

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 81730
RECEIVED
JUN 08 2017
Department of Water Resources
Eastern Region

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Widmer Ranch LLC

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Widmer Ranch LLC Phone 208-540-0599
Mailing address 461 Widmer Lane, Geneva, ID 83238 Email janetwidmer@live.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

KIRK WIDMER
Print Name and Title if applicable

June 8, 2017
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- | | | |
|--|---|---|
| 1. ☒ Change point of diversion | ☐ Add diversion point(s) | ☒ Change place of use |
| ☐ Change nature of use | ☐ Change period of use | ☒ Other <u>Update Ownership</u> |

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

This transfer corrects errors in the Thomas Fork Decree. The Samuel Widmer rights have always been associated with our property. The deeds provided with the transfer show the property owned by Samuel Widmer at the time of the Thomas Fork Decree. The transfer rearranges the place of use to match our current irrigation system.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	11-119	0.80 cfs	Irrigation	4/20 to 9/30	Thomas Fork
☒ ☐	11-120	0.80 cfs	Irrigation	4/20 to 9/30	Thomas Fork
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.60 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 1.60 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			SW	NW	14	12S	46E	Bear Lake	Thomas Fork	Taylor Canal

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	46E	2						13	(L1)										13
		3	22	(L1)															22
Wyo	ming	Land																	
27N	20W	24	14	40	17		22			28									121
							L1			L2									
Total Acres (for irrigation use)																			156

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Taylor Canal is already measured and regulated by watermaster for WD 11F (Thomas Fork).

- b. Who owns the property at the point(s) of diversion? Taylor Canal Company

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

We will work out an agreement with Taylor Canal Company to carry the water.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A Water will continue to be used on contiguous ranch property.

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

This transfer will correct an error in the Thomas Fork Decree. The Samuel Widmer right was decreed in the wrong Township and in the wrong section. The deeds provided show that the Samuel Widmer property should have been described in Sections 2 and 3, T13S, R46E.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Wyoming land is also covered by Wyoming Permit No. 206782 (issued in 2017).

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|-------------------------------------|-------------------------------------|---|
| ☒ | ☐ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

In the past, the Samuel Widmer rights have been used to irrigate our property through the Taylor Canal. In more recent years, because of the error in the decree, Taylor Canal Company has not been willing to let us divert these rights from the canal.

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.**

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

81730

5/26/2017

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SAMUEL WIDMER , ZZ

Status: Active

Tributary
BEAR RIVER

81730

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/26/2017

Water Right 11-120

Owner Type Name and Address
Current Owner SAMUEL WIDMER
 , ZZ

Priority Date: 9/15/1894

Basis: Decreed

Status: Active

Source
THOMAS FORK

Tributary
BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	/	/	0.800 CFS	
	<u>Total Diversion</u>		0.800 CFS	

Source and Point(s) of Diversion
THOMAS FORK

Place Of Use

IRRIGATION within BEAR LAKE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	46E	3		X	X						X					X			00

Conditions of Approval:

1. P/D INCOMPLETE MUDDY CANAL.
P/U INCOMPLETE ACRES NOT SPECIFIED.
DECREE SOURCE - MUDDY CANAL.

Dates and Other Information

Decreed Date: 2/20/1902

Judicial District: Fifth District

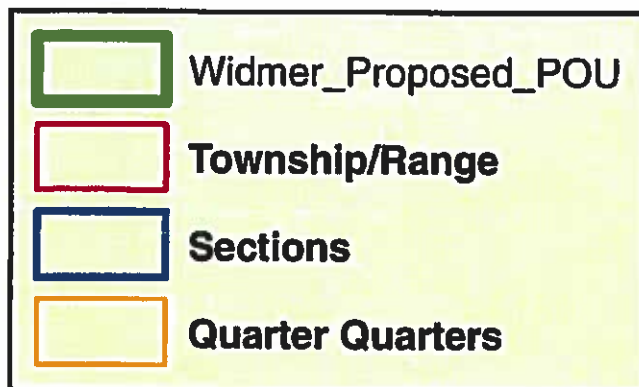
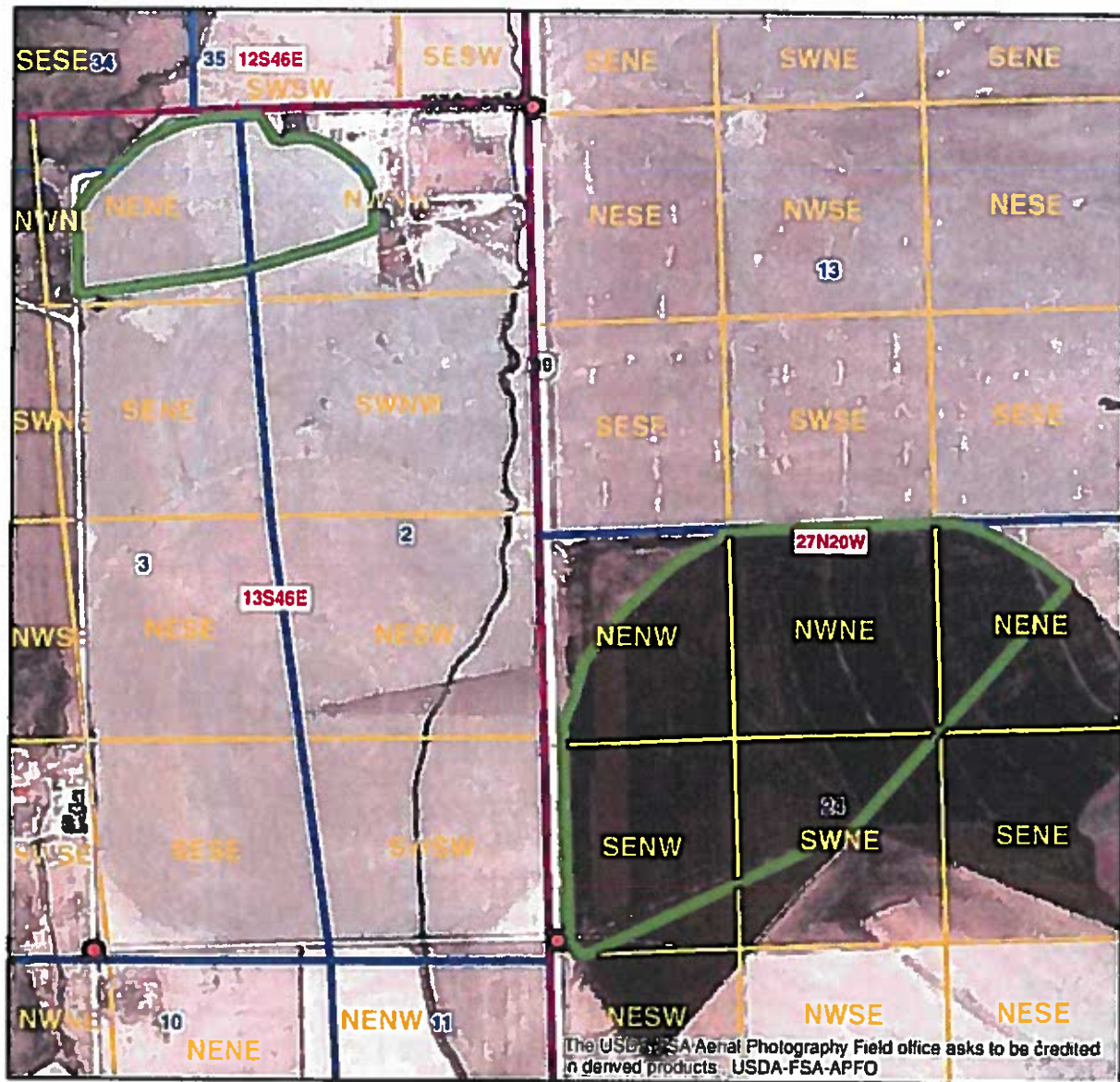
Water District Number: 11F

Decree Defendant: Thomas Fork Irrig & Canal Co, et al

Decree Plaintiff: Fawsett Brothers, Et Al

Mitigation Plan: False

Widmer Ranch LLC Transfer Application



0 0.2 0.4 Miles



No. W 48688	Due no later than Mar 31, 2017 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. WIDMER RANCH, L.L.C. JANET WIDMER 461 WIDMER LN GENEVA ID 83238 USA		KIRK WIDMER 461 WIDMER LN GENEVA ID 83238			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MEMBER	KIRK WIDMER	461 WIDMER LN	GENEVA	ID	USA	83238
MEMBER	JANET WIDMER	461 WIDMER LN	GENEVA	ID	USA	83238
5. Organized Under the Laws of: ID W 48688		6. Annual Report must be signed.* Signature: Janet Widmer Name (type or print): Janet Widmer Date: 03/15/2017 Title: secretary				
Processed 03/15/2017		* Electronically provided signatures are accepted as original signatures.				

81730

Ownership Change Explanation

In the Thomas Fork Decree, the property described for Samuel Widmer (assuming the correct Township, 13S) is the same property described for George Blechert. We believe this an error. Samuel Widmer is Kirk's great-grandfather. The property he owned in Township 13 was in Sections 2 and 3, T13S, R46E. This property has continued to be owned by the Widmer family and has passed from generation to generation.

N.	DECEED OWNER	NAME	PRESENT OWNER	INCHES AMT. SEC. FT. D.	PRIORITY	SUBDIV.	DIVISION
						SEC. TWR	R.R.
2	Mumford Bros.			9.0	4/1/84	Stevens & Larson Ditch	
3	Henry Tenacher			4.00	4/1/84	Stevens & Larson Ditch	
5	C. Webster			5.0	9/15/84	Hamilton Dam	
6	C. Webster			1.4	9/15/84	W.O. & D. Ditch	
5	Thomas Hillier			0.1	5/15/85	Taylor Canal	
6	C. Webster			3.8	6/15/85	W. O. & D. Ditch	
4	Hall Bros.			16.00	6/15/85	Thomas Fork	
8	Gottlieb Tenacher			4.0	6/15/85	" "	
9	Samuel Widmer			.8	6/15/85	" "	
7	Mumford Bros.			.8	7/1/85	W. O. & D. Ditch	
10	Mumford Bros.			6.2	4/1/86	Two Story Dam Stevens & Larson Ditch	
11	Mumford Bros.			3.5	4/1/86	" "	
11	Enoch Bagley			2.7	4/1/86	W. O. & D. Ditch	
12	F. L. Grulkshank			5.9	4/1/86	Two Story Dam	
13	Fancett Bros.			1.6	4/1/86	" "	
14	Eohesim Herzog			1.2	4/1/86	Thomas Fork Stevens & Larson Ditch	
15	W. A. & A. L. Hart			2.8	7/1/86	" "	

Decree in case of: Thomas Fork and Tributaries SOURCE Thomas Fork and Tributaries PAGE 11-F
Fawcett Bros., et al WATER DIST. 11-F COUNTY Beaver Lake
vs. JUDICIAL DIST. 11-F JUDGE Joseph C. Rich
Thomas Fork Irrigation Co., et al DATE OF DECREE February 20, 1902 RECORDED IN BOOK NO. 1 AT PAGE NO. 227

DECREED OWNER	NAME	PRESENT OWNER	INCHES AMT. SEC. FT. D.	PRIORITY	SUBDIV.	SEC. TWR	DIVERSION	REMARKS, LAND TO BE IRRIGATED, ETC.
Frederick W. Boehme			.2	5/1/94	Taylor	Bro. Canal		NE 1/4 Sec. 22, SE 1/4 Sec. 15, NW 1/4 Sec. 23, T. 12 S., R. 16 E.
John Bischoff			.8	9/15/94	Muddy	Canal		See 5/15/87 right
Christian Tueller			1.6	9/15/94	"	"		See 4/1/91 right
Christian Hirschi			1.2	9/15/94	"	"		See 4/1/93 right
Jacob Tueller, Jr.			1.6	9/15/94	"	"		See 4/1/93 right
Ed Tueller			1.6	9/15/94	"	"		See 5/15/93 right
Jacob Tueller, Sr.			2.0	9/15/94	"	"		NW 1/4 Sec. 22, W 1/4 Sec. 15, T. 12 S., R. 16 E.
Arnold D. Hirschi			.8	9/15/94	"	"		W 1/4 Sec. 22, T. 12 S., R. 16 E.
Samuel W. Hirschi			.8	9/15/94	"	"		See 6/15/85 right NW 1/4 Sec. 22, T. 12 S., R. 16 E.
Gottlieb Tueller			2.4	9/15/94	"	"		
Harry Tauscher, Sr.			1.6	9/15/94	"	"		N. P. Larson Ranch - NW 1/4 Sec. 27, T. 12 S., R. 16 E.?
John S. Bryson			2.0	4/1/95	Stevens & Lat.			SW 1/4 Sec. 22, NE 1/4 Sec. 27, T. 13 S., R. 16 E.
Jos. A. Dalton			1.6	4/1/95	Taylor	Bro. Canal		NE 1/4 Sec. 22, T. 13 S., R. 16 E.
Jos. H. Holmes			1.6	4/1/95	"	"		NE 1/4 Sec. 22, T. 13 S., R. 16 E.
J. W. Cook			1.6	4/1/95	"	"		SE 1/4 Sec. 22, T. 13 S., R. 16 E.
Samuel W. Hart			1.6	4/1/95	"	"		SW 1/4 Sec. 22, T. 13 S., R. 16 E.
Zions Savings Bank & Trust Co.			3.98	4/1/95	"	"		SE 1/4 Sec. 15, NE 1/4 Sec. 27, Lots 1 & 2, Sec. 14, T. 13 S., R. 16 E.
Mumford Bros.			.8	4/1/95	"	"		NE 1/4 Sec. 15, T. 13 S., R. 16 E.
A. A. Hart			1.6	4/1/95	"	"		W 1/4 Sec. 22, T. 13 S., R. 16 E.

water, diverted from the Hamilton Dam, of date September 15th, 1884.

11-106 C. Webster, 5 1-5 second-feet, being 260 miner's inches of water, diverted from Webster, Ours & Dalton Ditch, 70 inches September 15th, 1884, balance of date June 15th, 1885.

(p)

11-107 Mumford Brothers, 4-5 second-feet, being 40 miner's inches of water, diverted from the Webster, Ours & Dalton Ditch, of date July 1st, 1885.

11-108 S. B. Young, 3-2 feet, being 150 miner's inches of water diverted from Thomas Fork Irrigation Company's Canal of date May 15th, 1880.

11-110 Mumford Brothers, 6 1-5 second-feet, being 305 miner's inches of water, diverted from two-story dam, of date April 1st, 1886.

11-111 Mumford Brothers, 3 1-2 second-feet, being 175 miner's inches of water, diverted from Stevens and Larson Ditch, of date April 1st, 1886.

11-112 Mumford Brothers, 9 second-feet, being 450 miner's inches of water, diverted from Stevens and Larson Ditch, of date April 1st, 1884.

(q)

11-113 Henry Teuscher, 4 second-feet, being 200 miner's inches of water, diverted from Stevens and Larson ditch, of date April 1st, 1884.

(r)

11-114 Hall Brothers, 16 second-feet, being 800 miner's inches of water, diverted from Thomas Fork, of date June 15th, 1885.

(s)

11-115 Thomas Ellier, 1-10 second-feet, being 5 miner's inches of water, diverted from Taylor Canal, of date May 15th, 1885.

11-116 Thomas Ellier, 1-5 second-feet, being 60 miner's inches of water, diverted from West Side Thomas Fork, of date April 1st, 1888.

11-117 Thomas Ellier, 4-5 second-feet, being 40 miner's inches of water, diverted from east side Thomas Fork, of date April 1st, 1889.

(t)

11-118 Gottlieb Teuscher, 4 second-feet, being 200 miner's

inches of water, diverted from Thomas Fork, of date June 15th, 1885.

(u)

11-119 Samuel Widmer, 4-5 second-feet, being 40 miner's inches of water, diverted from Thomas Fork, of date June 15th, 1885.

11-120 Samuel Widmer, 4-5 second-feet, being 40 miner's inches of water, diverted from Muddy Canal, of date September 15th, 1894.

(v)

11-121 Enoch Bagley, 2 35-50 second-feet, being 135 miner's inches of water diverted from Webster, Ours & Dalton ditch, of date April 1st, 1886.

11-122 F. L. Cruikshank, 5 9-10 second-feet, being 295 miner's inches of water diverted from two-story dam, of date April 1st, 1886.

(x)

11-123 Fawcett Brothers, 1 3-5 second-feet, being 80 miner's inches of water, diverted from two-story dam, of date April 1st, 1886.

(y)

11-124 Ephrum Herzog, 1 1-5 second-feet, being 60 miner's inches of water, diverted from Thomas Fork, of date April 1st, 1886.

(z)

11-125 Mary Padzweit, 2 45-50 second-feet, being 145 miner's inches of water, diverted from Hall Bro's ditch, of date July 5th, 1886.

1.

George Blechert, 3 1-2 second-feet, being 175 miner's inches of water, diverted from Hall Bro's ditch, of date July 5th, 1886.

2.

11-127 N. P. Larson, 1 35-50 second feet, being 85 miner's inches of water, diverted from Little Dry Creek, of date April 1st, 1887.

3.

11-128 J. M. Dalton, 2 4-5 second-feet, being 140 miner's inches of water, diverted from two-story dam, of date April 1st, 1887.

4.

11-129 John Bischoff, 3-5 second-feet, being 30 miner's inches of

WATERMASTER'S REPORT

RECEIVED
FEB 13 2017

Department of Water Resources
Eastern Region

From January 1, 2016 2016 To December 31, 2016

Water District No. 11-F
Name of Watermaster Joel C. Tauschar
P.O. Address PO Box 74, Ganado, Idaho 83238

AFFIDAVIT OF WATERMASTER

STATE OF IDAHO)
COUNTY OF Bear Lake) ss.

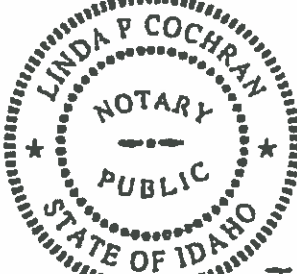
Joel Tauschar, being first duly sworn, deposes and says that he is Watermaster of Water District 11-F, having been lawfully appointed by Gary Spockman, Director, Idaho Department of Water Resources, and that the volumes of water, as stated in this report and prorated by him to the water right holders of the district are correct.

Joel C. Tauschar
(Deputy) Watermaster District No. 11-F

Subscribed and sworn to before me, this 10th day of February, 2017.

Linda P. Cochran
Notary Public

(SEAL)



My Commission expires 6-01-2022

Boise, Idaho, February 13, 2017

I HEREBY CERTIFY, that Joel Tauschar was lawfully appointed by me as Water Master of Water District No. 11-F, and that the information contained in this report, as herein sworn to, is, to the best of my knowledge and belief, correct.

Gary Spockman
Director, Department of Water Resources

By Dennis W. Owen

1		2		3		4		5				
Total Delivery in 24-Hour Sec. Feet	Total Cost		Adopted Budget		Credits		Debits		Cost Per 24-Hr. Sec. Ft. \$ <u>0.32</u>			
	\$	cts.	\$	cts.	\$	cts.	\$	cts.				
1									Total No. Days of Watermaster			
2									days at \$ <u>4r</u> per day \$ <u>2500</u> -			
3									Total No. Days of ~~Asst. Watermaster~~ <u>Secretary</u>			
4									days at \$ <u>4r</u> per day \$ <u>550</u> -			
5									Other expenses charged pro rata \$ <u>854</u> 34			
6									TOTAL COST \$ <u>3904</u> 34			
7									Total No. 24-Hour Sec. Feet Delivered <u>10550</u>			
8									Cost per 24-Hour Sec. Feet Delivered \$ <u>0.32</u>			
9												
0												
1												
2												
3												
4												
5												
6												
7												
8												
9												
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7												
8												
9												
0												

	Water Right Owner	IDWR Water Right IDENT No.	Diversion Name/Remarks	'16 Delivery (24 hr sec ft)	Total Cost	'16 Adopted Budget	'17 Credit	'17 Debit
1	Bauman, Brandon	118	Thomas Fork	0.00	\$24.00	\$24.00	\$0.00	\$0.00
2	Bischoff, Nadine	129; 130; 7619	Muddy Creek, Thomas Fork	0.00	\$36.00	\$36.00	\$0.00	\$0.00
3	Boehme, Derek	142; 143; 144	Thomas Fork	0.00	\$41.56	\$44.56	\$3.00	\$0.00
4	Boehme, Garth	124; 129; 130; 142; 143; 144	Hall Ditch; Thomas Fork; Muddy Creek	10.00	\$101.32	\$139.72	\$38.40	\$0.00
5	Boehme, Gene	139	Thomas Fork	50.00	\$32.10	\$26.90	\$0.00	\$5.20
6	Boehme, Bryce	132	Thomas Fork	0.00	\$12.00	\$12.00	\$0.00	\$0.00
7	Boehme, Robert & Rodney	121; 123; 131; 132; 7495; 7535; 7537; 7538; 7539; 7540; 7541; 7543	Steven & Larson; Thomas Fork; Un-named Stream	1000.00	\$729.38	\$647.38	\$0.00	\$82.00
8	Cariburu, John	127	Little Dry Creek	100.00	\$57.72	\$45.72	\$0.00	\$12.00
9	Esternholdt, Erik	92; 94; 96	Raymond Creek	0.00	\$36.00	\$36.00	\$0.00	\$0.00
10	Geneva Cemetery District	7522	Un-named Spring	0.00	\$12.00	\$12.00	\$0.00	\$0.00
11	Brook, Kelly	114	Hall Ditch	1200.00	\$643.60	\$571.60	\$0.00	\$72.00
12	Hardesty, Chuck	120; 158	Thomas Fork	0.00	\$51.60	\$51.60	\$0.00	\$0.00
13	Hillier, Lou Allen	116; 117	Thomas Fork	0.00	\$26.40	\$26.40	\$0.00	\$0.00
14	Hirschi, Harvey	137; 138	Muddy Creek	0.00	\$24.00	\$24.00	\$0.00	\$0.00
15	Hirschi, Lavall	146; 7603; 7609	Muddy Creek; Preuss Creek; Thomas Fork	360.00	\$222.84	\$179.64	\$0.00	\$43.20
16	Love, Karlene	7680	Muddy Creek	0.00	\$12.00	\$12.00	\$0.00	\$0.00
17	Loertscher, Karma	150	Muddy Creek	150.00	\$84.60	\$72.60	\$0.00	\$12.00
18	Loertscher, Richard	7680	Muddy Creek	0.00	\$12.00	\$12.00	\$0.00	\$0.00
19	Makoff, John	7684; 50; 7610; 7608	Muddy Creek; Preuss Creek	1000.00	\$700.74	\$511.54	\$0.00	\$189.20
20	Minhondo, Edward	119; 125; 126	Hall Ditch; Dry Creek	200.00	\$173.30	\$163.30	\$0.00	\$10.00

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	Water Right Owner	IDWR Water Right IDENT No.	Diversion Name/Remarks	'16 Delivery (24 hr sec ft)	Total Cost	'16 Adopted Budget	'17 Credit	'17 Debt
21	Petersen, David	122; 134; 4105	Two-Story Dam, Wood Canyon Creek	0.00	\$207.60	\$207.60	\$0.00	\$0.00
22	Peterson, Cary	105; 106	Thomas Fork	900.00	\$462.40	\$414.40	\$0.00	\$48.00
23	Price, C & JC	129; 130; 145; 146; 7605; 7606	Cry Creek; Cooper Spring; Thomas Fork	200.00	\$160.48	\$144.48	\$0.00	\$16.00
24	Raymond, Grant		Raymond Creek	0.00	\$12.00	\$12.00	\$0.00	\$0.00
25	Rigby, Kenneth	154; 7536; 7542; 7534	Thomas Fork; Steven & Larson	250.00	\$178.82	\$148.82	\$0.00	\$30.00
26	Roberts, Ron	118; 136	Thomas Fork; Muddy Creek	0.00	\$36.00	\$36.00	\$0.00	\$0.00
27	Taylor Canal	115; 133; 147; 151; 152; 155; 159 thru 172	Taylor Canal	1900.00	\$1,017.16	\$981.16	\$0.00	\$36.00
28	Teuscher, Gary	141; 153; 7616; 7620	Hirsch Creek; Muddy Canal	120.00	\$131.22	\$98.82	\$0.00	\$32.40
29	Thomas Fork Canal	95; 99; 100; 101; 102; 103; 104; 108; 7544; 7545	Thomas Fork	3000.00	\$1,703.04	\$1,343.04	\$0.00	\$360.00
30	Tueller, Lon	135; 136; 140; 7607; 7638	Muddy Canal; Soren Canyon	20.00	\$49.60	\$43.20	\$0.00	\$6.40
31	Tueller, Rao	140; 7538; 7607		90.00	\$64.13	\$44.75	\$0.00	\$19.38
32	Widmer, Kirk	7678; 119; 157; 7581; 7679	Thomas Fork	0.00	\$80.16	\$80.16	\$0.00	\$0.00
33	Widmer, Laura	120	Muddy Canal	0.00	\$12.00	\$12.00	\$0.00	\$0.00
34	Price, Keith		Dry Creek	0.00	\$12.00	\$12.00	\$0.00	\$0.00
35	Garside, Dave		Spring	0.00	\$12.00	\$12.00	\$0.00	\$0.00

RECEIVED										Past Season Deliveries											
Water Right Owner		KWR Water Right ID#s, Inc.		Department of Water Resources		2016		2015		2014		Delivery (Average)		17/Projected Use Fee		Water Right Fee		17 Assessment		16 Credit or 17/Adjusted Billage	
				Eastern Region																	
1	Bauman, Brandon	118		Thomas Fork	1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$0.00	\$24.00	\$24.00	\$0.00	\$24.00	\$0.00	\$24.00		
2	Bischoff, Nadine	7765, 7767, 7818		Muddy Creek	2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$0.00	\$36.00	\$36.00	\$0.00	\$36.00	\$0.00	\$36.00		
3	Boehme, Bryce	122		Thomas Fork	3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$0.00	\$12.00	\$12.00	\$0.00	\$12.00	\$0.00	\$12.00		
4	Boehme, Derek	7768, 7711, 144		Thomas Fork	4	0.0	0.0	6.0	15.0	7.00	7.00	7.00	\$2.25	\$43.20	\$45.45	(\$3.00)	\$42.45	(\$3.00)	\$42.45		
5	Boehme, Garth	124, 130, 7763, 7768, 7710, 7777, 7778, 7779, 7780, 7781, 7782		Hall Ditch; Thomas Fork	5	10.0	0.0	208.0	0.0	72.67	72.67	72.67	\$31.20	\$180.12	\$181.32	(\$38.40)	\$142.92	(\$38.40)	\$142.92		
6	Boehme, Gene	139		Hall Ditch; Thomas Fork	6	50.0	50.0	54.0	51.33	51.33	51.33	51.33	\$8.10	\$12.00	\$20.10	\$5.20	\$25.30	\$5.20	\$25.30		
7	Boehme, Robert & Rodney	121, 125, 131, 132, 7455, 7535, 7537, 7538, 7539, 7540, 7541, 7543		Seven & Lerner; Thomas Fork; Un-named Stream	7	1000.0	1100.0	1100.0	1100.0	1096.67	1096.67	1096.67	\$178.50	\$330.60	\$508.10	\$82.00	\$591.10	\$82.00	\$591.10		
8	Brook, Kelly	114		Hall Ditch	8	1200.0	1300.0	1300.0	1300.0	1353.33	1353.33	1353.33	\$234.00	\$192.00	\$426.00	\$72.00	\$498.00	\$72.00	\$498.00		
9	Caribuni, John			Dry Creek	9	100.0	110.0	110.0	110.0	103.33	103.33	103.33	\$15.00	\$12.00	\$27.00	\$12.00	\$39.00	\$12.00	\$39.00		
10	Eskerkold, Erik	92, 94, 96		Raymond Creek	10	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$0.00	\$36.00	\$36.00	\$0.00	\$36.00	\$0.00	\$36.00		
11	Gardale, Dave				11	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$0.00	\$12.00	\$12.00	\$0.00	\$12.00	\$0.00	\$12.00		
12	Geneva Cemetery District	7522		Un-named Spring	12	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$0.00	\$12.00	\$12.00	\$0.00	\$12.00	\$0.00	\$12.00		
13	Hardisty, Chuck	128, 158		Thomas Fork	13	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$0.00	\$51.60	\$51.60	\$0.00	\$51.60	\$0.00	\$51.60		
14	Hillier, Lou Allen	146, 117		Thomas Fork	14	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$0.00	\$26.40	\$26.40	\$0.00	\$26.40	\$0.00	\$26.40		
15	Hirsch, Harvey	127, 128		Muddy Creek	15	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$0.00	\$24.00	\$24.00	\$0.00	\$24.00	\$0.00	\$24.00		
16	Hirsch, Lowell	146, 7603, 7608		Muddy Creek; Praisus Creek; Thomas Fork	16	360.0	360.0	360.0	360.0	360.00	360.00	360.00	\$54.00	\$70.92	\$124.92	\$43.20	\$188.12	\$43.20	\$188.12		
17	Luertscher, Karina	150		Muddy Creek	17	150.0	150.0	150.0	150.0	180.00	180.00	180.00	\$27.00	\$28.80	\$55.80	\$12.00	\$67.80	\$12.00	\$67.80		
18	Luertscher, Richard	7650		Muddy	18	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$0.00	\$12.00	\$12.00	\$0.00	\$12.00	\$0.00	\$12.00		
19	Lowe, Karlene	7680		Muddy Creek	19	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$0.00	\$12.00	\$12.00	\$0.00	\$12.00	\$0.00	\$12.00		
20	Makoff, John	7604, 80, 7619, 7628		Muddy Creek; Praisus Creek	20	1000.0	1200.0	1200.0	1200.0	950.00	950.00	950.00	\$88.10	\$121.08	\$219.18	\$189.20	\$408.38	\$189.20	\$408.38		
21	Minthondo, Edward	118, 125, 125		Hall Ditch; Dry Creek	21	200.0	250.0	250.0	250.0	240.00	240.00	240.00	\$40.50	\$88.80	\$129.30	\$10.00	\$139.30	\$10.00	\$139.30		
22	Mount Oxford Ranch	122, 134, 4165		Two-Story Dam; Wood Canyon Creek	22	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$0.00	\$207.60	\$207.60	\$0.00	\$207.60	\$0.00	\$207.60		
23	Peterson, Cary	105, 106		Thomas Fork	23	900.0	1000.0	1000.0	1000.0	1033.33	1033.33	1033.33	\$180.00	\$122.40	\$302.40	\$48.00	\$350.40	\$48.00	\$350.40		
24	Pizza, C & JC	145, 146, 7645, 7648, 128, 7736		Dry Creek; Cooper Spring; Thomas Fork	24	200.0	240.0	240.0	240.0	228.67	228.67	228.67	\$36.00	\$72.00	\$108.00	\$16.00	\$124.00	\$16.00	\$124.00		
25	Pizza, Keith	7605		Dry Creek	25	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$0.00	\$12.00	\$12.00	\$0.00	\$12.00	\$0.00	\$12.00		
26	Raymond, Grant			Raymond Creek	26	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$0.00	\$12.00	\$12.00	\$0.00	\$12.00	\$0.00	\$12.00		

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Water Right Owner	DWR Water Right ID/ENT No.	Diversion Name/Remarks	2016	2015	2014	Delivery (Average)	17 Projected Use Fee	Water Right Fee	17 Assessment	16 Credit or 17 Adjusted Debit	17 Adjusted Billing
27 Rigby, Kenneth	154; 7536; 7542; 7534	Thomas Fork Stream & Lagoon	250.0	250.0	250.0	250.00	\$37.50	\$73.32	\$110.82	\$30.00	\$140.82
28 Roberts, Ron	118; 138	Thomas Fork Muddy Canal	0.0	0.0	0.0	0.00	\$0.00	\$36.00	\$36.00	\$0.00	\$36.00
29 Taylor Canal	115; 127; 133; 147; 151; 152; 155; 159 thru 172	Taylor Canal	1900.0	2100.0	2,860.0	2286.67	\$429.00	\$384.96	\$813.96	\$36.00	\$849.96
30 Teuscher, Gary	141; 151; 7818; 7820	Heron Creek Muddy Canal	120.0	60.0	30.0	70.00	\$4.50	\$78.20	\$83.70	\$32.40	\$116.10
31 Thomas Fork Canal	95; 97; 100; 101; 102; 103; 104; 108; 7545; 7545	Thomas Fork	3000.0	3000.0	3,000.0	3000.00	\$450.00	\$437.04	\$887.04	\$360.00	\$1,247.04
32 Tueller, Lon	135; 136; 140;	Muddy Canal, Soren Canyon	20.0	0.0	0.0	6.67	\$0.00	\$43.20	\$43.20	\$6.40	\$49.60
33 Tueller, Rao	7807; 7791	Soren Canyon Creek; Muddy Canal	90.0	90.0	90.0	90.00	\$7.07	\$24.00	\$31.07	\$19.38	\$50.45
34 U/S Forest Service	7420	Dry Creek	0.0	0.0	0.0	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
35 Widmar, Kirk	7678; 115; 7679; 7681; 157	Thomas Fork	0.0	0.0	0.0	0.00	\$0.00	\$80.16	\$80.16	\$0.00	\$80.16
36 Widmar, Laura	120	Muddy Canal	0.0	0.0	0.0	0.00	\$0.00	\$12.00	\$12.00	\$0.00	\$12.00

81730

THIS INDENTURE, Made the 20th day of March in the year of our Lord one thousand nine hundred and Nineteen between Samuel Widmer and his wife, Martha Widmer, Wilford L. Widmer, single, and George L. Widmer, single, of Geneva County of Bear Lake, State of Idaho, parties of the first part, and Samuel E. Widmer of Geneva County of Bear Lake, State of Idaho, party of the second part:

WITNESSETH, That the parties of the first part, for and in consideration of the sum of One DOLLARS, lawful money of the United States of America to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents do GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY and CONFIRM, unto the said party of the second part, and to his heirs and assigns forever, all that certain piece or parcel of land, situated in the county of Bear Lake, State of Idaho, and known and described as follows, to-wit:

All our right title and interest in and to the following land:
Lots one (1) and Two (2) of Section Two (2) in Township Thirteen (13) South, Range Forty Six (46) East of Boise Meridian, Idaho, containing 77.46 acres, more or less.

~~\$.50 cents Cancelled I. R. Stamps attached to original Deed.~~

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also, all the estate, right, title, interest, property, possessions, claim and demand whatsoever, as well in law as in equity, of the said party of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever, and the said party of the first part, and their heirs, the said premises, in the quiet and peaceable possession of the said party of the second part, or his heirs and assigns, against the said parties of the first part, and their heirs, and against any and all persons whatsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

W. H. Smith,

Samuel Widmer
Martha Widmer (SEAL)
Widmer L. Widmer,
George L. Widmer (SEAL)

United States of America.

STATE OF IDAHO, } ss.
County of Bear Lake }

On this 11th day of June in the year of our Lord one thousand nine hundred and Nineteen, before W. H. Smith, a Notary Public, within and for said County and State, personally appeared Samuel Widmer and his wife Martha Widmer, Wilford L. Widmer (unmarried) and George L. Widmer (unmarried) personally known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they freely executed the same.

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

(SEAL) W. H. Smith,
Notary Public.

Recorded at request of M. L. McClays, at 10:45 o'clock A.M., this 11th day of June A.D. 1919.

81730-4

THE GAYTON PRINTING, LITH., CALDWELL, IDAHO 18180

THIS INDENTURE, Made the 20th day of March in the year of our Lord one thousand nine hundred and Nineteen between Samuel Widmer and his wife, Martha Widmer, and Samuel E. Widmer and his wife, Nellie Widmer, of Geneva County of Bear Lake, State of Idaho, parties of the first part, and Wilford L. Widmer and George L. Widmer, of Geneva County of Bear Lake State of Idaho, parties of the second part:

WITNESSETH, That the parties of the first part, for and in consideration of the sum of One 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, sold, aliened, remised, released, conveyed and confirmed, and by these presents do GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY and CONFIRM, unto the said parties of the second part, and to their heirs and assigns forever, all that certain piece or parcel of land, situated in the county of Bear Lake, State of Idaho, and known and described as follows, to-wit:

All our right, title and interest in and to the following land:
Lots Three (3) and Four (4) of Section Two (2) and the East half of the Southeast quarter of Section Three (3) in township 13 South, Range 46 East of Boise Meridian, Idaho, containing 162.08 acres, more or less.

\$. 50 cents I. R. Stamp attached to original Deed.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also, all the estate, right, title, interest, property, possessions, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the said 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 any and all persons whosoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of
W. H. Smith, Samuel Widmer,
Martha Widmer, (SEAL)
Samuel E. Widmer,
Nellie E. Widmer, (SEAL)

United States of America.

STATE OF IDAHO, }
County of Bear Lake } ss.

On this 11th day of June in the year of our Lord one thousand nine hundred and Nineteen, before W. H. Smith, a Notary Public within and for said County and State, personally appeared Samuel Widmer and his wife Martha Widmer and Samuel E. Widmer and his wife, Nellie Widmer, personally known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

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

My Commission Expires March 19th, 1921. (Seal) W. H. Smith,
Residence, Montpelier, Idaho. Notary Public.

INDEXED

SIXTH JUDICIAL DISTRICT
BEAR LAKE COUNTY, IDAHO

'96 MAY 9 PM 4 42

DEPUTY CLERK

[Signature] CV-96-24
DEPUTY CLERK

ROGER L. JONES
Attorney for Plaintiffs
484 Washington Street
Montpelier, ID 83254

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BEAR LAKE

MERRILL I. WIDMER and JANET C. WIDMER,)
husband and wife)
Plaintiffs,)

vs.)

CASE NO. CV-96-24

THE HEIRS, DEVISEES and LEGATEES OF)
NELLIE WIDMER, DECEASED, MABEL)
POWERS, MARTHA HULSE, VERNON)
WIDMER, VIOLET PORTER, SUSIE HIRSCHI,)
BRUCE WIDMER, AND ALL OTHER PERSONS)
UNKNOWN CLAIMING ANY RIGHT, TITLE,)
ESTATE OR INTEREST IN THE FOLLOWING)
DESCRIBED REAL ESTATE SITUATE IN BEAR)
LAKE COUNTY, STATE OF IDAHO:)

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF)
THE BOISE MERIDIAN IN IDAHO:)

Section 2: Lot 1 and 2.)

TOWNSHIP 12 SOUTH, RANGE 46 EAST OF)
THE BOISE MERIDIAN IN IDAHO:)

Section 29: SE1/4SE1/4)

Section 32: E1/2 NE1/4)

Section 33: E1/2 NW1/4; NW1/4 NW1/4)

Section 34: Beginning at the Southeast corner of the)
NW1/4 SE1/4 of said section and running thence)
West 1320 feet; thence North 792 feet; thence)
East 1320 feet; thence South 792 feet to the point)
of beginning.)

Defendants.)

DECREE QUIETING TITLE

BEAR LAKE COUNTY PROCLAMATION
'97 AUG 1 PM 4 45
[Signature]
DEPUTY CLERK

167244

DECREE QUIETING TITLE - 1

167244

167244

The above-entitled cause came on regularly for hearing on the 9th day of May, 1996, the Plaintiffs appearing by ROGER L. JONES, their attorney of record, and the Defendants not appearing at all, either in person or by counsel; and it appearing to the Court that the Defendants were duly and regularly served with Summons, by personal service and by publication; that the time allowed by law for answering has expired, and the default of the Defendants has been duly entered according to law; and it further appearing that none of the Defendants are in the military service; and the Court having heard the evidence and having examined the proofs herein, and having fully considered the same, and having found the allegations of Plaintiffs' Complaint to be all true;

NOW THEREFORE, by reason of the foregoing facts and by virtue of the law,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Plaintiffs own and are in possession of and at the commencement of this suit owned and were in possession of the following described property located in Bear Lake County, to-wit:

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN IN IDAHO:

Section 2: Lots 1 and 2

TOWNSHIP 12 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN IN IDAHO:

Section 29: SE1/4SE1/4

Section 32: E1/2 NE1/4

Section 33: E1/2 NW1/4; NW1/4 NW1/4

Section 34: Beginning at the Southeast corner of the NW1/4 SE1/4 of said section and running thence West 1320 feet; thence North 792 feet ; thence East 1320 feet; thence South 792 feet to the point of beginning.

DECREE QUIETING TITLE - 2

81730

167244

That each and all of the Defendants are found to have no right, title, interest, claim or demand in or to said premises or any part thereof, and said Defendants, and each of them and any person or persons claiming under them or any of them are hereby debarred from asserting any right, title, interest, claim or demand thereto, and title thereto is hereby quieted in the Plaintiffs, MERRILL L WIDMER and JANET C. WIDMER, husband and wife.

DATED this 9th day of May, 1996.


DON L. HARDING
District Judge

DECREE QUIETING TITLE - 3

81730

167244

CERTIFICATE OF MAILING/SERVICE

I hereby certify that on the 9th day of May, 1996, I mailed/served a true and correct copy to the foregoing document on the attorney(s)/person(s) listed below by mail, with the correct postage, thereon or causing the same to be hand delivered.

ATTORNEY(S)/PERSON(S) :

Roger Jones
Attorney at Law
484 Washington St.
Montpelier, ID 83254

METHOD OF SERVICE

U.S. Mail

Nancy Skinner
Deputy

WARRANTY DEED

INDEXED

For Value Received,

MERRILL I. WIDMER and JANET C. WIDMER, husband and wife,
do hereby, grant, bargain, sell, and convey unto

THE GRANTOR(S),

KIRK J. WIDMER and JANET B. WIDMER, husband and wife,
Of 461 WIDMER LANE, GENEVA, County of BEAR LAKE, State of IDAHO, 83238,

THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of
BEAR LAKE, State of Idaho:

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN IN IDAHO:
Section 2: West 1/2 of Lot 1; West 1/2 of Lot 2

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are 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 THIS 25 DAY OF APRIL, 1997.

Merrill I. Widmer
MERRILL I. WIDMER

Janet C. Widmer
JANET C. WIDMER

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 25th day of April, 1997, before me a Notary Public in
and for the State, personally appeared

MERRILL I. WIDMER and JANET C. WIDMER, husband and wife

known to me to be the person(s) whose name(s) are subscribed to the
within instrument, and acknowledged to me that they executed the same.

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

Sharon P. Johnson
Notary Public

Residing at: Idaho
My Commission Expires: 4-7-98

97 APR 28 AM 10 09
DEPUTY
FEE

BEAR LAKE COUNTY RECORDER
JOHN P. FORTN

166575

MAIL TAX NOTICE TO:

KIRK J. WIDMER AND JANET B. WIDMER
461 WIDMER LANE, GENEVA, ID 83238

81730

WARRANTY DEED

THIS INDENTURE, made this 5th day of March, in the year of our Lord One thousand Nine Hundred and Ninety, between RAY L. WIDMER and BETTY J. WIDMER, husband and wife, hereinafter called First Party, and KIRK J. WIDMER and JANET B. WIDMER, husband and wife, hereinafter called Second Party:

WITNESSETH: that the said First Party, for and in consideration of the sum of EIGHTY EIGHT THOUSAND EIGHT HUNDRED TWENTY FIVE AND NO/100 DOLLARS, lawful money of the United States of America, to said First Party in hand paid by the said Second Party, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said Second Party, and to said Second Party's heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bear Lake, State of Idaho, more particularly described as follows:

Township 12 South, Range 46 East of the Boise Meridian:

Section 26: Lots 2, 3 and 4, NW $\frac{1}{4}$ SW $\frac{1}{4}$, EXCEPT THEREFROM that portion lying Easterly of State Highway No. 89.

→ Township 13 South, Range 46 East of the Boise Meridian;

Section 2: Lots 3 and 4, EXCEPT THEREFROM that portion of Lot 3, Section 2, and running beginning at the Northeast corner of said Lot 3, thence West 231 feet; thence South 346.5 feet; thence East 231 feet; thence North 346.5 feet, to the point of beginning.

Section 3: E $\frac{1}{2}$ SE $\frac{1}{4}$.

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

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges theretunto incident unto the said First Party, and said First Party's heirs, the said premises in the quiet and peaceable possession of said Second Party, said Second Party's heirs and assigns against the said First Party, First Party's 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 First Party has hereunto set their hands and seals, the day and year first above written.

149944

BEAR LAKE COUNTY RECORDER
JOAN P. EDORH

'90 MAR 9 PM 4 '11

DEPUTY
FEE

RAY L. WIDMER

BETTY J. WIDMER

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