

RECEIVED

11/14/2006

NOV 21 2006

NOTICE OF ERROR
REPLY

DEPARTMENT OF
FISH AND GAME

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: 67-4282

R SHARON ASCHENBRENNER

6995 S RIDGEWOOD RD

NAMPA ID 83687-9018

Telephone Number: (208)888-3580

KENNETH L ASCHENBRENNER

6995 S RIDGEWOOD RD

NAMPA ID 83687-9018

Telephone Number: (208)888-3580

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: Nov 20/06

SIGNATURE: Kenneth L. Aschenbrenner

Please print your name: KENNETH L. ASCHENBRENNER

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

SCANNED
NOV 24 2006

03/03/2006

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

RIGHT NUMBER: 67-4282

NAME AND ADDRESS: R SHARON ASCHENBRENNER
6995 S RIDGEWOOD RD
NAMPA ID 83687-9018

KENNETH L ASCHENBRENNER
6995 S RIDGEWOOD RD
NAMPA ID 83687-9018

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.280 CFS
63.900 AFY

PRIORITY DATE: 01/01/1950

POINT OF DIVERSION:

T10N R05W S16 NWNWSE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.280 CFS 63.90 AFY

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R05W S16 NWSE 14.20

14.2 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 - Beneficial Use



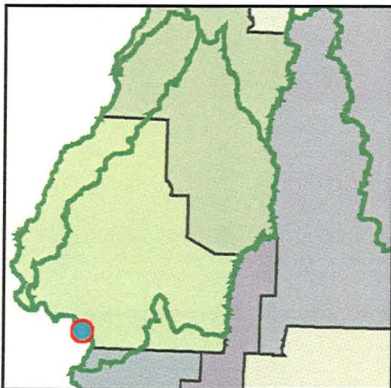
Idaho Department of Water Resources

Adjudication Claim:

67-4282

Legend

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



Washington County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by M. Van Bussum
On Monday, March 6, 2006
1987/88 Aerial Photography

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 67-4282
Date Received: 10/10/1989
Receipt No: M004882
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

R SHARON ASCHENBRENNER Phone: (208)888-3580

4990 N MERIDIAN RD
MERIDIAN ID USA 83642

KENNETH L ASCHENBRENNER Phone: (208)888-3580

4990 N MERIDIAN RD
MERIDIAN ID USA 83642

2. Date of Priority: 01/01/1950

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
10N	05W	16	NW	NW	SE	WASHINGTON	

5. Description of diverting works:

WELL, 4' DIAMETER, CONCRETE CASING, 35' DEEP, 7.5 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.28	

7. Total Quantity Appropriated is:
0.28 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
10N	05W	16	NW	SE	IRRIGATION	14.2
Section Acres						14.2
Total Acres						14.2

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: Statutory Claim

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4282

WATER RIGHT NUMBER: 67-4282

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERTS FARMS INC 1449 LARSEN RD WEISER, ID 83672 (208)549-2507
Original Owner	BRADLEY H ROBERTS 1449 LARSEN RD WEISER, ID 83672 (208)549-2507

OK to Change – csaxton 3-30-05

Priority Date: 01/01/1950
 Basis: Statutory Claim
 Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.280 CFS	
	<u>Total Diversion:</u>	0.280 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4SE1/4	Sec. 16, Twp 10N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	05W	16																	14.2

Total Acres: 14.2

Conditions of Approval:Remarks:Dates and Other Information:

Claim Received Date: 10/10/1989
 State or Federal: S
 Owner Name Connector: OR
 Mitigation Plan: False



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 7, 2005

KENNETH AND SHARON ASCHENBRENNER
4990 N MERIDIAN RD
MERIDIAN ID 83642

RE: Snake River Basin Adjudication (SRBA)
**Notices of Claim to a Water Right #3-2005, 3-2009, 3-4012B, 67-4282,
3-10199, 3-10201, 3-10203 and 3-10205**

Dear Claimants:

As a result of buying a portion of the property and water rights from Roberts Farms, Inc., the identification numbers to your water rights have been changed as follows:

<u>From</u>	<u>To</u>
3-2001A	3-10199
3-2007	3-10201
3-4011	3-10203
3-4012A	3-10205

Please use the new numbers in future inquiries or correspondence you may have with our Department. The identification numbers of Notices of Claim to a Water Right #3-2005, 3-2009, 3-4012B and 67-4282 have not changed.

Enclosed are copies of your water right claims. Please retain these copies for your file.

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 claims. Please call me at 1/800-451-4129 if you have any questions or concerns.

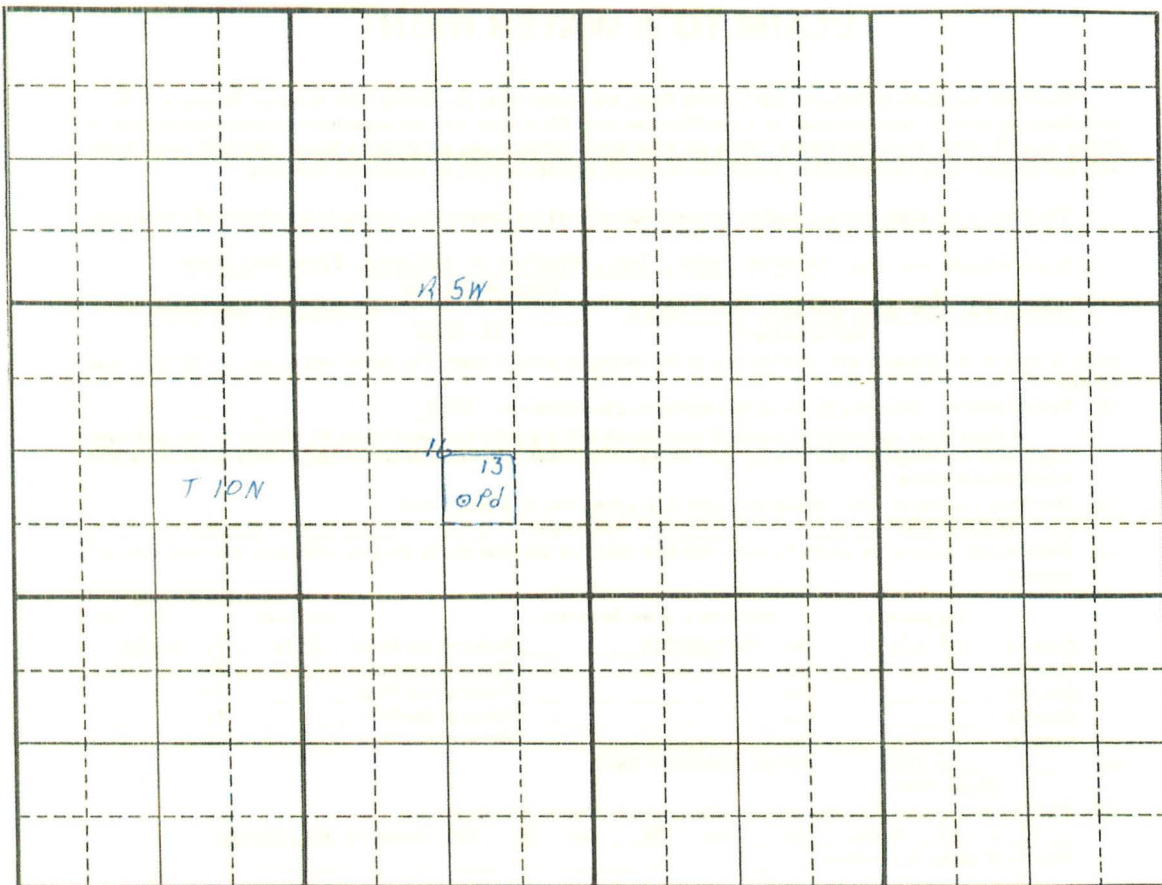
Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures:

Copies of Notices of Claim Referenced Above

(B) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 9 day of July, 1979.

Bradley W. Roberts (Claimant)
(use Pres.)

Karenlyn A. Walker
Notary Public
Residing at Boise

My commission expires Aug

FOR DEPARTMENT USE ONLY

Received by <u>CLS</u>	Date <u>7/9/79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>CalB</u>	Date <u>7/10/79</u>		claimant by:	
\$20.00 fee received by <u>fw</u>	Date <u>7/9/79</u>	# <u>14435</u>		
Published in <u>Signal American</u>			<u>K.L. 88</u>	<u>8/8/79</u>
Dates <u>7/29 & 7/26/79</u>				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
 OCT 08 2003
 WATER RESOURCES
 WESTERN REGION

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, 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
67-4283 <i>ok to split</i>			03-2009		
03-4011		X	03-2005		
03-4011			03-2007		X
03-4012		X	03-4012A		X
03-4012B			03-2001A		
67-4282 <i>ok to change</i>					

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) are 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) ROBERTS FARMS INC.
1449 LARSEN ROAD, WEISER, ID 83672
4. New Owner/Claimant(s) KENNETH L. ASCHENBRENNER AND R. SHARON ASCHENBRENNER
 Name Connector (Check one): [] and, [] or, ☒ and/or
- New Mailing Address 4990 NORTH MERIDIAN ROAD
- City, State and ZIP Code MERIDIAN, ID 83642
- New Telephone Number (208) 898-3580
5. Date you acquired the property 02/1/03

SCANNED

MAR 31 2005

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 <u>03-4012</u>		
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		100 ACRES
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 <u>03-2007</u>		
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		78 ACRES
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s) Regent 2 Aufubene
(include title if applicable) Sharon Aschenbrener

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 DLH Date 10-8-03 Fee 0
 Received by Other man Date 3-31-05 Receipt No. _____
 Processed by Other man Date 3-31-05 WR _____ Date _____
ok to change B67 claims 3-30-05
 SCANNED
 MAR 31 2005

DEED

FOR VALUE RECEIVED, ROBERTS FARMS, INC.
a corporation duly organized and existing under the laws of the State of Idaho, grantor, does
hereby Grant, Bargain, Sell and Convey unto

KENNETH L. ASCHENBRENNER AND R. SHARON ASCHENBRENNER,
husband and wife

grantee whose current address is 4990 NORTH MERIDIAN ROAD
MERIDIAN, ID 83642

The following described real estate, to-wit:

SEE ATTACHED EXHIBIT "A"

Instrument # 191339

WEISER, WASHINGTON, IDAHO

2003-10-01

03:09:00 No. of Pages: 2

Recorded for : AMERITITLE

SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 6.00

THE PROPERTY HEREIN DESCRIBED IS SITUATED IN OR NEAR FARM OR RANCH
PROPERTY. THE INTENT IS TO ENCOURAGE AGRICULTURAL USE AND MINIMIZE
CONFLICTS WITH NON-FARM NEIGHBORS. NON-FARM RESIDENTS MAY BE SUBJECTED
TO COMMON, CUSTOMARY, AND ACCEPTED FARM & RANCH PRACTICES THAT ARE
CONDUCTED IN ACCORDANCE WITH STATE AND FEDERAL LAWS BUT ORDINARILY &
NECESSARILY PRODUCE NOISE, DUST, SMOKE & OTHER IMPACTS. THE GRANTEES,
INCLUDING THEIR HEIRS, ASSIGNS & LEASES, BY THE RECORDING OF THIS STATEMENT,
ACCEPT THE POTENTIAL IMPACTS OF ACCEPTED FARM & RANCH PRACTICE AS NORMAL
AND NECESSARY AND PART OF THE RISK OF HAVING A DWELLING IN THIS AREA.
GRANTEE ACKNOWLEDGES THE NEED TO AVOID ACTIVITIES THAT CONFLICT WITH
NEARBY FARM AND RANCH USES.

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise
belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications,
mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has
caused its corporate name to be hereunto subscribed by its President and its corporate seal to be
affixed by its Secretary this 29th day of September, 2003.

BY

Bradley H. Roberts
President

Sidney W. Roberts
Secretary

STATE OF IDAHO

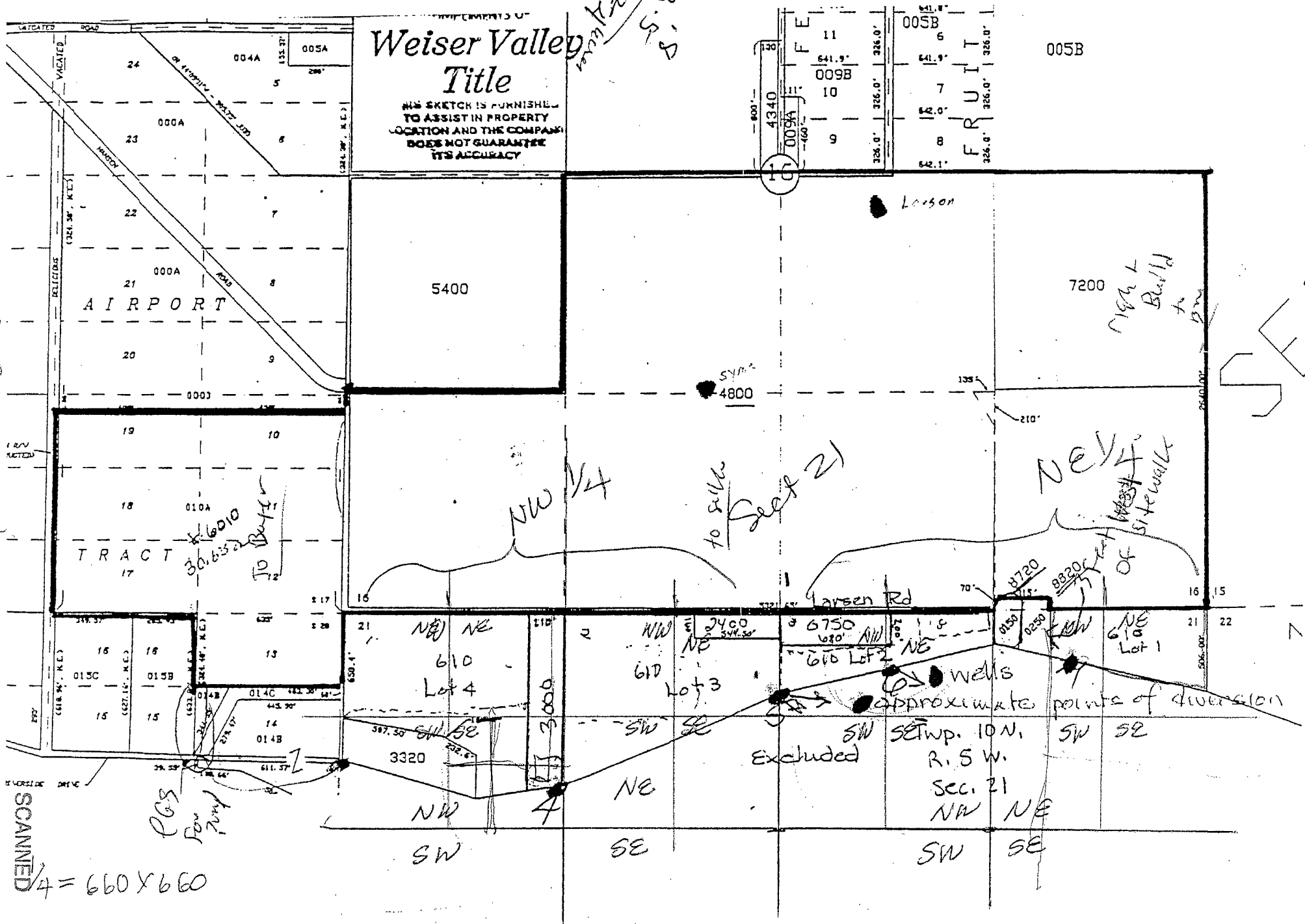
On this 29th day of September, 2003, before me, a Notary Public
in and for said State, personally appeared BRADLEY H. ROBERTS and
SIDNEY W. ROBERTS, known to be to be the President and Secretary of

SCANNED

MAR 31 2005

1988-1470 HRC

MAR 3 1 2005



SCANNED
4 = 660 X 660

EXHIBIT "A"

IN TOWNSHIP 10 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

Lots 10, 11, 12, 13, 17, 18 and 19 of the SUNNYSIDE ORCHARD TRACT as the same are shown on the official plat of said Sunnyside Orchard Tract on file in the office of the County Recorder of Washington County, Idaho, SAVE AND EXCEPT THEREFROM the North 86.86 feet of Lots 10 and 19 of said Sunnyside Orchard Tract. Together with an easement for a right-of-way for a water pipeline across Lot 14 of the Sunnyside Orchard Tract as granted by agreement dated and recorded April 23, 1962, official records.

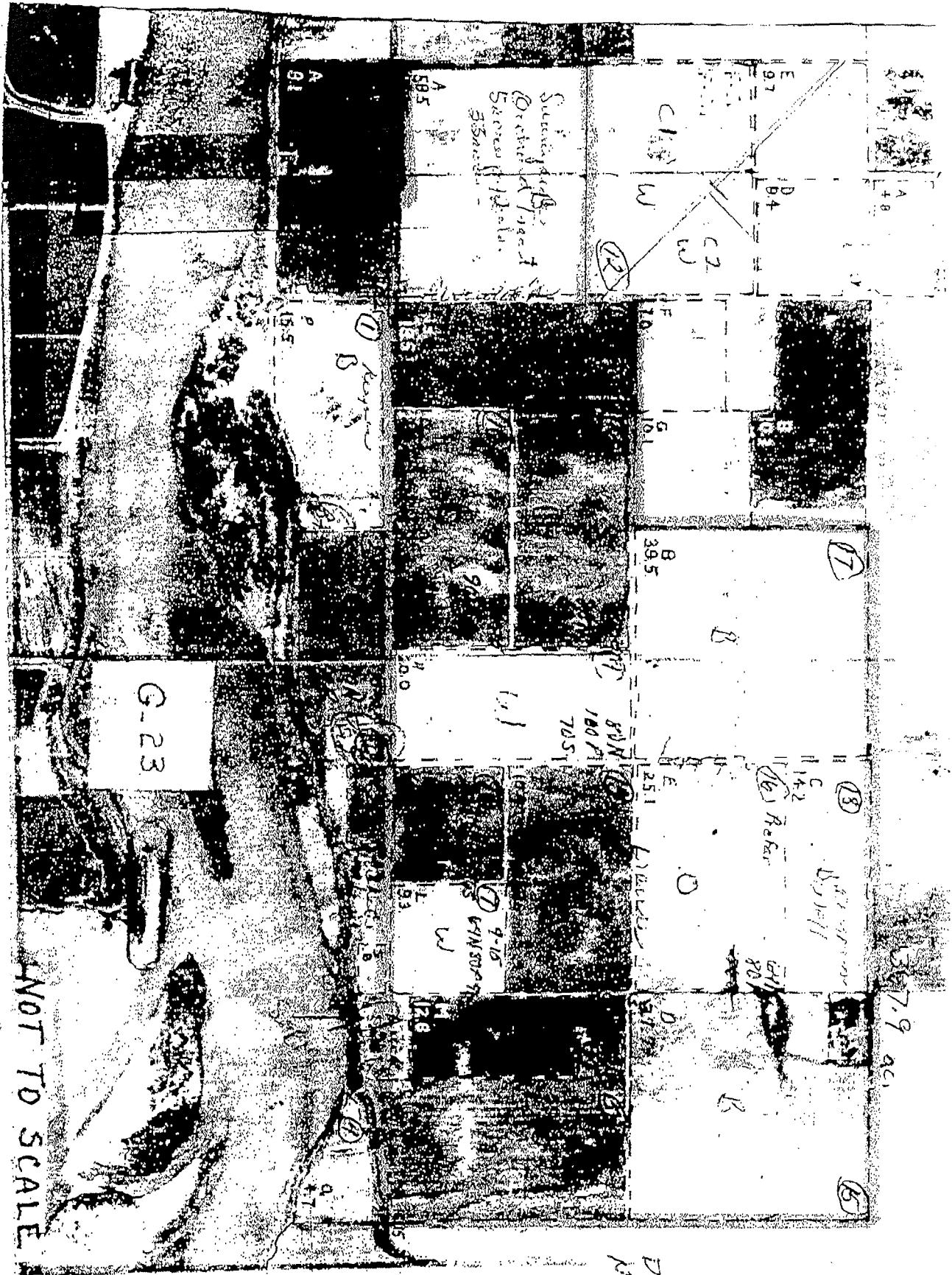
Section 16: SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 21: Government Lot 1.

SAVE AND EXCEPT THEREFROM the following described portion: Beginning at the southwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 16; thence running northeasterly at an angle of 29°00' to a point which is 70 feet North of the South line of the said SE $\frac{1}{4}$ SE $\frac{1}{4}$ and 40 feet East of the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence running East 315 feet to a point 3 feet West of an existing sidewalk on the west side of a cement foundation; thence running South to the Snake River; thence Westerly down and along the said Snake River to the West boundary line of Government Lot 1 of said Section 21; thence North along the said West boundary line to the point of beginning.

Together with road right of way as established in Deed recorded November 22, 2002 as Instrument No. 187853, Official Records.

N: 1447996.48
E: 2265282.05



Approx 373'

Robert's Family Farm

more from

NOT TO SCALE

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: A67-04282
Date Received: 10-10-89
Receipt No: m4882
Received By:
Ct 4-20-89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERTS FARMS, INC. 208-549-2507
Address: 1449 LARSEN ROAD
WEISER, ID 83672

2. Date of Priority: JAN 01, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	16	NW	NW	SE		WASHINGTON

5. Description of diverting works:
WELL, 4' DIAMETER, CONCRETE CASING, 35' DEEP, 7.5 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.280		

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

8. Total consumptive use is 49.7 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	16	NW	SE		IRR	14.2

Section Acres 14.2

Total Acres 14.2

A67-04282

Page 1

Date: 04/20/89

MICROFILMED
OCT 02 1992

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:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: 2

For Organizations:

I do solemnly swear or affirm that I am Secretary of
Title
Roberts Farms Inc, that I have signed the foregoing
Organization
document in the space below as Secretary of
Title
Roberts Farms Inc and that the statements contained in the
Organization
foregoing document are true and correct.

Sidney W Roberts
Signature of Authorized Agent
Roberts Farms Inc
Title and Organization
10-10-89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 10 day
of Oct. 19 89

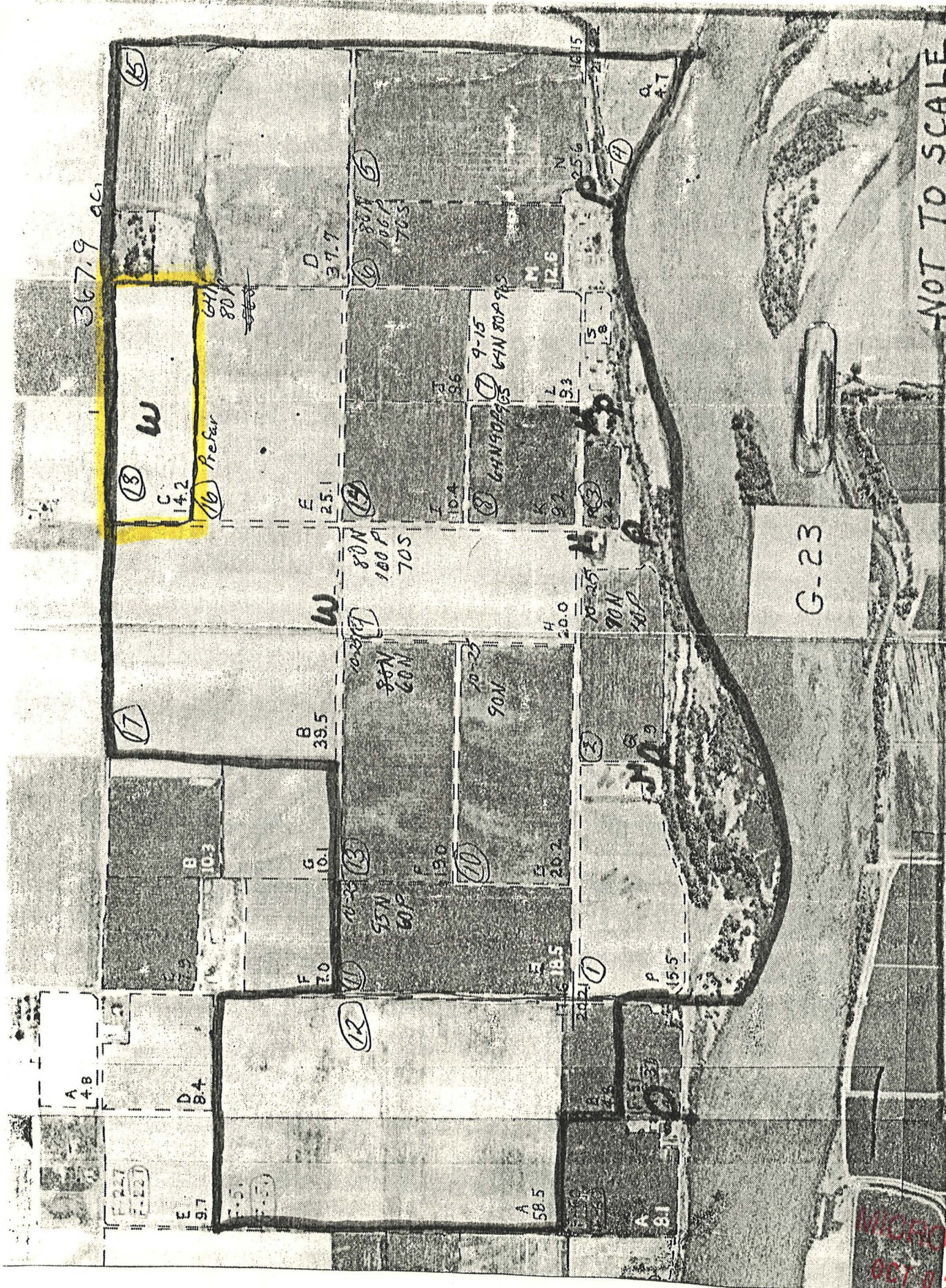
Linda A. Werner
Notary Public

Seal

Residing at Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994

MICROFILMED
OCT 02 1992

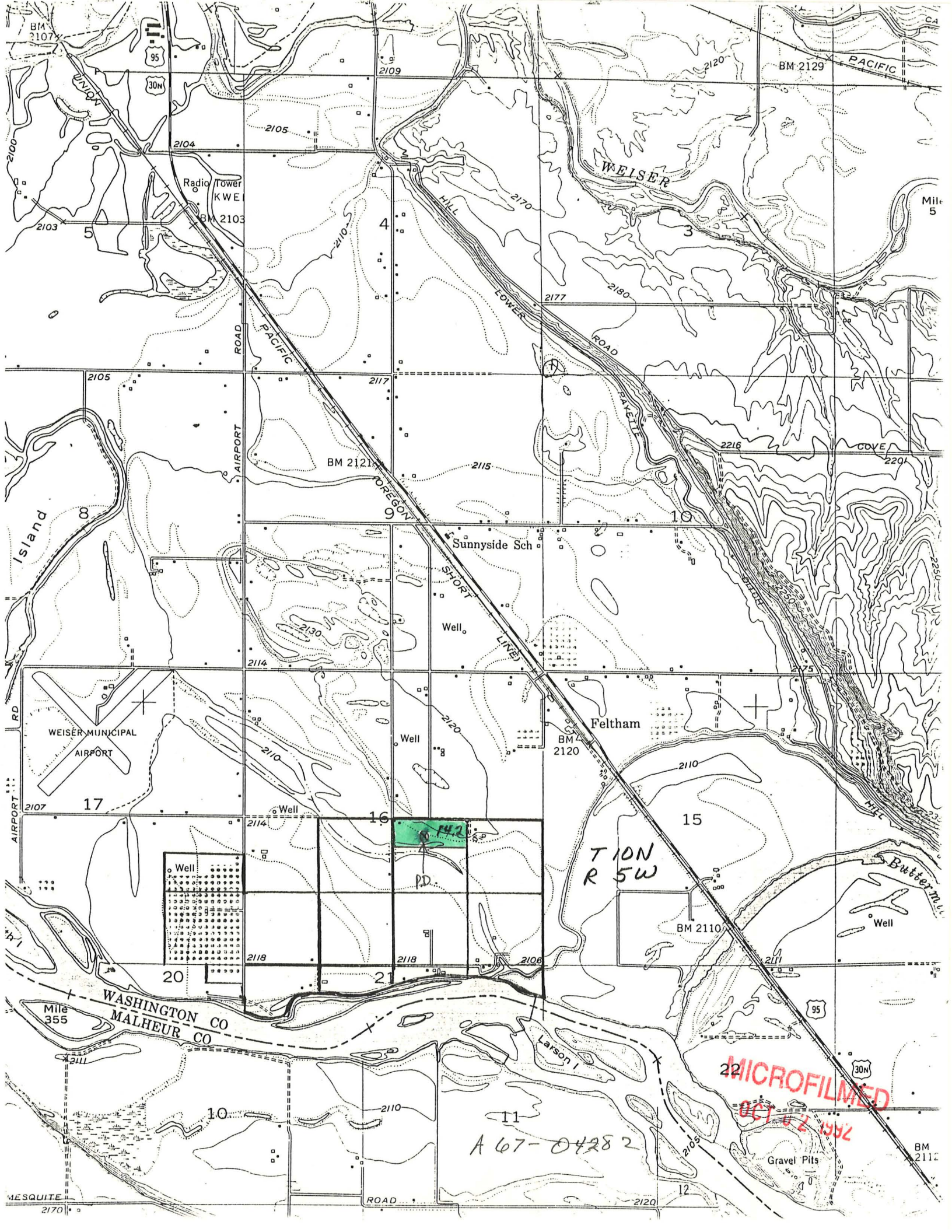
Home Place



A67-04282

252

MICROFILMED
OCT 02 1992





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

January 24, 2006

KENNETH L. ASCHENBRENNER
4990 N MERIDIAN RD
MERIDIAN ID 83642

RE: DIVERSION RATE FOR SNAKE RIVER BASIN ADJUDICATION (SRBA) CLAIM 67-4282

Dear Mr. Aschenbrenner:

You and I met briefly at the Idaho Department of Water Resources (IDWR) office in Boise last September regarding SRBA claim 67-4282. At that time, we spoke about verifying the priority date for the claim. As you know, in order to recommend claims, elements of the claims, such as priority date and purpose of use, have to be verified. I received the evidence of priority for the claim and it appears to be sufficient. At this time, I am seeking to verify the diversion rate claimed in 67-4282. If you have anything that might verify the flow rate for this claim, such as a pump horsepower and lift, please submit it by February 15, 2006. If you do not have additional evidence, please contact me and we will have to perform a flow measurement when the weather becomes a little friendlier.

I have included a claim report for 67-4282 for your convenience. Please contact me at (208) 287-4907 if you have any questions.

Respectfully submitted,

Monica P. Van Bussum
Water Resource Agent/GIS Technician
Adjudication Bureau

RECEIVED

NOV 04 2005

DEPARTMENT OF
WATER RESOURCES

Dear Monica,

I am enclosing 2 new affidavits from
Mr. Roberts to include his age as you requested.

One is for well right # 674282

One is for well right # 14544, also for
Snake river right 3-10203.

I can't remember if I left copies of the warranty
deeds when I was at your office in Sept. If not
here are new ones.

I can be reached at home 888-3580 or cell 870-4402

Thank you

Ken Aschmune

SCANNED

NOV 10 2005

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

AFFIDAVIT

624282)
)
)
)
State of Idaho)
County of _____)

Lloyd Roberts age 63 years being first duly sworn,
deposes and says: _____

Concerning the Archie Larson farm. The well
water located at this description NW 1/4, NW 1/4 of the SE 1/4
Sec. 16 10 N. 5 W. Washington County. that we irrigated
from when my father and I rented Archie's farm was being
used in 1950. then my father bought this land in 1955
and we continued using this well water to the present time.

Lloyd Roberts

(Signature)

Subscribed and sworn to before me this
day 3rd of October, 192005

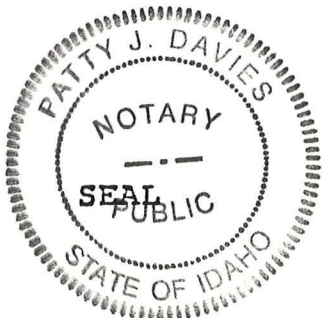
Patty J. Davies
(Notary Public)

SCANNED

NOV 10 2005

Residing at Unser, Idaho.

My Commission Expires 10-15-11.



WARRANTY DEED - 500-7-37

Printed and For Sale by The Signal-American

THIS INDENTURE, Made this 10th day of November, in the year 1960
between Archie M. Larson, a widower
of Weiser, County of Washington, State of Idaho
the part Y of the first part, and Luther E. Roberts and Enid H. Roberts, his wife
of Weiser, County of Washington
State of Idaho, the parties of the second part.

WITNESSETH, That the said part Y of the first part, for and in consideration of the sum of
Thirty-five Thousand and no/100 DOLLARS
lawful money of the United States of America, to him in hand paid by the said parties of
the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold and by
these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part,
and to their heirs and assigns forever, all the following described real estate situated in
Washington County, State of Idaho, to-wit:

Beginning at the NE corner of the SW 1/4 of the SE 1/4 of Section 16, Township 10 North, Range
5 W.B.M. and running thence South on the East line of said Subdivision a distance of 210
feet; thence run Northwesterly in a straight line to a point on the North line of said Sub-
division to a point 135 feet West of the NE corner of said SW 1/4 of SE 1/4 of said Section 16;
thence run East along the North line of said last described 40 acres 135 feet to the place of
beginning, subject to the existing rights of ways for waste ditches and irrigation laterals.
The SE 1/4 of SE 1/4 and the NW 1/4 of SE 1/4 of Section 16, and Lot number One of Section 21, all in
Twp 10 North, Range 5 W.B.M., Washington County, Idaho, SAVE and EXCEPT the following described
tract: Beginning at the southwest corner of said SE 1/4 of SE 1/4 and run thence northeasterly at
an angle of 29° to a point 70 feet north of the south line of the said SE 1/4 of SE 1/4 and 40 feet
east of the west line of said SE 1/4 of SE 1/4, thence run east 315 feet, thence south to Snake
River, thence westerly down along the said Snake River to the west boundary line of said Lot
One, thence north along the said west boundary line of Lot 1 to the point and place of beginning.
TOGETHER WITH all water rights and fillings, pumps and motors, pipe lines, ditches and laterals
pertaining to the irrigation of the above described premises, except 3 miners inches reserved
by first party for the lands reserved by him in the exception above.



TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belong-
ing, or in any wise 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 part Y of the first part:

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together
with the appurtenances unto the parties of the second part, and to their heirs and assigns forever.
And the said part Y of the first part, and his heirs, the said premises in the quiet and peaceable
possession of the said parties of the second part, their heirs and assigns against the said part Y
of the first part, and his heirs and against all and every person or 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 written.

Signed, sealed and delivered in the presence of

Archie M. Larson [SEAL]
[SEAL]
[SEAL]
[SEAL]

SCANNED

NOV 10 2005

BOOK 81 , PAGE 390
INSTRUMENT NO.

STATE OF IDAHO,
County of Washington } ss.

On this 10th day of November 1960 , before me, the undersigned, a
Notary Public in and for the State of Idaho, personally appeared
Archie M. Larson, 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 4-1-1962

Residing at Weiser, Idaho

Notary Public.

No. 84773

WARRANTY DEED

Archie M. Larson

TO
Luther F. Roberts, et ux.

Dated November 10 1960

STATE OF IDAHO,

County of Washington } ss.

I hereby certify that this instrument
was filed for record at the request of

Vincent Derig

at 15 minutes past 11

o'clock A.M. on the 30 day

of April A.D. 1962

in my office and duly recorded in book

81 of Deeds at page 387

HELEN LINCK

Recorder.

Filed S 2:30

Notary Public

Printed and For Sale By
THE SHERMAN, HARDY AND WHEELER, IDAHO

4-10
Notary Public
Lester

SCANNED

NOV 10 2005

WARRANTY DEED

THIS INDENTURE, Made this 15th day of March, in the year 1957 between ALBERT R. GELSKEY and DELLA H. GELSKEY, his wife of Weiser, County of Washington, State of Idaho the parties of the first part, and LUTHER E. ROBERTS and ENIDE H. ROBERTS, his wife of Weiser, County of Washington, State of Idaho, the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of----THIRTY-FIVE HUNDRED AND NO/100----DOLLARS lawful money of the United States of America, to them in hand paid by the said parties 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 parties of the second part, and to their heirs and assigns forever, all the following described real estate situated in ----Washington County, State of Idaho, to-wit:

The Southeast quarter of the Northeast quarter of the Southwest quarter of Section Sixteen (16) in Township Ten, North Range Five West of the Boise Meridian, Washington County, Idaho. Together with all water, water rights, wells and pumping systems belonging thereto or appertaining to the irrigation of the above described premises.

This deed is given subject to an unpaid balance of \$2000 of a mortgage against the above described premises in favor of F. Rollin Smith dated March 24, 1955 recorded in Book 45 of Mortgages at page 26 of the Records of Washington County, Idaho, which the parties of the second part hereto assume and agree to pay as a part of the purchase price.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise 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 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 parties of the second part, and to their 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 parties of the second part their heirs and assigns against the said parties of the first part, and their heirs and against all and every person or 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 written.

Signed, sealed and delivered
in the presence of

Albert R. Gelskey (SEAL)

Della H. Gelskey (SEAL)

STATE OF IDAHO)
County of Washington) ss.

On this 15th day of March, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared ALBERT R. GELSKEY and DELLA H. GELSKEY, 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 affixed my official seal, the day and year in this certificate first above written.

(SEAL)
(John B. Lloyd, Notary Public)
(State of Idaho)

John B. Lloyd, Notary Public
Residing at Weiser, Idaho
My commission expires 4-1-58

Documentary Revenue Stamps \$1.65 (ARG 3-15-57)

Filed for record at request of Luther Roberts at 10:45 o'clock, A.M., March 16th, 1957

Fees \$1.50

Nell M. Guiver, Recorder

WARRANTY DEED

THIS INDENTURE, Made this 13th day of March, in the year 1957 between J. S. SYME and IZETTA SYME (who sometimes signs her name Izetta E. Syme) his wife of Weiser County of Washington, State of Idaho the parties of the first part, and LUTHER E. ROBERTS and ENID H. ROBERTS, his wife of Weiser, County of Washington, State of Idaho, the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Nine Thousand Five Hundred and No/100 - - - - DOLLARS lawful money of the United States of America, to them in hand paid by the said parties 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 parties of the second part, and to their heirs and assigns forever, all the following described real estate situated in Weiser, Washington County, State of Idaho, to-wit:

The North half of the Northeast quarter of the Southwest quarter, and the Southwest quarter of the Northeast quarter of the Southwest quarter of Section 16 Township 10 North Range 5 West of the Boise Meridian together with all water, water rights, wells and pumps belonging to or appertaining to the irrigation of the above described premises.

This deed is given subject to a mortgage now resting against the above described premises in favor of C. B. Hixon dated Dec. 7, 1954 and recorded in Book 44 of Mortgages at page 516-17 of the Records of Washington County, Idaho.

It is also understood that this deed conveys to the second parties all of the first parties right, title and interest in and to that certain lease between the parties of the first part hereto as lessors to Roderick A. Stamey and S. J. Raymon as lessees dated June 2, 1952 and filed February 18, 1953 in Book 1 of Oil & Gas and Mineral Leases at Page 94 of the Records of Washington County, Idaho.

Documentary Revenue Stamps \$8.80 (1/21/58 JS)

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise 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 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 parties of the second part, and to their 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 parties of the second part their heirs and assigns against the said parties of the first part, and their heirs and against all and every person or 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 written.

Signed, sealed and delivered in the presence of

J. S. Syme (SEAL)
Izetta Syme (SEAL)

STATE OF IDAHO)
) ss.
County of Washinton)

On this 13th day of March, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared J. S. SYME and IZETTA SYME (who sometimes signs her name Izetta E. Syme), 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 affixed my official seal, the day and year in this certificate first above written.

(SEAL)
(Notary Public)
(John B. Lloyd)
(State of Idaho)

John B. Lloyd, Notary Public
Residing at Weiser, Idaho
My commission expires April 1, 1958

Filed for record at the request of J. F. Clabby at 11:12 o'clock A.M. on the 22nd day of July A.D., 1958.

Nell M. Guiver
Recorder

Fees: \$1.75