

72-7282

0223201

WARRANTY DEED

For Value Received TED ROBERTS AND CATHY ROBERTS, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto **GLENN H. JOHNSTON**, the Grantee, whose current address is 1206 S. Verduga Road, Turlock, California 95380, the following described premises, in Custer County, Idaho, to-wit:

TOWNSHIP 11 NORTH, RANGE 17 EAST, BOISE MERIDIAN,
CUSTER COUNTY, IDAHO.

SECTION 28: A fraction of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ described as:

Commencing at the W $\frac{1}{4}$ corner of Section 28; thence North 89°58' East, 579.8 feet to a point on the Southerly right of way of U.S. Highway No. 93; thence Southeasterly along said right-of-way line 82.9 feet to the Point of Beginning; continuing thence Southeasterly along said right-of-way line 617.7 feet; thence South 59°36' West, 380 feet; thence North 23°30' West, 500 feet more or less to the Point of Beginning.

AND

A parcel of land commencing at the W $\frac{1}{4}$ corner of Section 28 a distance of 560.56 feet on a bearing of North 89°58' East, to the South right-of-way of U.S. Highway 93; thence South 70°05'37" East, 60.08 feet along said right-of-way; thence South 44°05'47" East, 21.75 feet; thence South 24°47'05" East, 500.80 feet to the REAL POINT OF BEGINNING; From this REAL POINT OF BEGINNING a distance of North 64°04'31" East, 393.00 feet to the South right-of-way of U.S. Highway 93; thence South 55°21'36" East, 112.30 feet along said right-of-way; thence South 62°34'31" West, 475.00 feet; thence North 12°19'54" West, 113.41 feet to the REAL POINT OF BEGINNING.

AND

A parcel of land commencing at the Southeast corner of the land described above which point is on the South right-of-way of State Highway 75, the Point of Beginning; thence Southeasterly along the said South right-of-way of State Highway 75, 75 feet; thence Southwesterly 475 feet on a line parallel to the South boundary of the above tract; thence Northerly 75 feet more or less, to the Southwest corner of said tract; thence Northeasterly 475 feet more or less along the South boundary of the above tract to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 30th day of July, 2001.

X Ted Roberts
TED ROBERTS

X Cathy Roberts
CATHY ROBERTS

RECEIVED

OCT 04 2004

WATER RESOURCES
WESTERN REGION

RECEIVED
OCT 05 2004
DEPARTMENT OF
WATER RESOURCES

STATE OF: Montana)

: ss

County of: Lewis & Clark

On this 30th day of
July, 2001, before
me, a Notary Public, per-
sonally appeared

Ted & Cathy Roberts

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

Wili Peck

Notary Public for State of MT

Residing at Helena

Commission Expires 12/13/03



STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
record at the request of Custer County Title
at 15 minutes past 10
o'clock A.M., this 2nd day of August
2001, in my office.

Ethel M. Peck

Ex-Officio Recorder

BY Janet Margis
Deputy

Fee: \$ 6.00

Mail to:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-7282

WATER RIGHT NUMBER: 72-7282

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DELORIS C BRADSHAW HC 67 BOX 620 CLAYTON, ID 83227 (208)838-2286
Current Owner	TED ROBERTS 7216 APPLGATE DR HELENA, MT 59602-8717 (208)838-2557
Current Owner	CATHY ROBERTS 7216 APPLGATE DR HELENA, MT 59602-8717 (208)838-2557
Original Owner	LEONARD BRADSHAW HC 67 BOX 620 CLAYTON, ID 83227 (208)838-2286

Priority Date: 06/01/1983

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	0.100 CFS	11.60 AF
	<u>Total Diversion:</u>	0.100 CFS	11.60 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 28, Twp 11N, Rge 17E, B.M.
CUSTER County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	17E	28											3.3						3.3

Total Acres: 3.3

Conditions of Approval:

1. R50 This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-7282

Remarks:Comments:Dates and Other Information:

Licensed Date: 5/25/1995
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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