

RECEIVED

JUN 30 2008

WATER RESOURCES
WESTERN REGION

June 27, 2008

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

JUL 02 2008

DEPARTMENT OF
WATER RESOURCES

To Whom it May Concern,

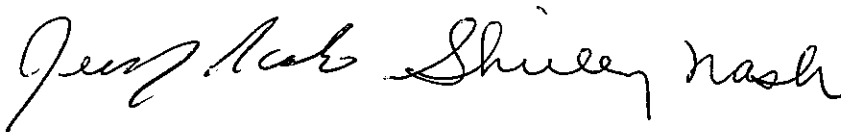
Thank you for sending us the Notice of Change in Water Right Ownership. I hope that we have completed it properly and that we have enclosed all the required documentation necessary to complete this change.

I am enclosing some information that was printed from your web site. Both have the Water Right NO. 67-79E but at the bottom of the first pages references are made to Total Acres: 2.7 & 1.2.

We were just curious to know if this is of any significance .

Thank you in advance for your help on this.

Sincerely,

A handwritten signature in cursive script that reads "Jerry & Shirley Nash". The ink is dark and the signature is fluid.

Jerry & Shirley Nash
3134 Fruitvale-Glendale Rd.
Council, ID 83612

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

06/27/2008

WATER RIGHT NO. 67-79E

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LINDA BARRETT
Current Owner	STEPHEN SCHMOEGER
	2388 ORCHARD RD
	COUNCIL, ID 83612
	(208)253-6071

Priority Date: 06/01/1890

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WEISER RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/01	12/01	0.08 CFS	
Total Diversion			0.08 CFS	

Location of Point(s) of Diversion:

WEISER RIVER	NWSWNE	Sec. 01	Township 17N	Range 01W	ADAMS County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION ADAMS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	01W	1		SWSW	2		SESW	0.7						

Total Acres: 2.7

Conditions of Approval:

1. ACTUAL ACRES CLAIMED = 2.75 AC. ADDRESS CHANGED BY LH 4/18/95.

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

06/27/2008

WATER RIGHT NO. 67-79E

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LINDA BARRETT
Current Owner	STEPHEN SCHMOEGER
	2388 ORCHARD RD
	COUNCIL, ID 83612
	(208)253-6071

Priority Date: 06/01/1890

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WEISER RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.015 CFS	
Total Diversion			0.015 CFS	

Location of Point(s) of Diversion:

WEISER RIVER	NWSE	Sec. 01	Township 17N	Range 01W	ADAMS County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION ADAMS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	01W	1		SWSW	1.2									

Total Acres: 1.2

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.	C05	Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3.	C03	Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4.		This right shall provide no more than 0.0125 cfs per acre in accordance with the Muir v. Allison decree.

Dates:

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

RECEIVED

JUN 30 2008

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

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
	67-79E	N			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Stephen Schmoeger & Linda Barrett
2388 Orchard Rd.
Council, ID 83612

4. New Owner/Claimant(s) Jerry F. Nash & Shirley C. Nash
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 3134 Fruitvale - Glendale Rd.

City, State and ZIP Code Council, ID 83612

New Telephone Number (208) 253-4923 Email: _____

5. Date you acquired the property

June 16, 2005

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

James F. Nash

(title if applicable)

Shirley C. Nash

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by DBDate 6-30-08

Receipt Amt. _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ Date _____

INSTRUMENT NO. **109159**
WARRANTY DEED

For Value Received, MICHELE C. HANZON, an unmarried woman

the grantor does hereby grant, bargain, sell and convey unto
JERRY F. NASH and SHIRLEY C. NASH, husband and wife

the grantees, whose current address is 1872 N. Boulder Ct, Casa Grande AZ 85222

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

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that she will warrant and defend the same from all lawful claims whatsoever.

Date: June 16, 2005

Michele C. Hanzon
MICHELE C. HANZON

Instrument # 109159

COUNCIL, ADAMS, IDAHO

2005-06-16 02:40:34 No. of Pages: 3

Recorded for: TIMBERLINE TITLE & ESCROW

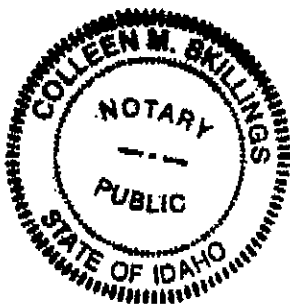
MICHAEL FISK Fee: 8.00

Ex-Officio Recorder Deputy [Signature]

Index to: DEED

STATE OF Idaho)
COUNTY OF Adams)

On this 16th day of June, in the year of 2005, before me, a Notary Public in and for said State, personally appeared MICHELE C. HANZON known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me she executed the same.



[Signature]
Notary Public
Residing at: Indian Valley
Commission expires: 7/1/2010

EXHIBIT 'A'

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho.

Section 1: A parcel of land described as commencing at a point on the North-South mid-section line of Section 2 that is intersected by the Southerly side of the County Road (formerly U.S. Highway 95) as now established;

Thence in a Westerly direction paralleling the South sideline of said County Road and more particularly described as follows:

South 81°44'08" East 217.00 feet;

Thence South 89°35'00" East 1902.00 feet;

Thence South 73°51'00" East 878.75 feet;

Thence South 75°12'00" East 420.00 feet;

Thence North 77°03'00" East 130.00 feet to the REAL POINT OF BEGINNING;

Thence continuing North 77°03'00" East 647.00 feet to a point designated by a 5/8 inch steel pin;

Thence South 09°58'00" East 159.00 feet, either more or less, to a point on the North bank of the main Weiser River;

Thence in a Westerly direction paralleling the North bank of the main Weiser River and more particularly described as South 65°46'57" West 632.74 feet, more or less, to a point marked by a 5/8 inch steel pin;

Thence North 16°38'00" West 283.00 feet, more or less, to the POINT AND PLACE OF BEGINNING.

AND WHICH PROPERTY IS ALSO, AND ALTERNATIVELY, DESCRIBED AS:

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 1: A parcel described as commencing at the 1/4 standard corner of Section 35, Township 18 North, Range 1 West, Boise Meridian, Adams County, Idaho;

Thence South 01°36'59" East 3842.993 feet;

Thence South 73°49'00" East 216.649 feet;

Thence South 89°35'00" East 1886.815 feet;

Thence South 73°51'00" East 622.352 feet;

Thence South 75°23'40" East 658.832 feet;

Thence South 84°17'58" East 157.340 feet;

Thence South 86°02'39" East 88.470 feet to the REAL POINT OF BEGINNING.

CONTINUED

EXHIBIT 'A' CONTINUED

Thence South 16°20'37" East 259.240 feet;
Thence North 64°07'51" East 631.410 feet to a point hereafter referred to as Point "A" (and which line is hereafter referred to as the "South line" of the parcel conveyed);
Thence North 07°20'54" West 160.350 feet to a point hereafter referred to as Point "B";
Thence South 75°11'49" West 648.010 feet;
Thence South 16°20'37" East 21.050 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH a road right-of-way as now established over and across the Northeasterly tract of land lying West of said land now being conveyed;

BUT EXCEPTING THEREFROM the Union Pacific Railroad right-of-way.

AND RESERVING THEREFROM, to Grantor, a parcel in said Section, Township and Range more particularly described as:

Commencing at the South 1/4 standard corner of Section 35, T18NR1WBM;

Thence South 01°36'59" East 3842.993 feet;
Thence South 73°49'00" East 216.649 feet;
Thence South 89°35'00" East 1886.815 feet;
Thence South 73°51'00" East 622.352 feet;
Thence South 75°23'40" East 658.832 feet;
Thence South 84°17'58" East 157.340 feet;
Thence South 86°02'39" East 88.470 feet to a point;
Thence South 16°20'37" East 259.240 feet;
Thence North 64°07'51" East 631.410 feet to Point "A", the REAL POINT OF BEGINNING OF THE PARCEL RESERVED;
Thence North 07°20'54" West 160.350 to Point "B";
Thence South 75°11'49" West a distance of 110.00 feet to a point;
Thence South 07°20'54" East and parallel to the line connecting Points "A" and "B" to the point of intersection with the Southerly boundary of the parcel conveyed, also referred to as the "South line";
Thence North 64°07'51" East to Point "A", the REAL POINT OF BEGINNING.

Lyle + Dora Hill

14.6934 acres

T #371

(lot 33)

33M-61

17.8792 acres

T #370

(lot 34)



COMPLIMENTS OF

Timberline Title & Escrow

THIS SKETCH IS FURNISHED TO ASSIST IN
PROPERTY LOCATION AND THE COMPANY
DOES NOT GUARANTEE ITS ACCURACY.

river
channel
change

assumed
waste

assumed
waste

river channel change River

Adams County Abstract

2.4059
ac. in S 1/2 SW

Weiser

N 89° 30' E 205.0'

Peacetal Pines Subdivi

29.98
acres total

Maverick Co

Fish...

Don % Gulinzza, Dixon, + Dixon

#360

6300

ailroad ROW (900'x100')

Railroad

Right

6300

Weiser

Maverick Co

Fish...

pt. T #360
N 89° 30' E 371.97'

Maverick Co

Fish...

pt. T #360
N 89° 30' E 371.97'