENTS LLC DAVID H ROYLANCE 391 W STATE ST SUITE E EAGLE, ID 83616 (208)939-2824
Current Owner	FIVE R PROPERTIES LLC ROBERT W NAHAS 701 E STATE ST SUITE 150 EAGLE, ID 83616 (208)336-6661
Original Owner	RICHARD J STEWART 4171 OLD VALLEY RD EAGLE, ID 83616 (208)939-6366

Priority Date: 01/01/1936

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.020 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

GROUND WATER

SW1/4SE1/4SW1/4

Sec. 12, Twp 04N, Rge 01W, B.M.

ADA County

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	12												X					

DOMESTIC

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-22815

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X					

Conditions of Approval:

1. C18 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.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. PARCEL NO. S0412347195 STOCKWATER, 6 HORSES
4. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:Comments:Dates and Other Information:

Licensed Date:
 Decreed Date: 3/31/2000
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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63-22815

De S

decreed 3-31-00



August 16, 2005

Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

*Subject: Roylance Investments/Five R Properties SRBA Claim (63-4288) and
Ownership change (63-22815)*

To Whom It May Concern:

On behalf of our client, Roylance Investments, please find enclosed a Notice of Claim to a Water Right identified by water right number 63-4288. A letter from Mr. Richard Stewart documenting his historic use of water on the property is attached.

Also included is a Notice of Change in Water Right Ownership for decreed water right 63-22815. The parcel for this notice is identified as Ada County Parcel S0412347190; a map of the property is attached.

A check for \$115 is also included. This check should cover the \$25 ownership change fee, and the remaining \$90 for the SRBA claim. Please call me if you have any questions regarding these notices.

Sincerely,

Scott N. King, P.E.
Senior Project Engineer

File: 254.0020

May 13, 2005

RE: Water Usage and Property on Old Valley Road

To Whom It May Concern:

I have lived on the property referenced below for approximately 27 years.

My street address is 4171 Old Valley Road, Eagle, ID 83616. My property is a portion of Government Lot 3 in the Southeast ¼ of the Southwest ¼, Section 12, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, also known as Ada County Parcel # S0412347190.

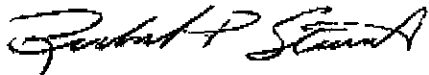
The original parcel I purchased 27 years ago contained approximately 10 acres. More recently, I sold the easterly 5 acres of my property. These two 5-acre properties are identified on Record of Survey No. 4724, records of Ada County. Parcel A and Parcel B as depicted thereon depict my original 10 acres.

There is an active artesian well that runs 24/7 year-round. The water has been used by me on my 10 acre parcel, or portions of my 10 acre parcel, continuously for the last 27 years for domestic purposes, fish propagation, recreational and aesthetic uses, livestock watering, and to irrigate my pastures.

It is my understanding that the people I bought the property from also used the artesian well and the water for the same purposes, as those facilities were in place when I purchased the property.

If you have any questions I may be reached at 859-5096.

Sincerely,



Richard J. Stewart

Idaho Department of Water Resources Receipt

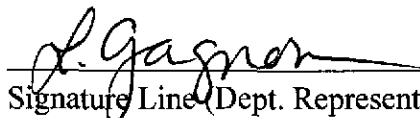
Receipt ID W033295

Payment Amount \$115.00 Date Received 8/17/2005 12:01:55 PM Region Western Status ☐
Payment Type Check Check Number 1004

Payer NAHAS, ROBERT W. / OLD VALLEY ROAD VENTUComment 63-22815 CHANGE IN OWNERSHIP
63-4288 NOTICE OF CLAIM TO A WATER RIGHT

Fee Detail

Amount	Description	Fund	FD	PCA	SO
<u>\$25.00</u>	<u>OWNERSHIP CHANGES/SECURITY INTERESTS</u>	<u>0229</u>	<u>21</u>	<u>62140</u>	<u>1155</u>
<u>\$90.00</u>	<u>ADJUDICATION FILING FEE</u>	<u>0337</u>		<u>42503</u>	<u>1155</u>


Signature Line (Dept. Representative)