

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS
P. O. Box 987
Ketchum, ID 83340
1-208-726-4421
Fax: 1-208-726-0752

RECEIVED
AUG 25 2004
Department of Water Resources
Southern Region

FAX COVER SHEET/MEMO

To: Dr. Charles E. Brockway	Fax Copies:
Fax #: 1-208-736-8506	Fax #'s:
From: James P. Speck	Pages 6 including this cover page
Date: August 24, 2004	Our File No. 464/010185
Subject: Kate Rosekrans/Rhythm Ranch Subdivision	

COMMENTS:

Chuck,

Here are the deeds from Girton to Kate as well as the deed from Slette for the groundwater right. As you can see, Girton includes all of the water rights in each deed, thus indicating they were all being used on the entire ranch just as he claimed in the SRBA. I hope this helps. Let me know.

Jim

RECEIVED

AUG 24 2004

THE INFORMATION CONTAINED IN THIS FAX TRANSMISSION IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE ABOVE-NAMED RECIPIENT AND MAY BE THE SUBJECT OF ATTORNEY/CLIENT PRIVILEGE. IF THE READER OF THIS MESSAGE IS NOT THE ABOVE-NAMED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISTRIBUTION, DISSEMINATION, COPYING OR OTHER USE OF THIS COMMUNICATION IS STRICTLY PROHIBITED AND NO PRIVILEGE IS WAIVED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE. THANK YOU.

SVTC Order No. 22-12499

WARRANTY DEED

FOR VALUE RECEIVED Ralph W. Gorton, Trustee of the Gorton 1993 Revocable Trust, as to an undivided 1/2 interest and Brian Gorton, a married man, as his sole and separate property, as to an undivided 1/2 interest

the grantors, do hereby grant, bargain, sell and convey unto

Kathleen K. Duinack, a married woman

the grantees, whose current address is 90 Box 2136 Bailey, ID 83333 the following described premises, in BLAINE COUNTY, IDAHO, to wit:

PARCEL 1:

Lots 1, 2, 3, and 4 of FOREST WILLIAMS SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 100489, records of Blaine County, Idaho.

The real property described herein shall be restricted to only one (1) single family residence for the ten (10) years following the effective date of this instrument.

Together with any and all water rights appurtenant thereto in the following water rights:

25th 6/10/1996 Permit 37-0713
69th 6/01/1998 Permit 37-0314
61st 6/01/1998 Permit 37-0686
110th 6/15/1992 Permit 37-0668

SUBJECT TO: Taxes, assessments, restrictions, reservations, easements and encumbrances as shown of record, if any.

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 incumbrances

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

Dated: May 31, 1994

Ralph W. Gorton, Trustee
Brian Gorton

BLAINE CO. REQUEST
OF SUN VALLEY TITLE

FOR JUN-6 P 347 366707

MARY GREEN, CLERK

FEES \$ 3⁰⁰ Deed

STATE OF IDAHO, COUNTY OF BLAINE:

On this 6th day of June, 1994, before me a Notary Public in and for said State, personally appeared Brian Gorton 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.

Cassie Jones
Notary Public

9-7-94



STATE OF IDAHO
COUNTY OF Blaine

On this 6th day of June, 1994, before me, a Notary Public in and for said State, personally appeared Ralph W. Gorton, Trustee of the Gorton 1993 Revocable Trust 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 in his capacity as Trustee of said Trust.



SVTC Order No. 22-12499

WARRANTY DEED

FOR VALUE RECEIVED Ralph W. Gorton, a single man, as to an undivided 1/2 interest and Brian Gorton, a married man, as his sole and separate property, as to an undivided 1/2 interest

the grantors, do hereby grant, bargain, sell and convey unto

Kathleen E. Dain'ack, a married woman

the grantees, whose current address is PO Box 2126, Hailey, ID 83333

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

PARCEL 11:

Lots 1, 2, 3, and 4 of the REPLAT OF CAL-PACIFIC RANCH SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 310615, records of Blaine County, Idaho

The real property described herein shall be restricted to only one (1) single family residence for the ten (10) years following the effective date of this instrument.

Together with any and all water rights appurtenant thereto in the following water rights:

- 15" 6/10/1988 Permit 37-0713
- 60" 6/01/1985 Permit 37-0315
- 63" 6/01/1986 Permit 37-0556
- 110" 6/15/1982 Permit 37-0688

SUBJECT TO: Taxes, easements, restrictions, covenants, assessments and encumbrances as shown of record, if any.

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 incumbrances

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

Dated: May 21, 1994

Ralph W. Gorton

Brian Gorton

STATE OF IDAHO, COUNTY OF BLAINE:
On this 4th day of June, 1994, before me a Notary Public in and for said State, personally appeared
Ralph W. Gorton and Brian Gorton
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.

Cassie Jones
Notary Public



BLAINE CO. REQUEST

OF **SUN VALLEY TITLE**

1994 JUN -6 P 348

366708

MARY GREEN, CLERK

FEES \$3.00 MP

Deed

SVTC Order No. 22-12499

WARRANTY DEED

FOR VALUE RECEIVED Ralph W. Gorton, Trustee of the Gorton 1993 Revocable Trust, as to an undivided 1/2 interest and Brian Gorton, a married man, as his sole and separate property, as to an undivided 1/2 interest

the grantors, do hereby grant, bargain, sell and convey unto

Kathleen R. Swalmbeck, a married woman

the grantees, whose current address is PO Box 2124 Bailey, ID 83302

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

PARCEL III: SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

The real property described herein shall be restricted to a total of three single family residences for the ten (10) years following the effective date of this instrument. The three single family residences shall consist of only two (2) single family residences in addition to the single family residence in existence at the effective date of this instrument.

Together with any and all water rights appurtenant thereto in the following water rights:

25' 5/10/1988 Permit 37-0713

63' 6/01/1988 Permit 37-0315

63' 6/01/1988 Permit 37-0586

220' 5/25/1992 Permit 37-0689

subject to taxes, assessments, restrictions, reservations, easements and encumbrances as shown of record, if any.

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 incumbrances

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

Dated: May 31, 1994

Ralph W. Gorton, Trustee

Brian Gorton

BLAINE CO. REQUEST

OF **SUN VALLEY TITLE**

FOR JUN - 1 - P. 3 50

366710

Mary Green CLERK

FEES 0.60 mp

Deed

STATE OF IDAHO, COUNTY OF BLAINE:
On this 31st day of May, 1994, before me a Notary Public in and for said State, personally appeared
Brian Gorton
known or identified to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same.

Cassie Jones
Notary Public

9-7-94

NOTARY PUBLIC

STATE OF IDAHO

STATE OF IDAHO
COUNTY OF Blaine
On this 31st day of May, 1994, before me, Notary Public, personally appeared
Ralph W. Gorton, Trustee of the Gorton
1993 Revocable Trust
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 in his capacity
as trustee.

Cassie Jones
Notary Public
Residing at Bailey, IDAHO
Comm Exp 9-7-94

22-12499

EXHIBIT "A"

PARCEL III

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO.

SECTION 35: A parcel of land within the SE¼ of said Section, more particularly described as follows:
COMMENCING at the REAL POINT OF BEGINNING, which is an iron pin marking the Southeast corner of said Section 35, proceed North 89°20'25" West, 1,939.19 feet; thence North 25°12'29" West, 202.27 feet; thence South 89°42'31" East, 290.52 feet; thence North 07°05'31" West, 566.00 feet; thence South 89°42'31" East, 298.87 feet; thence North 00°17'28" East, 589.16 feet; thence South 89°42'31" East, 1,507.11 feet; thence South 00°11' West, 1,333.36 feet to the REAL POINT OF BEGINNING.

Order No. 20981

3

QUITCLAIM DEED

For Value Received Gary Slette, 313 Buchanan St., Twin Falls, ID 83301

does hereby convey, release, remise and forever quitclaim unto Steven R. Duinick and Kate Duinick

whose current address is 26 Townsend Culch Rd., Bellevue, ID 83313

the following described premises, to-wit:

1.67 cfs of Water Right No. 37-07745, as issued by the Idaho Department of Water Resources
for the irrigation of 90 acres at the rate of 3 acre foot/acre.

384222

BLAINE CO. REQUEST

OF: **SAWTOOTH TITLE**

together with their appurtenances.

Dated: June 23, 1995

Gary Slette
Gary Slette

'95 NOV 14 AM 10 47

Dece

MAUREEN GIBSON, CLERK

FEES \$ 32

STATE OF IDAHO, COUNTY OF

On this 23rd day of June, 1995,
before me, a notary public in and for the said State, personally appearedGary Sletteknown to me to be the person who name
subscribed to the within instrument, and acknowledged to
me that executed the same.Sherry L. CullResiding at Twin Falls, ID
Comm. Expires 5/17/98Notary Public
, IdahoSTATE OF IDAHO, COUNTY OF CamasI hereby certify that this instrument was filed for record at
the request of Camas Title.at 27 minutes past 10 o'clock A.M.,
this 17th day of November,
1995, in my office, and duly recorded in Book 29
of Deeds at Page 686

ROLLIE BENNETT

Ex-Officio Recorder

By

Fees \$ 3.00
Mail to:Gary Bachteell
Deputy.

INSTRUMENT NO. 60602