



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 11, 2010

KENNETH L ASCHENBRENNER
R SHARON ASCHENBRENNER
6995 S RIDGEWOOD RD
NAMPA ID 83687

RE: Change in Ownership of Water Right No. 67-10125

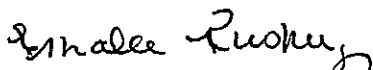
Dear Mr. & Mrs. Aschenbrenner:

I am returning the Notice of Change in Water Right Ownership submitted for the above referenced water right as the place of use as listed in the partial decree does not match the property described on the warranty deed recorded as instrument number 213564.

I have requested that a refund of \$100 be mailed to you. You should receive the refund within two weeks.

Please feel free to contact the Department if you have any questions.

Sincerely,


Emalee Rushing
Office Services Supervisor

Enclosure

RECEIVED
JAN 13 2010
DEPARTMENT OF
WATER RESOURCES

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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
RD 67-10125		X			

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **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)
ROBERTS FARMS INC.
23117 WHITE OAK RD
CALDWELL IDAHO 83607
4. New Owner/Claimant(s)
KENNETH L. R. SHARD ASCHENBRENNER
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address
6995 S. RIDGEWOOD RD.
- City, State and ZIP Code
Nampa IDAHO 83687
- New Telephone Number
(208) 888-3580 Email: _____

5. Date you acquired the property _____

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>67-10125</u>		
Irrigation		
Stock		
Domestic	<u>0.02 CRS</u>	<u>1 140 m.s</u>
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s) Kenneth J. Anderson owner
 (title if applicable)

 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____
 Received by VW
 Processed by _____ AJ

Date _____
 Date 1-13-10
 Date _____

Receipt Amt. 100.00
 Receipt No. 0009845
 WR _____ Date _____

ROBERTS FARMS, INC.

SURVEY and BOUNDARY LINE ADJUSTMENT

WITHIN

SE1/4SE1/4 OF SECTION 16 & GOVERNMENT LOT 1 OF SECTION 21

T. 10N., R. 5W., S. 4M.

WASHINGTON COUNTY, IDAHO

CERTIFICATE OF ENGINEER/SURVEYOR

I, S. ROLAND MULLINIX, A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED ON THIS PLAT WAS PERFORMED BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO IN APRIL OF 2009.



LEGEND

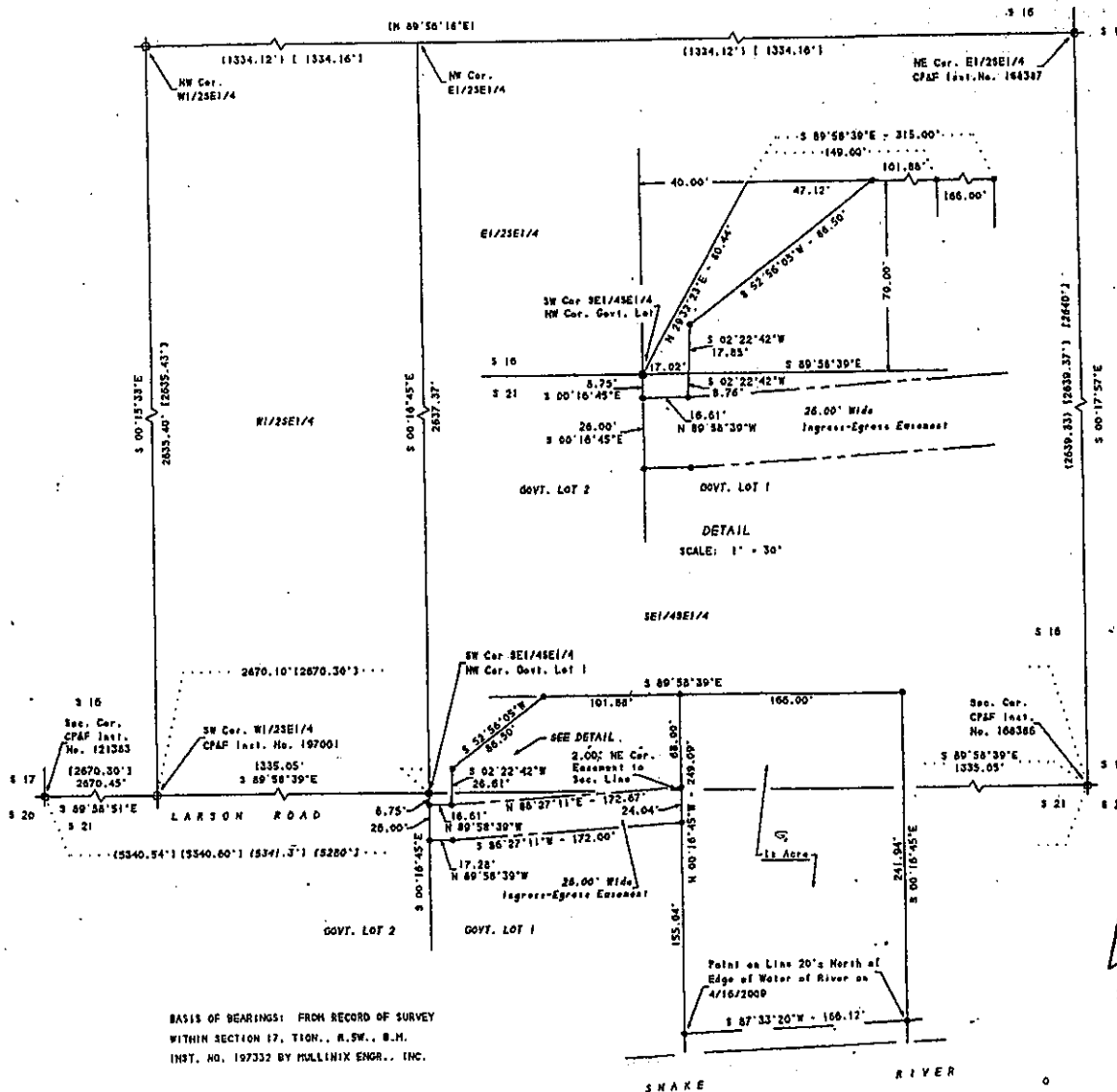
- FOUND 5/8 INCH REBAR W/PLASTIC CAP MARKED MULLINIX PE/LS 2478
- FOUND 5/8 INCH REBAR W/PLASTIC CAP MARKED PLS 11463
- SET 5/8 INCH REBAR W/PLASTIC CAP MARKED MULLINIX PE/LS 2478
- SET 1/2 INCH REBAR W/PLASTIC CAP MARKED MULLINIX PE/LS 2478
- () PREVIOUSLY RECORDED - MULLINIX ENGINEERING, INC.
- () PREVIOUSLY RECORDED - ASSOCIATED LAND SURVEYORS
- () PREVIOUSLY RECORDED - CHARLES W. LUCK, PLS 3
- () PREVIOUSLY RECORDED - 1870 G.L.O. SURVEY BY ALLEN THOMPSON

REFERENCES

1. 1870 G.L.O. SURVEY BY ALLEN THOMPSON.
2. 1909 SURVEY BY CHARLES W. LUCK, PLS 3, ON FILE CITY OF WEISER, IDAHO, BOOK 21, PAGE 35.
3. RECORD OF SURVEY BY MULLINIX ENGR., INC., INST. NO. 168388.
4. RECORD OF SURVEY BY ASSOCIATED LAND SURVEYORS, INST. NO. 197009.
5. RECORD OF SURVEY BY MULLINIX ENGR., INC., INST. NO. 206993.
6. DEED, INST. NO. 187853.
7. WARRANTY DEED, INST. NO. 131591.
8. DEED, INST. NO. 158214.

INDEX NO. 1054-16-2-2-3-00-00
1054-21-1-1-4-00-00

MULLINIX ENGINEERING, INC.
WEISER, IDAHO 83672
JUNE 12, 2009



BASIS OF BEARINGS: FROM RECORD OF SURVEY
WITHIN SECTION 17, T. 10N., R. 5W., S. 4M.
INST. NO. 197332 BY MULLINIX ENGR., INC.

213299

9/16/09



IDWD
Order No. 0013813

Instrument # 213564
STATE OF IDAHO, COUNTY OF WASHINGTON
2009-10-21 04:00:54 PM No. of Pages: 2
Recorded for: AMERITITLE
SHARON WIDNER Fee: 6.00
Ex-Officio Recorder Deputy LMcknight
Index To: DEED
Electronically Recorded by Simplifile

WARRANTY DEED

For Value Received,

Roberts Farms, Inc., an Idaho Corporation

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

Kenneth L. Aschenbrenner and R. Sharon Aschenbrenner, husband and wife

GRANTEE(s), whose address is: 6995 S Ridgewood Rd, Nampa, ID 83687

the following described real property, to-wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

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 31st day of July, 2009.

Roberts Farms, Inc.

BY: Bradley H Roberts
Bradley Roberts, President

BY: Sidney W Roberts
Sidney W. Roberts, Secretary/Treasurer

STATE OF IDAHO)
SS
COUNTY OF Washington)

On this 31st day of July, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared Bradley Roberts and Sidney W. Roberts, known to me to be the President and Secretary/Treasurer of Roberts Farms, Inc. and that the within and foregoing instrument was signed in behalf of said corporation and acknowledged to me that such corporation executed the same.

Jenna L Edwards
Notary Public for Idaho
Residing at: Payette, Idaho
My Commission Expires: 3/27/2015

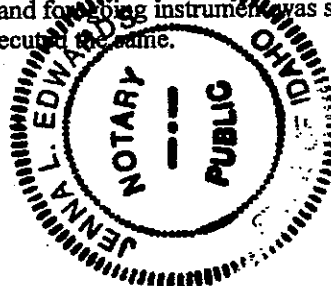


EXHIBIT A

Parcel I

A parcel of land situated within the SE1/4SE1/4 of Section 16 and Government Lot 1 of Section 21, Township 10 North, Range 5 West, Boise Meridian, Washington County, Idaho, which parcel of land is more particularly described as follows:

Beginning at the southwest corner of the SE1/4SE1/4 of Section 16 (northwest corner of Government Lot 1 of Section 21), T.10N., R. 5 W., B.M.;

Thence N 29°32'23"E, (formerly northeasterly at an angle of 29°) a distance of 80.44 feet to a point 70.00 feet north of the south line of said SE1/4SE1/4 and 40.00 feet east of the west line of said SE1/4SE1/4;

Thence S 89°58'39"E, parallel to the south line of said SE1/4SE1/4, a distance of 149.00 feet to the TRUE POINT OF BEGINNING;

Thence continuing S 89°58'39"E, parallel to the south line of said SE1/4SE1/4, a distance of 166.00 feet;

Thence S 0°16'45"E, parallel to the west line of said SE1/4SE1/4 and the west line of Government Lot 1 of said Section 21, a distance of 260 feet, more or less, to a point within the said Government Lot 1 at the Snake River;

Thence westerly down and along the Snake River, a distance of 166 feet, more or less, to a point on a line 189.00 feet East of the west line of said Government Lot 1;

Thence N 0°16'45" W, parallel to the west line of said Government Lot 1 and the west line of said SE1/4SE1/4, a distance of 270 feet, more or less, to the TRUE POINT OF BEGINNING.

PARCEL II

ACCESS EASEMENT AGREEMENT recorded ^{OCTOBER 21,} , 2009 as Instrument No. 213563, Official Records.

The property herein described is situated in or near farm or ranch property. The intent is to encourage agricultural use and minimize conflicts with non farm neighbors. Non farm residents may be subject to common customary and accepted farm & ranch practices that are conducted in accordance with state and federal laws but ordinarily & necessarily produce noise, dust, smoke and other impacts. The grantees, including their heirs, assigns and lessees, by the recording of this statement, accept the potential impacts of accepted farm & ranch practices as normal and necessary and part of the risk of having a dwelling in this area and grantee acknowledges the need to avoid activities that conflict with nearby farm and ranch uses.