

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

RIGHT NUMBER: 67-4062

NAME AND ADDRESS: HOLLY K SPIERING
2591 HORSE FLAT RD
CAMBRIDGE ID 83610

MONTE R SPIERING
2591 HORSE FLAT RD
CAMBRIDGE ID 83610

SOURCE: PINE CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 1.030 CFS

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

Right Nos. 67-4062 and 67-201 are limited to a total combined diversion rate of 2.64 cfs.

PRIORITY DATE: 05/10/1918

POINT OF
DIVERSION:

T15N R03W S30 SWSW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.030 CFS
IRRIGATION	03/15 10/31	1.000 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T15N R03W S32	NENE	30.00	T15N R03W S32	NWNE	22.00
T15N R03W S32	SWNE	32.00	T15N R03W S32	SENE	32.00
T15N R03W S32	NESE	11.00	T15N R03W S33	SWNW	2.00
T15N R03W S33	NWSW	3.00			

STOCKWATER same as IRRIGATION

132 ACRES TOTAL

Right Nos. 67-4062 and 67-201 are limited to the irrigation of a combined total of 132 acres in a single irrigation season.

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

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	67-4062				
	67-201				

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 usually attached to your deed or on file with the county).

OR

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 **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)

Dene Shaw Trust
2591 Horse Flat Rd

4. New Owner/Claimant(s)

Mark R and Holly K Spiering
Name Connector (Check one): ☒ and ☐ or ☐ and/or

New Mailing Address

2591 Horse Flat Rd

City, State and ZIP Code

Cambridge, ID 83610

New Telephone Number

208 257-4202

5. Date you acquired the property

11/18/2005

NCAP prep area 1-18-08

SCANNED

JAN 18 2008

SCANNED

SEP 05 2006

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

7.

Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Holly K Sporing

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.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by mm AJ Date 9/7/06 WR _____ Date _____

ok to charge -mm 9/7/06

SCANNED
JAN 18 2008

ASSIGNMENT AGREEMENT
FOR REPLACEMENT PROPERTY
1031-6525

THIS ASSIGNMENT is made and entered into on November 16, 2005 by and between, MONTE R. SPIERING AND HOLLY K. SPIERING, HUSBAND AND WIFE (hereinafter referred to as "Assignor") PIONEER 1031 COMPANY, an Idaho corporation (hereinafter "Assignee") and THE GENE SHAW TRUST DATED JUNE 14, 1994 (hereinafter "Consenting Party").

RECITALS:

WHEREAS, Assignor and Consenting Party have entered into that certain Sale Contract/Purchase Agreement dated October 27, 2005 (hereinafter "Purchase Agreement"), a copy of which is attached as Exhibit "A," wherein Consenting Party agreed to transfer that certain real property described as:

Washington County, Idaho: Township 15 North, Range 3 West of the Boise Meridian,
Washington County, Idaho: Section 32: NE1/4, NE1/4SE1/4, Section 33: SW1/4
NW1/4, NW1/4SW1/4

and commonly known as: 2591 Horse Flat Road, Weiser, ID (hereinafter "Replacement Property") to Assignor; and

WHEREAS, Assignor desires to effect a tax-deferred exchange in accordance with Section 1031 of the Internal Revenue Code, and the Treasury regulations promulgated thereunder; and

WHEREAS, Assignor wishes to be relieved of the obligations to so acquire the Replacement Property under the Purchase Agreement and substitute Assignee in place of Assignor under the Purchase Agreement to allow Assignee to complete the transfer of the Replacement Property as part of an integrated, interdependent transaction between Assignor and Assignee.

August 28, 2006

RECEIVED

SEP 01 2006

DEPARTMENT OF
WATER RESOURCES

To Whom It May Concern:

I was able to talk with two neighbors that are 3rd generation ranchers in the Horseflat area. One has a ranch adjacent to my ranch and the other rancher used to rent my ranch. After talking with them it is apparent that the areas I designated as irrigated on the map that Misty brought back have always been irrigated. Probably, as soon as the ranch was homesteaded in the early nineteen hundred's.

The ground is productive pasture and hay land and without the water it is way less productive as dry land pasture. The water that leaves this place is used again by other rancher's, and it also helps keep lower Camp Creek flowing before it goes back into Pine Creek.

Sincerely,

Monte Spiering

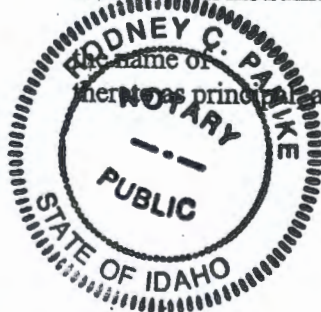
Monte Spiering

STATE OF IDAHO) s.s.
COUNTY OF WASHINGTON)

On this 28th day of AUG. in the
year 2006, before me, a Notary Public, personally appeared

MONTE SPIERING
known or identified to me to be the person whose name is subscribed
to the within instrument as the attorney in fact of
and acknowledged to me that he subscribed

as principal and his (her) own name as attorney in fact.



Rodney C. Parke
Notary Public
Residing at: WRISAR, Idaho

SCANNED

SEP 05 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 10, 2008

GENE SHAW TRUST
537 PARTRIDGE DR
MONTICELLO GA 31064-8724

*Man called 1-15-08 - shall
call folks who bot their
property.*

RECEIVED

JAN 18 2008

DEPARTMENT OF
WATER RESOURCES

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #67-4062

Dear Claimant:

*record updated, NCA prepared
1-18-08. MS*

The Postal Service advised us your address has changed to the above address.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water rights you have**, and return this letter by January 31, 2008. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Gene Shaw Trust
Frances M. Shaw, Trustee
Water Right Holder's Signature

706-468-7378
Telephone Number

SCANNED
JAN 18 2008

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE
FORM 3547

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE
FORM 3547

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



02 1A
0004389365
MAILED FROM ZIP

RECEIVE

NOV 27 2006

DEPARTMENT OF
WATER RESOURCES

67-4062
67-11528 P.D.
(Former owner)

SHAW591 836102014 1C05 12 11/21/06
FORM 3547

SHAW
537 PARTRIDGE DR
MONTICELLO GA 31064-8724



SHAW 591

GENE SHAW TRUST
2591 HORSE FLAT RD
CAMBRIDGE ID 83610

SCANNED
JAN 19 2008

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

RIGHT NUMBER: 67-4062

NAME AND ADDRESS: HOLLY K SPIERING
2591 HORSE FLAT RD
WEISER ID 83610

MONTE R SPIERING
2591 HORSE FLAT RD
WEISER ID 83610

SOURCE: PINE CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 1.030 CFS

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

Right Nos. 67-4062 and 67-201 are limited to a total combined diversion rate of 2.64 cfs.

PRIORITY DATE: 05/10/1918

POINT OF
DIVERSION:

T15N R03W S30 SWSW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.030 CFS
IRRIGATION	03/15 10/31	1.000 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T15N R03W S32	NENE	30.00	T15N R03W S32	NWNE	22.00
T15N R03W S32	SWNE	32.00	T15N R03W S32	SENE	32.00
T15N R03W S32	NESE	11.00	T15N R03W S33	SWNW	2.00
T15N R03W S33	NWSW	3.00			

STOCKWATER same as IRRIGATION

132 ACRES TOTAL

Right Nos. 67-4062 and 67-201 are limited to the irrigation of a combined total of 132 acres in a single irrigation season.

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

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/07/2006

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

RIGHT NUMBER: 67-4062

NAME AND ADDRESS: GENE SHAW TRUST
2591 HORSE FLAT RD
CAMBRIDGE ID 83610

SOURCE: PINE CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 1.030 CFS

Right Nos. 67-4062 and 67-201 are limited to a total combined diversion rate of 2.64 cfs.

PRIORITY DATE: 05/10/1918

POINT OF DIVERSION:

T15N R03W S30 SWSW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.030 CFS
IRRIGATION	03/15 10/31	1.000 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T15N R03W S32	NENE	30.00	T15N R03W S32	NWNE	22.00
T15N R03W S32	SWNE	32.00	T15N R03W S32	SENE	32.00
T15N R03W S32	NESE	11.00	T15N R03W S33	SWNW	2.00
T15N R03W S33	NWSW	3.00			

STOCKWATER same as IRRIGATION

132 ACRES TOTAL

total

Right Nos. 67-4062 and 67-201 are limited to the irrigation of a combined of 132 acres in a single irrigation season.

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



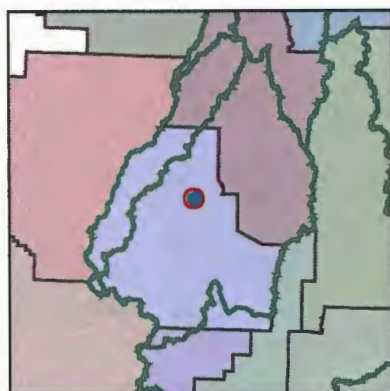
Idaho Department of Water Resources

SRBA Recommendation:

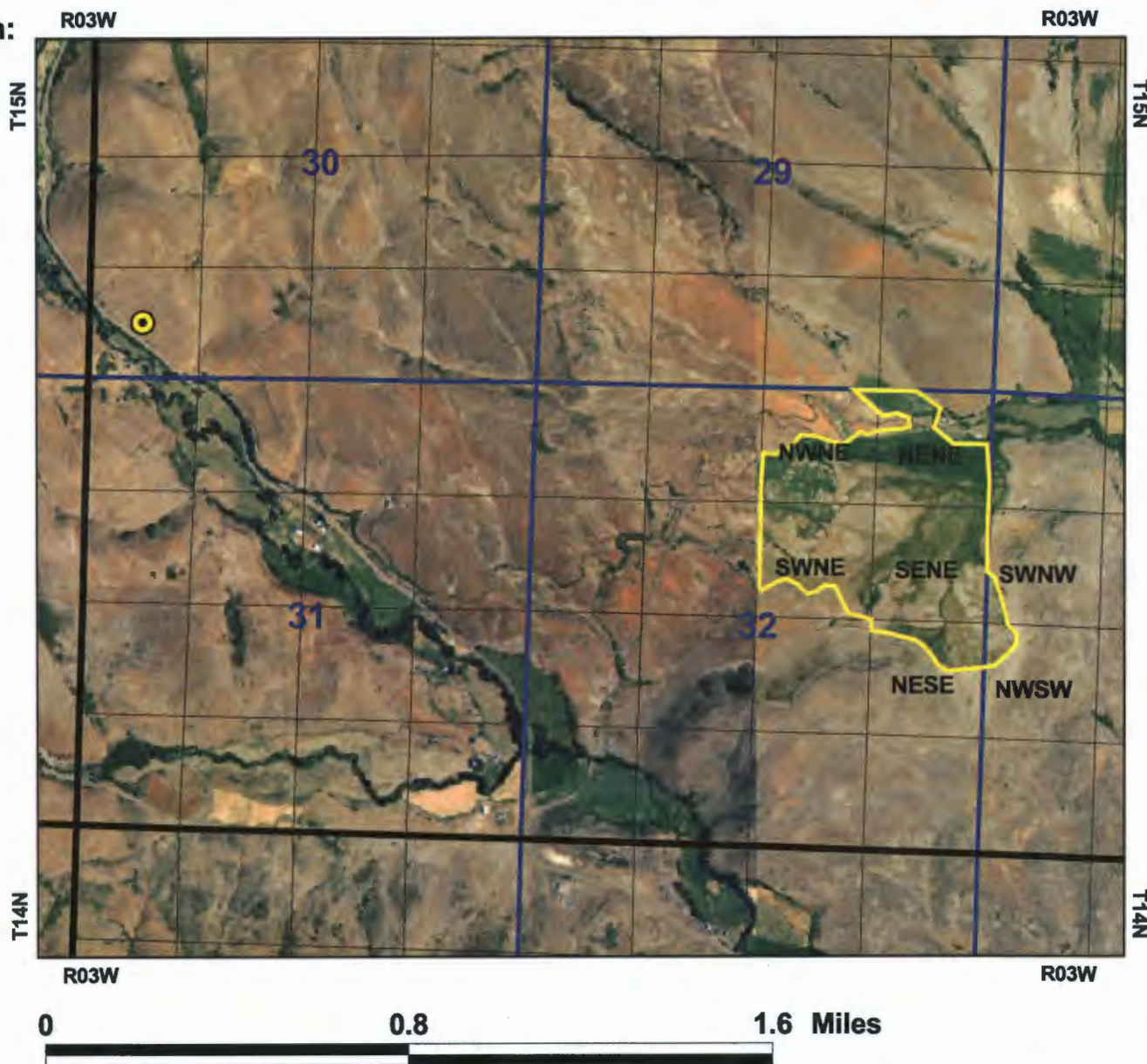
67-4062

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters

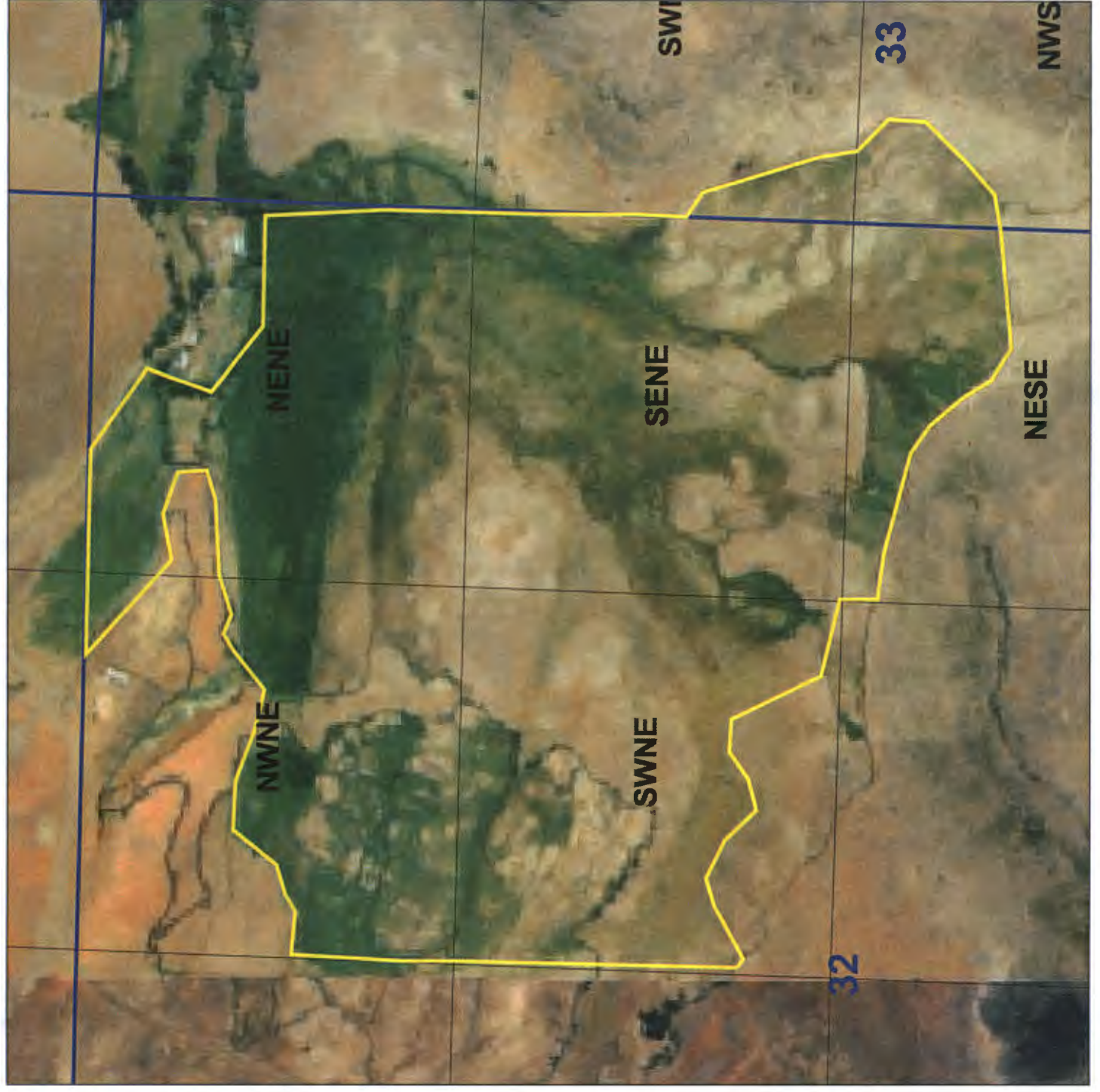


Washington County
IDWR Basin 67



Prepared by M. Mount
On Thursday, September 7, 2006
1987/88 Aerial Photography

67-4062



Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



UNITED STATES POSTAL SERVICE
PITNEY BOWES
02 1A
0004389393 JAN 19 2007
MAILED FROM ZIP CODE 83702

RECEIVED
JAN 23 2007
DEPARTMENT OF
WATER RESOURCES

SHAW591 836102016 1005 10 01/22/07
FORWARD TIME EXP RTN TO SEND
SHAW PARTRIDGE DR
537 MONTICELLO GA 31064-6724
RETURN TO SENDER
|||||

G JUST
25% FLAT RD
CAMELIDGE ID 83610

Director's Report
WR # 67-4062

MAR 13 2007

SCANNED



State of Idaho
Department of Water Resources
Adjudication Section
Claim Verification Field Exam Sheet

CLAIM NO(s): 07-4002

1 ☐ No Change NAME IS SAME

☒ NEW OWNER

Monte Spiering & Holly Spiering

☐ No Change ADDRESS

☐ NEW ADDRESS _____

2 ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☒ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant is: - early 1900's
(If this date seems questionable, explain below)

3 ☒ No Change --- SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4 ☒ No Change --- POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: _____

Township	Range	Section	1/4's	
Township	Range	Section	1/4's	

5 ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

6 ☒ No Change - WATER USES

☐ Different uses, (list uses found):

Use _____ From _____ To _____ CFS _____ AFA _____

Use _____ From _____ To _____ CFS _____ AFA _____

Use _____ From _____ To _____ CFS _____ AFA _____

7 ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8 ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9 ☒ No Change ---PLACE OF USE (If changed, list below)

Use:	Township	Range	Section	1/4's	
Use:	Township	Range	Section	1/4's	
Use:	Township	Range	Section	1/4's	
Use:	Township	Range	Section	1/4's	

Remarks: (Comments pertinent to field exam) ☐ See additional attachment

Spoke w/ Monte about EOP + gave him a Δ of ownership form.

☐ SYSTEM DIAGRAM INCLUDED

☒ Shown on GIS layout

☐ IN OFFICE EXAM

DATE EXAM CONDUCTED 8-21-06

FIELD EXAMINER: MM / JLD



GPS tag# : ~~5~~ A0014060 off Pine Cr. Rd.

CONVERSATIONAL MEMORANDUM

Date: October 21, 2005

To: File 67-201, 67-4062

From: Craig L. Saxton

Subject: Phone Call - Evidence of Priority – Change of address mailing

Received a call from Fran Shaw.

Her husband has recently passed away and one of the things we discussed is that she will be sending in a change of address form. We did not discuss submitting a death certificate to get the contact info straight.

I also discussed the following issues with her. 67-4062 is a statutory claim that overlaps a portion of decreed right 67-201. 67-201 was decreed for 76 acres of water and they now irrigate 132 acres. This can be supported by GIS. I told Ms. Shaw that she will need to support EOP for when the additional acreage was irrigated. We discussed old aerial photos, affidavits from old timers (she bought the property 5 years ago so she doesn't know a lot of people). I explained that all she needs to do is show it was irrigated before 1971. She said she is working on it.

I told her that worse case scenario is that we will recommend 76 acres of irrigation based on the decree right.

I did not give her a deadline to submit the information.

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 67-4062
Date Received: 1/17/2001
Receipt No: X999999
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

GENE SHAW TRUST Phone: (208) 257-3770

2591 HORSE FLAT RD
CAMBRIDGE ID USA 83610

2. Date of Priority: 06/01/1890

3. Source: PINE CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	03W	30	SW SW	WASHINGTON	

5. Description of diverting works:

DIVERSION DAM, GRAVITY FLOW, OPEN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1	
STOCKWATER	01/01	12/31	0.03	

7. Total Quantity Appropriated is:

1.03 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 100 Range Cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
15N	03W	32	NE NE	IRRIGATION	30

NW	NE	IRRIGATION	22
SW	NE	IRRIGATION	40
SE	NE	IRRIGATION	20
NE	SE	IRRIGATION	20

Section Acres 132

Total Acres 132

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

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.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the Adjudication.

Sincerely,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

GENE SHAW TRUST
2591 HORSE FLAT RD
CAMBRIDGE ID 83610

SRBA Claim 67-04062

The address is correct as shown above or as otherwise changed.

Frances M. Shaw, Trustee
Signature of water right claimant(s)

208-257-3770
Telephone number

SCANNED

NOV 10 2005

RECEIVED
NOV 10 2005
Department of Water Resources

67-04062

TO WHOM IT MAY CONCERN:

I am asking that the Priority Date for 67-04062 remain at 1890 and that you please give consideration to the attached information. Obviously it is not possible to obtain affidavits from individuals who have personal knowledge of beneficial use in 1890 but I have included information which may be helpful.

Also, according to the Sub case Status Report, PD was issued on 12-29-2000 for WR 67-11528 which includes the same areas as 67-04062.

Thank you for your consideration in this matter.

Frances M. Shaw

Gene Shaw Trust
Frances M. Shaw, Trustee

SCANNED

NOV 10 2005



Idaho Department of Water Resources

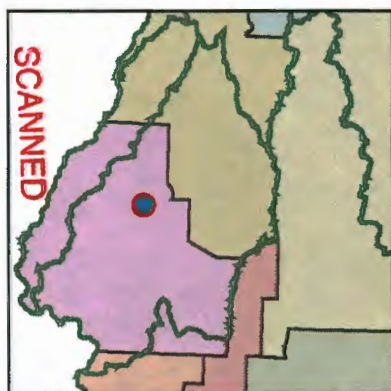
Point of diversion is
off Pine Creek which
2-3 miles on Hwy 71 W.

T15N R03W

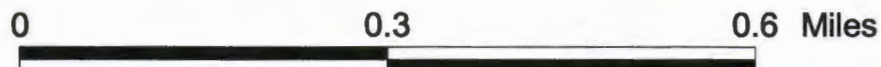
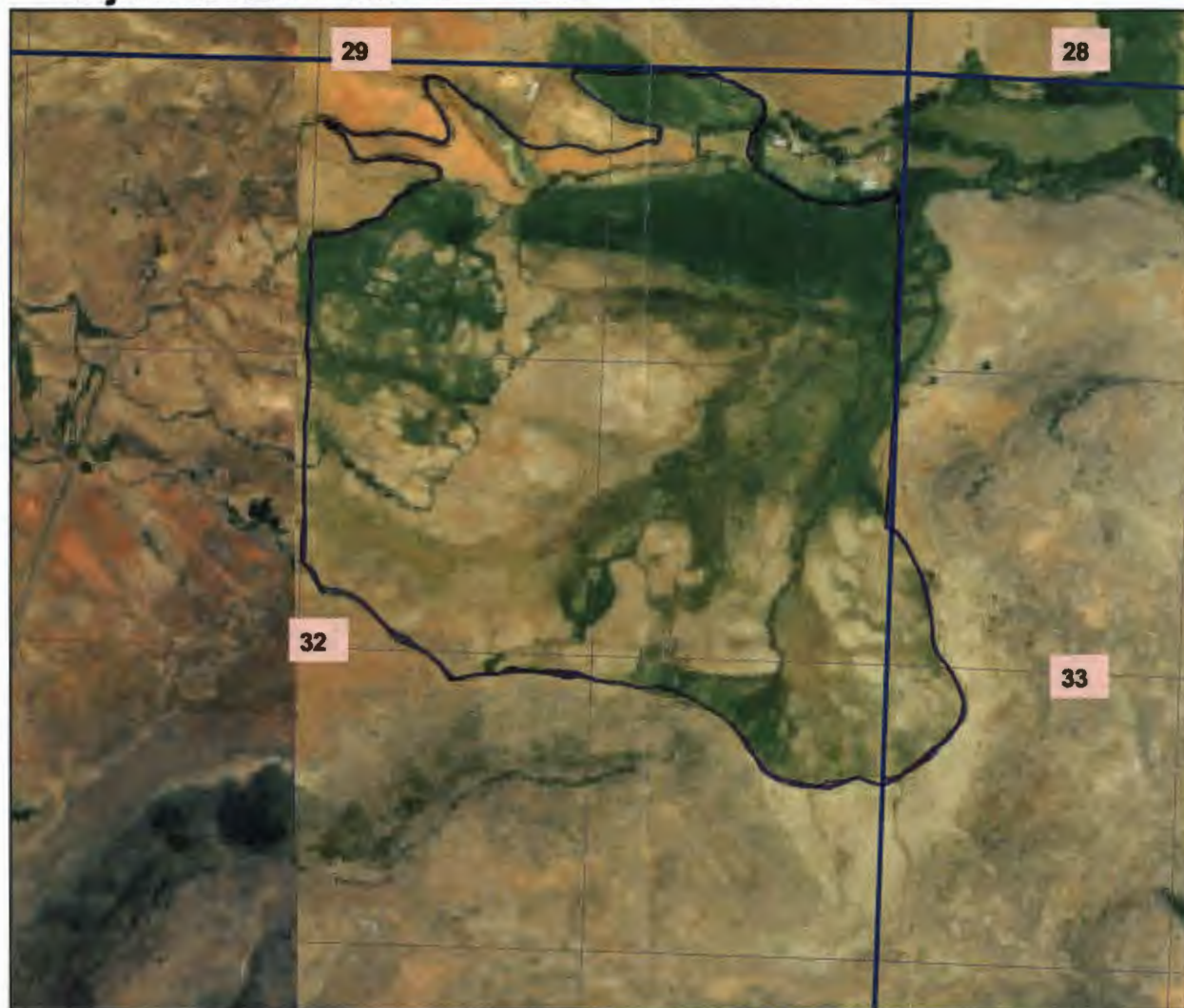
Adjudication Claim Number: **67-4062**

Legend

-  PLS Sections
-  GCDBQuarter Quarters



Washington County
IDWR Basin 67



Prepared by M. Van Bussum
On Wednesday, August 31, 2005
1987 Aerial Photography

NOV 10 2005

The United States of America
 To all to whom these Presents shall come Greeting:
 Homestead Certificate No 1109
 Application 3500
 Whereas there has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise City, Idaho, whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads to Actual Settlers on the Public Domain," and the act supplementary thereto, the claim of James Nixon has been established and duly consummated, in conformity to law, for the North East quarter of Section Thirty-two the Township fifteen North of Range three West of Boise Meridian in Idaho, containing one hundred and sixty acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General;

Now know ye, That there is, therefore, granted by the United States unto the said James Nixon the tract of Land above described: To Have and to Hold the said tract of Land with the appurtenances thereof, unto the said James Nixon 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 proprietor 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 land hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In Testimony whereof, I Grover Cleveland, 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 thirteenth day of May, in the year of our Lord one thousand hundred and ninety five and of the Independence of the United States the one hundred and nineteenth

Recorded, 1895 By the President: Grover Cleveland
 By M. M. Keane, Secretary
 L. D. Lammie, Register of the General Land Office

Given for Record at Register of James Nixon the young
 of September 1895 at 3 o'clock PM
 J. H. Smith
 Recorder

67-04062

15-2

This Indenture, Made this Tenth day of November in the year of our Lord one thousand eight hundred and ninety-seven, between James Nixon & Maria Nixon (his wife) of the County of Washington, State of Idaho the parties of the first part, and Edwin J. Patch, whose Post Office address is Weiser, County of Washington, State of Idaho, the party of the second part.

Witnesseth, That the said parties of the first part, for and in consideration of the sum of One Thousand \$1000 Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, and sold, and by these presents do grant, bargain, sell, convey, and confirm unto the said party of the second part, and to his heirs and assigns, forever, all the following described real estate situated in Washington County, State of Idaho, to-wit:

The North East quarter of Section Forty-two, in Township fifteen North of Range three West of Boise Meridian in Idaho, containing one hundred and sixty acres.

Together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, and the Dominion and Ownership, Remainder and Remainders, Assets, Issues, and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

To have and to hold, all and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said party 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.

Second sealed and Delivered
in the Presence of
Charles Goodwin

James Nixon
Maria Nixon

SCANNED on

This Indenture, Made this 25th day of March in the year of our Lord one thousand nine hundred and five, between Edwin J. Patch, unmarried, of Kootenai County of Washington, State of Idaho, the party of the first part, and Michael Ward of Cambridge, County of Washington, State of Idaho, the party of the second part.

Witnesseth, that the said party of the first part for and in consideration of the sum of fourteen hundred & fifty dollars, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in Washington County, State of Idaho, to wit:

The North East Quarter of Section Thirty-two, township fifteen north of Range three west of Boise Meridian, containing one hundred & sixty acres. Together with an undivided one third interest in and to the ditch and water right located heretofore by E. J. Patch, J. F. and John Jackson, Robert Jewell and James Nixon, and of record in the County of Washington, for appropriating the waters of Pine Creek, in cases at page 333, of Book one of Water-

rights and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

To Have and to Hold, all and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said party of the first part, and his heirs, the said premises, in the quiet and peaceful possession of the said party of the second part, his heirs and assigns, against the said party of the first part and his heirs, and against all and every person and persons, whomsoever lawfully claiming or to claim the same, shall and will Warrant and by these presents defend.

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

Edwin J. Patch
 Michael Ward

THIS INSTRUMENT, Made this 30th day of August in the year of our Lord, one thousand nine hundred eighteen, between Michael Ward, and Nora Ward, his wife, whose postoffice address is Cambridge County of Washington, State of Idaho, the parties of the first part, and George C Cable, whose postoffice address is Cambridge, County of Washington, State of Idaho, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Five thousand Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold and by these presents do grant, bargain, sell convey and confirm, unto the said party of the second part, and to his heirs, and assigns, forever, all the following described real estate situated in County of Washington State of Idaho, to wit:

The northeast quarter of section thirty two in township fifteen north of range three west of Boise Meridian, containing 160 acres, together with all ditches and water rights, used, connected with or appurtenant thereto including a decreed water right, of forty seven and one half miners inches from the waters of Pine Creek.

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 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 said party of the second part, and to his heirs, and assigns, forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same by through or under the grantors, only 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
Presence of

Michael Ward (SEAL)

Nora Ward. (SEAL)

R E Wilson,

State of Idaho

County of Washington

On this 30th day of August 1918, before me, R E Wilson, a Notary Public in and for said County, personally appeared Michael Ward and Nora Ward, his 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 official seal the day and year first above written.

R E Wilson, Notary Public

for Idaho, Residing at Cambridge Idaho

Seal
{ R E Wilson, Notary Public }
State of Idaho

\$5.00 Documentary Revenue Stamps NW 8/30/18.

Filed for record at request of R E Wilson, at 9:35 o'clock A M September 4, 1918.

Fee \$1.20

Frank E Smith, Recorder

By B B Hunt, Deputy.

SCANNED

NOV 10 2005

$\wedge$

By	Dated	Recorded	Grantor	Grantee	Remarks	Bk.	Page
Mortgage L. H. H. H.	5-10 1895	9-7 1895	United States	James Nelson	RECORDED.	6	559
Mortgage L. H. H. H.	5-10 1897	11-13 1897	James Nelson & Nina Nelson his wife	Edwin J. Patch	together with undivided 1/3 interest in water rights & ditch rights together with all other rights and water rights, well, connected with an aqueduct and including a devised water right of 4 1/2 minus under Pine Creek	8	176
Mortgage L. H. H. H.	3-25 1902	3-26 1902	Edwin J. Patch unmarried	Michael Ward		12	24
Mortgage L. H. H. H.	8-30 1918	9-4 1918	Michael Ward & Nina Ward his wife	George C. Cable		37	447
Mortgage L. H. H. H.	9-4 1919	9-6 1919	George C. Cable & Nellie Cable his wife	Norman J. Rematzen	"Michael Ward water right together with all ditch etc"	38	584
Mortgage L. H. H. H.	11-13 1922	12-26 1922	Norman J. Rematzen & Rematzen's wife	John Schwenkelder		43	267
Mortgage L. H. H. H.	3-8 1927	10-13 1927	Nina Schwenkelder's husband, John Schwenkelder	Alfred Luthi	Deed 9 (Nelson?) Judgment	43	598
Mortgage L. H. H. H.	10-12 1927	11-12 1927	Alfred Luthi, a widower	Edwin J. Dotson	subject to mortgage dated 6-3-24 of William Rematzen 10-18-29 released 10-12-30 (but 12 release p. 42-5-1)	47	424
Mortgage L. H. H. H.	3-5 1929	4-11 1929	Edwin J. Dotson & Nellie W. Dotson	D. H. Wells and Wheeler	released 12-8-33	32	35
Mortgage L. H. H. H.	6-1 1934	1-12 1935	Edwin J. Dotson, a widower	Land Bank Minnesota	expanded by Paul & Nina Rematzen's mort. bond 1937, p 37, p 318 to Federal Farm Mtg Corp.	37	315
Mortgage L. H. H. H.	10-24 1934	4-8 1935	Estate of Nellie Dotson	E. J. Dotson	subject to land bank mtg 34, 440.	81	307
Mortgage L. H. H. H.	4-13 1935	4-16 1935	E. J. Dotson, a widower	Paul R. Moore	with all water rights	54	41
Mortgage L. H. H. H.	5-1 1935	3-7 1940	Paul R. Moore and	Paul R. Moore	subject to land bank mortgage	59	476
Mortgage L. H. H. H.	7-13 1943	7-13 1943	Paul R. Moore & Nina R. Moore	Federal Farm Mtg	Mtg Bond 34, 440	59	476
Mortgage L. H. H. H.	8-17 1944	8-28 1944	Shirley A. J. Carver	Federal Farm Mtg	Foreclosure	59	476
Mortgage L. H. H. H.	3-10 1951	5-8 1951	Federal Farm Mtg Corp.	James E. Amoset & Bernice E. Amoset his wife		64	205
Mortgage L. H. H. H.	3-12 1951	3-15 1951	James E. Amoset & Bernice E. Amoset his wife	Utah Mortgage Loan Corp	Note exceptions in this deed	72	132
Mortgage L. H. H. H.	10-26 1956	11-14 1956	James E. Amoset & Bernice E. Amoset his wife	Utah Mortgage Loan Corp	not released. \$12000	42	381
Mortgage L. H. H. H.	10-12 1956	10-20 1956	James E. Amoset & Bernice E. Amoset his wife	Utah Mortgage Loan Corp	* assigned. \$15000	46	153
Mortgage L. H. H. H.	10-12 1956	10-20 1956	James E. Amoset & Bernice E. Amoset his wife	Utah Mortgage Loan Corp	subject to first mortgage to	48	153

67-04062

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 67-201
Date Received: 10/20/89
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): GENE SHAW TRUST
664 SE 28TH WAY
MELROSE FL USA 32666

Phone: (352) 475-1093

2. Date of Priority: 06/03/1890

3. Source: PINE CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
15N	03W	30	SW SW	WASHINGTON

5. Description of diverting works:

DIVERSION DAM, GRAVITY FLOW, OPEN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.95	
STOCKWATER	1/01	12/31	0.03	

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

8. Total consumptive use:

67-201

SCANNED
NOV 10 2005

12/14/2000

COPY
FOR YOUR FILES
DO NOT RETURN

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15N	03W	32	NE	NE	IRRIGATION	30
			NW	NE	IRRIGATION	22
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	20
			NE	SE	IRRIGATION	20
Section Acres						132
Total Acres						132

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

THIS WATER RIGHT IS ALSO DESCRIBED IN STATUTORY CLAIM 67-04062.
Ownership changed by DB 12/14/2000.

(attached)

15. Basis of Claim: Decreed

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 67-4062
Date Received: 1/17/01
Receipt No: 0027293
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

GENE SHAW TRUST Phone: (352) 475-1093
664 SE 28TH WAY
MELROSE FL USA 32666

2. Date of Priority: 06/01/1890

3. Source: PINE CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
15N	03W	30	SW SW	WASHINGTON

5. Description of diverting works:

DIVERSION DAM, GRAVITY FLOW, OPEN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1	
STOCKWATER	01/01	12/31	0.03	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 100 Range Cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
15N	03W	32	NE NE	IRRIGATION	30

NW	NE	IRRIGATION	22
SW	NE	IRRIGATION	40
SE	NE	IRRIGATION	20
NE	SE	IRRIGATION	20

Section Acres 132

Total Acres 132

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

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): Gene Shurtz, as Trustee Date: 1-17-01

_____ Date:

State of Idaho)

County of ADA) SS.

Subscribed and sworn (or affirmed) before me this

of Jan 2001.

17th day
Jan Shurtz

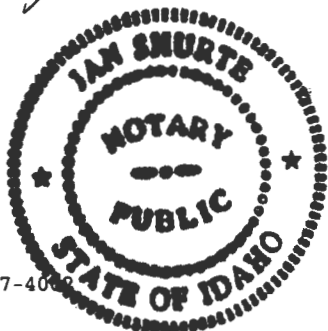
Notary Public

Residing at

Meridian ID

My commission Expires

9-14-2006



SCANNED

NOV 10 2005

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 67-4062
Date Received: 1/17/01
Receipt No: *W027293*
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

GENE SHAW TRUST Phone: (352) 475-1093
664 SE 28TH WAY
MELROSE FL USA 32666

2. Date of Priority: 06/01/1890

3. Source: PINE CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
15N	03W	30	SW SW	WASHINGTON

5. Description of diverting works:

DIVERSION DAM, GRAVITY FLOW, OPEN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1	
STOCKWATER	01/01	12/31	0.03	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 100 Range Cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
15N	03W	32	NE NE	IRRIGATION	30

NW	NE	IRRIGATION	22
SW	NE	IRRIGATION	40
SE	NE	IRRIGATION	20
NE	SE	IRRIGATION	20

Section Acres 132

Total Acres 132

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used: 67-00201

14. Remarks: SEE 67-00201 FOR MAP

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): Gene Shaw, as Trustee Date: 1-17-01

_____ Date:

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this

of Jan 2001.

17th day
Jan Skurte

Notary Public

Residing at Mendocino ID

My commission Expires 9-14-2006

