

RECEIVED

NOV 21 2006

DEPARTMENT OF
WATER RESOURCES

11/14/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-2299

CLAUDIA J THOMAS

PO BOX 157

COUNCIL ID 83612

Telephone Number: (208)253-6333

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-20-06

SIGNATURE:

Claudia J Thomas

Please print your name:

Claudia J. Thomas

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

NOV 24 2006

04/26/2006

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

RIGHT NUMBER: 67-2299

NAME AND ADDRESS: CLAUDIA J THOMAS
PO BOX 157
COUNCIL ID 83612

SOURCE: UNNAMED STREAM

TRIBUTARY: WEISER RIVER

QUANTITY: 0.060 CFS
9.000 AFY

PRIORITY DATE: 04/30/1962

POINT OF DIVERSION:

T16N R01W S15 SWNE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/01 10/31

0.060 CFS
9.00 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADAMS County

T16N R01W S15 SWNE 3.00

3 ACRES TOTAL

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 - License



Idaho Department of Water Resources

SRBA Recommendation:

67-2299

Legend

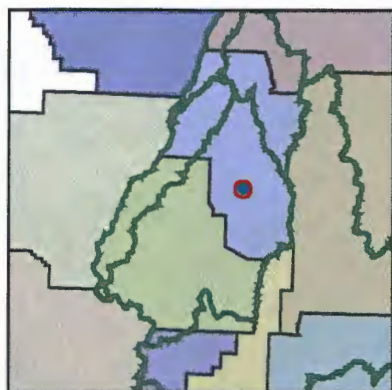
● **Point of Diversion**

□ **Place of Use**

□ **Townships**

□ **PLS Sections**

□ **Quarter Quarters**



Adams County
IDWR Basin 67



0 0.1 0.2 Miles

Prepared by C. Saxton
On Wednesday, April 26, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2299 V1

WATER RIGHT NUMBER: 67-2299 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ANNA CHANEY RUBOTTOM BOX 130 COUNCIL, ID 83612 (208)253-4823
Current Owner	CLAUDIA J THOMAS PO BOX 157 COUNCIL, ID 83612 (208)253-6333

Priority Date: 04/30/1962

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.060 CFS	9.00 AF
	<u>Total Diversion:</u>	0.060 CFS	9.00 AF

Location of Point(s) of Diversion

UNNAMED STREAM	SW1/4NE1/4	Sec. 15, Twp 16N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16N	01W	15			3.0														3.0

Total Acres: 3

Conditions of Approval:

1. S40 The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2299 V1

Comments:

1. mcase 6/21/2004 POD

Comment: Updated shape

2. mcase 6/21/2004 Period of Use

Comment: Licensed Period of Use is shorter than current standard Season of Use. Shoulder remark needed.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number: 67

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	6/21/2004 2:53:30 PM	mcase			Active
POD	6/21/2004 2:54:06 PM	mcase			Active
Source	6/21/2004 2:59:08 PM	mcase			Active
POU	6/21/2004 2:59:27 PM	mcase			Active
Use	6/21/2004 2:59:40 PM	mcase			Active
Season	6/21/2004 3:01:02 PM	mcase			Active
Quantity	6/21/2004 3:01:25 PM	mcase			Active
Summary			04/26/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	1/23/2004 12:18:11 PM	awarntje	Edited shape boundary
POD	6/21/2004 2:54:06 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2299 V1

Priority Date	6/21/2004 2:53:30 PM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Use	6/21/2004 2:59:40 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	6/21/2004 3:01:03 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?
Quantity	6/21/2004 3:01:26 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? Description for Question 10 - Diversion licensed for 9 AF.
Source	6/21/2004 2:59:09 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	6/21/2004 2:59:27 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
POU	4/26/2006 12:51:57 PM	csaxton	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2299 V1

Summary	4/26/2006 12:54:44 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
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Water Supply Bank:

WATER LICENSE

Water License No. 30482/67-2299 Priority April 30, 1962 Amount 0.06 c.f.s.

THIS IS TO CERTIFY, that ANNA CHANEY RUBOTTOM
 of Council, Idaho, made application for a permit to appropriate the public waters of
 the State of Idaho, dated April 30, 1962; that Permit 30482/67-2299 was issued pursuant
 to said application; that the proposed works were completed on or about May 2, 1962,
 with a storage/or carrying capacity of 0.06 c.f.s., said works consisting of
pump, concrete pipe and plastic hose; and that on May 1, 1967,
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 9
 acre feet per season, with a maximum rate of diversion of 0.06 cubic feet per second of the waters
 of unnamed stream, tributary of Weiser River,
 for the purpose of Irrigation from April 1 to October 31;
 and for _____ from _____ to _____; and for
 _____ from _____ to _____; and that the use
 of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
 mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
 located in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, T. 16 N, R. 1 W, B.M., and
 other additional points _____, in the County of
Adams; and that the amount of water to which such right is
 entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
 used for said purposes and shall not exceed 9 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
16 N	1 W	15			3														3

Total number of acres irrigated 3

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
 as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

13th day of August, 1969.

E. Keith Higgs
 State Reclamation Engineer

67 2299

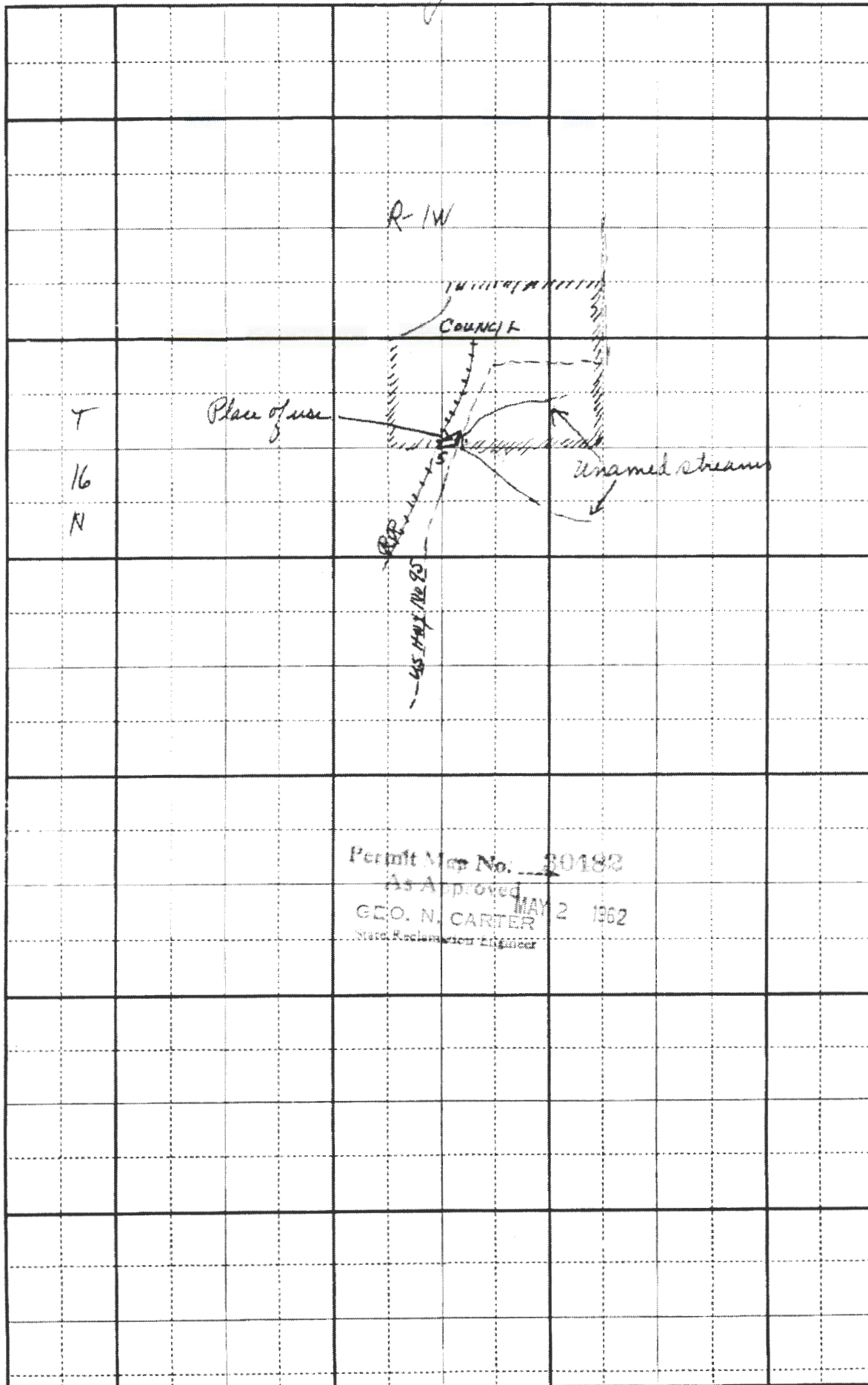
30482

67-2299

NAME OF APPLICANT

Anna Charney Pudbottom

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

30182

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 67-2299
Date Received: 10/3/1989
Receipt No: M004780
Received By:

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

1. Name of Claimant(s)

CLAUDIA J THOMAS Phone: (208)253-6333

PO BOX 157
COUNCIL ID USA 83612

2. Date of Priority: 04/30/1962

3. Source: UNNAMED STREAM Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	01W	15	SW NE	ADAMS	

5. Description of diverting works:

CHECK DAM, PUMP AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.06	9

7. Total Quantity Appropriated is:

0.06 C.F.S. and/or 9 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
16N	01W	15	SW NE	IRRIGATION	3
				Section Acres	3

Total Acres 3

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

TWO POINTS OF DIVERSION WITHIN S 1/2 OF SWNE.

15. Basis of Claim: License

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: _____



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

April 24, 2006

CLAUDIA J THOMAS
PO BOX 157
COUNCIL ID 83612

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #67-2299

Dear Claimant:

We have processed your change in ownership of the Notice of Claim referenced above. Thank you for your patience.

Enclosed is a copy of your claim for your file. Please refer to this record number in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claim.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Technical Section

SS:state
Enclosure:

Copy of Notice of Claim to a Water Right Referenced Above

SCANNED

APR 24 2006

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 67-2299
Date Received: 10/3/1989
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ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

CLAUDIA J THOMAS Phone: (208)253-6333

PO BOX 157
COUNCIL ID USA 83612

2. Date of Priority: 04/30/1962

3. Source: UNNAMED STREAM Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	01W	15	SW NE	ADAMS	

5. Description of diverting works:

CHECK DAM, PUMP AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.06	9

7. Total Quantity Appropriated is:

0.06 C.F.S. and/or 9 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	01W	15	SW	NE	IRRIGATION	3
					Section Acres	3
					Total Acres	3

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

TWO POINTS OF DIVERSION WITHIN S 1/2 OF SWNE.

15. Basis of Claim: License

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.

RECEIVED

MAR 07 2006

WATER RESOURCES
WESTERN REGION

RECEIVED

MAR 08 2006

DEPARTMENT OF
WATER RESOURCES

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
67-2299 ^{10K} _{CS}		no			

SCANNED

APR 24 2006

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) Anna Chaney Rubottom
Box 130, Council ID 83612
4. New Owner/Claimant(s) Claudia J. Thomas
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address P.O. Box 157
- City, State and ZIP Code Council ID 83612
- New Telephone Number (208) 253-6333
5. Date you acquired the property February 20, 2006

SCANNED

MAR 10 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) Claudia Thomas
(include title if applicable) _____

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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by AD AJ Date 4-24-06 WR _____ Date _____

*OK to Change Entire Rght. No Split.
C. Saxton 3-27-06*

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) Claudia J. Thomas
(include title if applicable) _____

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 AD AJ Date 4-24-06 WR _____ Date _____

OK to Change Entire Right. No Split.
C. Saxton 3-27-06

SCANNED
APR 24 2006

INSTRUMENT NO. 111116

WARRANTY DEED

For Value Received, DONNA J. WOOD, a widow

the grantor does hereby grant, bargain, sell and convey unto
CLAUDIA J. THOMAS, an unmarried woman

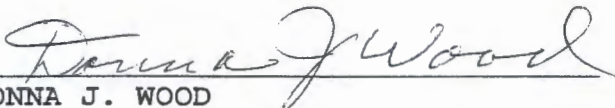
the grantee, whose current address is P.O. Box 157, Council ID 83612

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

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF

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

Date: February 20, 2006


DONNA J. WOOD

Instrument # 111116

COUNCIL, ADAMS, IDAHO

2006-02-21

03:28:49 No. of Pages: 2

Recorded for : TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee: 6.00

Ex-Officio Recorder Deputy

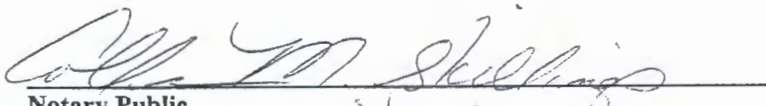
Index to: DEED

STATE OF Idaho)
) : ss
COUNTY OF Adams)

On this 17th day of January, in the year of 2006, before me, a Notary Public in and for said State, personally appeared
DONNA J. WOOD

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me she executed the same.




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

#05-1004

SCANNED
MAR 10 2006

EXHIBIT 'A'

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 15: A parcel of land being a portion of the SW1/4NE1/4 lying
Westerly of U.S. Highway 95 and shown on that certain Record of Survey
recorded as Instr. No. 110917, records of Adams County, Idaho, and
being more particularly described as:

Commencing at an aluminum cap marking the center of said Section 15,
also being the Southwest corner of said SW1/4NE1/4 of Section 15, also
being the REAL POINT OF BEGINNING;

Thence along the Southerly boundary line of said SW1/4NE1/4 of Section
15 S 89°44'04" E 714.03 feet to an iron pin on the intersection of
said Southerly boundary line and the Westerly right-of-way line of
U.S. Highway 95, the Center-East 1/16 corner also being the Southeast
corner of said SW1/4NE1/4 marked by an aluminum cap bearing S 89°
44'04" E 612.84 feet from said intersection;

Thence along said Westerly right-of-way line of U.S. Highway 95 along
a non-tangent curve to the left 140.56 feet, said curve having a
central angle of 5°44'32", a radius of 1402.50 feet, tangent lengths
of 70.34 feet and a long chord of 140.50 feet bearing N 16°34'59" E to
a point;

Thence continuing along said Westerly right-of-way line N 13°36'55" E
149.17 feet (formerly N 14°44' E, Warranty Deed Instr. No. 106443) to
a point;

Thence leaving said Westerly right-of-way line N 82°46'53" W 242.60
feet (formerly N 83°07'52" W 237.65', Warranty Deed Instr. No. 74374)
to an aluminum cap on an iron pin;

Thence N 84°04'54" W 68.68 feet (formerly N 83°07'52" W 69.00',
Warranty Deed Instr. No. 97883) to an aluminum cap on an iron pin;

Thence S 65°15'22" W 247.40 feet (formerly S 64°48'50" W 248.00',
Warranty Deed Instr. No. 97883) to an aluminum cap on an iron pin;

Thence S 70°03'19" W 271.12 feet (formerly Southwesterly 250', Deed
Book 18 Deeds page 197) to the Westerly boundary line of said
SW1/4NE1/4 of Section 15, marked with an iron pin, the North ¼ corner
of said Section 15, also being the Northwest corner of said NE1/4 of
Section 15 which bears N 00°19'34" E 2530.26 feet to a railroad spike;
Thence along said Westerly boundary line S 00°19'34" W 117.86 feet
(formerly North 130', Warranty Deed Instr. No. 106443) to the REAL
POINT OF BEGINNING.

TRUSTEE'S DEED

THIS DEED, made by DONNA J. WOOD, as Trust Beneficiary of the JIM RUBOTTOM AND ANNA M. RUBOTTOM FAMILY LIVING TRUST, Instrument No. 83613, State of Idaho, County of Adams, Grantor, does hereby grant, bargain, sell and convey unto DONNA J. WOOD, Grantee, P. O. Box 130, Council, Idaho 83612.

THEREFORE, for valuable consideration received, Grantor sells and conveys its interest to the following described real property in the County of Adams, State of Idaho, to wit:

See attached Legal Description.

TOGETHER WITH and SUBJECT TO all roads, road rights-of-way, and utility easements as presently established, in order to provide access and utilities to the above described property, and for the purpose of providing access and utilities to neighboring and adjacent parcels

The purported property address South Highway 95 P.O. Box 130, Council, Idaho 83612.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, its beneficiaries; and the said Grantor does hereby covenant to and with the said Grantee is the owner in fee simple of said premises, and that said premises are free from all encumbrances, and that DONNA J. WOOD, as Trust Beneficiary of the JIM RUBOTTOM AND ANNA M. RUBOTTOM FAMILY LIVING TRUST, will WARRANT and DEFEND the same from all lawful claims whatsoever.

DATED this 8 day of June, 2004.

The legal description of said real property covered by this Agreement is as follows, to-wit:

Two (2) certain tracts of land, both situate in the SW1/4NE1/4 of Section 15 in Township 16 North, Range 1 West, Boise Meridian, hereinafter referred to as "said Subdivision", and both situate on the westerly side of the right-of-way of U.S. Highway 95 as now established and which said tracts are more particularly described as follows:

Tract #1. Commencing at a point of the West line of the right-of-way of said U.S. Highway 95, North 14° 44' East 290 feet from the South line of said Subdivision; thence following the North bank of an unnamed watercourse which runs from East to West, generally, across said Subdivision, in a meandering but general westerly direction, 587 feet to a point in the channel of said watercourse marked by a heavy stake; thence in a southwesterly direction approximately 250 feet to a point on the West line of said Subdivision which point is 130 feet North of the Southwest corner of said Subdivision; thence South along the West line of said Subdivision 130 feet to the Southwest corner thereof; thence East along the South line of said Subdivision 136 feet; thence in an irregular, but general north-easterly direction, 184 feet; thence East and parallel to the South line of said Subdivision 572 feet to the West line of the right-of-way of said U.S. Highway No. 95; thence North 14° 44' East, along the West line of said Highway right of way, a distance of 112 feet to the point and place of beginning, a sketch of which said tract is of record in Book 18 of Deeds at page 197 in the office of the County Recorder of Adams County, Idaho.

Tract #2. Commencing at a point on the West line of the right-of-way of the U.S. Highway No. 95, which is N. 14° 44' East 178 feet from the South line of said Subdivision first above described and running thence West, parallel to the South line of said Subdivision, 572 feet to a point; thence in an irregular but generally southwesterly course, 184 feet to the South line of said subdivision; thence East along the South line of said Subdivision, a distance of 610 feet, more or less, to the West line of said U.S. Highway 95; thence North 14° 44' East 178 feet to the point and place of beginning and containing two (2) acres of land, more or less.

SCANNED
MAR 10 2006



DONNA J. WOOD

Trustee of the JIM RUBOTTOM AND
ANNA M. RUBOTTOM FAMILY LIVING
TRUST

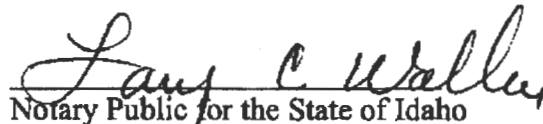
STATE OF IDAHO)

: ss.

County of Adams)

On this the 8 day of June 2004, before me a Notary Public in and for said State, personally appeared DONNA J. WOOD, Trustee of the JIM RUBOTTOM AND ANNA M. RUBOTTOM FAMILY LIVING TRUST, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same for and on behalf of the JIM RUBOTTOM AND ANNA M. RUBOTTOM FAMILY LIVING TRUST.

IN WITNESS WHEREOF I hereby set my hand and affixed my official seal on the day and year first above written.



Notary Public for the State of Idaho

Residing at Weiser, Idaho

My Commission Expires 1/14/05

After Recording, Return to:
Lary C. Walker
Walker Law Office
P. O. Box 828
Weiser, Idaho 83672



DEED

FOR VALUE RECEIVED, JIM RUBOTTOM and ANNA CHANEY RUBOTTOM also known as ANNA M. RUBOTTOM, husband and wife, of Council, Adams County, Idaho, do hereby grant, bargain, sell and convey, unto the RUBOTTOM FAMILY TRUST, the following described property, to be administered as a part of the RUBOTTOM FAMILY TRUST. The premises, being transferred are situated in the County of Adams, State of Idaho, and more particularly described as follows:

PARCEL I

Situate in the Southwest Quarter of the Northeast Quarter of Section Fifteen (15) in Township Sixteen (16) North, Range One (1) West Boise Meridian, hereinafter referred to as "said Subdivision", and situate on the Westerly side of the right-of-way of U.S. Highway 95 as now established and which said tracts are more particularly described as follows:

Commencing at a point on the West line of the right-of-way of said U. S. Highway 95, North 14°44' East 290 feet from the South line of said Subdivision; thence following the North bank of an unnamed watercourse which runs from east to west, generally, across said subdivision, in a meandering but general westerly direction, 587 feet to a point in the channel of said watercourse marked by a heavy stake; thence in a southwesterly direction approximately 250 feet to a point on the West line of said subdivision which point is 130 feet North of the Southwest corner of said subdivision; thence South along the West line of said subdivision 130 feet to the Southwest corner thereof; thence East along the South line of said subdivision 136 feet; thence in an irregular, but general northeasterly direction, 184 feet; thence East and parallel to the South line of said subdivision 572 feet to the West line of the right-of-way of said U. S. Highway No. 95; thence North 14°44' East, along the West line of said Highway right of way, a distance of 112 feet to the point and place of beginning, a sketch of which said tract is of record in Book 18 of Deeds at Page 197 in the office of the County Recorder of Adams County, Idaho.

PARCEL 11

Situate in the Southwest Quarter of the Northeast Quarter of Section Fifteen (15) in Township Sixteen (16) North, Range One

(1) West Boise Meridian, hereinafter referred to as "said Subdivision", and situate on the Westerly side of the right-of-way of U.S. Highway 95 as now established and which said tracts are more particularly described as follows:

Commencing at a point on the West line of the right of way of the U. S. Highway No. 95, which is N. 14°44' East 178 feet from the South line of said subdivision first above described and running thence West, parallel to the South line of said subdivision, 572 feet to a point; thence in an irregular but generally southwesterly course, 184 feet to the South line of said subdivision; thence East along the South line of said subdivision, a distance of 610 feet, more or less, to the West line of said U. S. Highway 95; thence North 14°44' East 178 feet to the point and place of beginning and containing Two (2) acres of land, more or less,

And together with one (1) electrical pump now installed in a well on 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 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 her heirs and assigns forever. And the said parties of the first part, and their heirs, and said premises in the quiet and peaceable possession of the said party of the second part her heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

Together with any and all water, water rights, ditches, ditch rights, minerals, mineral leases, and any and all irrigation rights appurtenant to said lands or in anywise connected therewith.

Subject to, however, all valid outstanding reservations, easements, rights-of-ways, restrictions, dedications, mineral leases, mineral reservations, and mineral conveyances of

To have and to hold the same as a part of the RUBOTTOM FAMILY TRUST, and to be held, administered and distributed in accordance with the terms and conditions of said Trust.

~~XXXXXXXXXXXXXXXXXXXX~~
JIM RUBOTTOM



ANNA CHANEY RUBOTTOM
also known as ANNA M. RUBOTTOM

County of Adams

On this 13 day of January, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared JIM RUBOTTOM and ANNA CHANEY RUBOTTOM also known as ANNA M. RUBOTTOM known to me to be the persons whose names are subscribed to the foregoing QUIT-CLAIM DEED, and who acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal on the day and year in this certificate first
above written.

INSTRUMENT NO. 84229

State of Idaho)
County of Adams) ss.

Notary Public of Idaho
Residing at: Laurel
My Comm. Expires: 10

Filed for record at the request of
 [redacted]
 [redacted]

15 min. past 1 o'clock P.M.

THIS DAY OF JUNE, 1993

MICHAEL FISK RECORDER

by Samuel Wilson

Deputy

Fee \$ ~~2.00~~
DEED

hw-93-307Deed

SCANNED
MAR 10 2008

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: A67-02299
Date Received: 10/03/1989
Receipt No: MO04780
Received By: JE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANNA CHANEY RUBOTTOM 208-253-4823
Address: BOX 130
COUNCIL, ID 83612

2. Date of Priority: APR 30, 1962

3. Source: UNNAMED STREAM Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	15	SW	NE			ADAMS

5. Description of diverting works:
CHECK DAM, PUMP AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.060		9.00

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 9.00 A.F.A.

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	15	SW	NE		IRR	3.0
Section Acres							3.0

10. Place of Use: Continued

Total Acres 3.0

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:
NONE

14. Remarks:
TWO POINTS OF DIVERSION WITHIN S 1/2 OF SWNE.

15. Basis of Claim: LICENSE
Water Right Number: 30482

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: 1

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): Anna Chaney Rubottom Date: 10-3-89

Date: _____

State of Idaho)
County of Washington) SS.

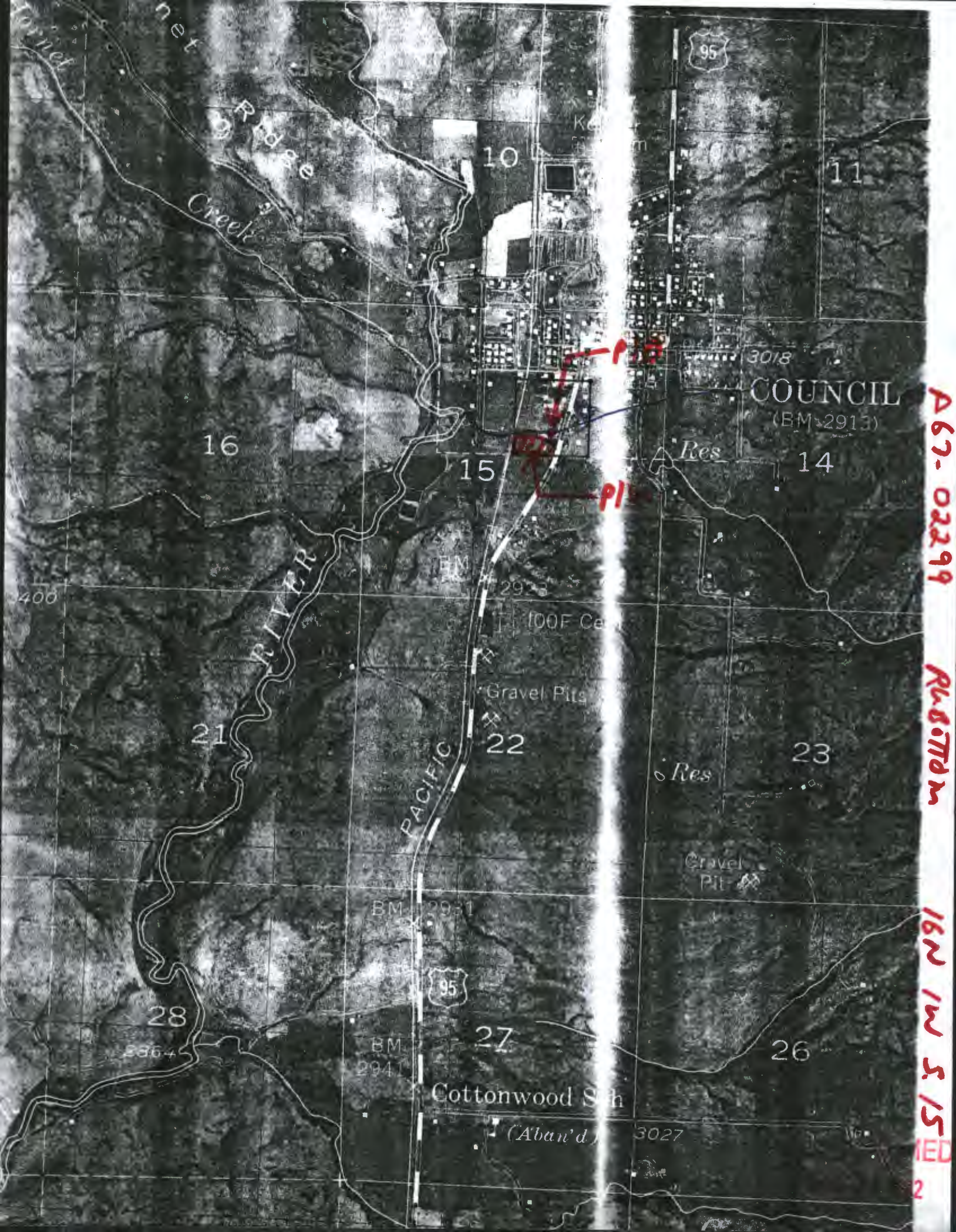
Subscribed and sworn (or affirmed) before me this 3rd day
of October 19 89 Carter Fritschle
Notary Public



Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My commission Expires March 21, 1994



A67-02299

RUBITDM

16N 1W 5/15

MED