

Keen, Shelley

File 65-10776

From: Lara Alexander [lalexandersellshomes@gmail.com]
Sent: Thursday, August 18, 2016 9:17 AM
To: Keen, Shelley
Subject: Fwd: 19 River Run Way, GV
Attachments: Original Lot 5 Warwick.pdf; Lot 1 of Amended Plat Rockin Pines Ranch.pdf; Lot 2 of Amended Plat Allen.pdf; Lot 3 of Amended Plat Anderson.pdf; Ptn of Lot 5 Drashner.pdf

Let me know if this helps! Or if you need something else? I so appreciate you expertise on this!

Lara

----- Forwarded message -----

From: Kathy Sturm <KSturm@pioneertitleco.com>
Date: Thu, Aug 18, 2016 at 9:07 AM
Subject: RE: 19 River Run Way, GV
To: Lara Alexander <lalexandersellshomes@gmail.com>

Here is the information that I believe that you are looking for.

Have a wonderful day and good luck with your project.

Thank you,

Kathy Sturm

Title Officer

Pioneer Title Co.

8151 W. Rifleman Street • Boise, ID 83704
Phone: [208.373.3693](tel:208.373.3693) • Fax: [208.373.3644](tel:208.373.3644)
ksturm@pioneertitleco.com • pioneertitleco.com

Follow us: [Facebook](#) • [Twitter](#) • [LinkedIn](#)

--



Lara Alexander

Inst # 190148

PERSONAL REPRESENTATIVE'S DEED

THIS DEED is made by George Drashner, personal representative of the estate of Gordon LeRoy Drashner, deceased, Grantor, to Frederick Carl Drashner, 6600 Morton Drive, Boise, Idaho, Grantee, a single person.

WHEREAS, Gordon LeRoy Drashner, died testate while residing at Boise, Idaho on February 17, 2002; and

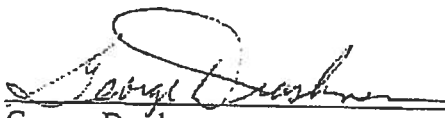
WHEREAS, Grantor was duly appointed personal representative of the estate by the District Court of the Fourth Judicial District, of the State of Idaho, in and for the County of ADA, Case No. SP IE 0200127M, on March 21, 2002 and is now qualified in acting in that capacity; and

NOW, THEREFORE, pursuant to the powers conferred upon Grantor by the Idaho Probate Code, Grantor does hereby convey, assign, transfer and set over unto Grantees, as the persons entitled to distribution of that certain property in the Gordon LeRoy Drashner estate, a fee simple interest in and to the following described real property, situate in the County of Ada, State of Idaho:

A portion of Lot 5 of the SOUTH FORK PAYETTE HOMES SUBDIVISION, in Boise County, Idaho, more particularly described as follows:

Commencing on the extreme easterly corner of said Lot 5; thence south 89° 47' West 498.53 feet to a point; thence North 49° 03' 30" East 278.28 feet; thence North 68° 16' East 129.73 feet; thence South 35° 58' East 285.75 feet to the point of beginning; containing approximately 1.467 acres, together with all land lying North and West of the boundary line hereinabove described as North 49° 03' 30" East and Southeasterly of the access road crossing said Lot 5.

DATED this 13th day of March, 2003.


George Drashner

Instrument # 190148

IDAHO CITY, BOISE COUNTY, IDAHO

2003-04-03 03:42:40 No. of Pages: 2

Recorded for : FINCH COSHO

RORA A. CANODY

Ex-Officio Recorder Deputy

Index to: DEEDS

Fee: 6.00

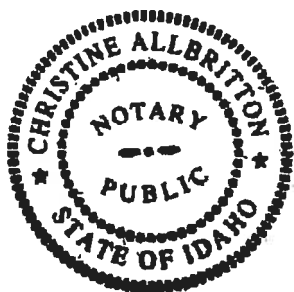


STATE OF IDAHO)
County of Ada) ss.

On the 13th day of March, 2003, before me, a Notary Public in and for said state, personally appeared George Drashner, known or identified to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

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

(SEAL)



Christine Allbritton
Notary Public, State of Idaho
Residing at : Boise, Idaho
My Commission Expires: 10/18/08

37-52-50

84154

P

WARRANTY DEED

For Value Received RICHARD O. VYCITAL and ANN M. VYCITAL, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto GORDON DRASHNER and JUNE DRASHNER, husband and wife, the grantees, whose current address is 1816 North Hilton, Boise, Idaho, 83704,

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

A portion of Lot 5 of the South Fork Payette Homes Subdivision, more particularly described as follows:

Commencing on the extreme easterly corner of said Lot 5; thence South 89°47' West 498.53 feet to a point; thence North 49°03'30" East 278.28 feet; thence North 68°16' East 129.73 feet; thence South 35°58' East 285.75 feet to the point of beginning; containing approximately 1.467 acres, together with all land lying North and West of the boundary line hereinabove described as North 49°03'30" East and Southeasterly of the access road crossing said Lot 5;

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

Subject to all easements and rights-of-way of record or appearing on the land.

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 do 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 except taxes and assessments for the year 1976;

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

Dated: May 12, 1976

Richard O. Vycital
Richard O. Vycital

Ann M. Vycital
Ann M. Vycital

STATE OF IDAHO, COUNTY OF ADA
On this 12 day of May, 1976, before me, a notary public in and for the said State, personally appeared RICHARD O. VYCITAL and ANN M. VYCITAL, husband and wife,

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

Richard M. McLean
Notary Public
Boise, Idaho
Residing at
Comm. Expires May 20, 1977

STATE OF IDAHO, COUNTY OF Boise
I hereby certify that this instrument was filed for record at the request of *Safeco Title* at 35 minutes past 10 o'clock A.M. this 17 day of May, 1976, in my office, and duly recorded in Book 72 of Deeds at Page 24

Robert J. Trappold
Ex-Officio Recorder
By *Ruth M. Shanahan* Deputy.
Fees \$ 1.00
Mail to:

INSTRUMENT No. 84154

INSTRUMENT NO. 75530

WARRANTY DEED

THIS INDENTURE, Made this 6th day of July in the year of our Lord one thousand nine hundred and seventy, between John E. Warwick and Edith Warwick, husband and wife, of Boise, County of Ada, State of Idaho, the parties of the first part, and Richard O. Vycital and Ann M. Vycital, husband and wife, of Boise, County of Ada, State of Idaho, the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten and No/100 Dollars, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate situated in the County of Boise, State of Idaho, to-wit:

A portion of Lot Five (5) of SOUTH FORK PAYETTE RIMES
SUBDIVISION more particularly described as follows:

COMMENCING on the extreme easterly corner of said Lot 5;
Thence South 89°47' West 498.53 feet to a point;
Thence North 49°03'30" East 278.28 feet;
Thence North 68°16' East 129.73 feet;
Thence South 35°58' East 285.75 feet to the point of beginning;
containing approximately 1.467 acres, together with all
land lying North and West of the boundary line hereinabove
described as North 49°03'30" East and Southeasterly of the
access road crossing said Lot 5.

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

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

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

Signed, Sealed and Delivered
in Presence of

John E. Warwick.
Edith Warwick

SEAL
SEAL

STATE OF IDAHO, }
County of Ada } ss

On the 14th day of July in the year 1970, before me the undersigned, a Notary Public in and for said State, personally appeared John E. Warwick and Edith Warwick, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

SEAL

Catherine L. Hall
Notary Public for the State of Idaho,
Residing at Boise, Idaho

STATE OF IDAHO, }
County of Boise } ss

I hereby certify that this instrument was filed for record at request of Clemons, Skiles & Green at 40 minutes past 11 o'clock A.M., this 25 day of August, 1970 in my office, and duly recorded in Book 60 of Deeds at page 356.

Katherine M. Brogan
Ex-Officio Recorder

By G. M. Brogan
Deputy

Fees, \$1.00

INSTRUMENT NO. 75529

WARRANTY DEED

THIS INDENTURE, Made this 16th day of July in the year of our Lord one thousand and Seventy, between Clark Hatch and Ada Y. Hatch, husband and wife, of Boise, County State of Idaho, the parties of the first part, and John E. Warwick and Edith Warwick, wife, of Boise, County of Ada, State of Idaho, the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of Ten and no/100 (\$10.00) Dollars, lawful money of the United States of America to them by the said parties of the second part, the receipt whereof is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell, convey and confirm parties of the second part, and to their heirs and assigns forever, all of the following real estate, situated in County of Boise, State of Idaho, to-wit:

A portion of Lot Five (5) of SOUTH FORK PAYETTE HOMES SUBDIVISION more particularly described as follows:

COMMENCING on the extreme easterly corner of said Lot 5;
Thence South 89°47' West 498.53 feet to a point;
Thence North 49°03'30" East 278.28 feet;
Thence North 68°16' East 129.73 feet;
Thence South 35°58' East 285.75 feet to the point of beginning; containing approximately 1.467 acres, together with all land lying North and West of the boundary line hereinabove described and North 49°03'30" East and Southeasterly of the access road crossing said Lot. 5.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances then or in anywise appertaining, the reversion and reversions, remainder and remainders, issues and profits thereof; and all estate, right, title and interest in and to the same as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever, and the said parties of the first part, and their heirs, the said premises in the quiet possession of the said parties of the second part, their heirs and assigns, against the claims of the first part, and their heirs, and against all and every person and persons who fully claiming or to claim the same and will WARRANT and by these presents forever

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

Signed, Sealed and Delivered
in Presence of

Clark Hatch
Ada Y. Hatch

"SEAL"
"SEAL"

STATE OF IDAHO,)
County of Ada)

On this 16th day of July in the year 1970, before me a Notary Public in and for the State of Idaho, personally appeared Clark Hatch and Ada Y. Hatch known to me to be the persons who subscribed to the within instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed. I have hereunto set my hand and official seal, this 16th day of July 1970.

Edward Givens
Notary Public for the State of Idaho,
Residing at Boise, Idaho

STATE OF IDAHO,)
County of Boise)

I hereby certify that this instrument was filed for record in the County of Boise, Idaho, this 25 day of August, 1970, and is recorded in Book 60 of Books at page 130.

Keen, Shelley

From: Keen, Shelley
Sent: Tuesday, August 16, 2016 9:32 AM
To: 'Lara Alexander'
Subject: RE: FW: 19 River Run Way, Garden Valley

Lara,

Thanks for the additional information. It helps. I've been doing a little more research too.

It looks like four current parcels were once all Lot 5 of South Fork Payette Homesites. Those four parcels are:

19 River Run Way – Allen	(Lot 2 of Amended Plat of Lot 5)
12 River Run Way – Rockin Pines Ranch LLC	(Lot 1 of Amended Plat of Lot 5)
17 River Run Way – Anderson	(Lot 3 of Amended Plat of Lot 5)
15 River Run Way – Drashner	(Part of Lot 5)

I found two water rights referencing Lot 5. One is 65-10776 for a domestic well. The right is owned by Drashner, so it would seem to be appurtenant to 15 River Run Way.

The second is Right 65-10614. It is for domestic use from the South Fork Payette River, and it has a 1969 priority date. Domestic use can include up to half an acre of irrigation. In IDWR's records, the current owner is Lewman Lumber Co. Before that, the right was owned by John Warwick and Edith Warwick.

At this point, I think it would be useful to know who owned Lot 2 of the Amended Plat of Lot 5 of South Fork Payette Homesites before the Allens, maybe even going all the way back to before Lot 5 was subdivided. If you could show a chain of title that includes Leman Lumber and the Warwicks, I think we could be reasonably certain that Right 65-10614 is appurtenant to 19 River Run Way.

Regards,

Shelley Keen
Water Rights Section Manager
Idaho Department of Water Resources
Shelley.Keen@idwr.idaho.gov
208-287-4947

From: Lara Alexander [mailto:lalexandersellshomes@gmail.com]
Sent: Monday, August 15, 2016 5:53 PM
To: Keen, Shelley
Subject: Re: FW: 19 River Run Way, Garden Valley

Irrigation use for watering property.

Here is the Parcel #

RP09601000005C

The house was built in 1969 and less than 1/2 acre being watered. Just normal sized yard.

The Allens used the pump by the river to irrigate the lawn and they said it was in place when they bought the house. When I asked them if they specifically had water rights to the property when we first listed, they said they didn't know of any particular water rights associated with the property.

On Mon, Aug 15, 2016 at 12:56 PM, Keen, Shelley <Shelley.Keen@idwr.idaho.gov> wrote:

Lara,

The more information we can pull together, the better chance we have of finding a match. What can you tell me about the water use on the property? Is there a domestic well? If so, do you know when it might have been drilled? Is irrigation occurring? If so, does the water come from the river or from a well, and is more than half an acre being irrigated? Also, who was the previous owner?

One other thought . . . the report for Right 65-18128 shows some parcel numbers. Do you know if those parcel numbers are still current?

Shelley Keen

Water Rights Section Manager

Idaho Department of Water Resources

Shelley.Keen@idwr.idaho.gov

[208-287-4947](tel:208-287-4947)