

11/05/2005

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

RIGHT NUMBER: 27-12069

NAME AND ADDRESS: CHARLES BRENT WEAVER
802 W RIVERTON RD
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.300 CFS

PRIORITY DATE: 04/01/1883

POINT OF DIVERSION:

T03S R35E S18 SWNE Lot 6 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.300 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T03S R34E S23 Lot 3 SWNW	28.0	T03S R34E S23 Lot 17 SWNW	5.3
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33.3 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 - Decreed

This right is a split from former right 27-25.

Use of this right is combined with water from Blackfoot Irrigation Company.

WATER IS DELIVERED THROUGH RIVERTON DITCH.

04/15/2005

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

RIGHT NUMBER: 27-12069

NAME AND ADDRESS: CHARLES BRENT WEAVER
802 W RIVERTON RD
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.400 CFS

PRIORITY DATE: 04/01/1883

POINT OF DIVERSION:

T03S R35E S18 SWNE Lot 6 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

PERIOD OF USE

04/01 10/31

QUANTITY

0.400 CFS

PLACE OF USE:

IRRIGATION Within BINGHAM County

T03S R34E S23 Lot 3 SWNW 28.0

28 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.

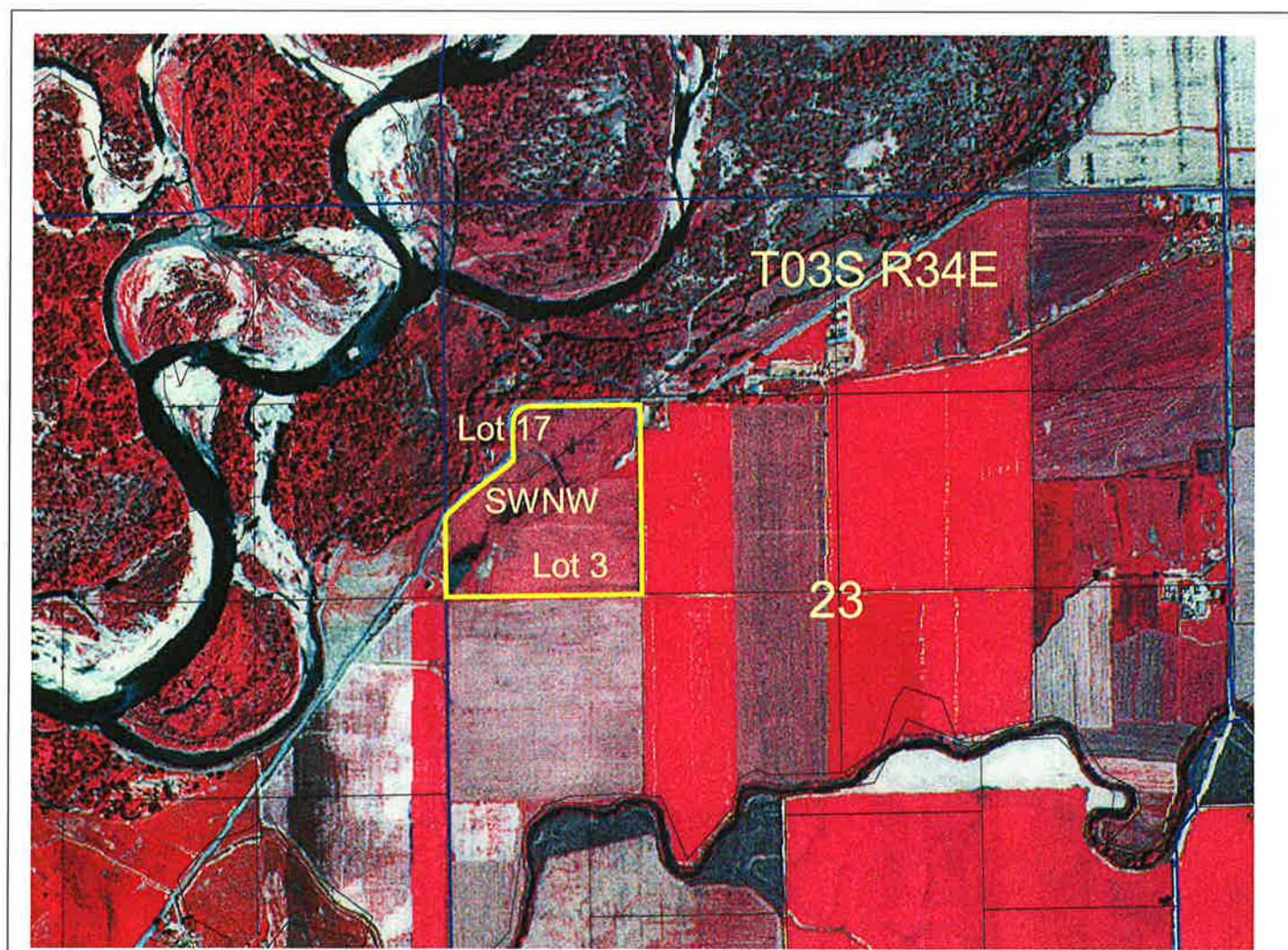
EXPLANATORY MATERIAL: Decreed

WATER IS DELIVERED THROUGH RIVERTON DITCH.

This right is a split from former right 27-25.

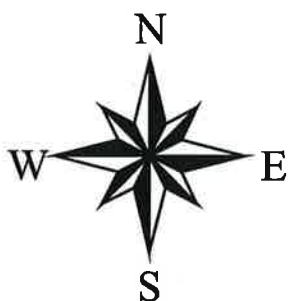
Department of Water Resources

Claim No.: 27-12069



0 1320 2640 3960 5280 Feet

-  Place of Use
 -  Township/Range
 -  Sections
 -  QQ
- SCANNED
FEB 06 2006



GIS Place of Use Illustration
1992 Aerial Photography
Prepared by: E. Carlsen
Date: November 2005



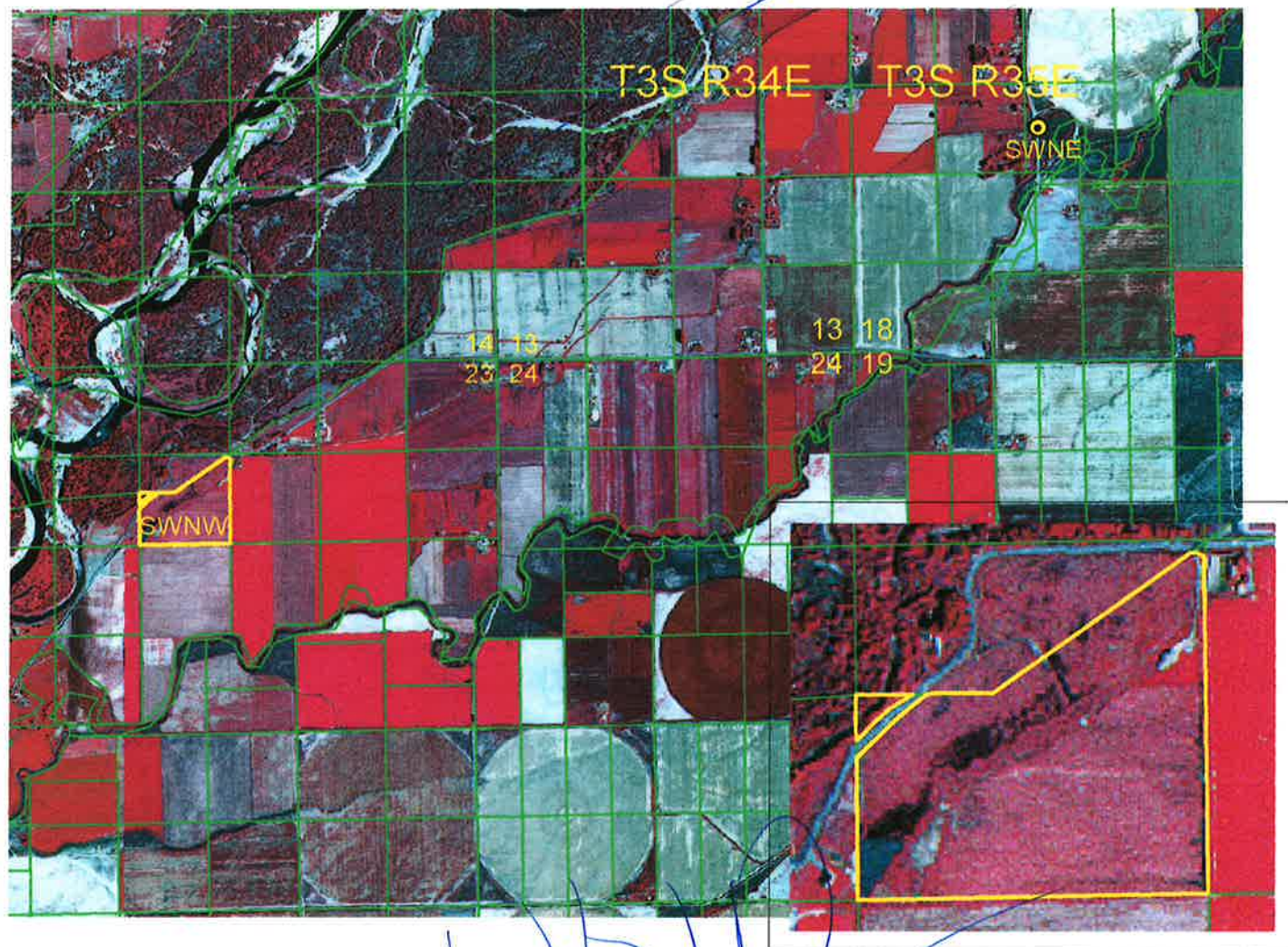
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-12069



0.3 0 0.3 0.6 Miles

LEGEND

- ⊙ Point of Diversion
- Place of Use
- ▭ Townships
- ▭ Sections
- ▭ Quarter-Quarters

Place of Use: T3S, R34E:
(part of) Sec. 23, SWNW, L-3.

Point(s) of Diversion: T3S, R35E:
Sec. 18 SWNE, L-6.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: April 2005.

The complete agreement for this is
filed in 27-00025A.

Distribution of the Emily Warren Decree

Upon a detailed review of the Abstracts and deeds associated with the Joseph and Emily Warren properties the following distribution of the Emily Warren Decree has been accepted by users of the decree.

Right No. 27-00025A

Larry Grimmatt

224 S 550 W

Blackfoot, ID 83221

Acceptable portion of decree: 8.95"

I, Larry Grimmatt, accept the distribution of the Emily Warren Decree as noted to the left for all users of this decree including my portion.

Larry Grimmatt 1-16-06
Signature Date

Right No. 27-00025B

Deanna Stecklein

LaVerelle Stecklein

757 W Riverton RD

Blackfoot, ID 83221

Acceptable portion of decree: 70.44"

I, La Verelle Stecklein, accept the distribution of the Emily Warren Decree as noted to the left for all users of this decree including my portion.

La Verelle Stecklein 1/16/06
Signature Date

Right No. 27-00025C

Norman Winter

230 S 550 W Nagisty Rd

Blackfoot, ID 83221

Acceptable portion of decree: 8.95"

I, Norman Winter, accept the distribution of the Emily Warren Decree as noted to the left for all users of this decree including my portion.

Norman Winter 1-16-06
Signature Date

Right No. 27-12069

Charles Brent Weaver

802 W Riverton Rd

Blackfoot, ID 83221

Acceptable portion of decree: 17.66"

I, Charles Brent Weaver, accept the distribution of the Emily Warren Decree as noted to the left for all users of this decree including my portion.

Charles Brent Weaver
Signature Date
1-16-06

Total Decree 106"

SCANNED

JAN 20 2010

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

RIGHT NUMBER: 27-12069

NAME AND ADDRESS:

CHARLES BRENT WEAVER
802 W RIVERTON RD
BLACKFOOT ID 83221

SOURCE:

Source:

BLACKFOOT RIVER

Tributary:

SNAKE RIVER

QUANTITY:

0.353 CFS

~~0.300 CFS~~

PRIORITY DATE:

04/01/1883

POINT OF DIVERSION:

T03S R35E S18 Lot 6 SWNE
Within BINGHAM County

**PURPOSE AND
PERIOD OF USE:**

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

0.353 CFS

~~0.300 CFS~~

PLACE OF USE:

IRRIGATION within BINGHAM County

T03S R34E S23 Lot 3 SWNW 28.0

T03S R34E S23 Lot 17 SWNW 5.3

33.3 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 - Decreed

WATER IS DELIVERED THROUGH RIVERTON DITCH.

Use of this right is combined with water from Blackfoot Irrigation Company. This right is a split from former right 27-25.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 5, 2005

Charles Brent Weaver
802 W Riverton Rd
Blackfoot ID 83221

RE: Change to Preliminary Director's Report 27-12069
Notice of Amended Claim to Water Right 27-12069

Dear Charles:

Following up on our telephone conversation this past Saturday enclosed please find a Notice of Amended Claim and a Preliminary Director's Report with a map of the place of use.

As we discussed the acreage on the amended claim has been increased to include the irrigated acres in Lot 17. I left the quantity on the amended claim at 0.40 cfs (20 miners inches). Please sign the claim in the presence of a Notary and return to this office.

The Preliminary Director's Report reflects the increased acres but only shows a quantity of 0.30 cfs (15 miners inches). This quantity is based my understanding of how the water right was conveyed based on deeds that were obtained from Bingham County. If you have documentation to corroborate the 1909 Quitclaim please provide it. You are certainly welcome to meet with me and review the documents I relied on to make the recommendation. Please retain this report and the map for your records.

The Department expects to submit to the Snake River Basin Adjudication Court all recommendations for the Blackfoot Drainage, Basin 27, by November 10, 2005. At that time you will receive Director's Report for your water right, which should mirror the revised preliminary recommendation. The Director's Report mailing will not include a map.

Naturally if you have questions please call me at the above phone number.

Respectfully Submitted,

Ernest Carlsen
Water Right Supervisor

Enclosures (2)

SCANNED

FEB 06 2006

FILED

Kristen

RECEIVED

SEP 12 2005

04/27/2005

NOTICE OF ERROR
REPLY

Department of Water Resources
Eastern Region

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:

Water right number: 27-12069

CHARLES BRENT WEAVER
802 W RIVERTON RD
BLACKFOOT ID 83221
Telephone Number: (208)785-1585

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

No disagreement.

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: 7-28-05 SIGNATURE: C. Brent Weaver

Please print your name: C. BRENT WEAVER

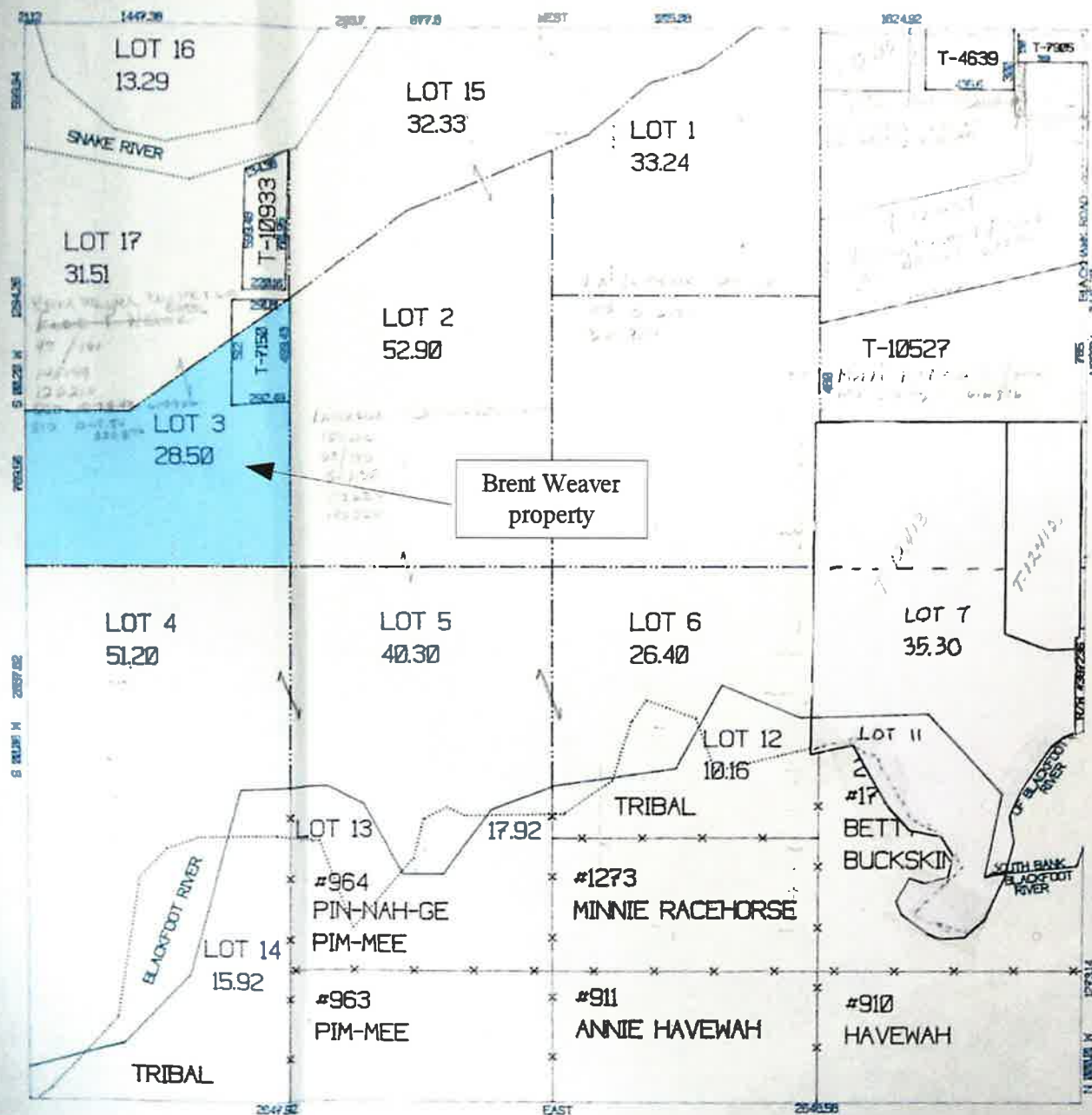
IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

KMC
9/14

Notes

4/15/05 Claimed wrong QQ, recommended
correct QQ, according to Benham Co. Tax lot
information and the information sent
by Merlin Yancey. CB
Part of 27-25 right.

Mr. Yancey indicated that Bent Weavers has water
in Blackfoot migration.



TwN 35 Rge 34E
Section 23 1"=2

Tax # Block/Lot	Name	Kind of Inet.
1-421	John E. Davis & Family	100
1-75	John E. Davis & Family	100
1-2	John E. Davis & Family	100
1-123	John E. Davis & Family	100
1-124	John E. Davis & Family	100
1-125	John E. Davis & Family	100
1-126	John E. Davis & Family	100
1-127	John E. Davis & Family	100
1-128	John E. Davis & Family	100
1-129	John E. Davis & Family	100
1-130	John E. Davis & Family	100
1-131	John E. Davis & Family	100
1-132	John E. Davis & Family	100
1-133	John E. Davis & Family	100
1-134	John E. Davis & Family	100
1-135	John E. Davis & Family	100
1-136	John E. Davis & Family	100
1-137	John E. Davis & Family	100
1-138	John E. Davis & Family	100
1-139	John E. Davis & Family	100
1-140	John E. Davis & Family	100
1-141	John E. Davis & Family	100
1-142	John E. Davis & Family	100
1-143	John E. Davis & Family	100
1-144	John E. Davis & Family	100
1-145	John E. Davis & Family	100
1-146	John E. Davis & Family	100
1-147	John E. Davis & Family	100
1-148	John E. Davis & Family	100
1-149	John E. Davis & Family	100
1-150	John E. Davis & Family	100

RECEIVED
APR 6 2005

Claim 27-12069
Timeline

05/14/1909	Quitclaim Deed, Emily (Warren) Hodder to Alice S. Miller 20" inches of decreed Blackfoot River Recorded # 26631
10/09/1911	U.S.A. Patent, to Alice S. Miller ✓ T3S, R34E, Sec. 23, Lot 3 Containing 28.50 acres Recorded # 21127
12/15/1930	Warranty Deed, William Miller to Mollie Miller T3S, R34E, Sec. 23, Lot 3 Together with all ditches, ditch rights of way and water rights Recorded #
12/01/1943	Indenture, Bingham County to J.S. Gardner Recorded # 41138
12/06/1943	Warranty Deed, Federal Land Bank to Barney & Mary Johannes T3S, R34E, Sec. 23, Lot 3 Recorded # 41081
11/25/1957	Warranty Deed, Barney Johannes to Charles F. Weaver T3S, R34E, Sec. 23, Lot 3 Together with the ditches and water rights Recorded Book 97, Page 161
07/09/2003	Deed of Personal Representative, Estate of Elsie Pearl Weaver to Charles Brent Weaver T3S, R34E, Sec. 22, Lots 10 and 16 T3S, R34E, Sec. 23, Lot 17 T3S, R34E, Sec. 23, Lot 3 Together with ditches and ditch rights, water and water rights Recorded # 529316

Pedigree of Brent Weaver Water Right
20 inches of Emily Warren Decree - April 1, 1883

DEED RECORD, BINGHAM COUNTY



Emily Hodder,
TO
Alice S. Miller.

QUITCLAIM DEED
No. 26531

This Indenture, made the 14th day of May, in the year of our Lord one thousand nine hundred and nine, between Emily Hodder, formerly Emily Warren, widow of Joseph Warren, deceased, of the county of Bingham, and state of Idaho, the party of the first part, and Alice S. Miller of the county of Bingham, and 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 Two hundred Dollars, lawful money of the United States of America, to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents demise, release and forever quitclaim unto the said party of the second part, and to her heirs and assigns forever all the certain lot, piece, or parcel of land situated in the County of Bingham, and State of Idaho, and bounded and particularly described as follows, to wit:

Twenty (20) inches of the decreed water right in Blackfoot river, as evidenced by the decree of the District Court of the Fifth Judicial District of Idaho, in and for Bingham county, Idaho, in the action for the decree of the waters of Blackfoot river, wherein Fred S. Stevens et al were plaintiffs and the Eastern Idaho Water Company, a corporation et al were defendants, being twenty inches of the decreed water right of Joseph Warren, in the waters of Blackfoot river, as evidenced by the said decree of record in Bingham County, Idaho.

Together with all and singular the premises hereto made and appurtenances thereto belonging or in any wise appertaining, and the succession and accretions, riparian and non-riparian, past, present and future thereof.

To Have and to Hold, All and singular, the said premises, together with the appurtenances unto the said party of the second part, and to her heirs and assigns forever.

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

Emily Hodder. (SEAL)
John W. Jones. (SEAL)
John W. Jones. (SEAL)
John W. Jones. (SEAL)

State of Idaho.)
County of Bingham.) ss
I do hereby certify that on this 15th day of May in the year 1909, before me, John W. Jones, a notary public, in and for said county and state, personally appeared Emily Hodder known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that she executed the same.

Witness Whereof, I have hereunto set my hand and affixed my official seal at Blackfoot, Idaho, the day and year first above written. My commission expires July 10, 1909. Seal. John W. Jones, Notary Public.

Recorded at request of Alice S. Miller May 22, 1909 at 2:30 p. m. H. B. Curtis, Recorder.

NOTE: Recorded May 22, 1909 at 2:30 p. m.

Blackfoot 04765.

WHEREAS, A certificate of the Register of the Land Office at Blackfoot, Idaho,

Alice S. Miller

Lot three of section Twenty-three in Township three south of Range thirty-four east of the Boise Meridian, Idaho, containing twenty-eight and fifty-hundredths acres,

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General.

That the United States of America in consideration of the premises and in conformity with the several Acts of Congress in such case made and provided, has given and granted unto

these presents does Give and Grant unto the said claimant and to the heirs of the said claimant, TO HAVE AND TO HOLD THE SUBSTANCE OF THE SAME, together with the right and privilege therein contained, unto the said claimant and his heirs forever, of whatsoever nature and kind soever the same may be, unto the said claimant and his heirs forever, unto the full term of years therein expressed, subject to any title and service which shall be lawfully claimed and exacted by any lord or lady, knight or squire, gentleman or yeoman, or other person claiming such title or service, as they shall think fit to demand.

tural, 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 there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I,

William H. Taft.

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 Fifth day of

October in the year of our Lord one thousand nine
hundred and eleventh and of the Independence of the United States

the one hundred and Thirty-sixth.

BY THE PRESIDENT: Wm. H. Taft,

By M. P. Le Roy Secretary

Recorded Patent Number 228619

H.W. Sanford, Recorder of the General Land Office.

Recorded at the request of Bingham Abstract Co.Ltd. Oct. 7th,

A. D. 1916 , at 2:45 o'clock P. M.

F. M. Fisher

Pedigree of Brent Weaver Water Right
20 inches of Emily Warren Decree - April 1, 1883

THIS INDENTURE, Made the 15th day of December in the year of our Lord one thousand nine hundred and twenty

William Miller, of Bannock and State of Idaho, the part of the first part, and

Mollie Miller, of Bannock and State of Idaho, the part of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of

One and no/100 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

do by these presents grant, sell, bargain and convey and confirm unto the said party of the second part, and to her heirs and assigns forever, all the certain lot, piece or parcel of land situate, lying and being in the County of Bingham and State of Idaho, and bounded and described as follows, to-wit:

The Lot Three (3) of Section twenty-three (23) in Township three (3) South of Range thirty-four (34) East of the Boise Meridian, in Idaho.

Together with all ditches, ditch rights of way and water rights thereto appertaining and belonging, and particularly twenty (20) inches of decreed water in the Luckie River, as recorded in Book 10 of Maps 14, 1883, and recorded in Book 15 of Deeds, page 601, Records of Bingham County, Idaho.

Subject to a certain water right in favor of The State of Idaho, as follows:

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part, and to her heirs and assigns forever, and the said party of the first part, and her heirs, and the said premises in a quiet and peaceable possession of the said party of the second part, against the said party of the first part and her heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said party of the first part hereunto set his hand and seal, the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF William Miller [SEAL] R. Anthony [SEAL] [SEAL] [SEAL]

STATE OF IDAHO, ss. COUNTY OF Bannock

I DO HEREBY CERTIFY, That on this 15th day of December in the year 1920, before me, Theodore H. Gathe, Notary Public, said State, personally appeared William Miller known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

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

My Commission expires Seal. Theodore H. Gathe Notary Public. Recording at Montpelier, Idaho

Recorded at the request of Geo. Miller, Dec. 29, 1920 at 12:10 P. M.

Recorder's Fees, \$ P. B. Denno Recorder. By RS [Signature] Deputy Recorder.



**Pedigree of Brent Weaver Water Right
20 inches of Emily Warren Decree - April 1, 1883**

411

STATE OF WASHINGTON SS
COUNTY OF SPOKANE

On this 6th day of December 1943, before me (a notary public in and for the above named state) personally appeared S. C. Fish to me known to be the Vice-President of the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and that it executed the same, and on oath stated that he was authorized to execute said instrument, and that the seal affixed is the corporate seal of said corporation.

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

seal E. C. Prestby
Notary Public in and for the State of Washington
My commission expires Oct. 7 1947 Residing at Spokane, Washington
Recorded at the request of Barney Johannes Dec. 10, 1943 at 3:40 P.M. Fee \$1.40
By *E. M. Goodwin* Deputy Jno. H. Falk, Recorder
EC- - - - -

No. 41138 DEED BY COUNTY OF PROPERTY ACQUIRED FOR TAXES

THIS INDENTURE, Made this 1st day of December, A.D. 1943 between the County of Bingham State of Idaho, party of the first part, and J.S. Gardner of Bingham County, Idaho, party of the second part, WITNESSETH:

WHEREAS, By an order duly made by the Board of County Commissioners of said County in meeting assembled on the 17th day of October, 1929, and entered in Book G of Commissioners' Minutes at page 605, it was found and determined that the certain tract or parcel of land belonging to said County and hereinafter particularly described, was not necessary for the use of said County, and that the same should therefore, pursuant to the provisions of Section 30-708 I.C.A., as amended be sold at public auction;

WHEREAS, Pursuant to said order and the statute in such case made and provided, due notice of said sale was published for a period of thirty (30) days previous to the date of said sale by publication, in The Bingham County News, a weekly newspaper published in said County, the first publication having been made on the 8th day of November, 1929, and the last publication on the 13th day of December, 1929, affidavit of the giving of which notice has been duly filed with the Clerk of the Board of County Commissioners of said County;

WHEREAS, Said notice set forth the 16th day of December, 1929, at 10.00 o'clock A.M., at the Courthouse door of Bingham County as the time and place of sale, and further set forth the terms of said sale;

WHEREAS, The premises hereinafter described having been acquired by tax deed based upon a delinquent tax certificate for the taxes of 1921, wherein said property was assessed to Arthur W. Hale in the notice of sale aforesaid, there was inserted before (or after)

**Pedigree of Brent Weaver Water Right
20 inches of Emily Warren Decree - April 1, 1883**

WITNESS our hands this 10th day of April, 1943.

Henry David Trummell
Stella Mae Trummell

STATE OF CALIFORNIA

County of Solano

On April 10, 1943, before me Margueritta Wheeler Burke, a Notary Public in and for said Solano County and State, personally appeared HENRY DAVID TRUMMELL and STELLA MAE TRUMMELL, husband and wife known to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

SEAL
My commission expires Feb. 19, 1947
Recorded at the request of Gottfried Funk on December 8, 1943 at 3:04 P.M. Fee \$1.00
By *[Signature]* Deputy Jno. H. Falk, Recorder
dp
No. 42001 DEED 20250 Miller

This Indenture, made this 6th day of December, 1943, between THE FEDERAL LAND BANK OF SPOKANE, a corporation organized and existing under the Act of Congress known as the Federal Farm Loan Act, as amended, with its principal place of business in the City of Spokane, County of Spokane, State of Washington, the party of the first part, and Barney Johannes and Mary Johannes, husband and wife, of Blackfoot, Idaho parties of the second part, WITNESSETH: That the party of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, receipt of which is hereby acknowledged, does by these presents Grant, Bargain, Sell, Convey and Warrant to the parties of the second part, and to their heirs and assigns forever, the following described real estate, situate in the County of Blaine State of Idaho to-wit:

Lot 3 of Section 23, Township 36 South, Range 14, East of the Boise Meridian.
32.20 I.R.S. attached and cancelled.

Together with all the tenements, hereditaments, rights, privileges and appurtenances therunto belonging, and all waters and water rights, and all watering and irrigating apparatus and fixtures which are appurtenant to or incident to the ownership of said premises; but nothing herein contained shall be construed as a warranty of any water right. To have and to hold said premises unto the parties of the second part, their heirs and assigns forever, subject to the following:

1. Unpaid taxes, assessments and water charges, including but not limited to those levied or imposed by the United States Reclamation or Indian Service or by any water or irrigation or drainage district or company, and all other unpaid charges, liens or assessments imposed by law on the above described property, becoming due subsequent to the year 1935.
2. Any lien imposed by law by reason of the outstanding indebtedness of any drainage, irrigation or other special improvement district; and any lien or encumbrance revived or placed on said property by, through or under the parties of the second part.
3. The exceptions, provisions and reservations contained in patents or deeds from the United States of America, or the state in which said land is situate, or in deeds from railway companies; and any and all easements, rights of way for railroads, roads or highways or other servitudes.

The party of the first part hereby covenants that, except as hereinabove stated, it will forever Warrant and Defend the title to said premises and the quiet and peaceable possession thereof unto the said parties of the second part, or their assigns, against all and every person and persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the party of the first part has caused its corporate name to be hereunto subscribed and its corporate seal to be affixed by its proper end

THE FEDERAL LAND BANK OF SPOKANE

Pedigree of Brent Weaver Water Right
20 inches of Emily Warren Decree - April 1, 1883

WARRANTY DEED

THIS INDENTURE, Made this 25th day of November, 1907, in the year of our Lord one thousand nine hundred and fifteen-seven, between BARNEY JOHANNES, a widower, of the County of Bingham, State of Idaho, the part y of the first part, and CHARLES P. WEAVER, of the County of Bingham, State of Idaho, the part y of the second part.

WITNESSETH, that the said part y of the first part, for and in consideration of the sum of THREE THOUSAND, SEVEN HUNDRED TWENTY-TWO and No/100- - DOLLARS lawful money of the United States of America, to him in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, by these presents do es grant, bargain, sell, convey and confirm unto the said part y of the second part, and to his heirs and assigns forever, all of the following described real estate, situated in the County of Bingham, State of Idaho, to-wit:

The Lot Three in Section Twenty-three,
in Township Three South, of Range Thirty-four,
East of the Boise Meridian, in Idaho;

Together with the ditches and water
rights thereunto appertaining and belonging.

4

**Pedigree of Brent Weaver Water Right
20 inches of Emily Warren Decree - April 1, 1883**

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

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the part y of the second part, and to his heirs and assigns forever and the said part y of the first part and his heirs, the said premises to the quiet and peaceable possession of the said part y of the second part, his heirs and assigns, against the said part y 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 forever DEFEND.

IN WITNESS WHEREOF, The said part y of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of
 _____ (SEAL)
 _____ (SEAL)
 _____ (SEAL)
 _____ (SEAL)

STATE OF IDAHO
 County of Bingham } ss.

On this 27th day of November, in the year 19 57, before me,

H. William Furchner, a Notary Public in and for said State, personally appeared
BARNEY JOHANNES, a widower,

known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

My commission expires:

H. William Furchner
 Notary Public for the State of Idaho

January 31st, 19 58, residing at Blackfoot, Idaho

No. <u>65</u>	
WARRANTY DEED	
TO	
Dated	19
STATE OF IDAHO	
County of	
I hereby certify that this instrument was filed for record at request of	
at	minutes past
of clock	M. this
day	of
in my office, and duly recorded in Book	
of	at page
By	Ex-Officio Recorder
Fees, \$ <u>1.50</u>	Deputy
Mail to	

APR 5 2005
 RECEIVED

DEED OF PERSONAL REPRESENTATIVE

WITNESSETH:

IN WITNESS WHEREOF, the said Personal Representative has hereunto set his hand the day and year first above written.

1 of 2

RECEIVED IN THE REQUEST OF
Blaise Simon
70 Box 1047
Blackfoot ID 83221

2003 JUL 16 PM 4:43
Weaver

SPRING COAST REQUEST
BLACKFOOT, IDAHO 83221
FEE 9-1000-10590
SEP

Pedigree of Brent Weaver Water Right
20 inches of Emily Warren Decree - April 1, 1883

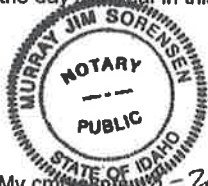


Charles Brent Weaver
CHARLES BRENT WEAVER

STATE OF IDAHO)
) ss.
County of Bingham)

On this 9 day of July, 2003, before me, the undersigned, a
notary public in and for said state, personally appeared CHARLES BRENT WEAVER,
known to me to be the Personal Representative of the Estate of ELSIE PEARL WEAVER,
deceased, whose name is subscribed to the within instrument and acknowledged to me
that he executed the same as such Personal Representative.

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



My commission expires 8-24-09

[Signature]
Notary Public for State of Idaho
Residing at Blackfoot, Idaho

Pedigree of Brent Weaver Water Right
20 inches of Emily Warren Decree - April 1, 1883

EXHIBIT "A"

Lots 10 and 16 in Section 22; Lot 17 in Section 23; The Lot 3 in Section 23, in Township 3 South Range 34 East of the Boise Meridian, Bingham County, Idaho.

LESS:

Part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23 Township 3 South Range 34 East of the Boise Meridian described as: Beginning at a point that is N 0°20'00" E. 798.20 feet along the Section line and E. 1030.86 feet from the W. quarter corner of said Section 23 and running thence N 86°01'06" E. 292.49 feet along a fence line to the North-South half section line; thence along said half-section line N 00°20'00" E. 499.43 feet thence S. 88°28'46" 291.81 feet along a fence along the South line of a County Road thence S. 00°20'00" W. 512.00 feet to the point of beginning. Contains 3.386 acres.

LESS:

Part of the N.W. $\frac{1}{4}$ of Section 23, Township 3 South, Range 34 East of the Boise Meridian, Bingham County, Idaho described as:

Beginning at a point that is N 00°06'00" E. 2659.50 feet along the section line to the West $\frac{1}{4}$ corner of said Section, and N. 00°07'49" E. 769.14 feet along the Section line to an original meander corner and N. 61°31'32" E. 1245.04 feet from the Southwest corner of said Section 23 and running thence N. 1°21'59" E. 599.48 feet to the South bank of a secondary channel of the Snake River; thence N. 68°43'24" E. 134.38 feet along said secondary channel; thence N. 60°25'21" E. 111.68 feet along said secondary channel to an existing fence line; thence S. 1°20'43" W. 701.95 feet along said fence line to a point in the North right-of-way fence of a county road; thence S. 89°37'33" W. 220.16 feet along said right-of-way to the point of beginning.

Together with all and singular, the tenements, hereditaments, and appurtenances, ditches and ditch rights, water and water rights, thereunto belonging or in anywise appertaining.

Subject to reservations in United States patents and State deeds or other restrictions imposed by law, easements and right-of-way, zoning and building ordinances, use restrictions of record, and taxes and assessments for the year 2003 and thereafter.

529316

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 _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) CHARLES BRENT WEAVER Phone (208) 785-1585

Mailing Address 800 W. RIVERTON RD. BLACKFOOT ID. Zip 83221

2. Date of Priority (Only one (1) per claim) April 1, 1883 EMILY WARREN DECREE

3. Source of water supply (a) BLACKFOOT RIVER
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 3S Range 35E Section 18,
_____ 1/4 of SW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of BINGHAM

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

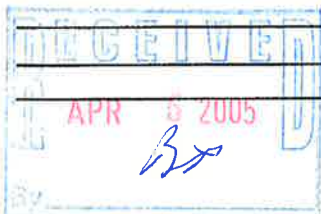
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. RIVERTON DITCH



27.25

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 _____
Date Received _____
Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) CHARLES BRENT WEAVER Phone (208) 785-1585
Mailing Address 800 W. RIVERTON RD. BLACKFOOT ID. Zip 83221

2. Date of Priority (Only one (1) per claim) April 1, 1883 EMILY WARREN DECREE

3. Source of water supply (a) BLACKFOOT RIVER
which is tributary to (b) _____

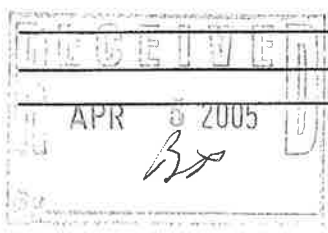
4. a. Location of existing point of diversion is: Township 3S Range 35E Section 18,
_____ 1/4 of SW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of BINGHAM

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. RIVERTON DITCH



15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree

If applicable provide IDWR Water Right Number 27-25

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of _____) SS.

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____



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 27-12069
Date Received: 3/31/2005
Receipt No: E030731
Received By: MWH

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

1. Name of Claimant(s)

CHARLES BRENT WEAVER Phone: (208)785-1585
802 W RIVERTON RD
BLACKFOOT ID USA 83221

2. Date of Priority: 04/01/1883

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03S	35E	18	SW NE	BINGHAM	

5. Description of diverting works:

HEADGATE IN BLACKFOOT RIVER TO RIVERTON DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.4	

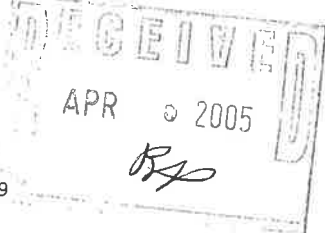
7. Total Quantity Appropriated is:
0.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
03S	34E	23	NW NW 3	IRRIGATION	28.5
			SW	Section Acres	28.5



Total Acres 28.5

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

CLAIM IS FOR PORTION OF WR 27-25 OWNED BY CLAIMANT.

Use of this right is combined with water from Blackfoot Irrigation Co.

15. Basis of Claim: Decreed

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): C. Brent Theodor Date: 3-31-05

Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 31st
of March 2005

Jennifer Crabtree

Notary Public

Residing at Idaho Falls Id

My commission Expires 9/23/09

