

AJ5809NP
No. R45-11562

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/03/98
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NOLAN GERBER	12/31/1970	DOMESTIC	01-01 12-31	0.04 CFS	
C	BEVERLY GERBER					
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T10S R23E S28 NESENW

CASSIA County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
10S	23E	28	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: CASSIA

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates: Exam Made Date: Verified Date: 11/18/1997 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

OK
2/5/98

1998 APR 28 PM 1: 32

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA

Case No. 39576

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 45-11562

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

Nolan Gerber
Beverly Gerber
1963 Pleasantview
Burley ID 83318
Phone: 678-7441

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

Marvin L McBride
Roma McBride
1963 Pleasantview Ln
Burley ID 83318
Phone: 678-7277

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

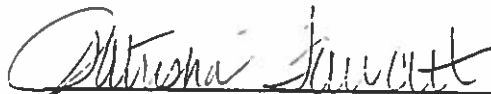
DATED: 4/28/98

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4-25, 1998, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Nolan Gerber
Beverly Gerber
No Current Address Known
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Marvin L McBride
Roma McBride
1963 Pleasantview Ln
Burley ID 83318
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: APR-28-1998
PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 45-11562

NAME & ADDRESS: MARVIN L MC BRIDE
ROMA MC BRIDE
1963 PLEASANTVIEW LN
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1970

POINT OF DIVERSION: T10S R23E S28 NESENW Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T10S R23E S28 SENW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

April 28, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARVIN L MCBRIDE
ROMA MCBRIDE
1963 PLEASANTVIEW LN
BURLEY ID 83318

RE: SRBA Claim(s) 45-11562

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

AJ0749NP
No. 45-11562

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/27/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARVIN L MC BRIDE	12/31/1970	DOMESTIC	01-01 12-31	0.04 CFS	
C	ROMA MC BRIDE					
	1963 PLEASANTVIEW LN			TOTAL DIVERSION:	0.04 CFS	
	BURLEY ID 83318					
	(208) 678-7277					
D	NOLAN GERBER					
D	BEVERLY GERBER					
	1963 PLEASANTVIEW					
	BURLEY ID 83318					
	(208) 678-7441					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R23E S28

NESENW

CASSIA County

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T R S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
10S 23E 28	:				:				:				:			
	:				:				:				:			

POU County: CASSIA

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

NCAP

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 09 1998

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

1. Water Right No(s).:

A 45-11562

JAN 12 1998

Adjudication Claim No(s).:

A 45-11562

Department of Water Resources
Southern Region

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

☒ A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

☒ B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

Nolan Gerber

4. New Owner/Claimant(s)

MARVIN L. & Roma McBRIDEName Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

1963 Pleasantview

City, State and ZIP Code

Burley, ID 83318

New Telephone Number

(208) 678-7277

5. Date you acquired the property

Dec 1990

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

Marvin McBride

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

210584

WARRANTY DEED

For Value Received

NOLAN D. GERBER and BEVERLY J. GERBER, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MARVIN L. McBRIDE and ROMA B. McBRIDE, husband and wife

ADDRESS: 1963 Pleasantview Lane

Burley, Idaho 83318

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 28: Beginning at the Northeast corner of the SE&NW& of said Section 28; thence South 0°36' East along West drain ditch right of way for 455.5 feet to a point; thence North 89°00' West for 317.5 feet to a point known as the True Point of Beginning; Thence South 0°36' East 135.5 feet; Thence North 89°0' West 317.5 feet; Thence North 0°36' West 135.5 feet; Thence South 89°0' East 317.5 feet to the True Point of Beginning.

SUBJECT TO a 10 foot irrigation easement along the North side.

SUBJECT TO:

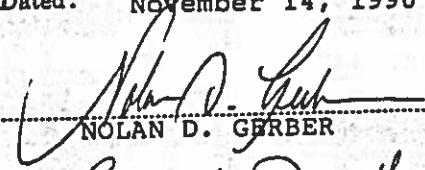
Taxes subsequent to the year 1990.

Assessments of the Burley Irrigation District and the rights and powers of said District as by law provided.

Easement to the City of Burley, Idaho, a municipal corporation, recorded January 3, 1972 as Instrument No. 59991 on Film No. 73, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 14, 1990


 NOLAN D. GERBER

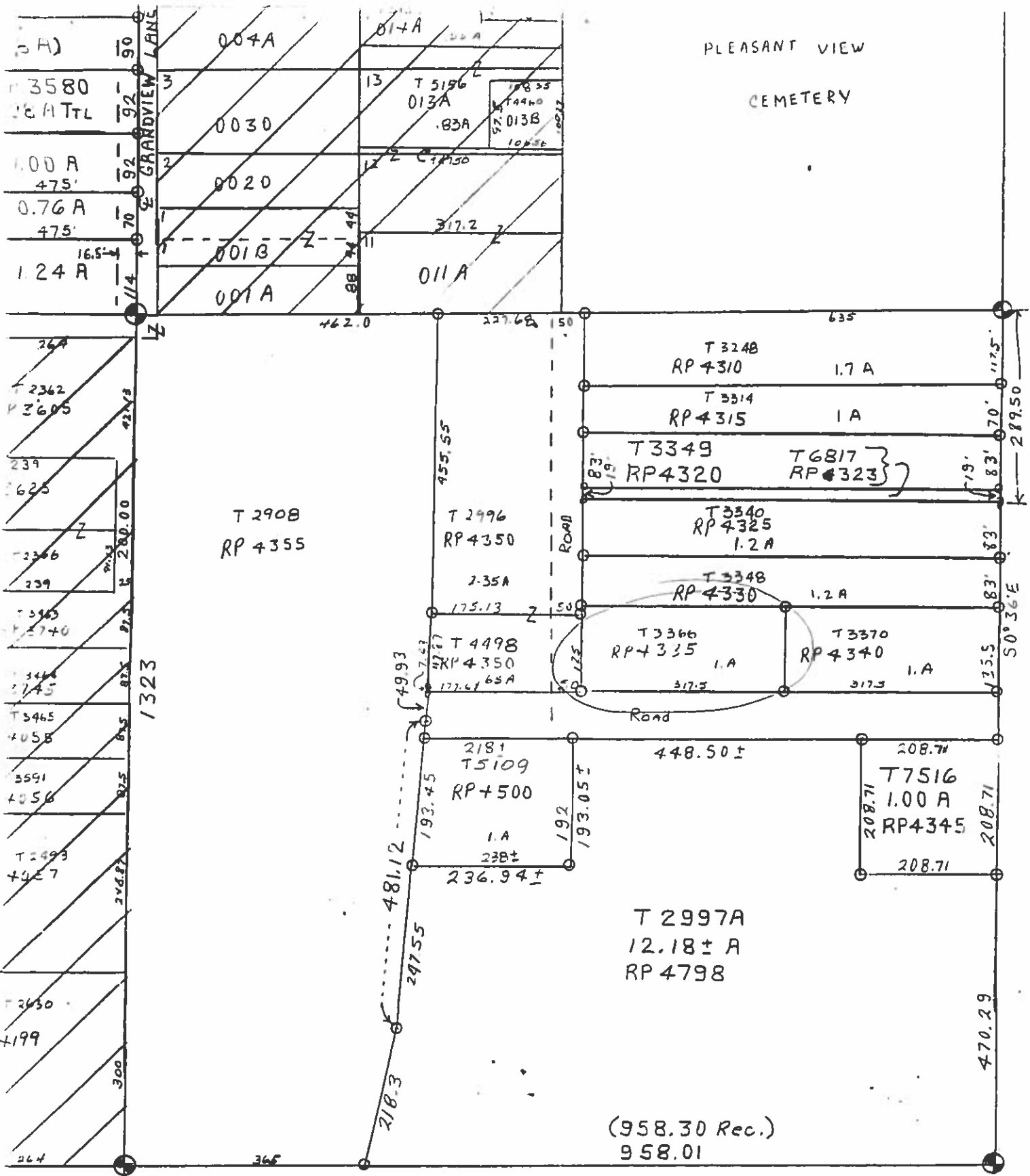

 BEVERLY J. GERBER

STATE OF IDAHO, COUNTY OF Cassia

On this 15th day of November, 1990,
before me, a notary public in and for said State, per-

RECORDED AT THE
LAND TITLE &
FILM
NOV 16 2 20
CASSIA COUNTY
FRANK H. HECI
FEE \$300
LAND TITLE

2105



PLEASANT VIEW

CEMETERY

3580
3605
1.00 A
475'
0.76 A
475'
1.24 A
16.5'

GRANDVIEW LANE
114

2362
2365
239
2625
2366
239
2365
237+0
2346
2345
23465
2358
23591
2356
23493
23427
23630
2399
2364

1323

T 2908
RP 4355

T 2996
RP 4350

2.35A

175.13

T 4498
RP 4350

177.61

2181
T 5109
RP 4500

1. A
238±

236.94±

193.45

193.05±

192

218.3

247.55

481.12

49.93

77.63

177.61

177.61

177.61

177.61

177.61

177.61

T 2997A
12.18± A
RP 4798

(958.30 Rec.)
958.01

ROAD

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

AJ0749NP
No. R45-11562

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/18/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NOLAN GERBER	12/31/1970	DOMESTIC	01-01 12-31	0.04 CFS	
C	BEVERLY GERBER 1963 PLEASANTVIEW BURLEY ID 83318 (208) 678-7441					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R23E S28

NESENW

CASSIA County

Place of use Legal Description for: DOMESTIC

	NE					NW					SW					SE				
T R S	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac		
10S 23E 28	:				:				:				:				:			
	:				:				:				:				:			

POU County: CASSIA

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates: Exam Made Date: Verified Date: 11/18/1997 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 11/18/1997 User-ID: SSHERMAN Subject: COPIED FROM REMARKS
IRRIG. WATER FROM THE BURLEY IRRIG. DIST.

Audit: 11/18/97 SSHERMAN

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-20-1997
PAGE: A-198

*Net 800 8063
\$25.-*

RIGHT NUMBER: 45-11562

NAME & ADDRESS: ~~NOLAN GERBER
BEVERLY GERBER
1963 PLEASANTVIEW
BURLEY ID 83318~~

SPLITS.
*See attached Deeds,
all w/in Burley Tensite*

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 12/31/1970

POINT OF DIVERSION: T10S R23E S28 NESENW Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC D/1 HOUSE.	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T10S R23E S28 SENW

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

IRRIG. WATER FROM THE BURLEY IRRIG. DIST.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Verified by *DS* Date: *9-9-97 + 9-11-97*
Verification Source: *CR. & Recorder*

only W/R



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

*01-02-98 Mr McBride called finally. Will send
o/c form immediately.*

November 18, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARVIN L & ROMA B MC BRIDE
1963 PLEASANTVIEW LN
BURLEY ID 83318

*response 12-23-97
-ps*

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #A45-11562

Dear Claimants:

We have been advised you may be the owner of the property
with the water right referenced above.

Before we can modify our records to reflect your ownership
of the property and water right referenced above, we need Form
42-248/42-1409(6) completed and returned. We have enclosed this
form for your use. Please return the completed form with
warranty deed copy and map to my attention no later than December
4, 1997.

Please call me toll-free at 1-800/451-4129 if you have any
questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:state

Enclosure:

Form 42-248/42-1409(6)

45-11562 Gerber ^{Sale} ~~Spits~~ 10S23E28 NESE NW ^{POD} _{SE NW} _{POH}

Gerbers sold to the following: (Reeds attached)

11-14-1990 McBride 10S23E28 NESE NW (claim)

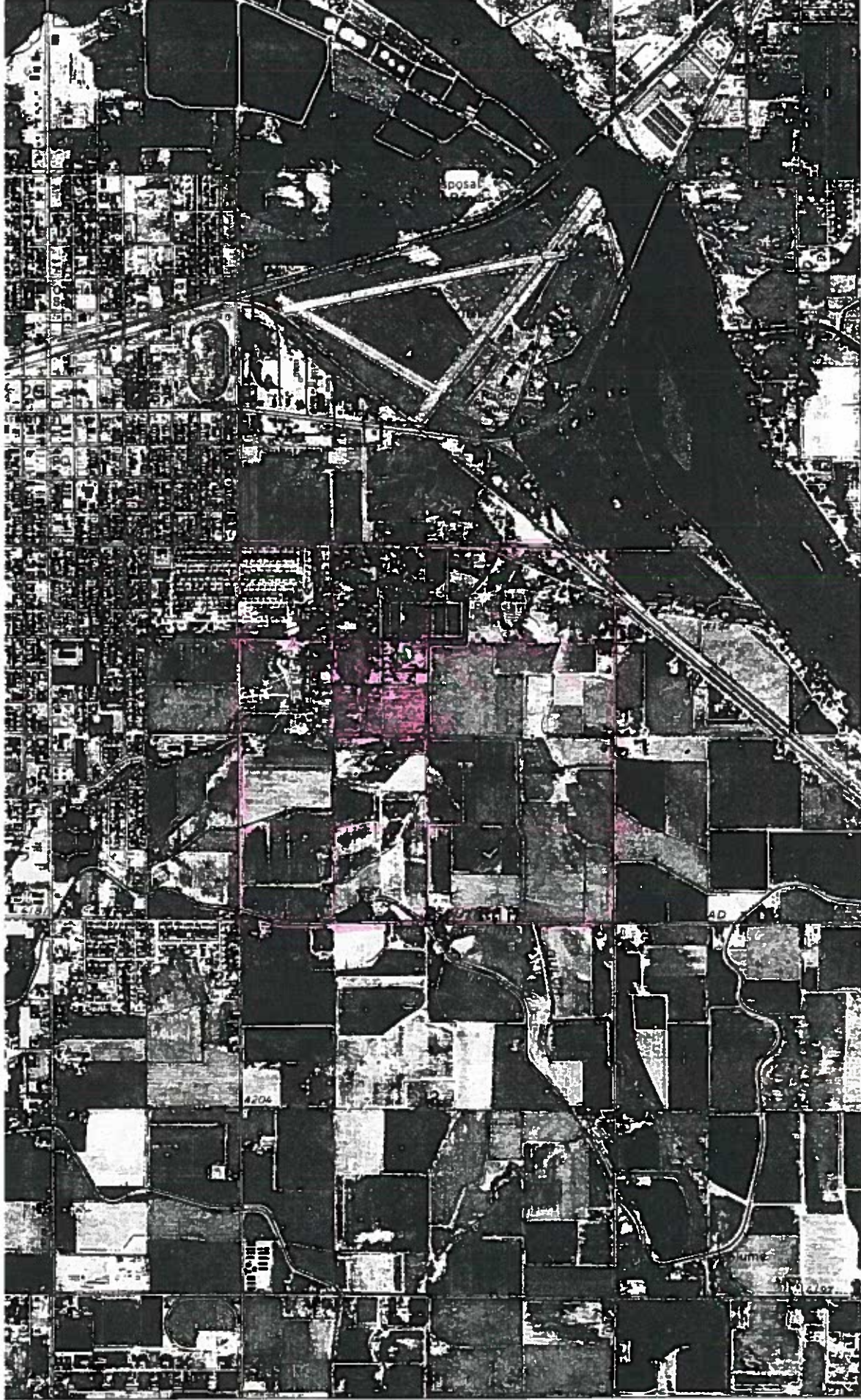
05-18-1990 Dazis/Bickell Lt. 3, Blk 171, Burley Twnst

05-18-1990 Dazis/Bickell Lt. 22 & part of Lot 21, ^{Blk 138} Burley Twnst

10-01-1992 Hansen Lot. 3, Blk 171, Burley Twnst

08-01-1995 Worthington Lot 22 & part of Lot 21, Blk 138, Burley Twnst

11-21-1995 Worthington E. 95' of S. 10' of Lot 21, Blk. 138, Bur. Twnst



414

32' 30"

413

412

411

410

409000 N

42° 30'

A45-11562

file by
MAP BB78
T10S R23E S.28
(poor) (NESENN)
pou

TIOS
TIIS

240015

WARRANTY DEED

No Number

For Value Received

NOLAN D. GERBER and BEVERLY J. GERBER, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

THOMAS R. WORTHINGTON and TERESA K. WORTHINGTON, husband and wife
Address: 1342 Hansen Avenue
Burley ID 83318

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

The East 95 feet of the South 10 feet of Lot 21, Block 138 of the Burley Townsite, Cassia County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Accruing taxes, levies and assessments; easements and rights of way of record if any.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 21, 1995

Nolan D. Gerber
NOLAN D. GERBER

Beverly J. Gerber
BEVERLY J. GERBER

STATE OF IDAHO)
COUNTY OF CASSIA) ss.

On this 30th day of November, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared NOLAN D. GERBER and BEVERLY J. GERBER, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Arton T. Killpack
Notary Public
Residing at: Salt Lake City, Utah
My Commission expires: 3/18/98

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM 272
1995 DEC - 8 P 3:00
CASSIA COUNTY, IDAHO
ARLENE H. ROSKELLEY
RECORDER
301 DEPUTY
LAND TITLE & ESCROW

240015

237883

WARRANTY DEED

#26304

For Value Received

NOLAN D. GERBER and BEVERLY J. GERBER, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

THOMAS R. WORTHINGTON and TERESA K. WORTHINGTON, husband and wife
Address: 1342 Hansen Avenue Burley, Idaho 83318

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

Lot 22 and a part of Lot 21 in Block 138 of the Burley Townsite, Cassia County, Idaho, as the same is
platted in the official plat thereof, now of record in the office of the Recorder of said
County, more particularly described as follows:Beginning at a point 10 feet North of the Southeast corner of said Lot
21;
Thence running West 107 feet;
Thence North 3 feet;
Thence West 18 feet to a point on the West boundary line of said Lot
21;
Thence North 37 feet to the Northwest corner of said Lot 22;
Thence East along the North boundary line of said Lot 22 for 125 feet
to a point on the East boundary line of said Lot 22;
Thence South 40 feet to THE POINT OF BEGINNING.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1995 and subsequent years.

Any assessments levied, or to be levied, by the City of Burley.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and
assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner
in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant
and defend the same from all lawful claims whatsoever.

Dated: August 1, 1995

Nolan D. Gerber
Nolan D. GerberBeverly J. Gerber
Beverly J. GerberSTATE OF Utah) ss.COUNTY OF Salt Lake)On this 31st day of July, 1995, before me, the undersigned, a Notary Public in and for said State, personally
appeared Nolan D. Gerber and Beverly J. Gerber, known or identified to me to be the persons whose names are subscribed to
the within instrument, and acknowledged to me that they executed the same.Weston F. Killpack
Notary Public
Residing at: SLC, UT
My Commission expires: 3/18/98RECEIVED FOR REQUEST OF
LAND TITLE & ESCROW

268

1995 AUG -1 P 4

237883

CASSIA COUNTY, IDAHO
DEPT. OF LAND & MINES

300 LM

LAND TITLE & ESCROW

221311

WARRANTY DEED

For Value Received
 NOLAN D. GERBER and BEVERLY J. GERBER, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
 JERRY B. HANSEN and KRISTA S. HANSEN, husband and wife
 Address: Rt. 3 Box 3010, Burley, ID, 83318

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho,
 to-wit:

Lot 3 in Block 171 of the Burley Townsite, Cassia County, Idaho,
 as the same is platted in the official plat thereof, now of
 record in the office of the Recorder of said County.

SUBJECT TO:

All reservations in Patents or Deeds in the chain of title.

Taxes for 1992 and subsequent years.

Any assessments levied, or to be levied, by the City of Burley.

RECORDED AT THE REQUEST OF
 LAND TITLE & ESCROW

FILM 238

1992 OCT -6 P 1:20

CASSIA COUNTY, IDAHO
 FRANK B. KEARNS
 RECORDER

FEE 3.00 DEPUTY

LAND TITLE & ESCROW

221311

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee
 and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to
 and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are
 free from all incumbrances except as above described and that Grantor will warrant and defend the
 same from all lawful claims whatsoever.

Dated: October 1, 1992

Nolan D. Gerber
 NOLAN D. GERBER

Beverly J. Gerber
 BEVERLY J. GERBER

STATE OF UTAH COUNTY OF Salt Lake
 On this 3rd day of October, 1992,
 before me, a notary public in and for said State, per-
 sonally appeared

NOLAN D. GERBER and
 BEVERLY J. GERBER

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

Blake C. Weathers
 Notary Public

Residing at Salt Lake
 Commission expires



BLAKE C. WEATHERS
 Notary Public
 STATE OF UTAH
 My Commission Expires
 September 15, 1995
 1341 W 47th S, Rivco, UT 84403

207651

WARRANTY DEED

For Value Received

NOLAN D. GERBER and BEVERLY J. GERBER, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
 TERRY DAZIS, a single person, an undivided one-half interest, and
 ROY A. BICKELL, a single person, an undivided one-half interest
 ADDRESS: 11503 Dollison Drive, Norwalk, California 90650

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho,
 to-wit:

Lot 22 and a part of Lot 21 in Block 138 of the Burley Townsite,
 Cassia County, Idaho, as the same is platted in the official plat
 thereof, now of record in the office of the Recorder of said County,
 more particularly described as follows:

Beginning at a point 10 feet North of the Southeast corner of said Lot 21;
 Thence running West 107 feet;
 Thence North 3 feet;
 Thence West 18 feet to a point on the West boundary line of said Lot 21;
 Thence North 37 feet to the Northwest corner of said Lot 22;
 Thence East along the North boundary line of said Lot 22 for 125 feet to a point on the East boundary line of said Lot 22;
 Thence South 40 feet to THE POINT OF BEGINNING.

SUBJECT TO: Taxes for 1990 and subsequent years.

Any assessments levied, or to be levied, by the City of Burley.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated:

May 18, 1990

NOLAN D. GERBER

BEVERLY J. GERBER

STATE OF IDAHO, COUNTY OF CASSIA

On this 18th day of May, 1990
 before me, a notary public in and for said State, personally appeared

NOLAN D. GERBER
 BEVERLY J. GERBER

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

Notary Public

Residing at

Idaho.



FILED
 MAY 18 2 25 PM 1991
 CASSIA COUNTY, IDAHO
 FRANK A. SEARNS
 CLERK
 TITLE & ESCROW

207651

207653

WARRANTY DEED

For Value Received
 NOLAN D. GERBER and BEVERLY J. GERBER, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
 TERRY DAZIS, a single person, an undivided one-half interest, and
 ROY A. BICKELL, a single person, an undivided one-half interest
 ADDRESS: 11503 Dollison Drive, Norwalk, California 90650

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho,
 to-wit:

Lot 3 in Block 171 of the Burley Townsite, Cassia County, Idaho, as
 the same is platted in the official plat thereof, now of record in
 the office of the Recorder of said County.

SUBJECT TO: Taxes for 1990 and subsequent years.
 Any assessments levied, or to be levied, by the
 City of Burley.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee
 and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to
 and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are
 free from all incumbrances except as above described and that Grantor will warrant and defend the
 same from all lawful claims whatsoever.

Dated: May 18, 1990

NOLAN D. GERBER

BEVERLY J. GERBER

STATE OF IDAHO, COUNTY OF CASSIA

On this 18th day of May, 1990,
 before me, a notary public in and for said State, per-
 sonally appeared

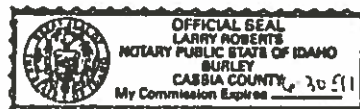
NOLAN D. GERBER
 BEVERLY J. GERBER

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

Notary Public
 , Idaho.

Residing at

Burley



LAND TITLE & ESCROW

RECORDS

CASSIA COUNTY, IDAHO

FRANK H. KEARNS

MAY 18 2 24 PM '90

FILE

LAND TITLE & ESCROW

207653

207654

DEED OF TRUST, Made this 15th day of May, 1990
 BETWEEN

TERRY DAZIS, a single person, and ROY A. BICKELL, a single person

210584

WARRANTY DEED

For Value Received

NOLAN D. GERBER and BEVERLY J. GERBER, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MARVIN L. McBRIDE and ROMA B. McBRIDE, husband and wife
ADDRESS: 1963 Pleasantview Lane
Burley, Idaho 83318 - 678-7277

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 28: Beginning at the Northeast corner of the SE $\frac{1}{4}$ of said Section 28; thence South 0°36' East along West drain ditch right of way for 455.5 feet to a point; thence North 89°00' West for 317.5 feet to a point known as the True Point of Beginning; Thence South 0°36' East 135.5 feet; Thence North 89°0' West 317.5 feet; Thence North 0°36' West 135.5 feet; Thence South 89°0' East 317.5 feet to the True Point of Beginning.

SUBJECT TO a 10 foot irrigation easement along the North side.

SUBJECT TO:

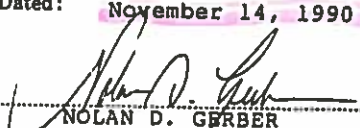
Taxes subsequent to the year 1990.

Assessments of the Burley Irrigation District and the rights and powers of said District as by law provided.

Easement to the City of Burley, Idaho, a municipal corporation, recorded January 3, 1972 as Instrument No. 59991 on Film No. 73, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 14, 1990

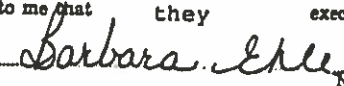

NOLAN D. GERBER


BEVERLY J. GERBER

STATE OF IDAHO, COUNTY OF Cassia
On this 15th day of November, 1990,
before me, a notary public in and for said State, personally appeared

NOLAN D. GERBER and
BEVERLY J. GERBER

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


Barbara E. He
Notary Public
Residing at Burley, Idaho.

LAND TITLE & ESCROW

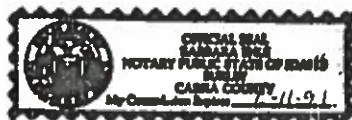
FEE \$300.00

CASSIA COUNTY, IDAHO

NOV 16 2 20 PM '90

LAND TITLE & ESCROW

210584



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: A45-11562
Date Received: 6/07/1989
Receipt No: 8008063
Received By: AS. V. 21

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NOLAN GERBER 208-678-7441
Address: 1963 PLEASANTVIEW
BURLEY, ID 83318

AND/OR
Name: BEVERLY GERBER 208-678-7441
Address: 1963 PLEASANTVIEW
BURLEY, ID 83318

2. Date of Priority: DEC 31, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	23E	28	NE	SE	NW		CASSIA

5. Description of diverting works:
6" WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE.

A45-11562

Page 1

Date: 07/07/89

MICROFILMED
MAR 19 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	23E	28	SE NW		DOMEST	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:
IRRIG. WATER FROM THE BURLEY IRRIG. DIST.

15. Basis of Claim: BENEFICIAL USE

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 Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

Identification No. A45-11562
Date Received 6-7-89
Receipt Number 5008063

RECEIVED **NOTICE OF CLAIM**
TO A
WATER RIGHT

JUN 7 1989

Department of Water Resources For Domestic and/or Stockwater Purposes
Southern Region Office **Where Daily Use is less than 13,000 gallons per day.**

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Nolan Gerber and/or Beverly Gerber Phone (208) 678-7441
Mailing Address 1963 Pleasantview Burley, Idaho Zip 83318

2. Date of Priority (Only one per claim) Dec 31 1970 Month/Day/Year

3. Source of water supply (Check one) (X) Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 10 South Range 23 east of the Boise Meridian
Section 28, NE 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____, BM.,
County of CASSIA

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 6" Well & pump
(casing)

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For Domestic purposes from Jan - 1 to Dec - 31 amount 0.04 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 house

MICROFILMED

MAR 09 1993

10. Place of use is: Township: 10 South Range 23 east of the Boise Meridian
Section 28, SE 1/4 of NW 1/4, Govt. Lot _____, B.M.,
County of Cassia for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Cassia

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Burley Irrigation District

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) John D. Gehr Date 2 June 89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____ that I have signed the foregoing

document in the space below as _____ Organization _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 2nd day of June 1989

SEAL

Notary Public Norman H. Hamblen

Residing at 737 E 16th

My Commission Expires 3 March 1991

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

MAR 9 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

.Aug. 11, 1989

Re:A45-11562

.NOLAN GERBER
.1963 PLEASANTVIEW
.BURLEY ID 83318

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in black ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 09 1993