

DEC

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JUL 18 2011

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
PD 3-10231					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) MARTHA WEAVER
1303 NW 16th St. FRUITLAND, ID
4. New Owner/Claimant(s) MARY SUSAN ROACH AND ROBERT D. PATRICK
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 339 AIRPORT Rd.
- City, State and ZIP Code WEISER, ID 83672
- New Telephone Number (208) 549-0303 or 208 315-1510
5. Date you acquired the property 6/27/11

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Mary Susan Roach
(include title if applicable) Robert Roach

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

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by <u>gmk</u>	Date <u>7-18-11</u>	Receipt No. <u>W039443</u>
Processed by _____ AJ	Date _____	WR <u>gmk</u> Date <u>8-5-11</u>

217788



Order No. 0014838

Instrument # 217788

STATE OF IDAHO, COUNTY OF WASHINGTON

6-29-2011 12:21:00 No. of Pages: 1

Recorded for : AMERITITLE

BETTY J THOMAS

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 10.00

Deborah Warren

WARRANTY DEED

For Value Received,

Michael Lee Weaver, an unmarried man

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Mary Susan Roach and Robert D. Patrick, wife and husband

GRANTEE(s), whose address is: 339 Airport Road, Weiser, ID 83672

the following described real property in WASHINGTON COUNTY, IDAHO premises, to wit:

A parcel of land situated within Section 17, Township 10 North, Range 5 West, Boise Meridian, within Sunnyside Orchard Tract as the same is shown on the official plat thereof on file in Book 1 of Plats at Page 35 in the Office of the County Recorder of Washington County, Idaho more particularly described as follows: All of Lot 98 of said Sunnyside Orchard Tract

- Together with all appurtenant oil, gas, and mineral rights.

PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE

TO HAVE AND TO HOLD the premises with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the current year's taxes and assessments, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 28 day of June, 2011.

Michael Lee Weaver

Michael Lee Weaver

State of Idaho)

ss

County of Washington)

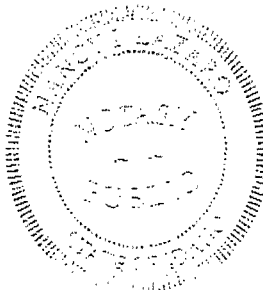
On this 28 day of June, 2011 before me a notary public in and for said State, personally appeared Michael Lee Weaver known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Nancy J. Lutz

Notary Public

Residing at: Weiser, Idaho

Commission Expires: 10/03/13



W11262

197795



Instrument # 197795

WEISER, WASHINGTON, IDAHO

2005-07-01

03:35:00 No. of Pages: 2

Recorded for : AMERITITLE

SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 6.00

Paddy Barrett

WARRANTY DEED

For Value Received, Barbara Syme, a married person as her sole and separate property and W. James Smith, a married person as his sole and separate property, the Grantors, do hereby grant, bargain, sell and convey unto Michael Lee Weaver, a single man and Martha Weaver, trustee for the L & M Weaver Trust dated August 27, 1996 whose address is 1303 NW 16TH STREET, FRUITLAND, ID 83619 the Grantee, the following described premises, to-wit:

SEE ATTACHED EXHIBIT "A"

PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 2005 taxes and assessments and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: June 27, 2005

Barbara Syme
Barbara Syme
W. James Smith
W. James Smith

State of Idaho)

ss

County of WASHINGTON)

On this 27 day of JUNE, 2005 before me, a notary public in and for said State, personally appeared Barbara Syme and W. James Smith known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Nancy I. Lazaro
Notary Public
Residing at: Weiser, Idaho
Commission Expires: 10/03/07

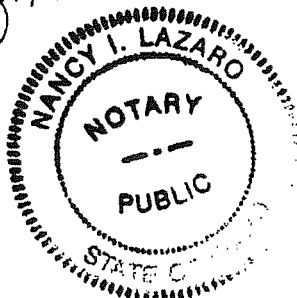


EXHIBIT "A"

A parcel of land situated within Section 17, Township 10 North, Range 5 West, Boise Meridian, within Sunnyside Orchard Tract as the same is shown on the official plat thereof on file in the Office of the County Recorder of Washington County, Idaho more particularly described as follows;

All of Lots 93, 94, 95, 96, 97, 98, 99, 100 and 101 of said Sunnyside Orchard Tract;

SAVE AND EXCEPT that portion of said Lot 93 north of the following described line;

Beginning at the northeast corner of Lot 91 of Sunnyside Orchard Tract as the same is shown on the official plat thereof on file in the Office of the County Recorder of Washington County, Idaho;

Thence S 0°07'50"E, a distance of 1129.77 feet along the east line of said Lots 91, 92 and 93 of said Sunnyside Orchard Tract to the TRUE POINT OF BEGINNING;

Thence N 89°58'10"W, a distance of 321.87 feet;

Thence S 50°29'34"W, a distance of 50.45 feet;

Thence S 7°03'25"W, a distance of 122.62 feet;

Thence N 87°34'51"W, a distance of 282 feet, more or less, to a point on the westerly line of said Lot 93 and POINT OF ENDING.

AND

All of the land lying between the Westerly boundary line of the above described parcel and the high water mark of the main channel of the Snake River.

SUBJECT TO a 40 foot wide ingress-egress and utility easement, being 20 feet wide on each side of the centerline of an existing roadway extending south from the intersection of County roads known as Airport Road and Hansen Road to a point on the high water mark of the bank of the Snake River. This easement is subject to an existing irrigation ditch along the West side of said roadway and is appurtenant to adjacent Lots of said Sunnyside Orchard Tract and access to existing irrigation pump on the South side of said Lot 101.

GRANTOR RESERVES THE USE OF THE EXISTING PUMPING AND IRRIGATION SYSTEM FOR USE ON THEIR ADJACENT PROPERTY. THIS RESERVATION SHALL TERMINATE ON JUNE 30, 2008, OR UPON THE SALE OF THE GRANTOR'S REMAINING PROPERTY, WHICHEVER OCCURS FIRST. GRANTOR AGREES TO PAY A PROPORTIONATE SHARE OF ALL MAINTENANCE AND UTILITY EXPENSES OF THE SYSTEM DURING THIS TIME.

mc



08/14/2006

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

RIGHT NUMBER: 3-10231

NAME AND ADDRESS: MARTHA WEAVER
1303 NW 16TH ST
FRUITLAND ID 83672

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 01/15/1907

POINT OF

DIVERSION: T10N R05W S17 SWNESW Lot 2 Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.120 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R05W S17

NWSW

3.70

T10N R05W S17 Lot 2 NWSW

2.30

6 ACRES TOTAL

T10N, R05W S17 NWSW is unsurveyed, nonfederal land except where
noted by GCDB lot number.

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

This right is a split from former right 3-10214 .

The following rights are diverted through point of diversion described above:
3-4005, 3-10227, 3-10228, 3-10229, 3-10230, 3-10231, 3-10232, 3-10233, &
3-10234.



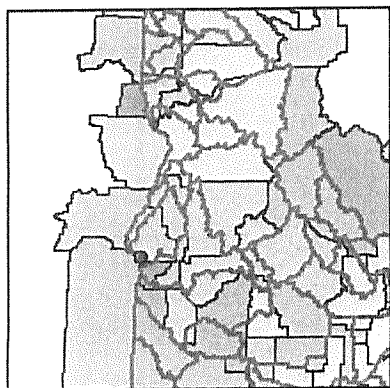
Idaho Department of Water Resources

SRBA Recommendation:
3-10231

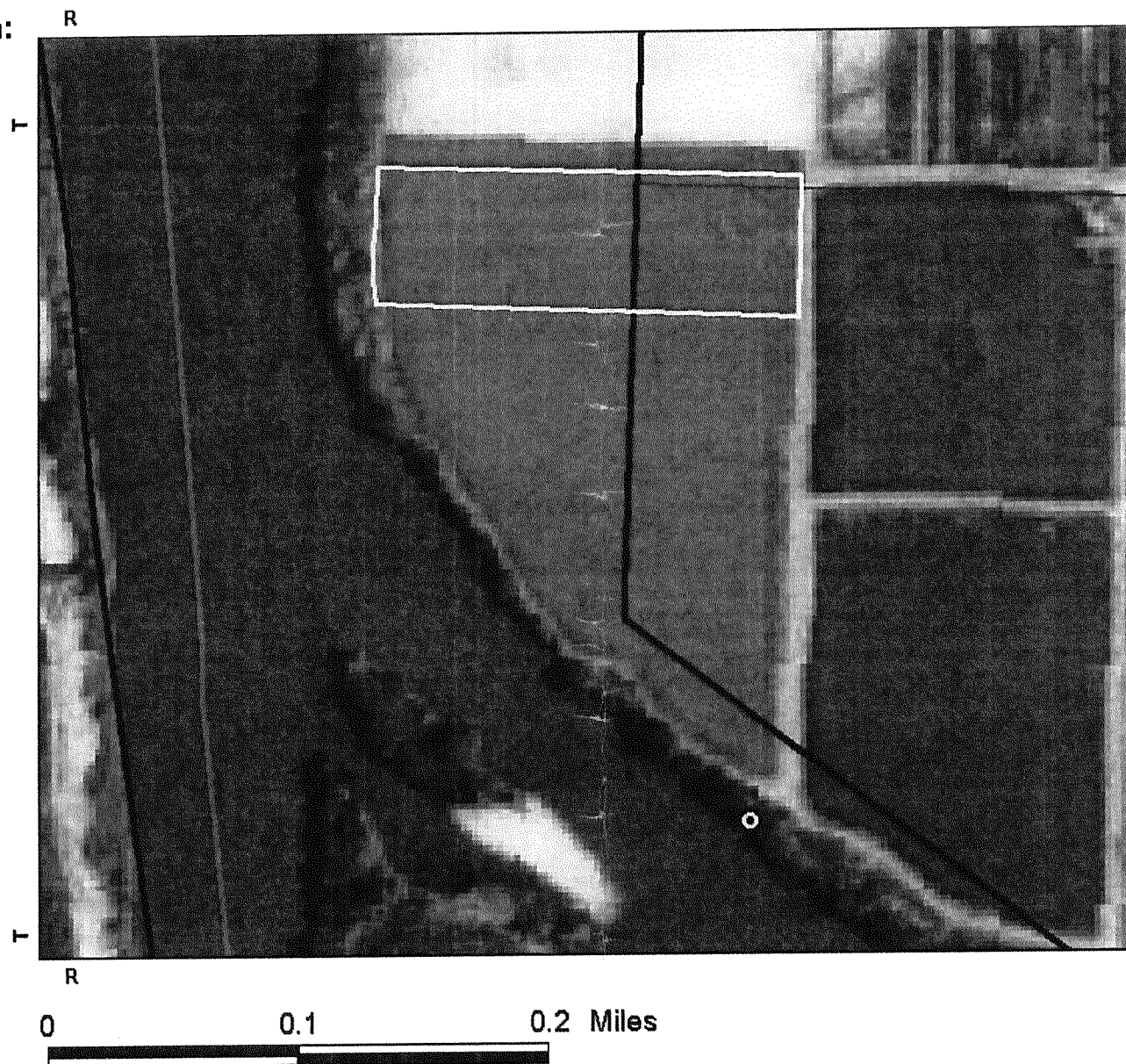
Legend

⊙ Point of Diversion
Place of Use

▭ Townships
▭ PLS Sections
▭ Quarter Quarters



Washington County
IDWR Basin 3



0 0.1 0.2 Miles



Prepared by J. Dean
On Monday, May 15, 2006
1987/88 Aerial Photography