

T17, RIW, SEC 14



MICROFILMED  
OCT 01 1992

WARRANTY DEED  
(Idaho)

JAMES L. DIXON and ALLISON RAE DIXON  
hereinafter called the Grantor, for and in consideration of SIXTY THOUSAND and no/100  
DOLLARS (\$60,000.00), GRANTS, CONVEYS, and WARRANTS to  
W. DOUGLAS McALVAIN and SERENA E. McALVAIN  
his wife of Benton County, Washington  
his wife of Adams County, Idaho  
Grantee, as a community property estate, the following-described  
premises situated in Adams County, Idaho:

Township 17 North, Range 1 West of Boise Meridian:

Section 1A: The N<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>; and also a tract of land described  
as follows: Commencing at the SW corner of the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>  
of said Section, Township and Range, and running thence  
North on a straight line 208 feet; thence running East  
208 feet; thence running South 208 feet; thence West 208  
feet to the place of beginning and being a portion of the  
SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>. Excepting right of way for highway.

Together with all water, water rights, ditches and ditch rights used  
thereon or appurtenant thereto, including but not limited to water rights  
under the Enlarged Flood Control District No. 3 of the State of Idaho.

Subject to exceptions and reservations contained in patents from the  
United States.

Subject to existing easements for roads, highways, ditches, canals,  
laterals and power and transmission lines.

Subject to Mortgage dated April 26, 1963, executed by Frederick G. Yantis  
and Ressa Yantis, husband and wife, to The Federal Land Bank of Spokane,  
a corporation, recorded April 30, 1963, as Instrument No. 42581, in Book  
18 of Mortgages, page 102, records of Adams County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the  
Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee, that the  
Grantor is lawfully seized in fee simple of said premises; that they are free from all encumbrances, except as  
above described; and that Grantor will warranty and forever defend the title thereto against all lawful claims and  
demands whatsoever.

Dated this 14 day of February, 1974.

*James L. Dixon*  
James L. Dixon

*Allison Rae Dixon*  
Allison Rae Dixon

ACKNOWLEDGMENT

STATE OF WASHINGTON

COUNTY OF BENTON

On this 14 day of February, 1974, before me, JAMES L.

DIXON and ALLISON RAE DIXON, his wife,  
known to me or satisfactorily proven to be the person(s) whose name(s) subscribed to the within instrument,  
and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(SEAL)

My commission expires: 1-1-75

Residing at: *Benton*

Residing at: \_\_\_\_\_

W. Douglas McAlvain  
P.O. Box 387  
Council, Idaho 83612

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OCT 01 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A67-00061B  
Date Received: 1/03/1990  
Receipt No: C013805  
Received By: CS

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: W. DOUGLAS MCALVAIN 208-323-7978  
Address: P.O. BOX 87  
FRUITVALE, ID 83620

OR  
Name: SERENA E. MCALVAIN 208-323-7978  
Address: P.O. BOX 87  
FRUITVALE, ID 83620

2. Date of Priority: APR 01, 1901

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 17N      | 01W   | 4       | NE     | NE     | NE  |     | ADAMS  |

5. Description of diverting works:  
DIV.DAM IN RIVER, HEADGATE, GRAVITY DITCH TO P/U.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.640 |      |        |

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

8. Total consumptive use is 111.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
STOCKWATER INCIDENTAL TO IRRIGATION

A67-00061B

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Date: 01/03/90

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10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 17N           | 01W   | 14      | NW     | SW  |     | IRR | 37.0  |
| Section Acres |       |         |        |     |     |     | 37.0  |
| Total Acres   |       |         |        |     |     |     | 37.0  |

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

LOST LAKE RES.STORAGE WATER ON SAME LAND

14. Remarks:

THIS WATER CARRIED IN THE ROBERTSON-SEAVEY DITCH.

A PORTION OF THIS WATER RIGHT HAS BEEN SPLIT AND CLAIMED FOLLOWS:  
A67-00061A; 0.04 CFS BY PAUL E. OR MAXINE J. NICHOLS

THE BALANCE OF THIS WATER RIGHT HAS BEEN COMBINED WITH WATER  
RIGHT 67-00062 AND CLAIMED AS A67-11242.

A67-00061B AS CLAIMED HERE IS CLAIMED FOR THE FULL 32 INCHES  
THAT WERE ORIGINALLY DECREED FOR THE ROLLIE A. MC MAHAN HOLDINGS  
UNDER RIGHTS 67-00061 AND 67-00062, BOTH HAVING BEEN DECREED FOR  
04/01/1901 PRIORITY AND 22 INCHES AND 10 INCHES RESPECTIVELY.  
THEY ARE BOTH BEING CLAIMED HERE AS A SPLIT OF 67-00061 AND THE  
ATTACHED CHAIN OF DEEDS ARE SUBMITTED FOR DOCUMENTATION OF THE  
TRANSFER OF THE PROPERTIES AND THE APPURTENANT RIGHTS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

Decree Defendant

A67-00061B

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Date: 01/03/90

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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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 5

For Individuals:

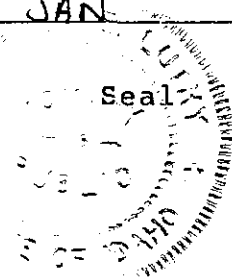
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): W. Douglas McLean Date: 1-3-90  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of RPA ) SS.

Subscribed and sworn (or affirmed) before me this 3rd day  
of JAN 19 90

Dennis E. Luthy  
Notary Public



Residing at Boss, ID  
My Commission Expires 11/08/1994

BR 3063

3019T  
3005T

3060T  
3035T

3008T

23

26

27

33

92

Form 784-1 (Rev. 1-2-55)

WARRANT DEED

JAMES L. DIXON and ALLISON RAE DIXON, husband and wife, for and in consideration of SIXTY THOUSAND DOLLARS (\$60,000.00), GRANT, DONATE and CONVEY unto and to the heirs, assigns and assigns forever of DOUGLAS McALVAIN and SERENA E. McALVAIN, his wife, a community property, the premises situated in Adams County, Idaho, Township 17 North, Range 1 West of Boise Meridian, Section 14: The N1/4, SE1/4; and also a tract of land described as follows: Commencing at the SW corner of the SW1/4 of said Section, Township and Range, and running thence North on a straight line 208 feet; thence running East 208 feet; thence running South 208 feet; thence West 208 feet to the place of beginning and being a portion of the SW1/4. Excepting right of way for highway.

Together with all water, water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to water rights under the Enlarged Flood Control District No. 3 of the State of Idaho.

Subject to exceptions and reservations contained in patents from the United States.

Subject to existing easements for roads, highways, ditches, canals, laterals and power and transmission lines.

Subject to Mortgage dated April 26, 1963, executed by Frederick G. Yantis and Ressa Yantis, husband and wife, to The Federal Land Bank of Spokane, a corporation, recorded April 30, 1963, as Instrument No. 42581, in Book 18 of Mortgages, page 102, records of Adams County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee, that the Grantor is lawfully seized in fee simple of said premises; that they are free from all encumbrances, except as above described; and that Grantor will warranty and forever defend the title thereto against all lawful claims and demands whatsoever.

Dated this 11 day of February, 1974.

*James L. Dixon*  
James L. Dixon

*Allison Rae Dixon*  
Allison Rae Dixon

ACKNOWLEDGMENT

STATE OF WASHINGTON

COUNTY OF BENNETT

On this 11 day of February, 1974, before me, JAMES L. DIXON and ALLISON RAE DIXON, his wife,

known to me or satisfactorily proven to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(S E A L)

My commission expires: 1-1-75

Residing at: *Richland*

Residing at: \_\_\_\_\_

W. Douglas McAlvain  
P.O. Box 387  
Council, Idaho 83612

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WARRANTY DEED

FOR VALUE RECEIVED, FREDERICK G. YANTIS and RESSA YANTIS, husband and wife, of Fruitvale, Idaho, hereinafter called the Grantors, do hereby grant, bargain, sell and convey unto JAMES L. DIXON and ALLISON RAE DIXON, husband and wife, of Richland, Washington, hereinafter called the Grantees, all of the following described premises situated in Adams County, State of Idaho, to-wit:

The N $\frac{1}{2}$  of the SW $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section Fourteen (14) in Township Seventeen (17) North of Range One (1) West of Boise Meridian; and also a tract of land described as follows:

Commencing at the SW corner of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 14 in Township 17 North, Range 1 West, B. M., and running thence North on a straight line 208 feet; thence running East 208 feet; thence running South 208 feet; thence West 208 feet to the place of beginning and containing 1 acre and being a portion of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 14 in Township 17 North of Range 1 West, B. M., and together with all water, water rights, ditches and ditch rights and irrigating works of whatever nature, used upon, connected with or in anyway appurtenant to said premises, including but not necessarily limited to thirty-three (33) inches of water out of the Weiser River, conveyed to said land through the Robertson-Seavey ditch, under a priority date of April 1, 1901, and four inches of water under a priority date of 1884, and thirty-five (35) acre feet of storage water in Lost Valley Reservoir.

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

TO HAVE AND TO HOLD such premises, with their appurtenances unto the Grantees, their heirs and assigns forever. The Grantors do hereby covenant to and with the Grantees that they are the owners in fee simple of such premises that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: February, \_\_\_\_\_, 1968.

Frederick G. Yantis

Ressa Yantis

STATE OF IDAHO

County of Adams--ss.

On this 25 day of February, 1968, before me, a Notary Public in and for the State of Idaho, personally appeared FREDERICK G. YANTIS and RESSA YANTIS, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and they 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 above written.



Notary Public for Idaho  
Residing at Council, Idaho.

MICROFILMED

NOV 01 1968

THIS INDENTURE, Made this 15th day of May in the year of our Lord one thousand nine hundred and Forty Five between EDNA McMahan, wife of Rollie A. McMahan, of Fruitvale County of Adams, State of Idaho, the party of the first part, and HUBERT W. BARTON and ETHEL R. BARTON, as Joint Tenants, and not as Tenants in Common, and with full right of survivorship, of Weiser, County of Washington, 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 FOUR THOUSAND SEVEN HUNDRED FIFTY AND NO/100 DOLLARS, lawful money of the United States of America, to her in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate situated in the County of Adams, State of Idaho, to-wit:

All the Community Property, or Undivided One-Half, Interest, and and other right, title and interest of the first party in and to the North Half of the Southwest Quarter and the Southeast Quarter of the Northwest Quarter of Section Fourteen (14) in Township Seventeen (17) North, Range One (1) West of Boise Meridian, and also in and to a tract described as commencing at the Southwest corner of the Southwest Quarter of the Northwest Quarter of said Section 14, said Township 17 North, Range 1 West, Boise Meridian, and running thence North on a straight line 208 feet; thence East 208 feet; thence South 208 feet; thence West 208 feet to the place of beginning, containing One (1) acre and being a part of the Southwest Quarter of the Northwest Quarter of said Section 14 in Township 17 North Range 1 West, Boise Meridian, and together with all water and water rights, ditches and ditch rights and irrigating works of whatever nature, used upon, connected with or in anywise appurtenant to said premises.

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 presence forever DEFEND:

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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 Presence of

Edna McMahan

(Seal)

STATE OF IDAHO  
COUNTY OF ADAMS

) .SS.

On this 15th day of May in the year 1945, before me, Carl H. Swanstrom, a Notary Public in and for said State, personally appeared EDNA McMAHAN, wife of Rollie A. McMahan, 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.

(NOTARIAL SEAL)

Carl H. Swanstrom

Notary Public for the State of Idaho, Residing at Council, Idaho.

I. R. \$5.50 attached and cancelled.

Recorded at the request of Hubert W. Barton at 5 minutes past 11 o'clock A. M., this 17th day of May, A. D. 1945.

Matilda Moser, Recorder

By Bessie Missman, Deputy

Fee \$1.60

State of Idaho  
County of Adams

} ss

I, the undersigned Recorder and Clerk of the District Court of Adams County, State of Idaho, do hereby certify that the foregoing instrument is a true and correct copy of the original on file in my office and in my custody.

IN WITNESS WHEREOF, I have set my hand and affixed my official seal on this 22 day of December, 1944.

Michael F. Zile  
Clerk of the District Court  
and County Recorder

Deputy

B. m. 9-28

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