

WARRANTY DEED

0210756

FOR VALUE RECEIVED HAROLD L. HORTON AND Gwendolyn M. HORTON, A/K/A
Gwendolyn M. HORTON, HUSBAND AND WIFE

The Grantors, do hereby grant, bargain, sell and convey unto ROBERT L. SCHNABEL AND
SHARONA J. SCHNABEL, HUSBAND AND WIFE,

The Grantees, whose address is H.C. 63 Box 1761, CHALLIS, IDAHO 83226

the following described premises, to-wit: CUSTER COUNTY - SEE EXHIBIT A ATTACHED
HERE TO

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
heirs and assigns forever. And the said Grantors do hereby covenant to
and with the said Grantees, that They the owners in fee simple of said premises; that said
premises are free from all encumbrances

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

Dated: 4/3/96

Harold L. Horton
Gwendolyn M. Horton

MICROFILMED

SEP 25 2001

STATE OF IDAHO, COUNTY OF Custer

On this 3rd day of April, 1996
before me, a notary public in and for said State, personally appeared
Harold L. Horton &
Gwendolyn M. Horton.

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

Ethel M. Peck
Notary Public

Residing at Challis, Idaho
Comm. Expires 12/31/99

STATE OF IDAHO, COUNTY OF Custer

I hereby certify that this instrument was filed for record at the
request of Harold & Gwen Horton
at 20 minutes past 11 o'clock A.M.
this 3rd day of April
1996 in my office, and duly recorded in Book
of Deeds at page

Ethel M. Peck
Ex-Officio Recorder

By Edward J. Murphy
Deputy

Fee \$ 6.⁰⁰
Paid to:

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

FEB 18 2000

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Department of Water Resources
Water Right Number(s) 72-10335 72-10336 *See attached*
Adjudication Claim Number(s) 39576
2. The following **REQUIRED** information must be submitted with this form.
- ☒ A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
☒ B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Robert + Schnaebel Box 1089 Challis
Harold Horton Box 1089 Challis 83226
4. New Owner/Claimant(s) Scott + Brower Della D Brower
Name connector (Check one): [☒] AND, [☐] OR, [☐] AND/OR
New Mailing Address HC 63 Box 1764
City, State and ZIP Code Challis Id 83226
New Telephone Number (208) 879-2100
5. Date you acquired the property 4-14-99
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres actually irrigated 5.7 Number and type of stock 4 horses
- Diversion rate in CFS 1.04 Number of homes 1 Other uses stock water
cubic feet per second
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) [Signature] **MICROFILMED** Date 6-3-99
SEP 25 2001 Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

WARRANTY DEED

0217880

For Value Received ROBERT L. SCHNABEL AND SHAWNA J. SCHNABEL, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto SCOTT K. BROWER AND DELLA D. BROWER, husband and wife, the Grantees, whose current address is 163 Box 1764, Challis, Idaho 83226, the following described premises, in Custer County, Idaho, to-wit:

A parcel of land located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 1, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, Township 13 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

RECEIVED

FEB 18 2000

Department of Water Resources

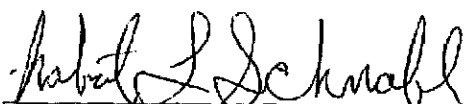
Commencing at the NW Corner of said Section 1, run thence South 00°19'17" West, a distance of 1285.97 feet to a point on the Southerly right-of-way of an existing County Road and the POINT OF BEGINNING;

Thence the following courses and distances along said right-of-way; South 89°53'27" East, 97.30 feet; 153.24 feet along a curve to the left having a chord of North 73°01'39" East, 150.97 feet, a delta of 34°12'28", a radius of 256.66 feet; thence South 15°24'13" East, a distance of 29.00 feet; thence North 87°12'37" East, a distance of 53.98 feet; thence South 25°45'56" West, a distance of 703.78 feet to a point on the Westerly boundary of said Section 1; thence South 00°17'46" West, along said boundary 139.78 feet; thence North 77°23'23" West, a distance of 230.14 feet; thence North 17°55'15" East, a distance of 740.73 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM County Road Right of Way.

TO HAVE AND TO HOLD the said 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 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 14 day of April, 1999.


ROBERT L. SCHNABEL


SHAWNA J. SCHNABEL

MICROFILMED

SEP 25 2001

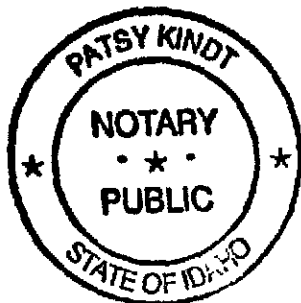
217880

STATE OF:)
: ss

County of:)

On this 14th day of
April, 1999, before
me, a Notary Public, per-
sonally appeared Robert L.
Schnabel & Shawna
J. Schnabel
known or identified 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.

Patsy Kindt
Notary Public for Idaho
Residing at Challis
Commission Expires 3/12/2004



STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
record at the request of Custer County Title
at 25 minutes past 11:00
o'clock A.M., this 14 day of April
1999, in my office, and duly recorded in Book
_____ of Deeds at page _____.

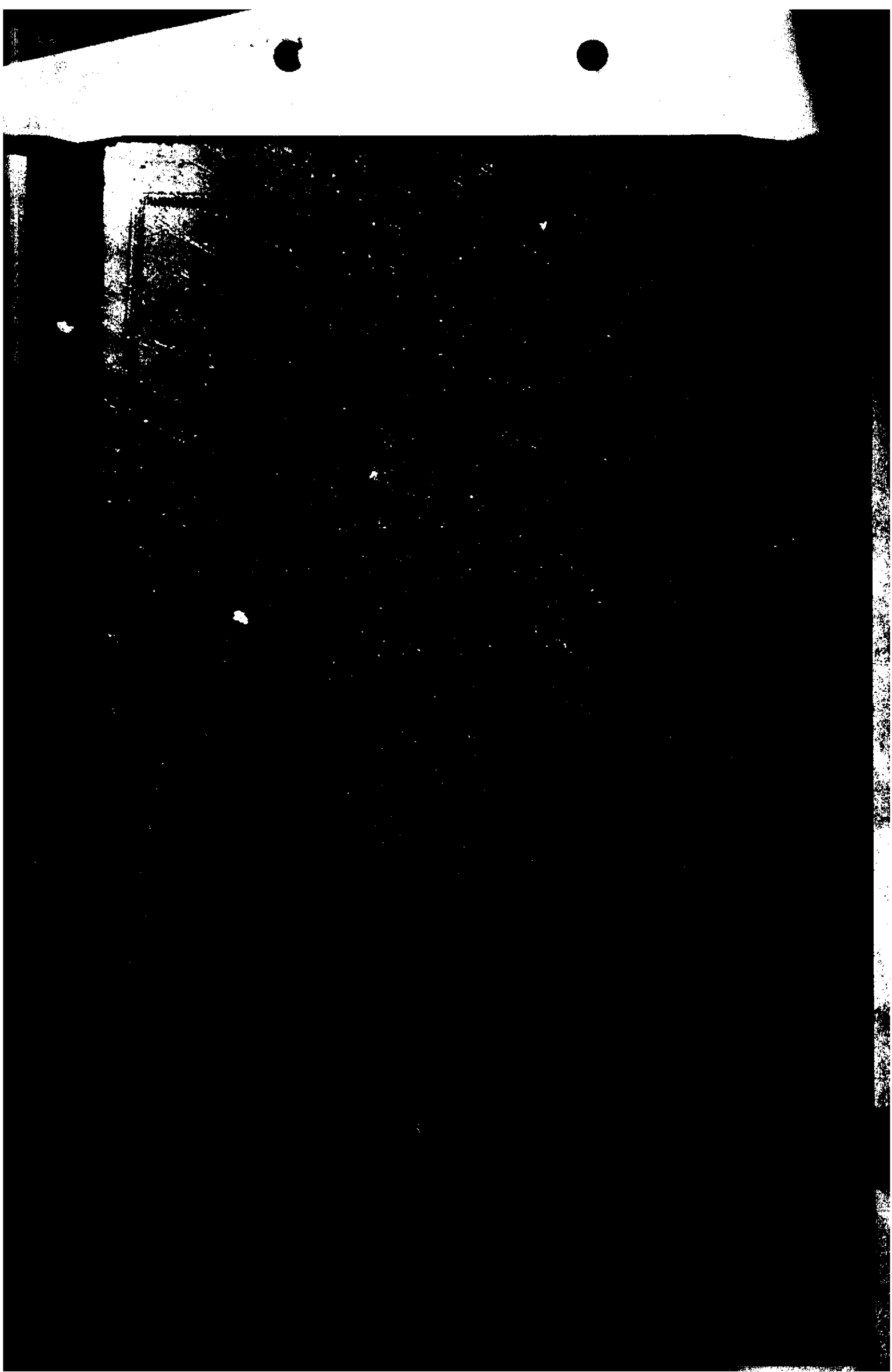
Ethel M. Pech
Ex-Officio Recorder

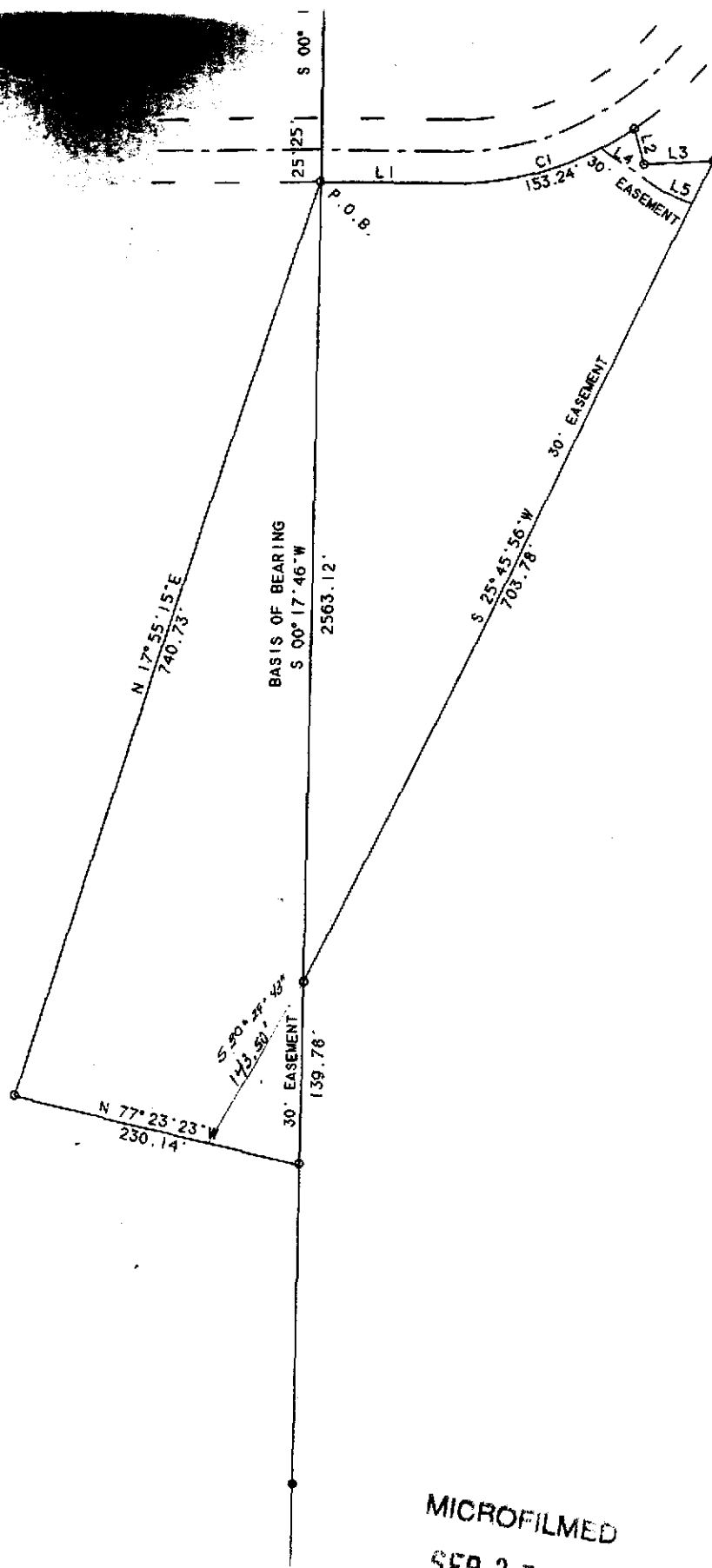
BY Barbara C. Breedlove
Deputy

Fee: \$ 6.00
Mail to:

MICROFILMED

SEP 25 2001





CURVE	DELTA ANGLE	RADIUS
C 1	34° 12' 28"	256.66'

LINE	
L 1	S
L 2	S
L 3	N
L 4	S
L 5	S

DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SE 1/4 NE 1/4, SECTION 2 CUSTER COUNTY, IDAHO. MORE P COMMENCING AT THE NW CORNER S. 00° 19' 17" W. A DISTANCE SOUTHERLY RIGHT-OF-WAY OF AN BEGINNING:

THENCE THE FOLLOWING COURSES S. 89° 53' 27" E. 97.30 FT.: LEFT HAVING A CHORD OF N. 73° 34' 12" 28". A RADIUS OF 256 THENCE S. 15° 24' 13" E. A D THENCE N. 87° 12' 37" E. A D THENCE S. 25° 45' 56" W. A D ON THE WESTERLY BOUNDARY OF : THENCE S. 00° 17' 46" W. ALOI THENCE N. 77° 23' 23" W. A D THENCE N. 17° 55' 15" E. A D OF BEGINNING.

PARCEL CONTAINS 3.98 ACRES.

SUBJECT TO: A 30.00 FT. WIDE THE FOLLOWING DESCRIBED LINE COMMENCING AT THE NW CORNER S. 10° 45' 56" E. A DISTANCE SOUTHERLY RIGHT-OF-WAY OF AN BEGINNING:

THENCE THE FOLLOWING COURSES S. 55° 32' 19" E. 48.31 FT.: S. 25° 45' 56" W. 682.54 FT.

SURVEYOR'S CEF

THIS MAP REPRESENTS A SURVEY FIELD EVIDENCE IN CONFORMANCE OF CHAPTERS 16 AND 19. TITLE SURVEYED ON 11/01/1995

LAURENCE J. WADE P.L.S. 5080

MICROFILMED
SEP 25 2001

COUNTY RECO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 72-10335

OCT -3 PM 5:03

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: HAROLD L HORTON
GWEN M HORTON
PO BOX 1089
CHALLIS ID 83226

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1890

POINT OF DIVERSION: T13N R19E S02 SESWNE Within CUSTER County

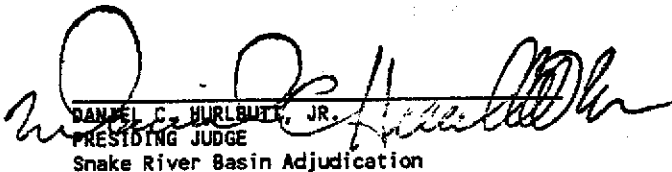
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CUSTER County
T13N R19E S02 SWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

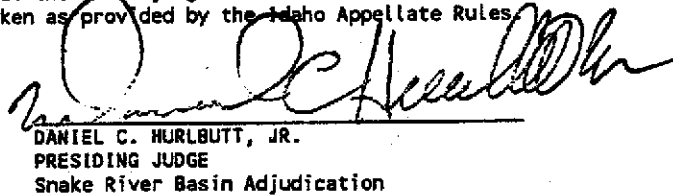
DATED: OCT - 3 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

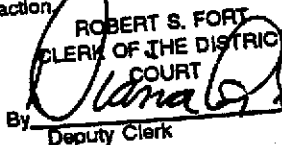
RULE 54(b) CERTIFICATE

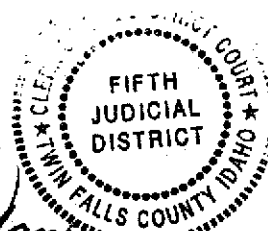
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED: OCT - 3 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

State of Idaho ss.
County of Twin Falls ss.
I hereby certify the foregoing to be a
full, true and correct copy of the
original on file in the above entitled
action.

ROBERT S. FORT
CLERK OF THE DISTRICT
COURT
By 
Deputy Clerk



PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 72-10335 MICROFILMED

SEP 25 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 1, 2001

SCOTT K BROWER
DELLA D BROWER
HC 63 BOX 1764
CHALLIS ID 83226

RE: Change of Ownership for Water Rights 72-10335 and 72-10336

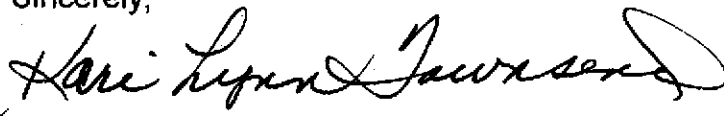
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED
SEP 25 2001