

67-4412



0 660 1,320 2,640 Feet

Map prepared by: Carter Fritschle
Date prepared: 04/29/08
2004 NAIP Photography
Idaho Department of Water Resources



67-4412

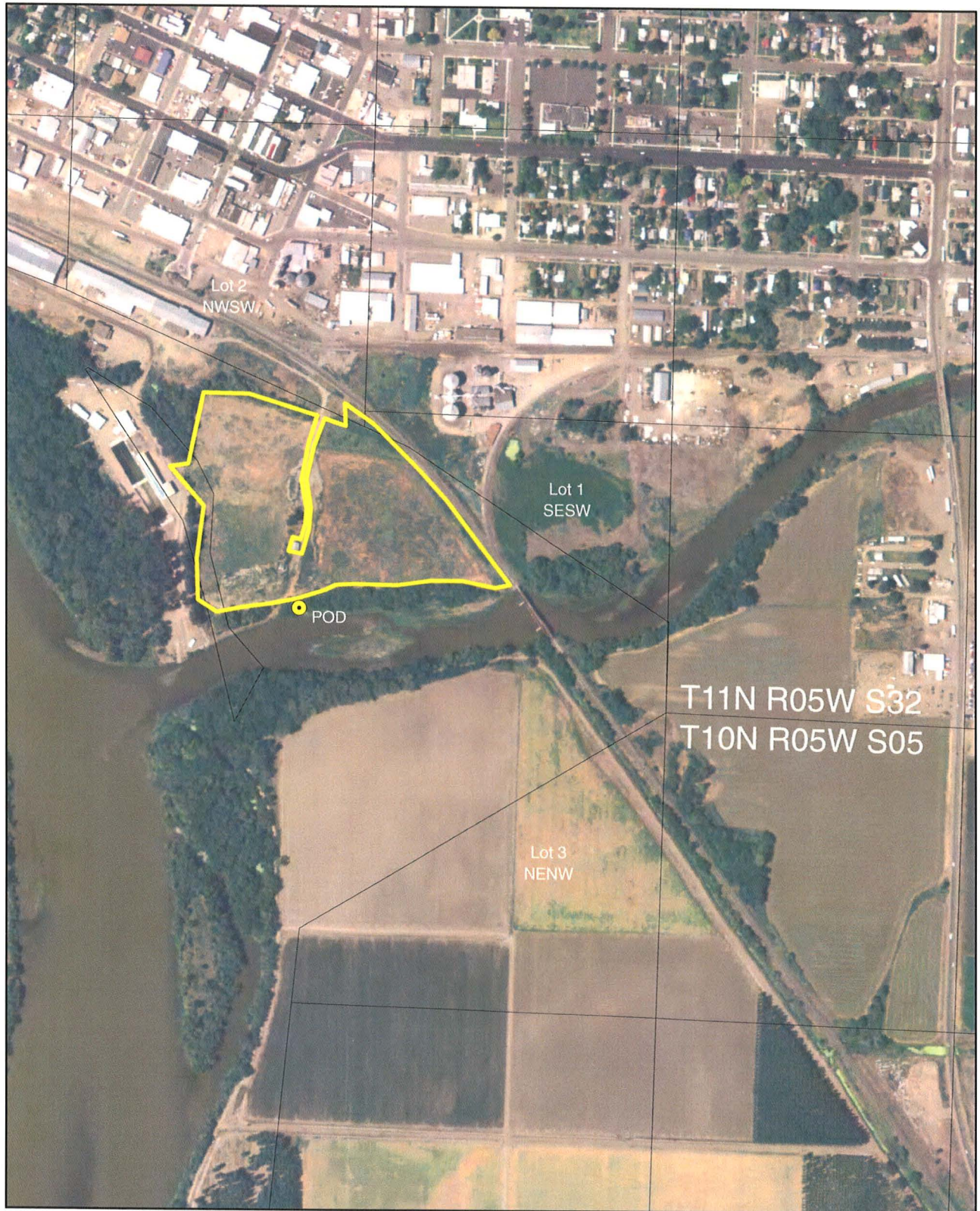


0 660 1,320 2,640 Feet

Map prepared by: Carter Fritschle
Date prepared: 04/29/08
2004 NAIP Photography
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67-4412



0 660 1,320 2,640 Feet

Map prepared by: Carter Fritschle
Date prepared: 04/29/08
2004 NAIP Photography
Idaho Department of Water Resources



Approved by:
Initials _____

INSTRUMENT NO. 178148
PAGE 1 OF 3

WARRANTY DEED

FOR VALUE RECEIVED, BRADLEY WAYNE LAIRD, an unmarried person, Grantor, does hereby, grant, bargain, sell and convey unto CITY OF WEISER, ID, a Municipal Corporation, the Grantee, whose address is 55 WEST IDAHO ST, WEISER, ID 83672, the following described real estate situated in Washington County, State of Idaho, to-wit:

See Attached Exhibit

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

DATED this 5 day of November, 1999.

Bradley Wayne Laird
Bradley Wayne Laird

STATE OF IDAHO)
 : ss
County of Washington)

On this 5 day of November, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Bradley Wayne Laird, known to me to be the person who signed the foregoing instrument and acknowledged to me that he executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Clarence R. Stark
Notary Public for Idaho
Residing at Weiser, Idaho
Commission expires: 9/15/05

INSTRUMENT NO. 178148
STATE OF IDAHO, COUNTY OF WASHINGTON ss,
Filed for record at the request of
WASHINGTON COUNTY TITLE
34 Min. past FIFTEEN o'clock P. M.
This 18TH day of NOVEMBER 19 99
Index to: DEEDS
SHARON WIDNER, Recorder Fee: \$0.00
By [Signature] Deputy
WASHINGTON COUNTY TITLE

Comp. Index
Comp. Rel.
Film
Compare
Card Rel.
Bk. Rel.
Up-date
Return
Copy

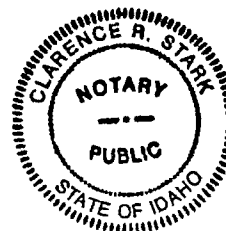


Exhibit to Warranty Deed
Laird/City of Weiser

A parcel of land situated within the SW¼ of Section 32, Township 11 North, Range 5 West, Boise Meridian, partially within the City of Weiser, Idaho, and partially within Washington County, Idaho, and more particularly described as follows:

Beginning at the northwest corner of Government Lot 1 of Section 32, T.11N., R.5W., B.M.;

Thence S 89°23'22" E, a distance of 242.90 feet along the North line of said Government Lot 1 to a point on the southwesterly right-of-way of the Union Pacific Railroad;

Thence along the southwesterly right-of-way of said Railroad a distance of 344.95 feet along the arc of a 1488.72 foot radius curve to the right, with a central angle of 13°16'34", and a long chord bearing S 47°23'26" E - 344.18 feet;

Thence along the southwesterly right-of-way of said Railroad along the arc of offset spiral curve to the right with a long chord bearing S 38°26'50" E, a distance of 330.04 feet;

Thence S 37°18'09" E, a distance of 134.46 feet along said southwesterly Railroad right-of-way to a point on the northerly bank of the Weiser River;

Thence S 73°57'08" W, a distance of 71.60 feet along the northerly bank of said Weiser River;

Thence N 82°25'29" W, a distance of 148.77 feet along the northerly bank of said Weiser River;

Thence S 88°51'14" W, a distance of 137.86 feet along the northerly bank of said Weiser River;

Thence S 79°24'54" W, a distance of 148.89 feet along the northerly bank of said Weiser River;

continued...

Exhibit to Warranty Deed
Laird/City of Weiser
Page 2

Thence S 89°08'11" W, a distance of 203.76 feet along the northerly bank of said Weiser River;

Thence S 79°15'19" W, a distance of 127.08 feet along the northerly bank of said Weiser River;

Thence S 68°54'16" W, a distance of 141.66 feet along the northerly bank of said Weiser River;

Thence S 73°48'18" W, a distance of 273.57 feet (formerly S 73°50'28" W, a distance of 273.59 feet) to the southeast corner of Lot 1, Block 3 of Mortimer Addition to the City of Weiser, Washington County, Idaho, as the same is shown on the Official Plat thereof on file in Book 1 at Page 65, in the Office of the County Recorder of Washington County, Idaho;

Thence N 18°09'16" W, a distance of 670.89 feet (formerly N 18°09' W, a distance of 670.82 feet) along the easterly line of said Lot 1 of Block 3, to the southeast corner of Lot 1, Block 2 of said Mortimer Addition;

Thence N 32°35'30" W, a distance of 442.62 feet (formerly N 32°36' W, a distance of 442.53 feet) along the easterly line of said Lot 1 of Block 2 to the northeast corner of said Lot 1;

Thence S 83°12'23" E, a distance of 181.75 feet along the southerly bank of an existing drainage ditch;

Thence N 89°21'36" E, a distance of 257.18 feet along the southerly bank of said drainage ditch;

Thence S 74°48'37" E, a distance of 467.61 feet along the southerly bank of said drainage ditch to a point on the East line of Government Lot 2 of said Section 32;

Thence S 0°17'22" W, a distance of 83.89 feet along the East line of said Government Lot 2 to the TRUE POINT OF BEGINNING.

100-90-2925

152643
2

WARRANTY DEED

For Value Received

E. V. CLAMPITT, AKA EVERETT V. CLAMPITT AND LOLA E. CLAMPITT,
HUSBAND AND WIFE

The grantor, do hereby grant, bargain, sell and convey unto

BRADLEY WAYNE LAIRD AND BONNIE LYNN LAIRD, HUSBAND AND WIFE

the grantee, whose current address is 175 East Railroad, Weiser, ID 83672

the following described premises, in WASHINGTON County Idaho, to-wit

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
THEIR heirs and assigns forever. And the said Grantor S do hereby covenant to and
with the said GranteeS, that The Y ARE the owner in fee simple of said premises; that they are free
from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: NOVEMBER 27, 1990

E V Clampitt
E.V. CLAMPITT

Lola E. Clampitt
LOLA E. CLAMPITT

STATE OF IDAHO, COUNTY OF WASHINGTON
On this 27TH day of NOVEMBER, 19 90
before me, a notary public in and for the said State, personally
appeared
E.V. CLAMPITT AND
LOLA E. CLAMPITT

known or identified to me to be the person whose name
subscribed in the within instrument, and acknowledged to me
that he executed the same.

[Signature]
Notary Public
Idaho

STATE OF IDAHO, COUNTY OF WASHINGTON
I hereby certify that this instrument was filed for record at the
request of WEISER VALLEY TITLE CO.
at 00 minutes past 4:00 o'clock p. M.
this 30TH day of NOVEMBER
1990, in my office, and duly recorded in Book
of Deeds at PERX # 150643

MARY KAUTZ
Es-Officio Recorder
By *[Signature]*
Fees \$6.00
Mail to WEISER VALLEY TITLE CO.

INSTRUMENT NO.

EXHIBIT 'A'

A parcel of land situated in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 11 North, Range 5 West of the Boise Meridian, more particularly described as follows:

BEGINNING at the NW corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence S 89° 23' 22" E along the north boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, a distance of 242.90 feet, to a point on the Union Pacific Railroad westerly right of way;

Thence leaving the north boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ and running southeast, a distance of 111.25 feet along the arc of a circular curve to the right having a radius of 1427.72 feet, a central angle of 13° 16' 34" and a long chord which bears S 47° 23' 26" E, a distance of 344.18 feet, to a point of curve;

Thence continuing along said right of way on a spiral curve to the right with a long chord which bears S 38° 26' 50" E, a distance of 330.04 feet;

Thence S 37° 16' 09" E continuing along said right of way, a distance of 134.46 feet to a point on the north bank of the Weiser River;

Thence leaving said right of way and traversing West along the north bank of the Weiser River as follows:

S 73° 57' 08" W, a distance of 71.60 feet;

N 87° 55' 29" W, a distance of 148.77 feet;

S 88° 31' 14" W, a distance of 137.86 feet;

S 79° 24' 54" W, a distance of 148.89 feet;

S 89° 08' 11" W, a distance of 203.76 feet;

Thence continuing along said north bank S 79° 15' 19" W, a distance of 83.45 feet, to a point on the west boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence N 00° 17' 22" E along the west boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, a distance of 649.96 feet to the TRUE POINT OF BEGINNING. AND ALSO,

A parcel of land situated in the W $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 11 North, Range 5 West of the Boise Meridian, more particularly described as follows:

BEGINNING at the northwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 32;

Thence S 00° 17' 22" W along the East boundary of said W $\frac{1}{4}$ SW $\frac{1}{4}$, a distance of 649.96 feet, to a point on the north bank of the Weiser River;

Thence S 79° 15' 19" W along said north bank, a distance of 43.63 feet;

Thence S 68° 54' 16" W along said north bank, a distance of 141.66 feet;

Thence leaving said north bank and running S 73° 50' 28" W, a distance of 273.59 feet to the southeast corner of Lot 1 Block 3 of Mortimer Addition to the City of Weiser, Washington County, Idaho, the plat of said Addition on file in Book 1 at page 65 in the office of the County Recorder of Washington County, Idaho;

Thence N 18° 09' 00" W along the east boundary of said Mortimer Addition, a distance of 670.82 feet to the southeast corner of Lot 1 Block 2 of said Mortimer Addition;

Thence N 32° 36' 00" W continuing along the east boundary of said Mortimer Addition, a distance of 442.53 feet to the northeast corner of Lot 1 Block 2 of said Mortimer Addition;

Thence S 83° 12' 23" E along the south bank of an existing drainage ditch a distance of 181.75 feet;

Thence N 89° 21' 36" E along the south bank of an existing drainage ditch, a distance of 257.18 feet;

Thence S 74° 48' 37" E along the south bank of an existing drainage ditch, a distance of 467.61 feet, to a point on the east boundary of said W $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence S 00° 17' 22" W along the east boundary of said W $\frac{1}{4}$ SW $\frac{1}{4}$, a distance of 83.89 feet to the TRUE POINT OF BEGINNING.

100-90-2925

1526.44

WARRANTY DEED

For Value Received

EVERETT V. CLAMPITT AND LOLA E. CLAMPITT, husband and wife

The grantor s do hereby grant, bargain, sell and convey unto

BRADLEY WAYNE LAIRD AND BONNIE LYNN LAIRD, husband and wife

the grantee s whose current address is :

175 East Railroad, Weiser, ID 83672

the following described premises, in

Washington

County Idaho, to-wit.

Parcel A

A parcel of land situated within the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 32, Township 11 North, Range 5 West, Boise Meridian, more particularly described as follows:

Beginning at the Northwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 32;

Thence S 0°17'22" W - 649.96 feet along the East line of said W $\frac{1}{2}$ SW $\frac{1}{4}$ to a point on the northerly bank of the Weiser River;

Thence S 79°15'19" W - 43.53 feet along the northerly bank of said river;

Thence S 68°54'16" W - 141.66 feet along the northerly bank of said river;

Thence leaving said northerly bank and running S 73°50'28" W - 142.16 feet;

Thence N 0°17'22" E, parallel to the East line of said W $\frac{1}{2}$ SW $\frac{1}{4}$, a distance of 750.22 feet;

Thence S 89°42'38" E-311.08 feet to the point of beginning.

Parcel B

Together with a 20' wide ingress-egress on existing road from the North boundary of above described parcel to the existing East Railroad Street.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantees, that they the owner s in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: November 27, 1990

Everett V. Clampitt
Everett V. Clampitt

Lola E. Clampitt
Lola E. Clampitt

STATE OF IDAHO, COUNTY OF WASHINGTON
On this 27th day of November, 1990,
before me, a notary public in and for the said State, personally
appeared

EVERETT V. CLAMPITT AND LOLA E.
CLAMPITT, husband and wife

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

Dora B. Edwards
Notary Public
Idaho

STATE OF IDAHO, COUNTY OF WASHINGTON
I hereby certify that this instrument was filed for record at the
request of WEISER VALLEY TITLE CO.

at 00 minutes past 4:00 o'clock P. M.
this 30TH day of NOVEMBER
1990, in my office, and duly recorded in 623
of Deeds at \$ 150644

MARY KAUTZ
Ex-Officio Recorder
By Carol Sigurdson Dec.
Fees \$ 3.00
Maple WEISER VALLEY TITLE CO.

INSTRUMENT NO.

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: 67-4412

CITY OF WEISER
55 W IDAHO ST
WEISER ID 83672
Telephone Number: (208) 414-1965

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

Priority date should be 06/01/1962

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

Change priority date

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

City Wants to Keep This Water right. May need more Time to prove priority date

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

DATE: 11/30/06 SIGNATURE: Nathan Marvin
Please print your name: Nathan Marvin

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

SCANNED
DEC - 4 2006

11/21/2006

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

RIGHT NUMBER: 67-4412

NAME AND ADDRESS: CITY OF WEISER
55 W IDAHO ST
WEISER ID 83672

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

No lawful appropriation shown.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

Extra Notice

Provided with Mailing of Preliminary Recommendation

Dated November 20, 2006

Claim No. 67-4412

Attached please find two descriptions of a water right claimed by your municipality with basis of beneficial use. The first is a recommendation for disallowal, which we must submit to the SRBA Court if more information is not provided.

The second is a description of the water right showing the date of priority and the rate of flow claimed. **We can submit this recommendation to the SRBA Court only if convincing supporting information is provided to this office soon.**

Please provide evidence of:

X Date of priority (date of first use of water from the well described by this claimed water right)

X Rate of flow provided by this system (measurement information or a pump rating curve for the pump in the claimed well as of the claimed date of priority)

Please provide this information by fax to 208-287-6700, attn: Dave Tuthill, no later than December 7, 2006 to ensure the information is considered by IDWR prior to filing the Director's Report for this water right.

More information is provided in the enclosed pamphlet entitled: Evidence of Priority.

If you have questions please call Dave Tuthill at 287-4805.

Basin 67 Municipal Claims Lacking Evidence of Priority and/or Evidence of Flow Rate**Prepared by: D. Tuthill Nov. 20, 2006**

Claimant	Claim No.	Point of Diversion	Source	Date of Priority Claimed	Rate of Flow Claimed	Note
City of Council	67-10414	T16N R01W S 15 NWNE	Ground Water	9/28/1944	0.6 cfs	Needs evidence of priority and evidence of rate of flow
City of Council	67-10415	T16N R01W S 14 NENW	Ground Water	9/28/1920	0.89 cfs	Needs evidence of priority and evidence of rate of flow
City of Cambridge	67-10970	T14N R03W S3 SESE	Ground Water	11/1/1934	0.29 cfs	Newspaper article shows flow of 2000 gph=0.07 cfs
City of Cambridge	67-14152	T14N R03W S3 SESE	Ground Water	11/1/1934	0.29 cfs	Needs evidence of priority and evidence of rate of flow
City of Weiser	67-4412	T11N R05W S32 SESW	Weiser River	06/01/1890	0.44 cfs	Needs evidence of priority and evidence of rate of flow
City of Weiser	67-10971	T10N R05W S17 NWNE	Ground Water	06/01/1890	0.44 cfs	Needs evidence of priority and evidence of rate of flow
City of Weiser	67-10975	T11N R05W S29 SWNW	Ground Water	10/12/1887	1.23 cfs	Needs evidence of priority and evidence of rate of flow
		T11N R05W S29 SESW	(Second POD)			
City of Weiser	67-14129	T11N R05W S32 SWSW	Weiser River	6/1/1962	5.00 cfs	Needs evidence of priority and evidence of rate of flow

11/11/2006

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

RIGHT NUMBER: 67-4412

NAME AND ADDRESS: CITY OF WEISER
55 W IDAHO ST
WEISER ID 83672

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.440 CFS

Need pump info (age and output)

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION:

T11N R05W S32 SESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
0.440 CFS

PLACE OF USE:

This right authorizes the irrigation of 20.5 total acres.

Place of use is within the service area of the City of Weiser municipal water supply system as provided for under Idaho Law.

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



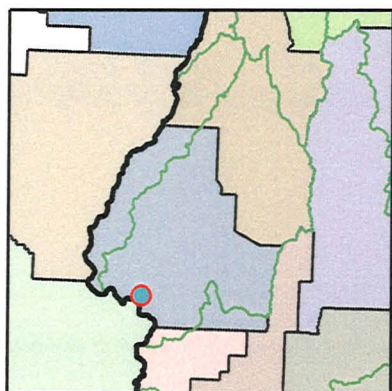
City Of Weiser

SRBA Recommendations: 67-2320, 67-4291, 67-4412, 67-10971, 67-10975, 67-14129

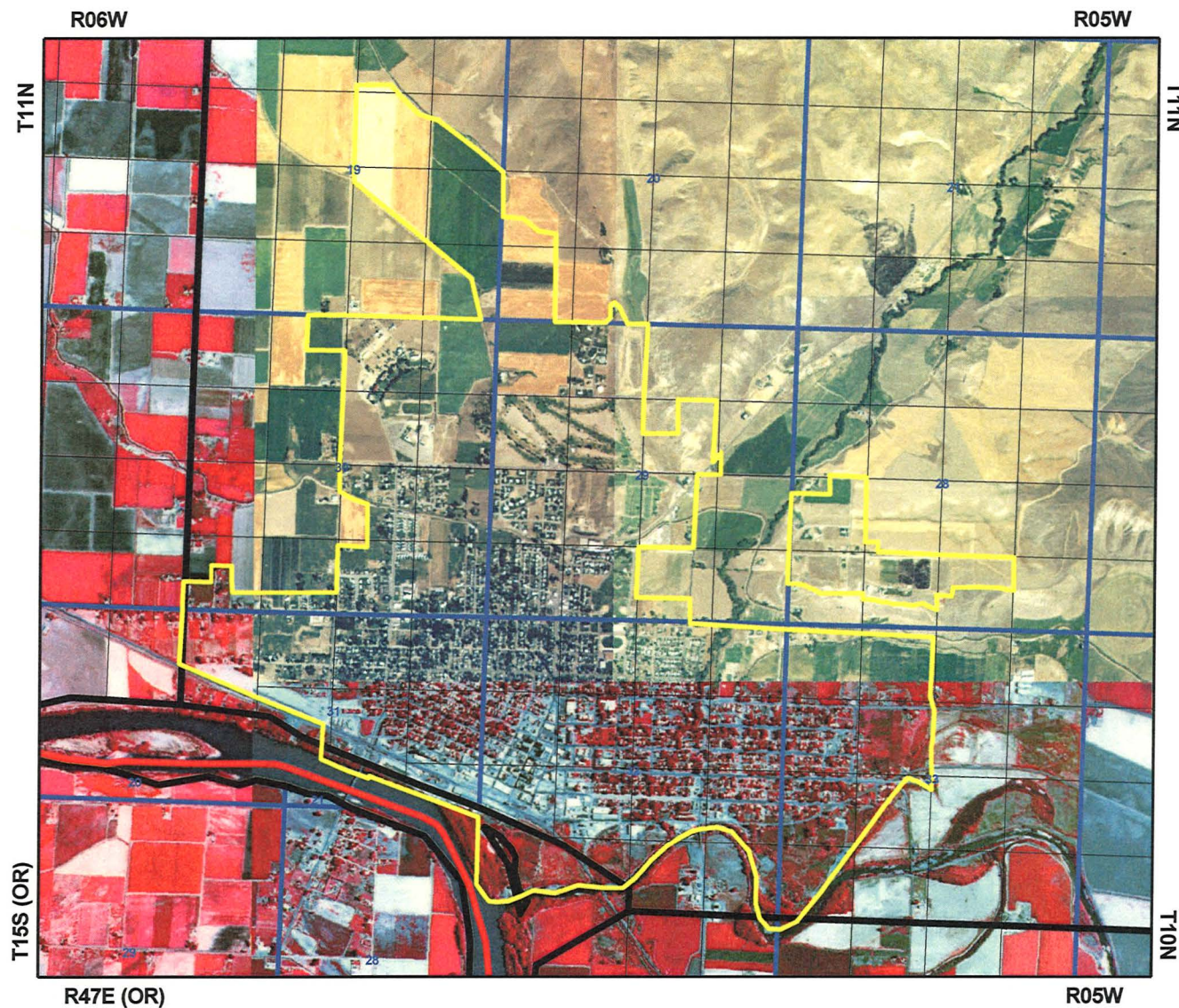
Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



0 1 2 Miles



Prepared by A. Warntjes
On Thursday, November 16, 2006
1987/88 Aerial Photography

11/11/32
NW 4 SW 1/4
R5-4
Bm

100-45688-100

SECRET

PARCEL I
12.68 ACRES

27. 05. 2011

[illegible]

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MODIFIED

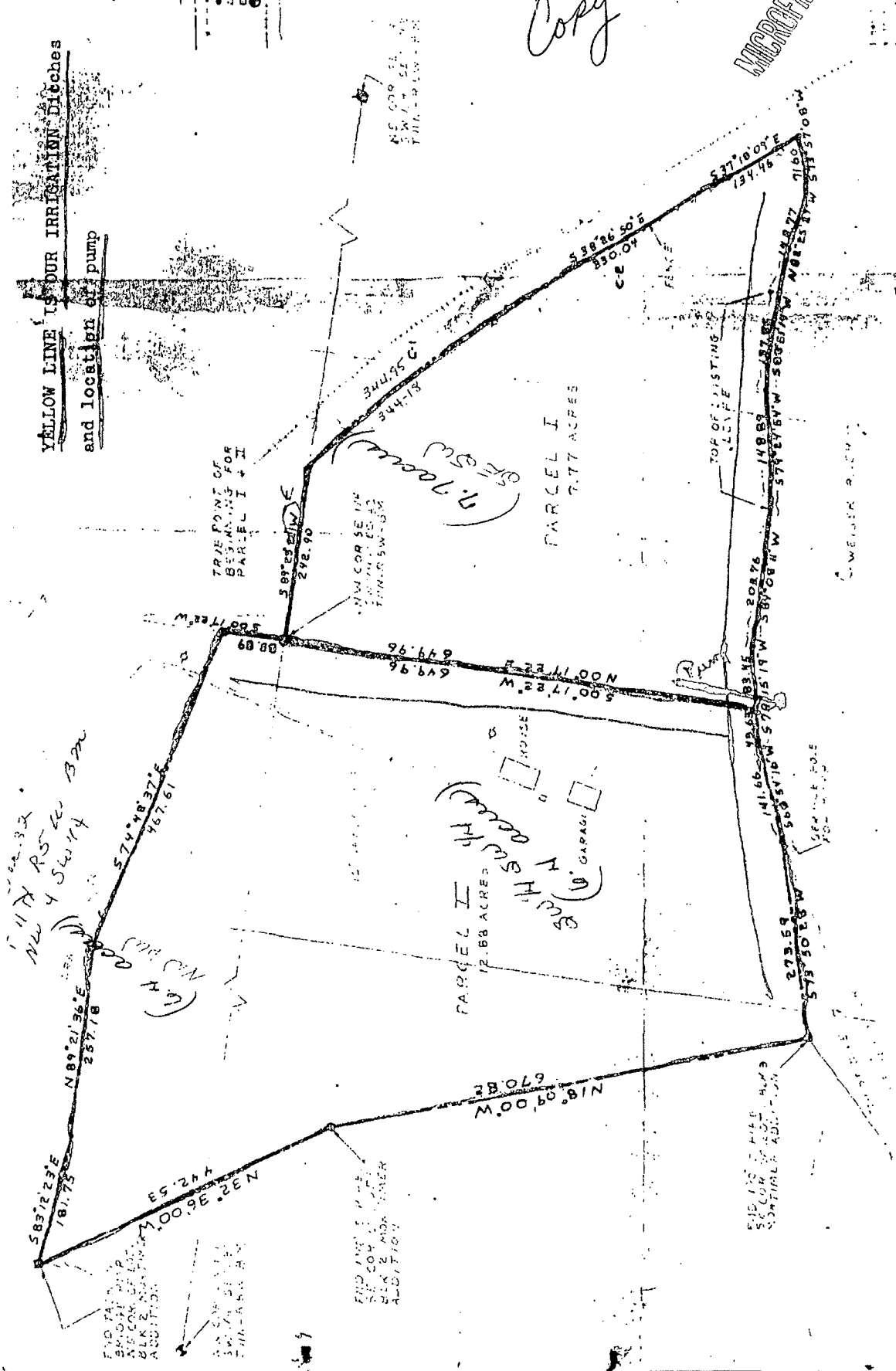
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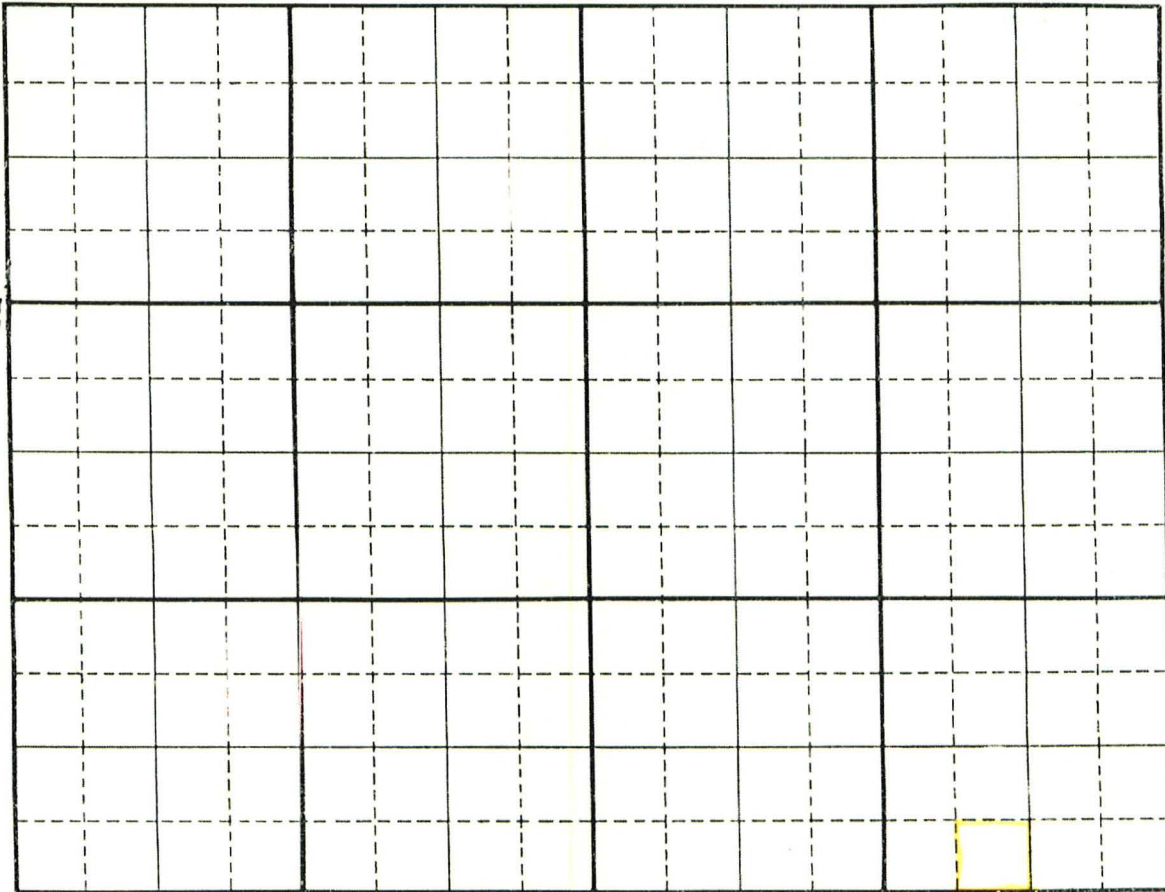
LEGEND

1. The first step is to identify the problem. This involves understanding the current situation and what needs to be changed.

2.



(8) Remarks SEE SURVEY MAP ATTACHED.



Scale: 2 inches equal 1 mile.

5E 1/4 500 1/4

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 Oregon)
) ss.
County of Malheur)

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 19 day of January

Lola E. Clappitt
(Claimant)

19 82

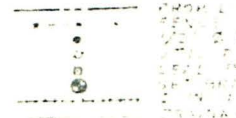
Vinetta K. Allen
Notary Public
Residing at Ontario, Oregon

My commission expires 7-11-85

FOR DEPARTMENT USE ONLY

Received by mm Date 1-20-82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by 10 Date 2/3/82 21226
\$20.00 fee received by GP Date 1/20/82
Published in Journal Commercial
Dates 2/18 & 2/25/82

LEGEND



E-

C-

MICROFILMED

ASSIGNMENT AND SPECIAL WARRANTY DEED

THIS INSTRUMENT, made this 25th day of August, 1978, between THE LOMAS & METTLETON COMPANY, a Connecticut corporation, the party of the first part, and E. V. CLAMPITT and LOLA E. CLAMPITT, husband and wife, the parties of the second part,

WITNESSETH:

That the party of the first part, for and in consideration of TEN and no/100 (\$10.00) DOLLARS, lawful money of the United States of America, and other good and valuable consideration the receipt of which is hereby acknowledged, does by these presents ASSIGN AND TRANSFER to the parties of the second part, their heirs, successors and assigns, all its right, title and interest in and to that certain Sheriff's Certificate of Sale on Foreclosure dated July 19, 1978, and recorded in Book 4 of Certificates of Sale, Page 6, as Instrument No. 114284, records of Washington County, Idaho; and the party of the first part does further hereby GRANT, BARGAIN, SELL AND CONVEY to the parties of the second part, their heirs, successors and assigns, all that certain real property situate in Washington County, Idaho, to-wit:

A parcel of land situated in the SE1/4SW1/4 of Section 32, Township 11 North, Range 5 West of the Boise Meridian, more particularly described as follows:

BEGINNING at the NW corner of said SE1/4SW1/4;

Thence S 89°23'22" E along the north boundary of said SE1/4SW1/4 a distance of 242.90 feet, to a point on the Union Pacific Railroad westerly right of way;

Thence leaving the north boundary of said SE1/4SW1/4 and running southeast, a distance of 344.95 feet along the arc of a circular curve to the right having a radius of 1488.72 feet, a central angle of 13°16'34" and a long chord which bears S 47°23'26" E, a distance of 344.18 feet, to a point of curve;

Thence continuing along said right of way on a spiral curve to the right with a long chord which bears S 38°26'50" E, a distance of 330.04 feet;

Thence S 37°18'09" E continuing along said right of way, a distance of 134.46 feet to a point on the north bank of the Weiser River;

Thence leaving said right of way and traversing West along the north bank of the Weiser River as follows;

S 73°57'08" W, a distance of 71.60 feet;
N 82°25'29" W, a distance of 148.77 feet;
S 88°51'14" W, a distance of 137.86 feet;
S 79°24'54" W, a distance of 148.89 feet;
S 89°08'11" W, a distance of 203.76 feet;

Thence continuing along said north bank S 79°15'19" W, a distance of 83.45 feet, to a point on the west boundary of said SE1/4SW1/4;

ASSIGNMENT AND SPECIAL WARRANTY DEED

THIS INSTRUMENT, made this 25th day of August, 1978, between THE LOMAS & METTLETON COMPANY, a Connecticut corporation, the party of the first part, and E. V. CLAMPITT and LOLA E. CLAMPITT, husband and wife, the parties of the second part,

WITNESSETH:

That the party of the first part, for and in consideration of TEN and no/100 (\$10.00) DOLLARS, lawful money of the United States of America, and other good and valuable consideration the receipt of which is hereby acknowledged, does by these presents ASSIGN AND TRANSFER to the parties of the second part, their heirs, successors and assigns, all its right, title and interest in and to that certain Sheriff's Certificate of Sale on Foreclosure dated July 19, 1978, and recorded in Book 4 of Certificates of Sale, Page 6, as Instrument No. 114284, records of Washington County, Idaho; and the party of the first part does further hereby GRANT, BARGAIN, SELL AND CONVEY to the parties of the second part, their heirs, successors and assigns, all that certain real property situate in Washington County, Idaho, to-wit:

A parcel of land situated in the SE1/4SW1/4 of Section 32, Township 11 North, Range 5 West of the Boise Meridian, more particularly described as follows:

BEGINNING at the NW corner of said SE1/4SW1/4;

Thence S 89°23'22" E along the north boundary of said SE1/4SW1/4 a distance of 242.90 feet, to a point on the Union Pacific Railroad westerly right of way;

Thence leaving the north boundary of said SE1/4SW1/4 and running southeast, a distance of 344.95 feet along the arc of a circular curve to the right having a radius of 1488.72 feet, a central angle of 13°16'34" and a long chord which bears S 47°23'26" E, a distance of 344.18 feet, to a point of curve;

Thence continuing along said right of way on a spiral curve to the right with a long chord which bears S 38°26'50" E, a distance of 330.04 feet;

Thence S 37°18'09" E continuing along said right of way, a distance of 134.46 feet to a point on the north bank of the Weiser River;

Thence leaving said right of way and traversing West along the north bank of the Weiser River as follows;

S 73°57'08" W, a distance of 71.60 feet;
N 82°25'29" W, a distance of 148.77 feet;
S 88°51'14" W, a distance of 137.86 feet;
S 79°24'54" W, a distance of 148.89 feet;
S 89°08'11" W, a distance of 203.76 feet;

Thence continuing along said north bank S 79°15'19" W, a distance of 83.45 feet, to a point on the west boundary of said SE1/4SW1/4;

Thence N 00°17'22" E along the west boundary of said SE1/4SW1/4, a distance of 649.96 feet to the TRUE POINT OF BEGINNING:

AND ALSO,

A parcel of land situated in the W1/2SW1/4 of Section 32, Township 11 North, Range 5 West of the Boise Meridian, more particularly described as follows:

BEGINNING at the northwest corner of the SE1/4SW1/4 of said Section 32;

Thence S 00°17'22" W along the east boundary of said W1/2SW1/4, a distance of 649.96 feet, to a point on the north bank of the Weiser River;

Thence S 79°15'19" W along said north bank, a distance of 43.63 feet;

Thence S 68°54'16" W along said north bank, a distance of 141.66 feet;

Thence leaving said north bank and running S 73°50'28" W, a distance of 273.59 feet to the southeast corner of Lot 1 Block 3 of Mortimer Addition to the City of Weiser, Washington County, Idaho, which is on file in Book 1 at Page 65 in the office of recorder, Washington County, Idaho;

Thence N 18°09'00" W along the east boundary of said Mortimer Addition, a distance of 670.82 feet to the southeast corner of Lot 1 Block 2 of said Mortimer Addition;

Thence N 32°36'00" W continuing along the east boundary of said Mortimer Addition, a distance of 442.53 feet to the northeast corner of Lot 1 Block 2 of said Mortimer Addition;

Thence S 83°12'23" E along the south bank of an existing drainage ditch, a distance of 181.75 feet;

Thence N 89°21'36" E along the south bank of an existing drainage ditch, a distance of 257.18 feet;

Thence S 74°48'37" E along the south bank of an existing drainage ditch, a distance of 467.61 feet, to a point on the east boundary of said W1/2SW1/4;

Thence S 00°17'22" W along the east boundary of said W1/2SW1/4, a distance of 83.89 feet to the TRUE POINT OF BEGINNING;

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, SUBJECT, HOWEVER, TO ANY AND ALL RIGHTS OF REDEMPTION IN AND TO SAID REAL PROPERTY AS BY LAW MADE AND PROVIDED.

The party of the first part hereby covenants the quiet and peaceable possession of the above-described premises to the parties of the second part, their heirs, successors and assigns, against the party of the first part, its successors and assigns, and any person or persons claiming through or under it. Except as above provided this conveyance is without warranty or covenant of any nature or kind, including without limitation the covenant of seisin, the covenant of right to convey, the covenant against encumbrances, the covenant for further assurance, the general covenant of quiet enjoyment and the general covenant of warranty.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that EVERETT V. CLAMPITT and LOLA E. CLAMPITT, husband and wife
(Name of Claimant)

P.O. Box 92, Weiser, Idaho 83672 Telephone No. 549-3307
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1890

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

12) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

tributary to Snake River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cts, gpl, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>44</u> CFS	Use	<u>Irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity	<u>02</u>	Use	<u>Livestock</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .46 CFS TOTAL QUANTITY USED.
(cfs, gpd, AFD)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 SW 1/4, Sec. 32 Twp. 11N Rge. 5W B.M., County of Washington
Additional points of diversion:

8) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 8" - 5 HP Pump
Gravity and Sprinklers

(G) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 22.65

10 If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 7 horses; 15 Cows

(7) If you are claiming water as a member of an organization, list name of organization:

Thence N 00°17'22" E along the west boundary of said SE1/4SW1/4, a distance of 649.96 feet to the TRUE POINT OF BEGINNING:

AND ALSO,

A parcel of land situated in the W1/2SW1/4 of Section 32, Township 11 North, Range 5 West of the Boise Meridian, more particularly described as follows:

BEGINNING at the northwest corner of the SE1/4SW1/4 of said Section 32;

Thence S 00°17'22" W along the east boundary of said W1/2SW1/4, a distance of 649.96 feet, to a point on the north bank of the Weiser River;

Thence S 79°15'19" W along said north bank, a distance of 43.63 feet;

Thence S 68°54'16" W along said north bank, a distance of 141.66 feet;

Thence leaving said north bank and running S 73°50'28" W, a distance of 273.59 feet to the southeast corner of Lot 1 Block 3 of Mortimer Addition to the City of Weiser, Washington County, Idaho, which is on file in Book 1 at Page 65 in the office of recorder, Washington County, Idaho;

Thence N 18°09'00" W along the east boundary of said Mortimer Addition, a distance of 670.82 feet to the southeast corner of Lot 1 Block 2 of said Mortimer Addition;

Thence N 32°35'00" W continuing along the east boundary of said Mortimer Addition, a distance of 442.53 feet to the northeast corner of Lot 1 Block 2 of said Mortimer Addition;

Thence S 83°12'23" E along the south bank of an existing drainage ditch, a distance of 181.75 feet;

Thence N 89°21'36" E along the south bank of an existing drainage ditch, a distance of 257.18 feet;

Thence S 74°48'37" E along the south bank of an existing drainage ditch, a distance of 467.61 feet, to a point on the east boundary of said W1/2SW1/4;

Thence S 00°17'22" W along the east boundary of said W1/2SW1/4, a distance of 83.89 feet to the TRUE POINT OF BEGINNING;

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, SUBJECT, HOWEVER, TO ANY AND ALL RIGHTS OF REDEMPTION IN AND TO SAID REAL PROPERTY AS BY LAW MADE AND PROVIDED,

The party of the first part hereby covenants the quiet and peaceable possession of the above-described premises to the parties of the second part, their heirs, successors and assigns, against the party of the first part, its successors and assigns, and any person or persons claiming through or under it. Except as above provided this conveyance is without warranty or covenant of any nature or kind, including without limitation the covenant of seisin, the covenant of right to convey, the covenant against encumbrances, the covenant for further assurance, the general covenant of quiet enjoyment and the general covenant of warranty.

CONVERSATION MEMORANDUM

DATE 3/30/82

FILE 67-4412

NAME OF PARTY Gola Clamsitt

EMPLOYEE Jan Grover

RE: Letter of 3/24/82

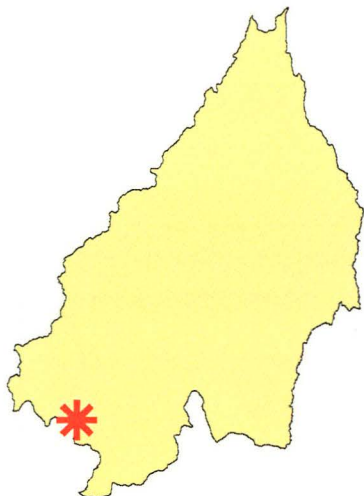
Mrs. Clamsitt phoned stating that the correct legal should be 6.44 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32; 6.44 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32; & 7.7 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32 for a total of 20.65 acres.

MICROFILMED

Idaho Department of Water Resources

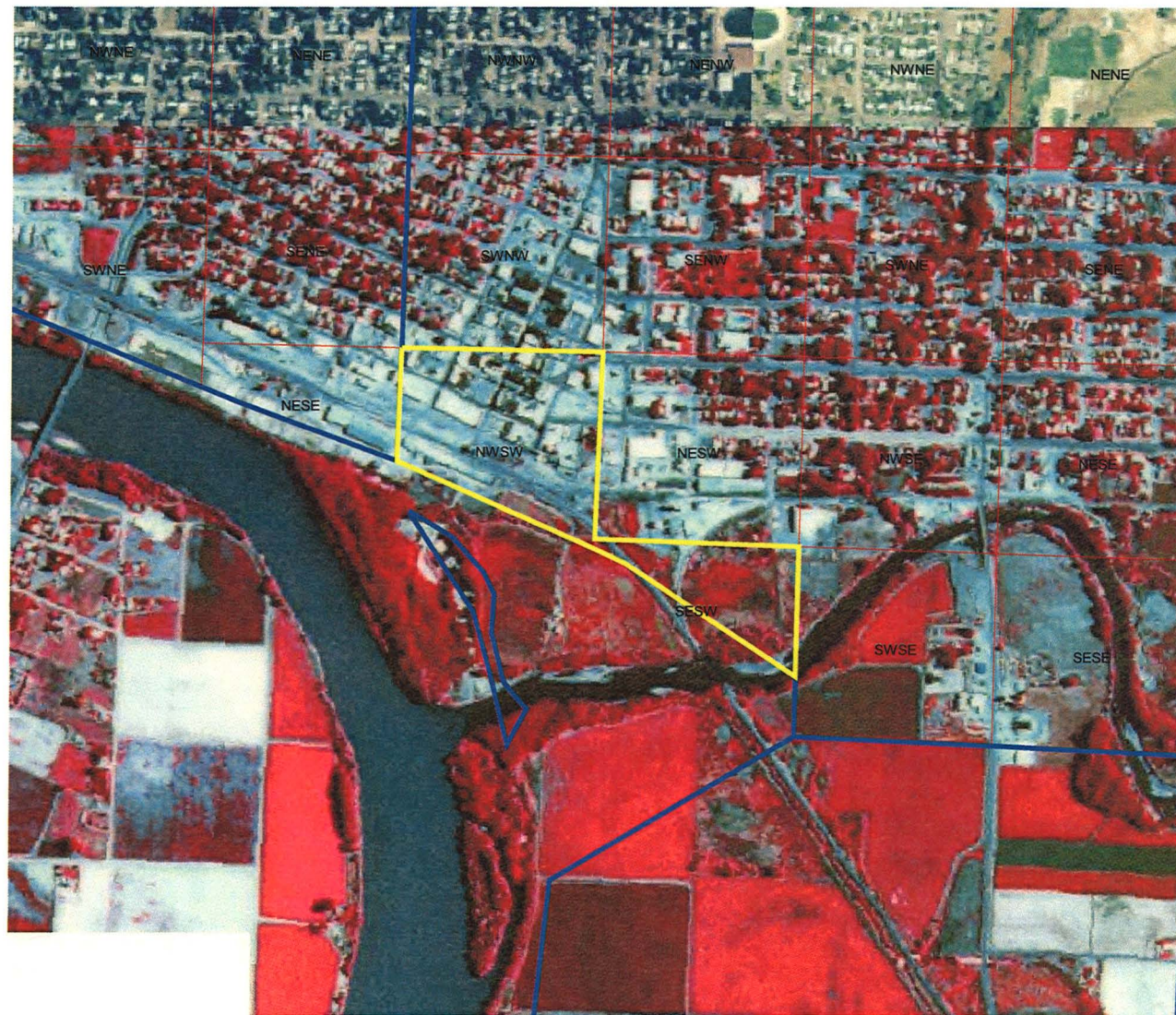
Water Right Claim No:

67-4412

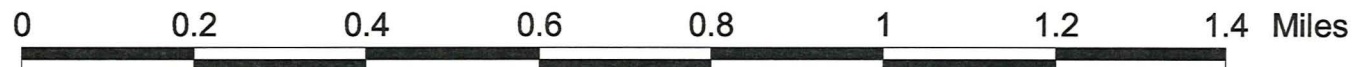


Legend

-  Place of Use
-  Section Lines
-  Quarter Quarters



Prepared by: Dan Narsavage
On: February 28, 2005
1987 False-Color Infrared 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 67-4412
Date Received: 8/25/1989
Receipt No: C010678
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CITY OF WEISER
55 W IDAHO ST
WEISER ID USA 83672

Phone: (208) 414-1966

2. Date of Priority: 06/01/1890

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11N	05W	32	SE SW	WASHINGTON	

5. Description of diverting works:

PUMP FROM RIVER, TO DITCH, GRAVITY SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.44	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

SCANNED
APR 14 2004

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	05W	32	SW	SW	IRRIGATION	6
			SE	SW	IRRIGATION	8
			NW	SW	IRRIGATION	6
					Section Acres	20
					Total Acres	20

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:

Ownership changed by DB 4/25/2002

AC. IRR.=20.5

15. Basis of Claim: Statutory Claim

RECEIVED

MAR 01 2000

WATER RESOURCES
WESTERN REGION

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

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

1. Water Right No(s): 67-04412
 Adjudication Claim No(s): A67-04412

2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s).
 (These are usually attached to your deed or on file with the county.)
OR
 - C. If your water right or adjudication claim 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**.

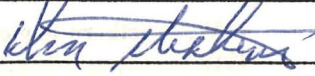
3. Name and Address of Former Owner/Claimant EVERETT CLAMPITT
PO BOX 92, WEISER ID 83672

4. New Owner/Claimant(s) CITY OF WEISER
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 55 W IDAHO ST
 City, State and ZIP Code WEISER ID 83672
 New Telephone Number (208) 414-5441-1966

5. Date you acquired the property 11/5/99

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s)  Mayor

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

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



THE CITY OF WEISER, IDAHO

55 WEST IDAHO 83672 • (208)549-1965

OFFICE OF THE CLERK

February 28, 2000

State of Idaho
Water Resources

To Whom It May Concern:

I hereby verify that the Mayor and City Council of the City of Weiser comprise the following members as of this date February 28, 2000.

Mayor - Mr. Don Stephens

Council Members: Ms Amy McKnight

Mr. Dean Davies

Mr. Albert "Bud" Watkins

Mr. Perry Plischke

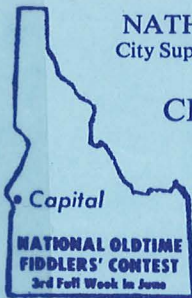
Mr. Kevin Hoirup

Mr. Steve Patterson

I also certify that the Mayor of the City of Weiser, Mr. Don Stephens has the authority to sign any official document in regards to the proper and orderly operation of the City of Weiser.

FOR THE CITY OF WEISER


John R. Walker Jr.
City Clerk/Coordinator



NATHAN (NATE) MARVIN
City Superintendent/Purchasing Agent

CITY OF WEISER
Weiser, Idaho 83672

414-1965

Office: City Hall
55 West Idaho
(208) 549-1965
FAX (208) 549-1816
Home Phone (208) 549-1197

Approved by:
Initials _____

WARRANTY DEED

FOR VALUE RECEIVED, BRADLEY WAYNE LAIRD, an unmarried person, Grantor, does hereby, grant, bargain, sell and convey unto CITY OF WEISER, ID, a Municipal Corporation, the Grantee, whose address is 55 WEST IDAHO ST, WEISER, ID 83672, the following described real estate situated in Washington County, State of Idaho, to-wit:

See Attached Exhibit

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

DATED this 5 day of November, 1999.

99. Bradley Wayne Laird
Bradley Wayne Laird

STATE OF IDAHO)
 : ss
County of Washington)

On this 5 day of November, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Bradley Wayne Laird, known to me to be the person who signed the foregoing instrument and acknowledged to me that he executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.


 Notary Public for Idaho
 Residing at Weiser, Idaho
 Commission expires: 2/2/05

INSTRUMENT NO. 178148
STATE OF IDAHO, COUNTY OF WASHINGTON ss,
Filed for record at the request of
WASHINGTON COUNTY TITLE
34 Min. past FIFTEEN o'clock P. M
This 18TH day of NOVEMBER 19 99
Index to: DEEDS
SHARON WIDNER, Recorder Fee: \$0.00
By 1632 McKnight Deputy
WASHINGTON COUNTY TITLE

Comp. Index
Comp. Rel.
Film
Compare
Card Rel.
Bk. Rel.
Up-date
Return
Copy

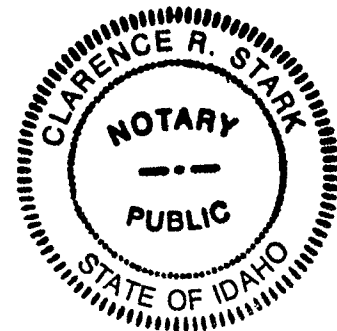


Exhibit to Warranty Deed
Laird/City of Weiser

A parcel of land situated within the SW¼ of Section 32, Township 11 North, Range 5 West, Boise Meridian, partially within the City of Weiser, Idaho, and partially within Washington County, Idaho, and more particularly described as follows:

Beginning at the northwest corner of Government Lot 1 of Section 32, T.11N., R.5W., B.M.;

Thence S 89°23'22" E, a distance of 242.90 feet along the North line of said Government Lot 1 to a point on the southwesterly right-of-way of the Union Pacific Railroad;

Thence along the southwesterly right-of-way of said Railroad a distance of 344.95 feet along the arc of a 1488.72 foot radius curve to the right, with a central angle of 13°16'34", and a long chord bearing S 47°23'26" E - 344.18 feet;

Thence along the southwesterly right-of-way of said Railroad along the arc of offset spiral curve to the right with a long chord bearing S 38°26'50" E, a distance of 330.04 feet;

Thence S 37°18'09" E, a distance of 134.46 feet along said southwesterly Railroad right-of-way to a point on the northerly bank of the Weiser River;

Thence S 73°57'08" W, a distance of 71.60 feet along the northerly bank of said Weiser River;

Thence N 82°25'29" W, a distance of 148.77 feet along the northerly bank of said Weiser River;

Thence S 88°51'14" W, a distance of 137.86 feet along the northerly bank of said Weiser River;

Thence S 79°24'54" W, a distance of 148.89 feet along the northerly bank of said Weiser River;

continued...

Exhibit to Warranty Deed
Laird/City of Weiser
Page 2

Thence S 89°08'11" W, a distance of 203.76 feet along the northerly bank of said Weiser River;

Thence S 79°15'19" W, a distance of 127.08 feet along the northerly bank of said Weiser River;

Thence S 68°54'16" W, a distance of 141.66 feet along the northerly bank of said Weiser River;

Thence S 73°48'18" W, a distance of 273.57 feet (formerly S 73°50'28" W, a distance of 273.59 feet) to the southeast corner of Lot 1, Block 3 of Mortimer Addition to the City of Weiser, Washington County, Idaho, as the same is shown on the Official Plat thereof on file in Book 1 at Page 65, in the Office of the County Recorder of Washington County, Idaho;

Thence N 18°09'16" W, a distance of 670.89 feet (formerly N 18°09' W, a distance of 670.82 feet) along the easterly line of said Lot 1 of Block 3, to the southeast corner of Lot 1, Block 2 of said Mortimer Addition;

Thence N 32°35'30" W, a distance of 442.62 feet (formerly N 32°36' W, a distance of 442.53 feet) along the easterly line of said Lot 1 of Block 2 to the northeast corner of said Lot 1;

Thence S 83°12'23" E, a distance of 181.75 feet along the southerly bank of an existing drainage ditch;

Thence N 89°21'36" E, a distance of 257.18 feet along the southerly bank of said drainage ditch;

Thence S 74°48'37" E, a distance of 467.61 feet along the southerly bank of said drainage ditch to a point on the East line of Government Lot 2 of said Section 32;

Thence S 0°17'22" W, a distance of 83.89 feet along the East line of said Government Lot 2 to the TRUE POINT OF BEGINNING.

Washington County Title Co.

35 West Idaho St.
Weiser, ID 83672

(208) 414-1455
Fax (208) 414-1487

Title Insurance

Escrow Service

FAX COVER SHEET

DATE: 4/23/02

TO: ATTENTION: RON

COMPANY: DEPT WATER RESOURCES

PHONE NUMBER: 334-2120 FAX NUMBER 334-2348

NUMBER OF PAGES (INCLUDING COVER SHEET): 4

COMMENTS: DEEDS FROM CLAMPITT TO

LAIRD. THIS SHOULD COMPLETE

THE CHANGE

CALL w/ QUESTIONS

CLARENCE

100-90-2925

150643

1 2

WARRANTY DEED

For Value Received

E. V. CLAMPITT, AKA EVERETT V. CLAMPITT AND LOLA E. CLAMPITT,
HUSBAND AND WIFE

The grantor, do hereby grant, bargain, sell and convey unto

BRADLEY WAYNE LAIRD AND BONNIE LYNN LAIRD, HUSBAND AND WIFE

the grantee, whose current address is 175 East Railroad, Weiser, ID 83672

the following described premises, in WASHINGTON

County Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
 THEIR heirs and assigns forever. And the said Grantor S do hereby covenant to and
 with the said GranteeS, that The Y ARE the owner in fee simple of said premises; that they are free
 from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: NOVEMBER 27, 1990

E V Clampitt
 E. V. CLAMPITT

Lola E. Clampitt
 LOLA E. CLAMPITT

STATE OF IDAHO, COUNTY OF WASHINGTON

On this 27TH day of NOVEMBER, 19 90
 before me, a notary public in and for the said State, personally
 appeared

E.V. CLAMPITT AND
 LOLA E. CLAMPITT

known or identified to me to be the person whose name
 subscribed to the within instrument, and acknowledged to me
 that

Edward
 Notary Public
 Idaho

STATE OF IDAHO, COUNTY OF WASHINGTON

I hereby certify that this instrument was filed for record at the
 request of WEISER VALLEY TITLE CO.

at 00 minutes past 4:00 o'clock p. M.
 this 30TH day of NOVEMBER
 1990, in my office, and duly recorded in Book
 of Deeds at ~~XXXX~~ # 150643

MARY KAUTZ
 Ex-Officio Recorder

By *Mary Kautz*

Fees \$6.00

Mail to WEISER VALLEY TITLE CO.

INSTRUMENT NO

EXHIBIT 'A'

A parcel of land situated in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 11 North, Range 5 West of the Boise Meridian, more particularly described as follows:

BEGINNING at the NW corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence S 89° 23' 22" E along the north boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, a distance of 242.90 feet, to a point on the Union Pacific Railroad westerly right of way;

Thence leaving the north boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ and running southeast, a distance of 344.95 feet along the arc of a circular curve to the right having a radius of 1480.72 feet, a central angle of 13° 16' 34" and a long chord which bears S 47° 23' 26" E, a distance of 344.18 feet, to a point of curve;

Thence continuing along said right of way on a spiral curve to the right with a long chord which bears S 38° 26' 50" E, a distance of 330.04 feet;

Thence S 37° 18' 09" E continuing along said right of way, a distance of 134.46 feet to a point on the north bank of the Weiser River;

Thence leaving said right of way and traversing West along the north bank of the Weiser River as follows:

S 73° 57' 08" W, a distance of 71.60 feet;

N 82° 15' 29" W, a distance of 148.77 feet;

S 88° 31' 14" W, a distance of 137.86 feet;

S 79° 24' 54" W, a distance of 148.89 feet;

S 89° 08' 11" W, a distance of 203.76 feet;

Thence continuing along said north bank S 79° 15' 19" W, a distance of 83.45 feet, to a point on the west boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence N 00° 17' 22" E along the west boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, a distance of 649.96 feet to the TRUE POINT OF BEGINNING. AND ALSO,

A parcel of land situated in the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 32, Township 11 North, Range 5 West of the Boise Meridian, more particularly described as follows:

BEGINNING at the northwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 32;

Thence S 00° 17' 22" W along the East boundary of said W $\frac{1}{2}$ SW $\frac{1}{4}$, a distance of 649.96 feet, to a point on the north bank of the Weiser River;

Thence S 79° 15' 19" W along said north bank, a distance of 43.63 feet;

Thence S 68° 54' 16" W along said north bank, a distance of 141.66 feet;

Thence leaving said north bank and running S 73° 50' 28" W, a distance of 273.59 feet to the southeast corner of Lot 1 Block 3 of Mortimer Addition to the City of Weiser, Washington County, Idaho, the plat of said Addition on file in Book 1 at page 65 in the office of the County Recorder of Washington County, Idaho;

Thence N 18° 09' 00" W along the east boundary of said Mortimer Addition, a distance of 670.82 feet to the southeast corner of Lot 1 Block 2 of said Mortimer Addition;

Thence N 32° 36' 00" W continuing along the east boundary of said Mortimer Addition, a distance of 442.53 feet to the northeast corner of Lot 1 Block 2 of said Mortimer Addition;

Thence S 83° 12' 23" E along the south bank of an existing drainage ditch a distance of 181.75 feet;

Thence N 89° 21' 36" E along the south bank of an existing drainage ditch, a distance of 257.18 feet;

Thence S 74° 48' 37" E along the south bank of an existing drainage ditch, a distance of 467.61 feet, to a point on the east boundary of said W $\frac{1}{2}$ SW $\frac{1}{4}$;

Thence S 00° 17' 22" W along the east boundary of said W $\frac{1}{2}$ SW $\frac{1}{4}$, a distance of 83.89 feet to the TRUE POINT OF BEGINNING.

100-90-2925

150644

WARRANTY DEED

For Value Received

EVERETT V. CLAMPITT AND LOLA E. CLAMPITT, husband and wife

The grantor s do hereby grant, bargain, sell and convey unto

BRADLEY WAYNE LAIRD AND BONNIE LYNN LAIRD, husband and wife

the grantee s whose current address is :

175 East Railroad, Weiser, ID 83672

the following described premises, in Washington

County Idaho, to-wit:

Parcel A

A parcel of land situated within the $W\frac{1}{2}SW\frac{1}{4}$ of Section 32, Township 11 North, Range 5 West, Boise Meridian, more particularly described as follows:

Beginning at the Northwest corner of the $SE\frac{1}{4}SW\frac{1}{4}$ of said Section 32;Thence S $0^{\circ}17'22''$ W - 649.96 feet along the East line of said $W\frac{1}{2}SW\frac{1}{4}$ to a point on the northerly bank of the Weiser River;Thence S $79^{\circ}15'19''$ W - 43.53 feet along the northerly bank of said river;Thence S $68^{\circ}54'16''$ W - 141.66 feet along the northerly bank of said river;Thence leaving said northerly bank and running S $73^{\circ}50'28''$ W - 142.16 feet;Thence N $0^{\circ}17'22''$ E, parallel to the East line of said $W\frac{1}{2}SW\frac{1}{4}$, a distance of 750.22 feet;Thence S $89^{\circ}42'38''$ E-311.08 feet to the point of beginning.

Parcel B

Together with a 20' wide ingress-egress on existing road from the North boundary of above described parcel to the existing East Railroad Street.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantees, that they the owner s in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: November 27, 1990

E V Clampitt
Everett V. Clampitt

Lola E Clampitt
Lola E. Clampitt

STATE OF IDAHO, COUNTY OF WASHINGTON
On this 27th day of November, 1990,
before me, a notary public in and for the said State, personally
appeared

EVERETT V. CLAMPITT AND LOLA E.
CLAMPITT, husband and wife

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

Dana B. Edwards
Notary Public
Idaho

STATE OF IDAHO, COUNTY OF WASHINGTON
I hereby certify that this instrument was filed for record at the
request of WEISER VALLEY TITLE CO.

at 00 minutes past 4:00 o'clock P. M.
this 30TH day of NOVEMBER
1990, in my office, and duly recorded in 8363
of Deeds at 150644

MARY KAUTZ
Ex-Officio Recorder
By *Carol Sigurdson* Deputy
Fees \$ 3.00
Mail to: WEISER VALLEY TITLE CO.

INSTRUMENT NO

AJ0749NP
No. A67-04412

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

DATE: 02/24/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EVERETT V CLAMPITT	06/01/1890	IRRIGATION	03-15 11-15	0.440 CFS	
C	LOLA E CLAMPITT					
	PO BOX 92					
	WEISER ID 83672					
	(208) 549-3433					
				TOTAL DIVERSION:	0.440 CFS	
				CONSUMPTIVE USE:		70.00 AFA

Water Source: WEISER RIVER

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T11N R05W S32 SESW WASHINGTON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
11N	05W	32	:											06	06	08				:	20.0
																				TOTAL ACRES	20.0

POU County: WASHINGTON

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
67-10390 A67-10862

Other Water Rights Listing Overlapping Place(s) of Use:
A03-10002 A67-02169 A67-02384A A67-04472 A67-10279 A67-10280

Remarks: GEN AC. IRR.=20.5

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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



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: A67-04412
Date Received: 8/25/1989
Receipt No: C010678
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EVERETT V. CLAMPITT 208-549-3433
Address: P.O. BOX 92
WEISER, ID 83672

OR
Name: LOLA E. CLAMPITT 208-549-3433
Address: P.O. BOX 92
WEISER, ID 83672

2. Date of Priority: JUN 01, 1890

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	05W	32	SE	SW			WASHINGTON

5. Description of diverting works:
PUMP FROM RIVER, TO DITCH, GRAVITY SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.440		

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

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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: A67-04412
Date Received: 8-25-89
Receipt No: 810678
Received By: gp

RECEIVED

AUG 25 1989

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

Department of Water Resources

1. Name: EVERETT V. CLAMPITT 208-549-3433
Address: P.O. BOX 92
WEISER, ID 83672
OR
Name: LOLA E. CLAMPITT 208-549-3433
Address: P.O. BOX 92
WEISER, ID 83672
2. Date of Priority: JUN 01, 1890
3. Source: WEISER RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	05W	32	SE	SW			WASHINGTON
5. Description of diverting works:
PUMP FROM RIVER, TO DITCH, GRAVITY SYSTEM
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.440		
7. Total Quantity Appropriated is:
0.440 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 70.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11N	05W	32	NW		SW		IRR	6.0
			SW		SW		IRR	6.0
			SE		SW		IRR	8.0
Section Acres								20.0
Total Acres								20.0

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:
AC. IRR.=20.5

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: _____

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): Lala E. Clappitt Date: 8-24-89

Date: _____

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of August 19 89

J. Francis McDaniel
Notary Public

Seal

Residing at Weiser, Idaho
My Commission Expires 9/1/92

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

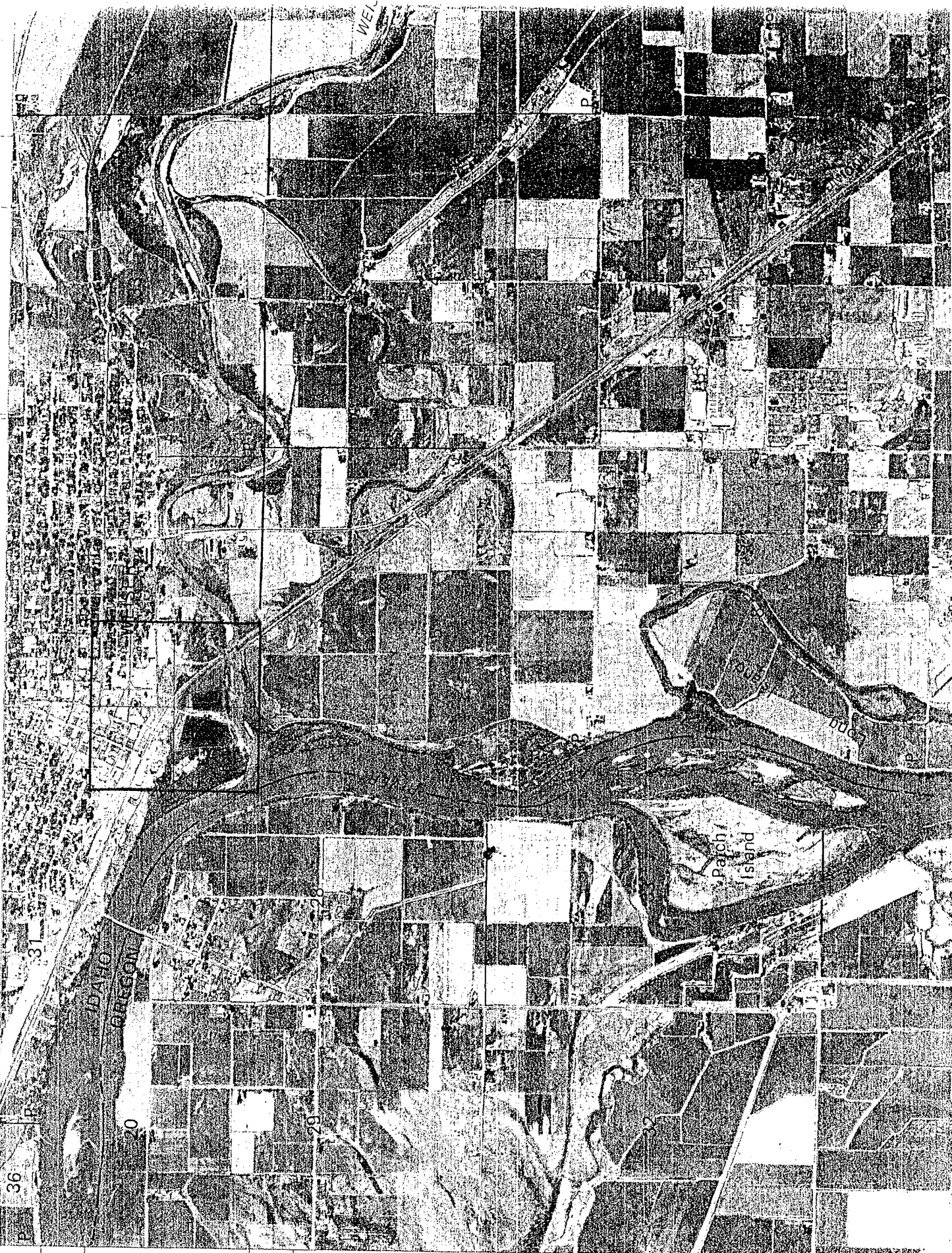
SW 1/4 OF SEC 32 T11N R5W



117°00'
44°15'

180,000 Feet (Idaho)

Eaton 4.9 Mi.



MICROFILMED

OCT 02 1992

IDAHO DEPARTMENT OF WATER RESOURCES

OWNERSHIP PLOT
Information plotted
per warranty deed
recorded Nov 18th
1999.

**T11N, R05W
S32**

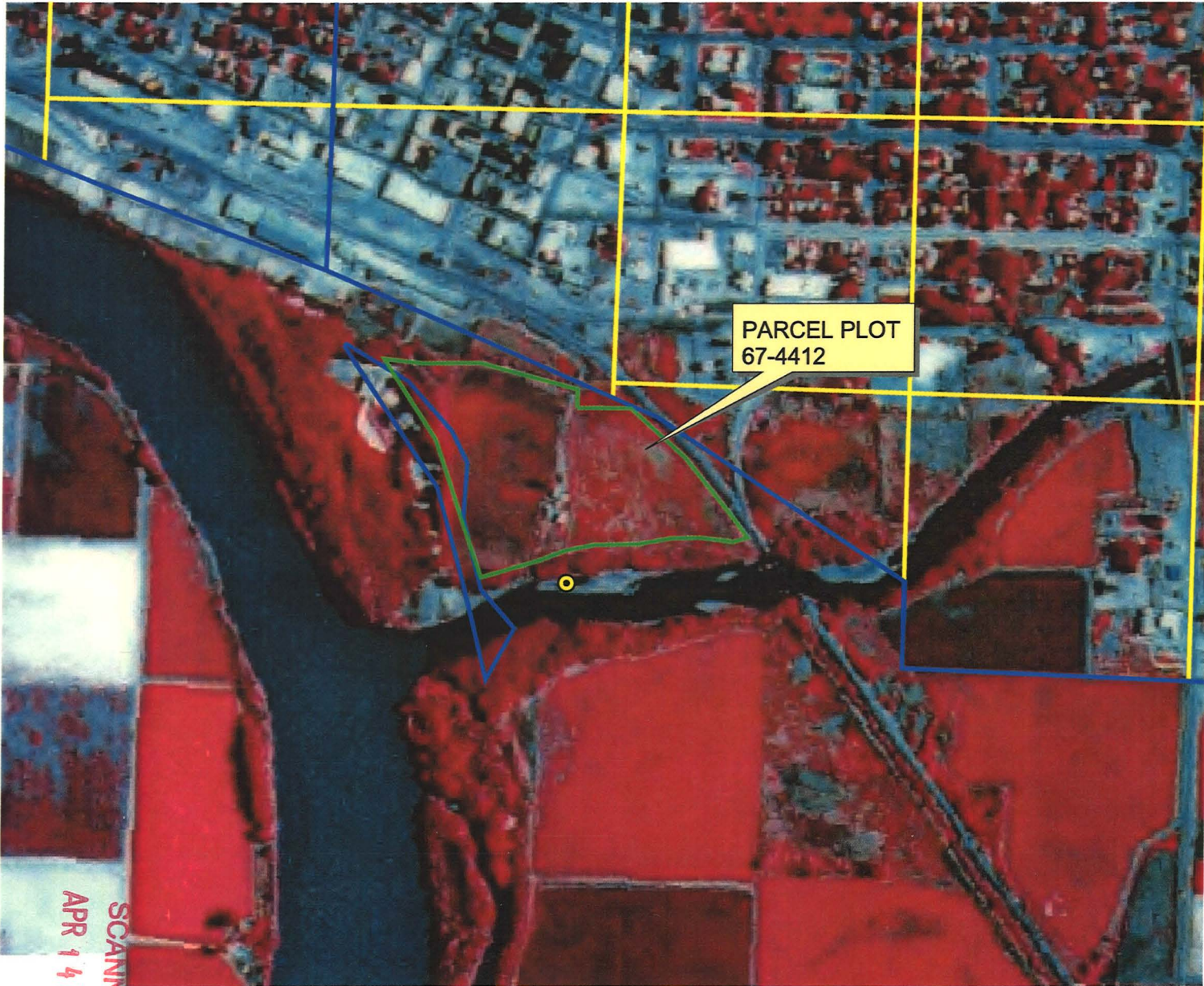


 **Point of Diversion**

-  **Place of use**
-  **Section**
-  **1/4 1/4**

20 Acres

1987 NAPP



SCANNED
APR 14 2004





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 25, 2002

CITY OF WEISER
55 W IDAHO ST
WEISER ID 83672

Re: Notice of Claim to a Water Right No. 67-4412

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure

SCANNED
APR 14 2004