

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-13178
Date Received: 12/22/1988
Receipt No: 5005807
Received By: TW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LENARD EASTERDAY 208-543-5841
Address: RT 2
BUHL, ID 83316

2. Date of Priority: JAN 01, 1947

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	13E	2	SE	SE	SW		TWIN FALLS

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.260		
DOMESTIC	01/01	12/31	0.100		

7. Total Quantity Appropriated is:
0.360 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/4 HOUSES, C/350 COW DAIRY, 100 DAIRY STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10S	13E	2	SE	SW		COMMER	
			SE	SW		DOMEST	

A47-13178

Page 1

Date: 12/22/88

MICROFILMED

MAR 14 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	13E	11	NE NW		DOMEST	

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Leonard D. Easterday Date: 1/10/89
Date:

State of Idaho)
County of TC) SS.

Subscribed and sworn (or affirmed) before me this 10 day th

of Jan 19 89

Leon White
Notary Public

Seal

Residing at TC

My Commission Expires 5/94

From: DWR60::MERRITT 16-DEC-1993 10:05:34.75
To: ROBERTSON
CC: MERRITT
Subj: FYI

From: DWR03::FRAZEE 16-DEC-1993 10:04:03.19
To: DWR60::MERRITT
CC: FRAZEE
Subj: UN-REJECTED CLAIMS OF AR #S000018/LA RAY EASTERDAY

MORNING, ALLEN. I JUST UN-REJECTED EASTERDAY'S CLAIMS PER
PAYMENT YESTERDAY TO JIM STANTON. PLEASE GIVE JUDY OR JEANE A
COPY OF THIS E-MAIL TO INSERT IN EASTERDAY'S CLAIM FILES.

A47-04174	A47-04205	A47-02376	A47-02419	A47-02374
A47-02377	A47-02379	A47-04015	A47-07040	A47-07618
A47-07615	A47-13173	A47-13176	A47-13178	

THANX, ALLEN!

DEC 03 1996

RECEIVED

MAR 14 1995

Department of Water Resources
Southern Region

AFFIDAVIT

In Support of Water Right A47-13178

STATE OF IDAHO

County of Twin Falls

)
) ss.
)

LENARD EASTERDAY, being first duly sworn upon oath, deposes and says:

1. That the information contained in this affidavit is of my own personal knowledge.
2. That this affidavit is given in support of my claim of the ground water, water right to a well located upon my property as described in the Idaho Department of Water Resources Adjudication Claim Profile Report A47-13178.
3. That I bought the property where said well is located during the winter of 1948 and 1949, and commenced using said well in the spring of 1949. Since I commenced using said well I have used it year round for domestic household uses and for livestock watering and dairy operation.
4. The .36 cfs. claim converts to 18 miners inches of water.
5. My wife and I purchased the property from Ward Moffitt. Mr. Moffitt is now deceased.
6. I talked to Bill Harder who owned the property prior to Ward Moffitt, and he informs me that the well was drilled by Grant Miller in 1942 or 1943. Bill Harder told me that he purchased the property from Grant Miller. Grant Miller is now deceased.

DEC 03 1996

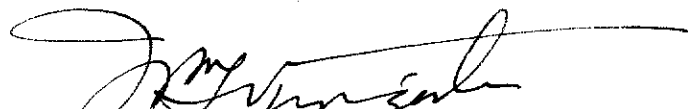
7. Information concerning the depth of well originally drilled to, to-wit: 350 feet, was written on one of the out buildings when my wife and I purchased the property.

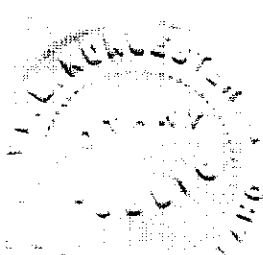
8. It is my own personal opinion that the priority date of January 1, 1947 is as correct as any date that can be established. Events which would establish a closer date occurred almost fifty years ago when well drilling permits and water permits for wells were not required.

Dated this 14th day of March, 1995.


LENARD EASTERDAY

SUBSCRIBED and SWORN to before me this 14th day of March, 1995.


NOTARY PUBLIC FOR IDAHO
Residing at: Buhl Id
My Commission Expires: 1-11-97



WLN/easterday.aft



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

~~CECIL D. ANDRUS~~
Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 11, 1995

A47-13178
LENARD EASTERDAY
RT 2
BUHL

ID 83316

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

DEC 03 1995

January 11, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Douglas Jones", written over a horizontal line.

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

DEC 03 1996

AJ5809NP
No. A47-13178

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/10/95
PAGE: 7

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LENARD EASTERDAY RT 2 BUHL ID 83316 (208) 543-5841	01/01/1947	COMMERCIAL DOMESTIC	01-01 12-31 01-01 12-31	0.26 CFS 0.10 CFS	
TOTAL DIVERSION:					0.36 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R13E S02

SESESW

TWIN FALLS County

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:					
10S	13E	2	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:			
								:					:					:					:					:
								:					:					:					:					:
								:					:					:					:					:

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:					
10S	13E	2	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:			
								:					:					:					:					:
								:					:					:					:					:
								:					:					:					:					:

POU County: TWIN FALLS

Non-Irrigation Uses: D/4 HOUSES, C/350 COW DAIRY, 100 DAIRY STOCK

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

DEC 03 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-13178

LENARD EASTERDAY

RT 2

BUHL

ID 83316

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

DEC 03 1996

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Kelly K Christensen

DATE

December 22, 1995 3:59pm

CUSTOMER

TINA PETTIE

SUBJECT: SEARCH FOR LEONARD EASTERDAY CLAIMS IN TNS 10S; RNG 13E;
SEC 2 & 11; B.M.
phone call (.) walk-in (.) FAX REQUEST

I did an ajq1 search on Easterday in basin 47. I found a47-07615 and A47-13178. Neither claim was in the requested place of use. I did a wrq4 search on the above legals but did not find any rights relating to Easterday. I generated profile reports for the two above claims for her.

DEC 03 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 5, 1991

Lenard Easterday
Rt. 2, Box 85
Buhl, ID 83316

RE: Snake River Basin Adjudication (SRBA)
Twin Falls County - #A47-13178

RECEIVED

APR 8 1991

Department of Water Resources
Eastern District Office

Dear Mr. Easterday:

This letter is to advise you that payment on the water right referenced above has not been received from LaRay and Janet Easterday as directed in the certified letter they received February 19, 1991. You may want to pay the fees for this claim.

Rather than returning the claim, the record of the claim will go into a rejected status and remain in that category until payment is received. The account will continue to accrue interest, and any fees will not be returned whether the claim is investigated or not.

This will be your only notice until such time as the findings of the Director are included in his report to the Court of the water right claims in that area. Without further payment on the claim fee account, the findings of the claim will be that the claim was rejected for insufficient fees.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:AR:east

MICROFILMED

MAR 14 1993

RECEIVED

APR 10 1991

Department of Water Resources
Southern Region Office

From: DWR03::FRAZEE 31-MAR-1992 10:52:30.03
To: DWR60::MERRITT
CC: FRAZEE
Subj: REJECTED CLAIMS AR #S000018/LA RAY EASTERDAY

MORNIN' ALLEN. AT DON'S INSTRUCTION, I'VE GONE INTO EACH OF THE FOLLOWING CLAIMS AND CORRECTED HIS DATA ENTRY OF 4/4/91 WHEN HE REJECTED THE CLAIMS FOR INSUFFICIENT FEES.

I ADDED "REJECTED" IN SOURCE AND "DVS 4/4/91" AFTER HIS REMARK OF INSUFFICIENT FEES. I ALSO CORRECTED DATA ENTRY OF ADDRESS FOR CURRENT OWNER(S) WHERE NECESSARY. THIS IS ALL I'VE DONE TO THESE CLAIMS.

A47-04174	A47-04205	A47-02376	A47-02419	A47-02374
A47-02377	A47-02379	A47-04015	A47-07040	A47-07618
A47-07615	A47-13173	A47-13176	A47-13178	

SO AGENT(S) DON'T GET UPSET WHEN THEY SEE MY NAME AS THE LAST ON THE AUDIT TRAIL, YOU MIGHT HAVE JEANE PUT A COPY OF THIS MAIL MESSAGE IN EACH OF THE ABOVE FILES.

MICROFILMED

MAR 14 1993

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 47-13178
Date Received: 1/10/1989
Receipt No: S005807
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WILLIAM P VANDERPOL AND MARGIE VANDERPOL FAMILY TRUST Phone: (208)537-6844
970 E 3700 N
CASTLEFORD ID 83321

2. Date of Priority: 01/01/1947

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	13E	2	SE SE SW	TWIN FALLS	

5. Description of diverting works:

WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
COMMERCIAL	1/01	12/31	0.26	
DOMESTIC	1/01	12/31	0.1	

7. Total Quantity Appropriated is:
0.36 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	13E	2	SE	SW	DOMESTIC	
			SE	SW	COMMERCIAL	
10S	13E	11	NE	NW	DOMESTIC	

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

August 22, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM P VANDERPOL & MARGIE VANDERPOL FAMILY TRUST
970 E 3700 N
CASTLEFORD ID 83321

Re: SRBA Claim(s) 47-13178

Dear Mr. and Mrs. Vanderpol:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enc.

RECEIVED

AUG 21 2001

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

Department of Water Resources
 Southern Region

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 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
4713178					

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) is 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)

LEONARD D EASTERDAY
LORENE E EASTERDAY

4. New Owner/Claimant(s)

WILLIAM F VANDER POOL & MARGIE VANDER POOL

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

FAMILY TRUST 970E 7500 N

City, State and ZIP Code

CASTLE FLD ID 83321

New Telephone Number

208 537 6844

5. Date you acquired the property

5/3/00

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 <u>4713178</u>		
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	<u>NONE</u>	<u>NONE</u>
Stock		<u>1000 ALB baby calves + up</u>
Domestic	<u>0.100 CFS</u>	<u>3 Homes</u>
Other <u>—</u>	<u>0.260 CFS</u>	<u>milk mixing Room</u>
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) 2 Mr Vanderfal
(include title if applicable)

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 _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

43467sm
TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

Recorded for:
TITLEFACT
02:34pm Jul. 24, 2000
2000-011235
No. of Pages: 2 Fee: \$6.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: CN

***** SPACE ABOVE FOR RECORDER *****

WARRANTY DEED

~~Twin Falls County, Idaho
Recorded for:
TITLEFACT
02:55pm May 03, 2000
2000-806599
No. of Pages: 2 Fee: \$6.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: CD~~

FOR VALUE RECEIVED **LENARD D. EASTERDAY** aka **LEONARD D. EASTERDAY**,
AND LORENE EASTERDAY aka **LORENE I. EASTERDAY**, husband and wife,
hereinafter called the grantor, hereby grants, bargains, sells and conveys unto **WILLIAM P. VANDERPOL, III AND MARGIE VANDERPOL, TRUSTEES OF THE WILLIAM P. VANDERPOL, III AND MARGIE VANDERPOL TRUST****, hereinafter called grantee, whose address is: **925 EAST 3700 NORTH, CASTLEFORD, IDAHO 83321**, the following described premises, in Twin Falls County, Idaho, to-wit:

** (as Amended) dated April 23, 1998

Township 10 South, Range 13 E., B.M., Twin Falls County, Idaho

Section 2: The E $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$ and that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ more particularly described as follows:

BEGINNING at the South quarter corner of Section 2, said corner marked by a $\frac{5}{8}$ " rebar;
THENCE South 89°59'20" West along the south section line for a distance of 1310.86 feet to the Southwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE North 00°03'54" East along the west line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 1330.61 feet to the Southwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ which shall be the POINT OF BEGINNING;

THENCE North 89°53'14" West along the south line of NW $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 303.63 feet to a $\frac{1}{2}$ " rebar;

THENCE North 00°01'57" West for a distance of 747.11 feet to a $\frac{1}{2}$ " rebar;

THENCE North 64°06'00" East for a distance of 221.20 feet to a $\frac{1}{2}$ " rebar;

THENCE North 68°27'27" East for a distance of 114.05 feet to a $\frac{1}{2}$ " rebar on the east line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE South 00°03'54" West along said line for a distance of 886.21 feet to the POINT OF BEGINNING.

EXCEPT

Township 10 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 2: Part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

BEGINNING at the South quarter corner of said Section 2, said corner marked by a $\frac{5}{8}$ " rebar;

THENCE South 89°59'20" West along the south section line for a distance of 1310.86 feet to the Southwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE North 00°03'54" East along the west line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 1330.61 feet to the Southwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE North 00°03'54" East along the west line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 886.21 feet to a $\frac{1}{2}$ " rebar which shall be the POINT OF BEGINNING;

THENCE North 00°03'54" East along said line for a distance of 444.41 feet to the Northwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE South 89°45'49" East along the north line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of

SUBJECT TO: Twin Falls Highway District right of way

AND

Township 10 South, Range 13 E., B.M., Twin Falls County, Idaho

Section 11: NW $\frac{1}{4}$ NW $\frac{1}{4}$; And a part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ being more particularly described as follows:

BEGINNING at a point 620 feet West of the Northeast corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

THENCE East along the Northern line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 620 feet to the Northeast corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

THENCE South along the Eastern boundary line a distance of 400 feet to a point;

THENCE in a Northwesterly direction in a straight line to the POINT OF BEGINNING.

EXCEPT

Township 10 South, Range 13 E., B.M., Twin Falls County, Idaho

Section 11: That part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ described as follows:

BEGINNING at the intersection of the North line of canal of Twin Falls Canal Co. and the East line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

THENCE West along the North line of canal 100 feet;

THENCE North 100 feet;

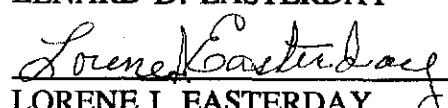
THENCE East paralleling canal, 100 feet to the East line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

THENCE South along the East of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, 100 feet to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: September 22, 1999


LENARD D. EASTERDAY

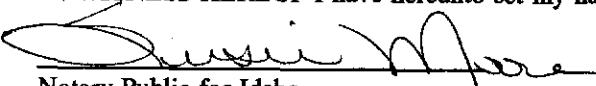

LORENE I. EASTERDAY

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 3rd day of May, 2000, before me, a Notary Public in and for said State, personally appeared **LENARD D. EASTERDAY aka LEONARD D. EASTERDAY, AND LORENE EASTERDAY aka LORENE I. EASTERDAY**, husband and wife, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.


Notary Public for Idaho



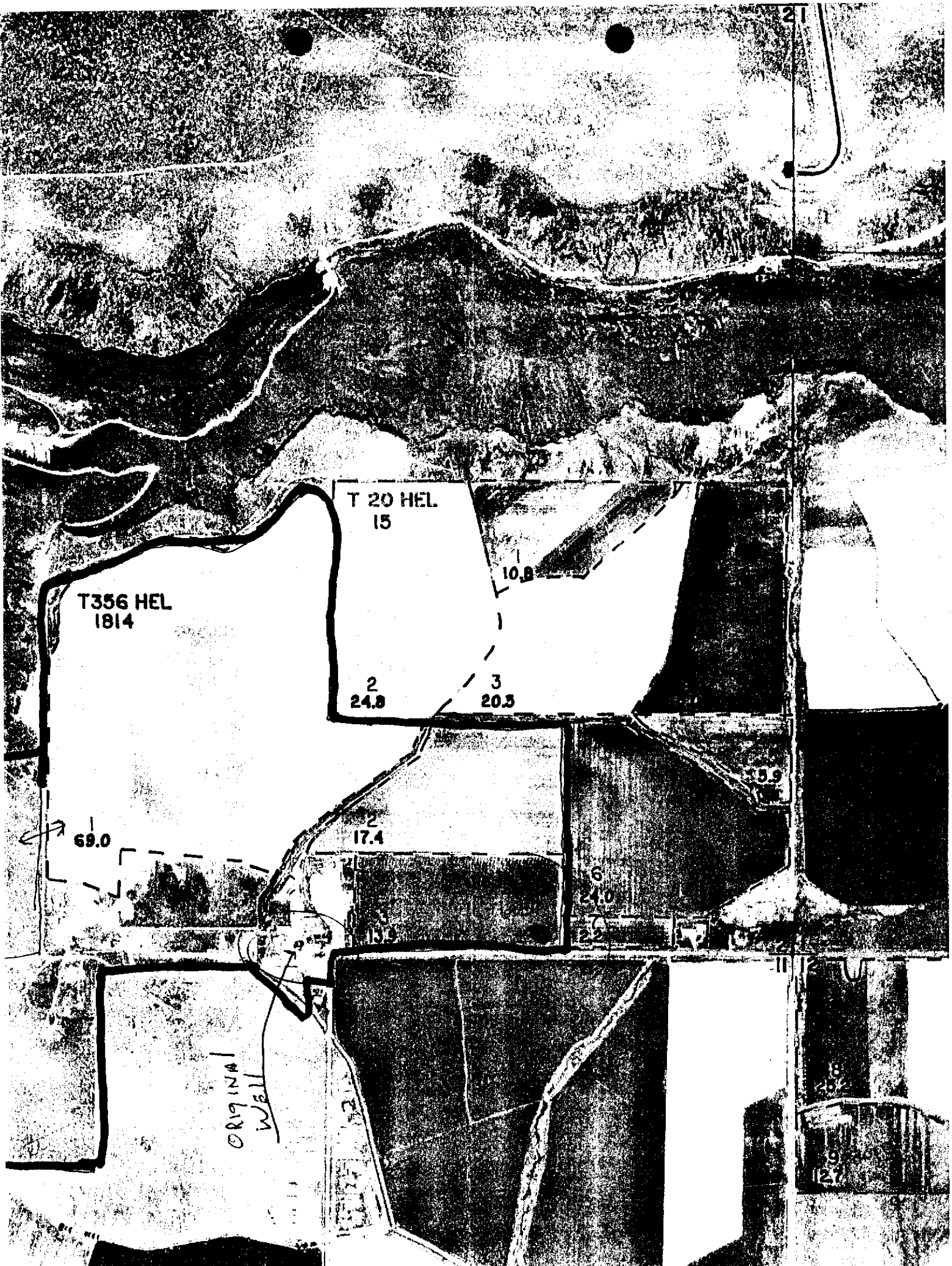
TITLEFACT, INC.

CASE NO. 43467

Section 02
Township 10S
Range 13E

NW			NE
SW	ORIGINAL □ WELL YEAR (46)	NEW □ WELL	3/20/81 SE

While this is a representation of the Twin Falls County map of the subject area, *TITLEFACT, INC.*, assumes no liability for variations, if any, with a survey.



COMMUNICATION DOCUMENTATION

From: Vikie Hancock

8/6/2001

Regarding:

47-13178

Contact:

BILL VANDERPOOL

Mr. Vandepool is purchasing the property with the above water right claim from Mr. Easterday. He wanted to know what the water rights were. I explained the AJ Beneficial Use process and that we would be investigating basin 47 in a year or so.

We looked in the claim file and found an affidavit from Mr. Easterday that has some statements in there that could possibly be corroborated with some documentation. I gave a copy of the affidavit to Mr. Vanderpool.

Mr. Vanderpool also said that the original well had been replaced by a very deep well, but that the original well was still operational and he thought had the old pumping equipment in it. I told him that it might be good to document the old equipment and see if there were any dates on it, etc., as the 1947 development was what we would be looking for. I also found a drilling log from Elsing drilling for a very deep well in Easterday's name that could be the replacement well, although the drilling log says it's for irrigation. I suggested that Elsing may know something about the old well.

I gave Mr. Vanderpool an ownership change form to fill out so that he would be contacted with any developments when we get to B47.