

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: A45-07278
Date Received: 6/13/1989
Receipt No: S008209
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS H. CHURCH 208-678-9088
Address: P.O. BOX 1286
BURLEY, ID 83318

2. Date of Priority: DEC 06, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	23E	27	SE	NW		3	CASSIA

5. Description of diverting works:
2 WELLS AND PUMPS, PIPELINES TO 6 HOUSES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.240		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/6 HOMES S/25 MIXED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	23E	27	SW	NE	3	DOMEST	
			SW	NE	3	STOCK	

A45-07278

Page 1

Date: 06/13/89

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11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:

CLAIMANT OWNS 1 OF 6 HOUSES SERVED BY COMMUNITY WELL. OTHER OWNERS ARE TOM RUDY, DONALD G. EMIGH, JESS A. PARSONS, WILLIAM A. PARSONS, AND ISAAC LEE.

SMALL WELL USED SINCE 1962 IS INTERTIED WITH LICENSED WELL.

DWR NOTE

THIS CLAIM IS FOR BENEFICIAL USE. BASED ON LICENSE 45-07278 AND BENEFICIAL CLAIM ON THE SMALLER WELL.

15. Basis of Claim: LICENSE

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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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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:

Ident. Number

Date Received

Receipt Number

39576

A45-07278

5008209

sc

RECEIVED

JUN 12 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Thomas H. Church Phone (208) 678-9088Mailing Address P.O. Box 1286, Burley, Idaho Zip 833182. Date of Priority (Only one (1) per claim) December 6, 19763. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 10S Range 23E Section 27,
1/4 of SE 1/4 of NW 1/4, Govt. Lot, 3 B.M., County of CassiaAdditional points of diversion if any: Small well in same location

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 165 foot well with 8 inch casing,
submersible pump, 5 H.P. motor, 2 inch line and 100 foot well with 6 inch
casing, 1 1/2 submersible pump. Interconnected with lines to 6 households.
Small well used since 1962 is intertied with licensed well.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For domestic purposes from Jan. 1 to Dec. 31 amount .24 or _____

For stockwater purposes from Jan. 1 to Dec. 31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .26 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is de minimus acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic use for 6 households, stockwater for 25 or less of cattle or horses.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10S	23E	27								GL3 D&S									

Total number of acres irrigated -0-

11. In which county (ies) are lands listed above as place of use located? Cassia

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Small domestic well used since 1962--2 households and stock- or None ()
water-- .06 cfs-beneficial use.

14. Remarks:
Claimant owns 1 of 6 houses served by community well. Other owners
are Tom Rudy, Donald G. Emigh, Jess A. Parsons, William A. Parsons,
and Isaac Lee.

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Last Name Church Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 45-7278

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) Thomas H. Church Date June 8, 1989

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

) SS.

County of Minidoka)

Subscribed and sworn (or affirmed) before me this 8th day of June 19 89

SEAL

Notary Public Rogers D. Ling

Residing at Rupert, Idaho

My Commission Expires 10/30/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Roger D. Ling will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Rogers D. Ling

Address P.O. Box 396, Rupert, Idaho 83350

Date June 8, 1989

MICROFILMED

MAR 08 1993

Last Name Church Ident. Number _____

Copies White-State, Yellow-Claimant

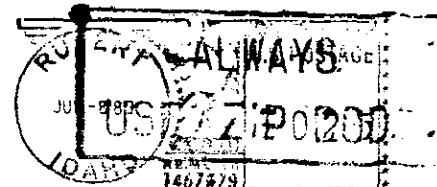
LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW

615 "H" STREET

P. O. BOX 396

RUPERT, IDAHO 83350



Department of Water Resources
State of Idaho
2148 4th Avenue East
Twin Falls, Idaho 83301

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MAR 08 1993

LING, NIELSEN & ROBINSON

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON
DAVID W. HALEY
MARK A. INGRAM
RICK BOLLAR

ATTORNEYS AT LAW
615 "H" STREET
P. O. BOX 396
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

June 8, 1989

RECEIVED

JUN 12 1989

Department of Water Resources
Southern Region Office

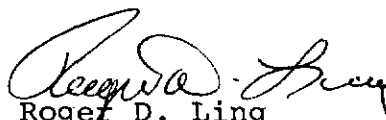
Department of Water Resources
State of Idaho
2148 4th Avenue East
Twin Falls, Idaho 83301

RE: Claim to a Water Right - Thomas H. Church

Dear Gentlemen:

I have enclosed herein a Notice of Claim to a Water Right on behalf of Thomas H. Church. Mr. Church's personal check payable to the Department of Water Resources in the sum of \$76.00 is also enclosed representing the filing fee of \$50.00 for a domestic claim for six households and \$26.00 for .26 cfs. at \$100.00 per 1.0 cfs.

Very truly yours,


Roger D. Ling

nk
Enclosures

MICROFILMED

MAR 08 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Aug. 4, 1989

Re: A45-07278

THOMAS H CHURCH
P O BOX 1286
BURLEY ID 83318

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 08 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: A47-07278
Date Received: 11/29/1988
Receipt No: S004044
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICHAEL L. ARCHIBALD 208-543-5083
Address: RT. 3 BOX 425
BUHL, ID 83316

OR
Name: LAURA ARCHIBALD 208-543-5083
Address: RT. 3 BOX 425
BUHL, ID 83316

2. Date of Priority: SEP 24, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	14E	33	NE	SW	SW	7	TWIN FALLS

5. Description of diverting works:
WELL, PIPELINES TO HOUSES & GREENHOUSES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
HEATING	01/01	12/31	0.430		
RECREATION	01/01	12/31	0.110		

7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) 73.10 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
G/GREENHOUSE & HOUSES R/POOL

A47-07278

Page 1

Date: 11/29/88

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	14E	33	SW	SW	7	HEAT	
			SW	SW	7	REC	

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:
A47-07577

14. Remarks:

15. Basis of Claim: PERMIT

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: 3

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): [Signature] Date: 11-29-88
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of November 19 88

[Signature]
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

1" = 400'

SECTIONS

32/33

1/4 COR.

27'

S89°45'E
600.0'

356.0'
S70°37'E
153.0'
S88°00'E

S1°34'E
158.0'

S81°34'E
141.0'

S4°51'30"W
443.5'

S20°43'E
241.0'

TRACT-1

1304.25'
N89°44'W

EASEMENT
25'

S89°54'E
1320.0'

S89°54'E 700.0'

878.22'

S1°04'E
257.6'

S89°54'E
575.4'

N0°17'W
426.8'

1318.29'
S89°03'E

S89°57'W
308.7'

TRACT 4
300.0'

TRACT 7
308.7'

N89°57'E
300.0'

TRACT 2
304.19'

N53°34'E
376.8'

N53°34'E
376.8'

TRACT 3

N45°21'30"E
110.8'

TRACT 5
125.0'

S89°57'W
839.06'

N0°03'W
125.0'

TRACT-6
232.9'

N89°57'E

SNAKE RIVER

PLAT OF SURVEY
TRACTS IN
LOTS 6 AND 7, SEC. 33,
N² SE⁴ SEC. 32,
T8S, R14E, B.M.,
TWIN FALLS CO. IDAHO
FEB. 11, 1972

SEC. COR

32/33
5/4

T8S, R14E, B.M. MICROFILMED
T9S, R14E, B.M. MAR 11 1993

A47-07278

MIKE ARCHIBOLD

47-7577

MP#6

MP#9

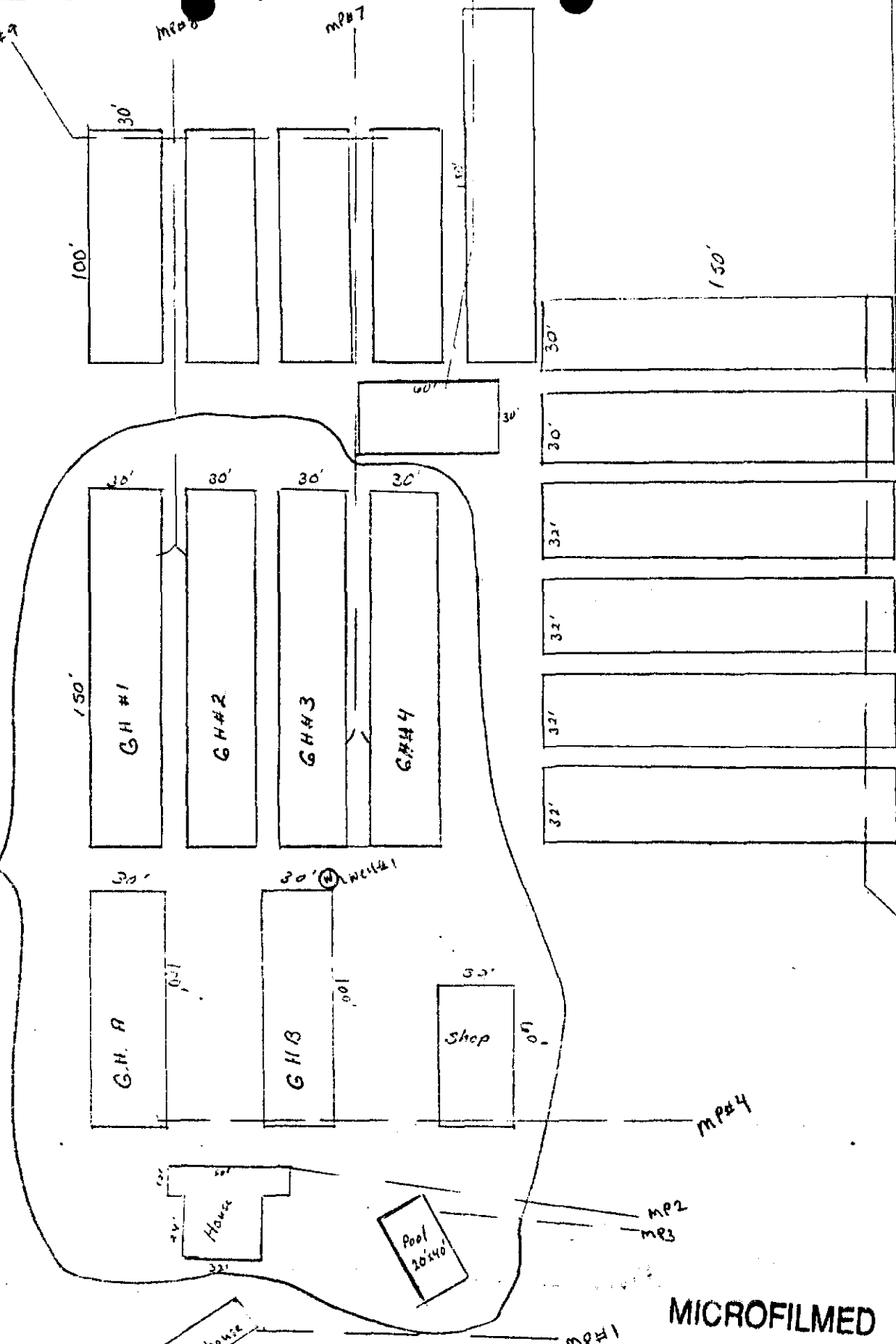
MP#8

MP#7

42 381 50 SHEETS 5 SQUARE
42 382 100 SHEETS 5 SQUARE
42 383 200 SHEETS 5 SQUARE



Licensed by 47-7278



MP#5

MP#4

MP2
MP3

MP#1

MICROFILMED

MAR 11 1993

A47-07278

8S. 14E.

8S.
14E.



MICROFILMED

MAR 1 1983

A47-07278

MEMORANDUM

TO: SRBA Claim Files A47-07278 and A47-07577

FROM: Corey Skinner *CS*

DATE: August 4, 1998

SUBJECT: Conversation With Claimant

Recently while staffing an application for permit, Mike Archibald and I discussed the hot water wells that he owns. Mr. Archibald has two hot water wells on his property located in the Banbury Hot Springs Groundwater Management Area. He has two licenses (47-07278 and 47-07577) for heating water out of his well(s). The beneficial use examinations for the two licenses took place in 1985. The two rights were not licensed until 1993. SRBA claims were filed on the two licenses when they were still in the permit stage.

One of Mr. Archibald's wells was drilled in the winter of 1974-1975. Department records indicate that the GPS site tag number for this well is A0003135. Water Right license 47-07278 lists this particular well as a point of diversion. The water use under this license is for heating use for a home, shop, pool, and six greenhouses.

Mr. Archibald's second well was drilled in 1983 and is located west of his other well. Department records indicate that the GPS site tag number for this well is A0003136. Water right license 47-07577 lists this particular well as a point of diversion. In addition, license 47-07577 mentions a second well, apparently A0003135, in the same legal description. License 47-07577 lists the water use as heating use for one mobile home and twelve greenhouses.

Since Mr. Archibald has two wells and 18 greenhouses, it initially appeared that Mr. Archibald has two hot water wells and two separate delivery systems with each well and delivery system being covered under a separate license. However, since license 47-07577 lists both wells as points of diversion, and license 47-07278 only lists one well as a point of diversion, there was some question regarding the two licenses. I spoke with Mr. Archibald about his system(s) and he said that he had hooked a valved pipeline between the two delivery systems when the second well and delivery system were developed (prior to 1987). The wells are operated as separate systems to serve the separate uses as listed on the licenses, but the valved pipeline was installed so the two wells could serve as emergency backups to each other if one of the wells was to fail. Therefore, it is possible for either well, or both, to supply all of the water use authorized under both licenses.

Page 2
A47-07278 and A47-07577 Memo
August 4, 1998

Based on my conversation with Mr. Archibald, my conversation with Kelly Christensen (SRBA agent), and Mr. Christensen's conversation with Don Shaff (State Office) it appears that A47-07278 and A47-07577 should be claimed, and eventually recommended, as a combined system. This would result in each claim listing both of Mr. Archibald's wells (GPS site tag #'s A0003135 and A0003136). The appropriate explanatory remarks should also be added to the claims explaining the combined system(s).

It should also be noted that the mobile home mentioned in the remarks under license 45-07577 was removed from the property in 1994. Mr. Archibald is in the process of subdividing his property so his daughter and son in law (Nicole and Shane Surber) can build a house on the property. An application for permit for domestic use has been filed for the new home to divert water out of Mr. Archibald's wells (both wells since they are connected by a common system). The heating use that was licensed for the mobile home under 45-07577 is intended to supply the heating use for the Surber's new home. The legal description for the place of use for the proposed change from the mobile home to the new home will not change, so there should be no potential problems.

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: A45-07278
Date Received: 6/13/1989
Receipt No: S008209
Received By: X

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: THOMAS A RUDY
Address: 200 CHURHILL DRIVE
BURLEY ID 83318 208-678-9763

2. Date of Priority: DEC 6, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	23E	27	SE	NW		3	CASSIA

5. Description of diverting works:
1 WELL AND PUMP, PIPELINES TO 6 HOUSES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.240		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
6 HOMES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	23E	27	SW	NE	3	DOMEST	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:

CLAIMANT OWNS 1 OF 6 HOUSES SERVED BY COMMUNITY WELL. OTHER OWNERS ARE TOM RUDY, DONALD G. EMIGH, JESS A. PARSONS, WILLIAM A. PARSONS, AND ISAAC LEE.

SMALL WELL USED SINCE 1962 IS INTERTIED WITH LICENSED WELL.

DWR NOTE

THIS CLAIM IS FOR BENEFICIAL USE. BASED ON LICENSE 45-07278 AND BENEFICIAL CLAIM ON THE SMALLER WELL.

OWNERSHIP CHANGE AND AMENDED CLAIM TO MATCH LICENSE. DELETED STOCKWATER USE AND CHANGED DIVERSION RATE TO .24 CFS. SECOND WELL IS NO LONGER USED AND CURRENTLY HAS NO POWER HOOK-UP. 8/8/97 jr

15. Basis of Claim: LICENSE

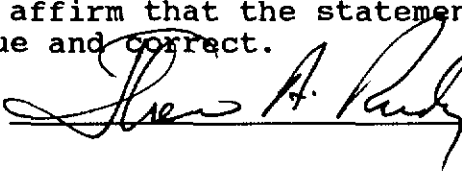
16. Signature(s)

(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):  Date: 8-8-97
Date: _____

State of Idaho

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 8th day

of August 19 97

Seal

Jeanie Robertson
Notary Public

Residing at Twin Falls, Id.

My Commission Expires 9-23-2000

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 JEANIE M ROBERTSON

DATE

August 14, 1997 8:35am

CUSTOMER

THOMAS RUDY

A45-07278

SUBJECT: AMENDED CLAIM/OWNERSHIP CHANGE

phone call (.) walk-in (X)

He amended the claim to match the license, which involved dropping the stockwater portion of the claim for .02 cfs. This made the total diversion rate .24 cfs, which will be under the amount required to be measured by Dan Nelson and the measurement program.

He also changed the ownership from Thomas Church to Thomas Rudy, submitting copies of maps and warranty deeds, along with the form. This is a community well serving six homes. Mr. Rudy submitted copies of other warranty and quitclaim deeds also and it appears some of the other homes have changed ownership too. I have included these copies in the file for informational purposes, as these other owners are not on the claim but are mentioned in the remarks of the original claim. He originally intended to change the ownership to the Churchill Drive Water Users Association, but had no official proof that there was such an organization and that he had the authority to sign for it...

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 45-07278
Adjudication Claim No(s): A 45-07278
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 attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Thomas H. Church
P.O. Box 1286 - Burley, Idaho 83318
4. New Owner/Claimant(s) Churchill, Thomas A. Rudy
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 200 Churchill Drive
City, State and ZIP Code Burley, Idaho 83318
New Telephone Number (208) 678-7763
5. Date you acquired the property ?
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 you irrigate _____ Number and type of stock _____
 Diversion rate in CFS .24 Number of homes 6 Other uses Stock water
 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 or Claimant(s) Thomas A. Rudy
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

From: DWR60::AMERRITT 30-JUL-1997 11:38:22.97
To: SOUTH1, DJONES
CC: AMERRITT
Subj: phone call regarding ESPA West bill

A Michell with Pete Snow's office called and said they recieved the bill #99 for Tom Church (A45-07278) for \$33.20. She indicated that Tom Church died and the property has sold but she does not know who has it now.

Allen

A45-07278

WR5808MP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

08/08/97 15:10:19
Page 1

Water Right Number - 45-07278

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

HILL

FRED

1 - 1326 BURTON AVE.

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone -

CHURCH

TOM

1 -

2 -

3 -

City-

State- Zip-

Phone -

+ - - Priority Date - - +
12/06/1976

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

10S 23E 27 SE NW 3 (31) CASSIA

+ - - - - - - - - - - - - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.240 7.20

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.240 7.20 0.240

+ - - - - - - - - - - - - - - - Place of Use - - - - - +

TwN Rng Sec Tract Lot Acres Code Description County

10S 23E 27 SW NE 3 43 DOMESTIC (31) CASSIA

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - - - Remarks - - - - - +

No Remarks found.

+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - - - - - - - - - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

08/08/97 15:10:19
Page 2

+ - Decree Date - +

00/00/0000

+ - - Audit Fields - 11/12/85 05/28/88 CONVERT

| | | | | | |
|-------------------|--------------|-----------------|--------------|--------------------|-----|
| Proof Due Date | - 01/01/1982 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 01/15/1977 | Protested Date | - 00/00/0000 | Swan Falls | - 2 |
| Proof Made Date | - 01/01/1900 | Hearing Date | - 00/00/0000 | Temporary Right | - P |
| Exam to S.O. Date | - 00/00/0000 | Verified Date | - 11/12/1985 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - |
| Licensed Date | - 10/29/1985 | Appl Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 00/00/0000 | Name Connector | - | POU Ownership Flag | - |
| Presumption Flag | - | | | | |

QUITCLAIM DEED

81136

For Value Received The Sum of Ten Dollars (\$10.00) and other good and valuable consideration

THOMAS H. CHURCH and LOUISE CHURCH, husband and wife
 Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto
 ISAAC W. LEE and PEARL LEE, husband and wife

Hereinafter called the grantee, the following described premises, in Cassia County, Idaho
 to-wit:

A Tract of land lying in Lot 3 of Section 27, of Township 10 South, Range 23 East, Boise Meridian; being more particularly described as follows:

Beginning at a point on the South boundary of said Lot 3 at a point of intersection with the North right-of-way line of U. S. Hwy. 81 South which is 4.45 feet N 88° 51' W of the NE corner of the SW¼ of Sec. 27; thence N 48° 49' W along the North right-of-way line of U. S. Hwy. 81 S. for 34.64 feet to a point; thence N 37° 13' E for 488.47 feet to the True Point of Beginning;

Thence S 31° 42' E for 120.0 feet to a point;
 Thence N 56° 10' E for 99.07 feet to a point;
 Thence N 74° 52' E for 133.55 feet to a point;
 Thence N 23° 37' W for 55.63 feet to a point;
 Thence N 51° 17' 01" E for 177.71 feet to a point on the South bank of the Snake River;
 Thence N 39° 53' W for 120.00 feet to a point on said south bank of the Snake River;
 Thence S 37° 13' W for 157.99 feet to a point;
 Thence N 24° 40' 36" W for 117.17 feet to a point;
 Thence S 37° 13' W for 56.02 feet to a point;
 Thence S 31° 42' E for 27.62 feet to a point;
 Thence S 37° 13' W for 34.73 feet to a point;
 Thence S 53° 11' W for 68.68 feet to a point;
 Thence N 83° 30' W for 8.00 feet to a point;
 Thence S 80° 41' W for 30.28 feet to a point;
 Thence S 46° 09' 30" W for 40.44 feet to a point;
 Thence S 22° 00' 30" E for 31.57 feet to a point;
 Thence S 37° 13' W for 30.90 feet to the True Point of Beginning. Together with easements and subject to easements set out on Schedule "A" attached hereto.

Contains 1.35 acres.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: 30th day of January, 1975.

Grantee's address:
 1803 Washington
 Burley, Idaho 83318

THOMAS H. CHURCH

LOUISE CHURCH

STATE OF IDAHO, COUNTY OF Cassia

On this 30th day of January, 1975 before me, a notary public in and for said State, personally appeared THOMAS H. CHURCH and LOUISE CHURCH, husband and wife

known to me to be the person & whose name & are subscribed to the within instrument, and acknowledged to me that they executed the same.

Dwight J. Macdonald
 Notary Public

Residing at Burley, Idaho.

STATE OF IDAHO, COUNTY OF Cassia

I hereby certify that this instrument was filed for record at the request of Lead Title Escrow at 36 minutes past 8 o'clock A.M., this 10 day of February, 1975, in my office, and duly recorded in Book of Deeds at page 24m 93 - 81136

Frank B. Kearns
 Ex-Officio Recorder

By Barbara Mc Deputy.

Fees \$ 300

Mail to: Ltr & Co.

Instrument No.

81136

SCHEDULE A

The Grantee is hereby granted the right to use the existing roads situated on certain tracts of land lying in Lot 3, Section 27, Township 10 South, Range 23 East of the Boise Meridian for means of ingress and egress to the real estate being conveyed by this Deed. Provided, however, the use of such roads hereafter described are to be used in common with owners of property which is situated within said Lot 3 and being located South of the South boundary line of the property herein conveyed, East of the U.S. Highway 30 South right-of-way, North of the South boundary line of Lot 3 and West of the Snake River. The road ways to be used by the Grantee and the above-described owners are as follows:

(1) (A) The road that commences at a point approximately where the South boundary of Lot 3 intersects with U.S. Highway 30 South and runs East along or near the South boundary of said Lot 3 for a distance of approximately 575 feet; thence turning Northwesterly and extending a distance of approximately 520 feet and across the Westerly boundary of the hereinbefore described property.

(B) A road that extends Easterly and commences at the Southeast corner of the property described on the face of this Deed and extends Easterly down the embankment toward the Snake River for a distance of approximately 234.62 feet.

(2) The Grantee is also granted a right-of-way across a strip of land approximately 56 feet wide which is adjacent, contiguous and immediately South of the East 177.71 feet of the Southern boundary of the real estate being conveyed by the Grantor to the Grantee, PROVIDED, HOWEVER, that in the event the Grantor or their successors in interest shall construct a road across the said strip of land, then and in such event, Grantee's right-of-way shall be restricted to such roadway so constructed.

(3) The land herein conveyed is subject to the rights of the other land owners hereinbefore described to use the road ways described in paragraphs (1) (A) and (B) above; also the East 157 feet of the land being conveyed to the Grantee is subject to a right-of-way in favor of the Grantors or their successors in interest across a portion of the said East 157 feet. Such right-of-way is for the purpose of obtaining ingress and egress to a certain parcel of real estate described as follows:

A tract of land lying in Lot 3 of Section 27 of Township 10 South, Range 23 East of the Boise Meridian; being more particularly described as follows:

Beginning at a point on the South boundary of said Lot 3 at a point of intersection with the North right-of-way line of U.S. Hwy. 81 South, which is 4.45 feet N 88°51' W of the Northeast corner of the SW $\frac{1}{4}$ of Section 27; Thence N 48°49' W along the North right-of-way line of U.S. Hwy. 81 South for 34.64 feet to a point; thence N 37°13' E for 768.26 feet to the True Point of Beginning;

Thence continuing N 37°13' E for 126.46 feet to a point on the South bank of the Snake River;
Thence S 39°53' E for 106.03 feet along said South bank to a point;
Thence S 37°13' W for 157.99 feet to a point;
Thence N 24°40' 36" W for 117.17 feet to the True Point of Beginning. Contains 0.34 acre.

(Continued on next page)

Page -2- (Schedule A)

PROVIDED, HOWEVER, in the event the Grantee or his successors in interest shall construct a road way across said strip of land then in such event, Grantors' right-of-way or easement shall be restricted to such road way so constructed.

(4) Grantor does by these presents, bargain, sell, transfer, and convey to the Grantee all of Grantors' right, title and interest in and to a certain domestic well, pump, motor, pressure tank and other paraphernalia connected therewith which said domestic well is located approximately 230 feet Southeast of the Southwest corner of the real estate described on the face of this deed together with the right of the Grantee to maintain a water line from said well to the property conveyed by such deed, PROVIDED, HOWEVER, Grantee shall be subject to and liable for one-half of all costs of operating said well and the repairing and maintaining of said well and equipment.
(U.S. Highway 30 South is one and the same highway as U.S. Highway 81)

WARRANTY DEED

For Value Received

THOMAS H. CHURCH and LOUISE CHURCH, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

ISAAC W. LEE and PEARL LEE, husband and wife

1803 Washington, Burley, Idaho

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

A tract of land lying in Lot 3 of Section 27, of Township 10 South, Range 23 East, Boise Meridian; being more particularly described as follows:

Beginning at a point on the South boundary of said Lot 3 at a point of intersection with the North right-of-way line of U.S. Hwy. 81 South which is 4.45 feet N 88°51' W of the NE corner of the SW¼ of Section 27; thence N 48°49' W along the North right-of-way line of U.S. Hwy 81 South for 34.64 feet to a point; thence N 37°13' E for 488.47 feet to the True Point of Beginning;

Thence S 31°42' E for 120.0 feet to a point;
 Thence N 56°10' E for 99.07 feet to a point;
 Thence N 74°52' E for 133.55 feet to a point;
 Thence N 23°37' W for 55.63 feet to a point;
 Thence N 51°17'01" E for 177.71 feet to a point on the South bank of the Snake River;
 Thence N 39°53' W for 120.00 feet to a point on said South bank of the Snake River;
 Thence S 37°13' W for 157.99 feet to a point;
 Thence N 24°40'36" W for 117.17 feet to a point;
 Thence S 37°13' W for 56.02 feet to a point;
 Thence S 31°42' E for 27.62 feet to a point;
 Thence S 37°13' W for 34.73 feet to a point;
 Thence S 53°11' W for 68.68 feet to a point;
 Thence N 83°30' W for 8.00 feet to a point;
 Thence S 80°41' W for 30.28 feet to a point;
 Thence S 46°09'30" W for 40.44 feet to a point;
 Thence S 22°00'30" E for 31.57 feet to a point;
 Thence S 37°13' West for 30.90 feet to the True Point of Beginning. Together with easements and subject to easements set out on Schedule "A" attached hereto. Contains 1.35 acres.

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

Dated: May 15, 1975

Thomas H. Church
 Thomas H. Church

Louise Church
 Louise Church

STATE OF IDAHO, COUNTY OF Cassia

On this 15th day of May, 1975
 before me, a notary public in and for said State, personally appeared

THOMAS H. CHURCH

and

LOUISE CHURCH, husband and wife

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

Laura Kleiven
 Notary Public

Residing at

Burley

Idaho.

STATE OF IDAHO, COUNTY OF Cassia:

I hereby certify that this instrument was filed for record
 at the request of Land, Title & Survey
 at 18 minutes past 1 o'clock P.M.,
 this 19th day of June,
 1975, in my office, and duly recorded in Book
 at Page of Film - 96-84123

Frank B. Kearns
 Ex-Officio Recorder

By *Aricia Black* Deputy.

Fees \$ 3.00

Mail to: L.T.E., Burley

Instrument No. 84123

110814

QUITCLAIM DEED

For Value Received \$1.00 and other good and valuable consideration,
 THOMAS H. CHURCH and LOUISE CHURCH, husband and wife,
 of the County of Cassia, State of Idaho,

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto
 ISAAC W. LEE and PEARL LEE, husband and wife, whose current mailing
 address is 210 Churchill Drive, Burley, Idaho 83318

Hereinafter called the grantees, the following described premises, in Cassia County, Idaho
 to-wit:

A tract of land lying in Lot 3 of Section 27 of
 Township 10 South, Range 23 East of the Boise
 Meridian, being more particularly described as follows:

Beginning at a point on the South boundary of Lot 3
 at a point of intersection with the North right-of-way
 line of U.S. Highway 81 South which is 4.45 feet North
 88 degrees 51' West of the NE corner of the SW 1/4 of
 Sec. 27 of T. 10 S., R. 23, EBM; thence N 48 degrees
 49' W along the North right-of-way line of U.S.
 Highway 81 South for 34.64 feet to a point; thence
 N 37 degrees 13' E for 488.47 feet to a point; thence
 S 31 degrees 42' E for 120.00 feet to a point; thence
 N 56 degrees 10' E for 99.07 feet to a point; thence
 N 74 degrees 52' E for 133.55 feet to a point; thence
 N 23 degrees 37' W for 9.21 feet to the Point of
 Beginning; thence N 23 degrees 37' W for 46.42 feet to
 a point; thence N 51 degrees 17' 01" E for 177.71 feet
 to a point on the high water line of the Snake River;
 thence S 39 degrees 53' E along said high water line
 for 44.82 feet to a point; thence S 51 degrees 17' 01"
 W for 190.71 feet to the Point of Beginning.

Contains $\pm$ 0.19 acre

RESERVING, however, to the Grantors, their successors and assigns
 an easement or right-of-way for ingress and egress across the
 above described property for access to a parcel of ground
 situated northwesterly of the above described property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the gran-
 tee's heirs and assigns forever.

Dated: June 12 1978.

Thomas H. Church
 THOMAS H. CHURCH

Louise Church
 LOUISE CHURCH

STATE OF IDAHO, COUNTY OF Cassia

On this 12 day of June 1978,
 before me, a notary public in and for said State, per-
 sonally appeared
 THOMAS H. CHURCH and LOUISE
 CHURCH, husband and wife,

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

Doug J. Smith
 Notary Public
 Residing at

Idaho.

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record
 at the request of

at minutes past o'clock m.
 the day of
 19 in my office, and duly recorded in Book
 of Deeds at page

By Ex-Officio Recorder

Deputy.

Fees
 Mail to

Instrument No.

1810

RECORDED AT THE REQUEST OF
HIGGS ROL

21

120

SEP 8 11 36 AM '78
COUNTY, TEXAS

SEP 9 11
CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER
CASSIAPRINTING CO.

FRANK S. BORDEN
RECORDED - 211

FRANK O'BRIEN
RECORDED - 211

ALL

At Isaac's house
310 Church St.

At 2 and 4

For Value Received

THOMAS H. CHURCH and LOUISE CHURCH, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

RUSSELL G. LINDSTROM and MARY M. LINDSTROM, husband and wife
Address: 208 Churchill Drive
Burley ID 83318

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: Part of Lot 3 of said Section 27, more particularly described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ of said Section 27; Thence North 88°51' West along the South boundary line of Lot 3 for 4.45 feet to a point on the North right-of-way of U.S. Highway 81; Thence North 48°49' West along said right-of-way for 20.21 feet to a point; Thence North 60°58'20" East for 470.36 feet to a point on the South right-of-way of Churchill Drive which is the True Point of Beginning;
Thence South 41°32'51" East for 5.5 feet to a point;
Thence North 49°41'24" East for 216.82 feet to a point;
Thence North 44°07'13" West for 30.74 feet to a point on the Southeasterly boundary of that certain parcel conveyed by Warranty Deed recorded June 19, 1975 as Instrument No. 84123, records of Cassia County, Idaho;
Thence South 74°52' West along said boundary for 133.55 feet to a point;
Thence South 56°10' West along said boundary for 99.07 feet to a point on the South right-of-way of Churchill Drive;
Thence South 43°36'39" East for 67.27 feet to a point;
Thence South 41°32'51" East for 26.00 feet to the True Point of Beginning.

PARCEL NO. 2:

An undivided one-fourth ($\frac{1}{4}$) interest in and to the following described property:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: A part of Lot 3, more particularly described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ of said Section 27; thence North 88°51' West along the South boundary line of Lot 3 for 4.45 feet to a point on the North Right-of-Way of U.S. Highway 81; thence North 48°49' West along said Right-of-Way for 20.21 feet to a point; thence North 60°58'20" East for 694.13 feet to THE POINT OF BEGINNING;

Thence North 44°07'13" West for 69.10 feet to a point;
Thence North 23°37' West for 9.21 feet to a point;
Thence North 51°17'01" East for 190.71 feet to a point on the high water line of the Snake River;
Thence South 35°08'41" East along said high water line for 108.6 feet to a point;
Thence South 60°58'20" West for 182.44 feet to THE POINT OF BEGINNING.

PARCEL NO. 3:

An undivided one-fourth (1/4) interest in and to the following described property:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: A part of Lot 3, more particularly described as follows:

Beginning at the Northeast corner of the SW 1/4 of said Section 27; thence North 88°51' West along the South boundary line of Lot 3 for 4.45 feet to a point on the North Right-of-Way of U.S. Highway 81; thence North 48°49' West along said Right-of-Way for 20.21 feet to a point; thence North 60°58'20" East for 694.13 feet to a point which shall be THE POINT OF BEGINNING;
Thence North 60°58'20" East for 182.44 feet to a point on the high water line of the Snake River;
Thence South 35°08'41" East along said high water line for 81.55 feet to a point;
Thence South 54°10'05" West for 159.13 feet to a point;
Thence South 52°56'21" West for 6.0 feet to a point;
Thence North 44°07'13" West for 96.25 feet to THE POINT OF BEGINNING.

PARCEL NO. 4:

A non-exclusive easement for ingress and egress for the benefit of Parcels No. 1, 2, and 3 over and on that certain street or road commonly known as Churchill Drive. Said easement granted in Warranty Deed recorded May 2, 1966 as Instrument No. 29475, records of Cassia County, Idaho and set forth in Agreement recorded May 23, 1988 as Instrument No. 195606, records of Cassia County, Idaho.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1995 and subsequent years.

Easement from H. C. Van Engelen and Addie S. Van Engelen, to the Mountain States Telephone and Telegraph Company, dated August 2, 1956 and recorded August 15, 1956 as Instrument No. 190763 in Book 15 of Miscellaneous, Page 381, records of Cassia County, Idaho, granting an easement over and across that portion of Lot 3, which lies East and North of the railroad right of way in Section 27, Township 10 South, Range 23 East of the Boise Meridian.

Easement for Erection and Maintenance of Power line from Vernon Rehn and Bernice M. Rehn, husband and wife, and Fred J. Hill, Jr., and Sylvia Hill, husband and wife, to Unity Light and Power Company, a cooperative association, dated March 26, 1962 and recorded August 15, 1962 as Instrument No. 8435 on Film No. 15, records of Cassia County, Idaho, granting a right of way to said cooperative for the erection and maintenance of electrical transmission lines over and across a portion of Lot 3 in Section 27, Township 10 South, Range 23 East of the Boise Meridian.

Provisions and agreements contained in that certain document entitled Agreement Re: Use and Ownership of Domestic Well between Fred J. Hill, Jr., and Sylvia Hill, husband and wife, parties of the first part, Thomas H. Church and Louise Church, husband and wife, parties of the second part, and Isaac W. Lee and Pearl Lee, husband and wife, parties of the third part, and Thomas A. Rudy and Arlene J. Rudy, parties of the fourth part, dated April 15, 1977 and recorded November 16, 1977 as Instrument No. 102885 on Film No. 113, records of Cassia County, Idaho.

Easement executed by Thomas H. Church and Louise Church, husband and wife to Fred J. Hill, Jr. and Sylvia Hill, husband and wife, their heirs, successors and assigns, dated August 1978 and recorded August 25, 1978 as Instrument No. 110522 on Film No. 120, records of Cassia County, Idaho. (Parcel No. 1)

Covenants and Use Privileges Agreement between Fred J. Hill, Jr. and Sylvia Hill, husband and wife and Thomas H. Church and Louise Church, husband and wife, dated August 4, 1978 and recorded August 29, 1978 as Instrument No. 110574 on Film No. 120, records of Cassia County, Idaho.

Right-of-way for Churchill Drive and Hillee Lane as disclosed by Agreement recorded May 23, 1988 and recorded as Instrument No. 195606, records of Cassia County, Idaho.

Agreement RE: Use of Land, Use and Maintenance of Roadways, Easements and Rights of Way and Restrictive Covenants between Isaac W. Lee and Pearl Lee, husband and wife, Fred J. Hill, Jr. a widower and Thomas H. Church and Louise Church, husband and wife, dated April 22, 1988 and recorded May 23, 1988 as Instrument No. 195606 on Film No. 198, records of Cassia County, Idaho.

Rights of the United States of America, State of Idaho, and the Public generally in and to that portion of the property lying below the mean high water mark of the Snake River. (Parcels No. 2 and 3)

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

Dated: October 25, 1995

Thomas H. Church
THOMAS H. CHURCH

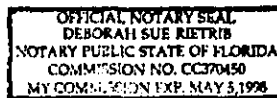
Louise Church
LOUISE CHURCH

By: Kelle C. Robbins
KELLE C. ROBBINS, his attorney-in-fact

STATE OF FLORIDA

COUNTY OF Brevard } ss.

On this 25 day of October, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared LOUISE CHURCH, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

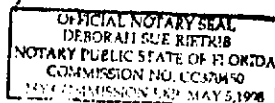


Deborah Sue Rietz
Notary Public
Residing at: 5800 NW 63rd Pl, Portland, FL 33067
My Commission expires:

STATE OF FLORIDA

COUNTY OF Brevard } ss.

On this 25 day of October, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared KELLE C. ROBBINS, known or identified to me to be the person whose name is subscribed to the within instrument, as the Attorney-In-Fact of THOMAS H. CHURCH and acknowledged to me that she subscribed the name of THOMAS H. CHURCH thereto as principal, and her own name as Attorney-In-Fact.



Deborah Sue Rietz
Notary Public
Residing at: 5800 NW 63rd Pl, Portland, FL 33067
My Commission expires:

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

FILM 271

1995 OCT 30 P 4: 20

239302

CASSIA COUNTY, IDAHO
CARRELL M. ROSKELLEY
RECORDER

FEE 9.00 DEPUTY LM

LAND TITLE & ESCROW

State of Idaho } ss.
County of Cassia

I hereby certify that the foregoing instrument is a true and correct copy of the original recorded in this office.

8-1-97
Carrell M. Roskelley
Recorder
Cassia County, Idaho
By: Deputy

11
207700

WARRANTY DEED

THIS INDENTURE, made this 23 day of MAY, 1990,
between WILLIAM A. PARSONS, as Personal Representative of the
ESTATE OF JESS A. PARSONS, a/k/a JESSE A. PARSONS, a/k/a J. A.
PARSONS, deceased, of Box 910, Burley, Idaho 83318, ("Grantor"),
and WILLIAM A. PARSONS, a married man, but as his sole and
separate property, whose address is Box 910, Burley, Idaho
83318, ("Grantee").

W I T N E S S E T H:

That the Grantor for and in consideration of the sum of
Ten Dollars (\$10.00), lawful money of the United States of
America, and other good and valuable consideration, to the
Grantor in hand paid by the Grantee, the receipt whereof is
hereby acknowledged, has granted, bargained, and sold and by
these presents does grant, bargain and sell, convey and confirm
unto the Grantee, and to the heirs and assigns of Grantee
forever, all of the following described real estate situated in
the County of Cassia, State of Idaho, to-wit:

All of Parcels 1 and 2 described on Exhibit A
attached hereto and made a part hereof by
reference, and an undivided one-half interest
in and to Parcel 3 described on Exhibit A
attached hereto.

SUBJECT TO:

1. Taxes, levies and assessments.
2. Assessments levied or to be levied by
the City of Burley.
4. Assessments of the Burley Irrigation
District and the rights and powers of said

PARSONS, SMITH, STONE & FLETCHER
LAWYERS
BURLEY, IDAHO

1 District as by law provided.

2 5. Easement for Erection and Maintenance
3 of Power Line from Vernon Rehn and Bernice M.
4 Rehn, husband and wife, and Fred J. Hill, Jr.
5 and Sylvia Hill, husband and wife, to Unity
6 Light & Power Company, a cooperative
association, its licensees, successors and
assigns, dated March 26, 1962, and recorded
August 15, 1962 as Instrument No. 8435 on Film
No. 15, records of Cassia County, Idaho.
(Parcel No. 3).

7 6. Agreement RE: Use and Ownership of
8 Domestic Well between Fred J. Hill, Jr. and
9 Sylvia Hill, husband and wife, parties of the
10 first part; Thomas H. Church and Louise
Church, husband and wife, parties of the
11 second part, and Isaac W. Lee and Pearl Lee,
12 husband and wife, parties of the third part,
dated April 15, 1977 and recorded November 16,
1977 as Instrument No. 102885 on Film No. 113,
records of Cassia County, Idaho. (Parcel No.
3).

13 7. Covenants and Use Privileges
14 agreement between Fred J. Hill, Jr. and Sylvia
Hill, husband and wife, parties of the first
15 part, and Thomas H. Church and Louise Church,
husband and wife, parties of the second part,
16 dated August 4, 1978 and recorded August 29,
1978 as Instrument No. 110574 on Film No. 120,
17 records of Cassia County, Idaho. (Parcel NO.
3).

18 8. Easement from H. C. Van Engelen and
19 Addie S. Van Engelen, to the Mountain States
Telephone and Telegraph Company, its
20 successors and assigns, dated August 2, 1956
and recorded August 15, 1956 as Instrument No.
21 190763 in Book 15 of Miscellaneous, Page 381,
records of Cassia County, Idaho. (Parcel No.
22 3).

23 9. Agreement RE: Use of Land, Use and
24 Maintenance of Roadways, Easements and Rights
of Way and Restrictive Covenants by and
25 between Isaac W. Lee and Pearl Lee, husband
and wife; Fred J. Hill, Jr.; and Thomas H.
Church and Louise Church, husband and wife,
26 dated April 22, 1988 and recorded May 23, 1988
as Instrument No. 195606 on Film No. 198,

1 records of Cassia County, Idaho. (Parcel No.
2 3).

3 10. Easement and Party Wall Agreement
4 between John S. Snow and Grace K. Snow, and W.
5 L. Turner, dated June 12, 1945 and recorded
6 June 15, 1945 as Instrument No. 151659 in Book
7 of Bills of Sale and Agreements in the
8 office of the County Recorder of the County of
9 Cassia, State of Idaho. (Parcel No. 1).

10 TOGETHER with all and singular the tenements,
11 hereditaments and appurtenances thereunto belonging or in
12 anywise appertaining, the reversion and reversions, remainder
13 and remainders, rents, issues and profits thereof, and all
14 estate, right, title and interest in and to said property as
15 well in law as in equity of the Grantor.

16 TO HAVE AND TO HOLD, all and singular the above-
17 mentioned and described premises, together with appurtenances
18 unto the Grantee and to the heirs and assigns of Grantee
19 forever.

20 The Grantor shall and will warrant and by these
21 presents will forever defend the said premises in the quiet and
22 peaceable possession of the Grantee, and the heirs and assigns
23 of Grantee against all and every person and persons whomsoever
24 lawfully claiming the same, except as aforesaid.

25 Letters Testamentary appointing William A. Parsons as
26 Personal Representative of the estate were recorded September
11, 1989 as Instrument No. 203821 on film 209, records of Cassia
County, Idaho.

IN WITNESS WHEREOF, the Grantor has executed this Deed

PARSONS, SMITH, STONE & FLETCHER
LAWYERS
BURLEY, IDAHO

1 the day and year first above written.

2 ESTATE OF JESS A. PARSONS, a/k/a
3 JESSE A. PARSONS, a/k/a
4 J. A. PARSONS

5 BY William A. Parsons
6 William A. Parsons
7 Personal Representative

8 STATE OF IDAHO)
9) ss
10 County of Cassia)

11 On this 23 day of May, in the year 1990, before
12 me, the undersigned, a Notary Public in and for said State,
13 personally appeared WILLIAM A. PARSONS, known or identified to
14 me to be the person whose name is subscribed to the within
15 instrument as Personal Representative of Estate of Jess A.
16 Parsons, a/k/a Jesse A. Parsons, a/k/a J. A. Parsons, and
17 acknowledged to me that he executed the same as such Personal
18 Representative.

19 E. B. Smith
20 Notary Public for Idaho
21 Residing at Burley, Idaho
22 My commission expires on 5-10-93

EXHIBIT A

PARCEL NO. 1:

The West 50 feet of Lots 13, 14, 15 and 16 in Block 136 of the Burley Townsite, Cassia County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County.

PARCEL NO. 2:

Lots 17 and 18 of Block 119 of the Burley Townsite, Cassia County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County.

EXCEPTING therefrom the West 30 feet of said Lots 17 and 18.

PARCEL NO. 3:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: Part of Lot 3 of said Section 27, more particularly described as follows:

Beginning at the NE corner of the SW $\frac{1}{4}$ of said Section 27, thence North 88°51' West along the South boundary line of Lot 3 for 4.45 feet to a point on the North right-of-way of U.S. Highway 81; thence North 48°49' West along said right-of-way for 20.21 feet to a point; thence North 60°58'20" East for 470.36 feet to a point on the South right-of-way of Churchill Drive; thence South 41°32'51" East along said right-of-way for 45.60 feet to a point which shall be the Point of Beginning;

Thence South 41°32'51" East along said right-of-way for 40.09 feet to a point;
Thence North 49°41'24" East 220.39 feet to a point;
Thence North 44°07'13" West 40.17 feet to a point;
Thence South 49°41'24" West 218.59 feet to the Point of Beginning.

SUBJECT TO an easement and right-of-way over and across that portion of Churchill Drive which extends over and across the Westerly 30 feet, more or less.

TOGETHER WITH an easement and right-of-way over and on that certain existing street or road commonly known as Churchill Drive, Burley, Idaho.

ALSO TOGETHER WITH the limited right to use a certain existing private roadway which extends Easterly from Churchill Drive to certain lands situated Easterly of the above described parcel, as granted by Warranty Deed recorded January 25, 1979 as Instrument No. 113807 on Film No. 123, records of Cassia County, Idaho, and the center line of which said roadway is described as follows:
Beginning at the Northeast corner of the SW $\frac{1}{4}$ of

-Continued-

Section 27, Township 10 South, Range 23, East of the Boise Meridian; thence North 88°51' West along the South boundary line of Lot 3 for 4.45 feet to a point on the North right-of-way of U.S. Highway 81; thence North 48°49' West along said right-of-way for 20.21 feet to a point; thence North 60°58'20" East for 470.36 feet to a point on the South right-of-way of Churchill Drive; thence North 41°32'51" West for 26 feet; thence North 43°36'39" West for 67.27 feet to a point which is the point of beginning and in the center of said roadway; thence North 56°10' East for 99.07 feet; thence North 74°52' East for 133.55 feet to a point; which is the end of said road.

ALSO TOGETHER WITH a limited right of use to a certain portion of a certain parcel of ground herein-after described with limited right of use as set out under separate document recorded in the office of the County Recorder, County of Cassia, State of Idaho, on the 29th day of August 1978, as Instrument No. 110574 on Film No. 120, and on May 23, 1988 as Instrument No. 195606, on Film No. 198, records of Cassia County, Idaho. The parcel of ground subject to such use is contiguous to the above described property and is described as follows: Beginning at the Northeast corner of the SW¼ of Section 27, Township 10 South, Range 23, East of the Boise Meridian; thence North 88°51' West along the South boundary line of Lot 3 for 4.45 feet to a point on the North right-of-way of U.S. Highway 81; thence North 48°49' West along said right-of-way for 20.21 feet to a point; thence North 60°58'20" East for 470.36 feet to a point on the South right-of-way of Churchill Drive; thence North 41° 32' 51" West for 26 feet; thence North 43°36'39" West for 67.27 feet to a point; thence North 56°10' East for 99.07 feet; thence North 74°52' East for 133.55 feet to a point, which is the Point of Beginning; thence South 44°07'13" East for 165.35 feet; thence North 52°56'21" East for 6 feet to a point; thence North 54°10'5" East for 159.13 feet to a point on the high water line of Snake River; thence North 35°08'41" West along said high water line for 190.15 feet to a point on said high water line; thence South 51°17'01" West for 190.71 feet to a point; thence South 23°37' East for 9.21 feet to the Point of Beginning.

Lavonda T. Parsons has a life estate in the one-half interest in Parcel 3 hereby conveyed.

EXHIBIT A TO WARRANTY DEED - Page 2

207700

REC'D
CASSIA COUNTY, IDAHO
FRANK E. EARNES
JULY 21 1988
FEE \$8.00

MAY 23 4 PM '88

CASSIA COUNTY, IDAHO
FRANK E. EARNES

LS: Tax 910
Jury

FEE \$8.00

207701

10953

237067

WARRANTY DEED

THIS INDENTURE, Made this 8th day of June, 1995, by Marian T. Snow, the duly appointed, qualified and acting Personal Representative of the Estate of John D. Snow, Jr., a/k/a Jack Snow, deceased, the party of the first part, to Marian T. Snow, a widow woman, as her sole and separate property, the party of the second part, whose current address is 206 Churchill Drive, Burley, Cassia County, Idaho.

WITNESSETH:

WHEREAS, Letters Testamentary were issued by the Magistrate's Division of the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Cassia, appointing the party of the first part Personal Representative of the Estate of John D. Snow, Jr., a/k/a Jack Snow, deceased, on the 15th day of September, 1994; and said Letters Testamentary were thereafter on the 23rd day of January, 1995, recorded as Instrument Number 234854, Film Number 262, in the records of the County Recorder of the County of Cassia, State of Idaho; and,

WHEREAS, Under and by virtue of the law in such cases made and provided the party of the first part is the duly appointed, qualified and acting Personal Representative of the Estate of John D. Snow, Jr., a/k/a Jack Snow, deceased, and has power over the title to the real property hereinafter described and the authority to transfer and convey the same;

NOW, THEREFORE, the said Marian T. Snow, Personal Representative of the Estate of John D. Snow, Jr., a/k/a Jack Snow, deceased, party of the first part herein, pursuant to the authority conferred upon her as hereinbefore specified, has granted, transferred and conveyed, and by these presents does grant, transfer and convey unto the said party of the second part, and to her heirs, successors and assigns, forever, all of the right, title, interest and estate of the said John D. Snow, Jr., a/k/a Jack Snow, deceased, at the time of his death, and also all the right, title and interest that said estate might have acquired by operation of law or otherwise other than or in addition to that of the decedent at the time of his death, and also all of the right, title, interest and estate of the heirs and beneficiaries of the said decedent, in and to all that certain real property located and situated in the County of Cassia, State of Idaho, more particularly described as follows:

PARCEL NO. 1

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: Part of Lot 3 of said Section 27, more particularly described as follows:

Beginning at the Northeast corner of the SW1/4 of said Section 27; thence North 88°51' West along the South boundary line of Lot 3 for 4.45 feet to a point on the North right-of-way of U.S. Highway 81; thence North 48°49' West along said right-of-way for 20.21 feet to a point; thence North 60°58'20" East for 470.36 feet to a point on the South right-of-way of Churchill Drive; thence South 41°32'51" East for 5.5 feet to the TRUE POINT OF BEGINNING;
Thence South 41°32'51" East for 40.10 feet to a point;
Thence North 49°41'24" East for 218.59 feet to a point;
Thence North 44°07'13" West for 40.08 feet to a point;
Thence South 49°41'24" West for 216.82 feet to the TRUE POINT OF BEGINNING;

SUBJECT TO an easement and right-of-way over and across that portion of Churchill Drive which extends over and across the Westerly 30 feet, more or less.

TOGETHER WITH an easement and right-of-way over and on that certain existing street or road commonly known as Churchill Drive, Burley, Idaho.

ALSO TOGETHER WITH the limited right to use a certain existing private roadway which extends Easterly from Churchill Drive to certain lands situated Easterly of the above described parcel, as granted by Warranty Deed recorded January 23, 1979 as Instrument No. 113764 on Film No. 123, records of Cassia County, Idaho, and the center line of which said roadway is described as follows:

Beginning at the Northeast corner of the SW1/4 of Section 27, Township 10 South, Range 23 East of the Boise Meridian; Thence North 88°51' West along the South boundary line of Lot 3 for 4.45 feet to a point on the North right-of-way of U.S. Highway 81; Thence North 48°49' West along said right-of-way for 20.21 feet to a point; Thence North 60°58'20" East for 470.36 feet to a point on the South right-of-way of Churchill Drive; Thence North 41°32'51" West for 26 feet; Thence North

43°36'39" West for 67.27 feet to a point which is the Point of Beginning and in the center of said roadway; Thence North 56°10' East for 99.07 feet; Thence North 74°52' East for 133.55 feet to a point, which is the end of said road;

ALSO TOGETHER WITH a limited right of use to a certain portion of a certain parcel of ground herein after described with limited right of use as set out under separate documents recorded in the office of the County Recorder, County of Cassia, State of Idaho, on the 29th day of August, 1978, as Instrument No. 110574 on Film No. 120, and on May 23, 1988 as Instrument No. 195606, on Film No. 198, records of Cassia County, Idaho. The parcel of ground subject to such use is contiguous to the above described real property and is described as follows:

Beginning at the Northeast corner of the SW1/4 of Section 27, Township 10 South, Range 23, East of the Boise Meridian; Thence North 88°51' West along the South boundary line of Lot 3 for 4.45 feet to a point on the North right-of-way of U.S. Highway 81; Thence North 48°49' West along said right-of-way for 20.21 feet to a point; Thence North 60°58'20" East for 470.36 feet to a point on the South right-of-way of Churchill Drive; Thence North 41°32'51" West for 26 feet; Thence North 43°36'39" West for 67.27 feet to a point; Thence North 56°10' East for 99.07 feet; Thence North 74°52' East for 133.55 feet to a point which is the Point of Beginning; Thence South 44°07'13" East for 165.35 feet; Thence North 52°56'21" East for 6 feet to a point; Thence North 54°10'5" East for 159.13 feet to a point on the high water line of Snake River; Thence North 35°08'41" West along said high water line for 190.15 feet to a point on said high water line; Thence South 51°17'01" West for 190.71 feet to a point; Thence South 23°37' East for 9.21 feet to the Point of Beginning;

PARCEL NO. 2

An undivided 1/4 interest as tenant in common in:

TOWNSHIP 10 SOUTH, RANGE 23 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 27: Part of Lot 3, more particularly described as follows:

Beginning at the Northeast corner of the SW1/4 of Section 27 said corner marked by a 5/8" rebar which shall be the Point of beginning:

Thence North 88°43'49" West (N 88°51' W rec.) along the 1/4 section line for 5.25 feet (4.45' rec.) to the northerly right-of-way of U.S. Highway 30;
Thence North 48°49'00" West along said highway right-of-way for 19.88 feet (20.21' rec.) to a point;
Thence North 59°58'37" East (N 60°58'20" E rec.) for 0.51 feet to a 1/2" rebar;
Thence North 59°58'37" E (N 60°58'20" E rec.) for 466.68 feet (470.36' rec.) to a 1/2" rebar;
Thence South 40°19'40" E (S 41°32'51" E rec.) for 145.96 feet (144.40 feet rec.) to a 1/2" rebar;
Thence North 48°00'53" E (N 47°13'56" E rec.) for 17.44 feet to a 1/2" rebar;
Thence South 22°57'05" East (S 20°33'07" E rec.) for 47.96 feet (46.17' rec.) to a P.K. Nail;
Thence South 6°08'56" West (S 8°35'01" W rec.) for 64.31 feet (62.39' rec.) to a 3/8" rebar;
Thence South 56°09'53" West (S 56°07'40" W) for 32.33 feet (32.40' rec.) to a P.K. Nail;
Thence South 88°51'37" East (S 88°57'45" E rec.) for 61.27 feet to a P.K. Nail;
Thence South 0°47'08" East (S 0°48'10" E rec.) for 32.21 feet (32.42' ± rec.) to a 1/2" rebar on the 1/4 section line
Thence North 88°43'49" West (N 88°51' W rec.) along the 1/4 section line for 538.41 feet (542.00' rec.) to the Point of Beginning.

ALSO

Commencing at the Northeast corner of the SW1/4 of said Section 27, said point lying 4.45 feet South 88°51' East from the intersection of the North right-of-way of State Highway 81 with the South boundary line of Lot 3;
Thence South 88°51' East for 654.00 feet along the South boundary of Lot 3 to a point;

Thence North 0°48'10" West 32.42 feet;
Thence North 2°16'05" West 8.73 feet;
Thence North 56°42'27" East 49.77 feet;
Thence North 65°55'33" East 36.18 feet;
Thence South 85°07'04" East 25.72 feet;
Thence South 54°13'45" East 30.34 feet;
Thence South 46°51'43" East 98.24 feet to the
South boundary of said Lot 3;
Thence South 88°51' East 157.78 feet along
said South Boundary line;
Thence North 52°12'22" East along the mean
high water line of the Snake River 50.00
feet;
Thence North 35°28'41" West along the mean
high water line of the Snake River 200.05
feet to the True Point of Beginning;
Thence South 54°02'12" West 149.29 feet;
Thence North 38°53'44" West 249.79 feet to
the Southwesterly corner of that certain
piece of property contained in Quitclaim Deed
recorded August 25, 1978 as Instrument No.
110520, records of Cassia County, Idaho;
Thence North 52°56'21" East 6.00 feet;
Thence North 54°10'05" East 159.13 feet, more
or less, to the mean high water line of the
Snake River;
Thence Southeasterly along the mean high
water line of the Snake River 245 feet, more
or less, to the True Point of Beginning.

TOGETHER WITH an easement for the use of an existing
road on a certain tract of land lying in said Lot 3,
which road commences at a point where the South bound-
ary of Lot 3 intersects with U.S. Highway 30 South and
runs East along South boundary of said Lot 3 for a
distance of approximately 575 feet (also described as
approximately 384 feet); Thence turns Northwesterly and
runs for approximately 400 feet (also described as
approximately 430 feet); This road is commonly known as
Churchill Dr.

TOGETHER WITH an easement as evidenced by EASEMENT,
dated August 24, 1978, and recorded August 25, 1978 as
Instrument No. 110522 on Film No. 120, records of Cas-
sia County, Idaho.

AND AGREEMENT as evidenced by AGREEMENT RE; USE OF
LAND, USE AND MAINTENANCE OF ROADWAYS, EASEMENTS AND
RIGHT OF WAY AND RESTRICTIVE COVENANTS, dated April 22,

1988 and recorded May 23, 1988 as Instrument No. 195606 on Film No. 198, records of Cassia County, Idaho.

SUBJECT TO:

- (1) An easement for the use of an existing road on a certain tract of land lying in said Lot 3, which road commences at a point where the South boundary of Lot 3 intersects with U.S. Highway 30 South and runs East along the South boundary of said Lot 3 for a distance of approximately 575 feet (also described as approximately 384 feet); Thence turns Northwesterly and runs for approximately 400 feet (also described as approximately 430 feet); This road is commonly known as Churchill Dr.
- (2) A 14.0 foot wide easement as described in WARRANTY DEED, dated August 12, 1976 and recorded August 31, 1976 as Instrument No. 92904 on Film No. 103, records of Cassia County, Idaho.
- (3) General taxes for the year 1994, and subsequent years thereafter.
- (4) Assessments of the Burley Irrigation District, and the rights and powers of said District as by law provided.
- (5) EASEMENT to The Mountain States Telephone and Telegraph Company, dated August 2, 1956, executed by H.C. Van Engelen and Addie S. Van Engelen, recorded August 15, 1956 as Instrument No. 190763 in Book 15 of Misc. on page 381, records of Cassia County, Idaho, granting the right, privilege and authority to construct, reconstruct, operate, maintain and repair its lines of telephone and telegraph, including underground cables, wires and fixtures.
- (6) EASEMENT FOR ERECTION AND MAINTENANCE OF POWER LINE to Unity Light and Power Company, a cooperative association, its licensees, successors and assigns, dated March 26, 1962, executed by Vernon Rehn and Bernice M. Rehn, husband and wife, and Fred J. Hill, Jr. and Sylvia Hill, husband and wife, recorded August 15, 1962 as Instrument No. 8435 on Film No. 15, records of Cassia County, Idaho, a right-of-way for the erection and continued operation, maintenance and repair, alteration,

inspection and replacement of a certain electric transmission line which said transmission lines shall consist of poles or other supports, together with guys, crossarms and other attachments and incidental equipment thereon, which said transmission lines are to be constructed over, on and across said property.

- (7) AGREEMENT RE: USE AND OWNERSHIP OF DOMESTIC WELL, dated April 15, 1977, by and between Fred J. Hill, Jr., and Sylvia Hill, husband and wife, and Thomas H. Church and Louise Church, husband and wife, and Isaac W. Lee and Pearl Lee, husband and wife, and Thomas A. Rudy and Arlene J. Rudy, husband and wife, recorded November 16, 1977 as Instrument No. 102885 on Film No. 113, records of Cassia County, Idaho.
- (8) AGREEMENT RE: USE OF LAND, USE AND MAINTENANCE OF ROADWAYS, EASEMENTS AND RIGHTS OF WAY AND RESTRICTIVE COVENANTS, dated April 22, 1988, by and between Isaac W. Lee and Pearl Lee, husband and wife, Fred J. Hill, Jr., a widower, and Thomas H. Church and Louise Church, husband and wife, recorded May 23, 1988 as Instrument No. 195606 on Film No. 198, records of Cassia County, Idaho.

TOGETHER WITH ALL and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and all improvements, water and water rights appurtenant thereto, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity of the said John D. Snow, Jr., a/k/a Jack Snow, deceased, his heirs and devisees, and of the party of the first part.

TO HAVE AND TO HOLD ALL and singular the premises above described, together with appurtenances, unto the party of the second part and to her heirs, successors and assigns forever; and the party of the first part and her successors and assigns hereby covenant to and with the party of the second part, and with her heirs, successors and assigns that said party of the first part is the duly appointed, qualified and acting Personal Representative of the Estate of John D. Snow, Jr., a/k/a Jack Snow, deceased, having full power and authority to convey all the right, title, interest and estate of the said decedent and his heirs, devisees and assigns in and to the above described real property; and that the party of the first part and her successors shall and will warrant and by these presents forever defend such title to said premises, and the quiet and peaceable possession of the party of the second part and her heirs, successors and assigns thereto, against the said John D. Snow, Jr., a/k/a Jack Snow,

deceased, and his heirs, devisees and assigns and against all and every person and persons whomsoever and against all lawful claims and demands whatsoever, except those hereinabove specified.

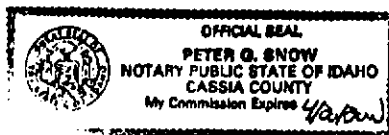
IN WITNESS WHEREOF, The party of the First Part, Personal Representative of the Estate of John D. Snow, Jr., a/k/a Jack Snow, deceased, has hereunto set her hand and seal the day and year in this indenture first above written.

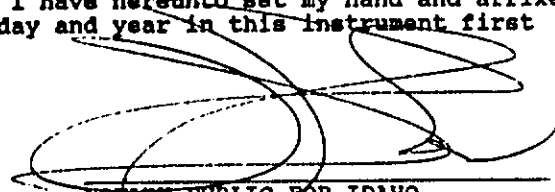

MARIAN T. SNOW,
Personal Representative
of the Estate of John D. Snow, Jr.,
a/k/a Jack Snow, deceased

STATE OF IDAHO)
 ss
County of Cassia)

On this 8th day of June, in the year 1995, before me, a Notary Public in and for said state, personally appeared Marian T. Snow, known or identified to me to be the person whose name is subscribed as Personal Representative of the Estate of John D. Snow, Jr., a/k/a Jack Snow, and acknowledged to me that she executed the same as such Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year in this instrument first above written.




NOTARY PUBLIC FOR IDAHO
Residing at: Bur 1. / 2. 6. 60
My Commission Expires: 4/24/2000

RECORDED AT THE REQUEST OF
Churchy Snow
FILE # *267*

1945 JUN 13 AM 11:47

237067

2400 AM
LE: *441286*
Durley, Ill

214109

DEED

FOR VALUE RECEIVED, GLINES & CONDIE, CHARTERED

professional
a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant,
Bargain, Sell and Convey unto PAUL A. SPANBAUER and JANICE I. SPANBAUER,
husband and wife Address: 202 Churchill Drive, Burley, Idaho 83318
grantee, the following described real estate, to-wit:

See attached Exhibit "A" for legal description

SUBJECT TO:

All reservations in Patents or Deeds in the chain of title.

Taxes for 1991 and subsequent years.

Assessments of the Burley Irrigation District and the rights and powers of said District as by law provided.

Easement from H. C. Van Engelen and Addie S. Van Engelen, to the Mountain States Telephone and Telegraph Company, dated August 2, 1956 and recorded August 15, 1956 as Instrument No. 190763 in Book 15 of Miscellaneous, Page 381, records of Cassia County, Idaho.

Easement for Erection and Maintenance of Power line from Vernon Rehn and Bernice M. Rehn, husband and wife, and Fred J. Hill, Jr., and Sylvia Hill, husband and wife, to Unity Light and Power Company, a cooperative association, dated March 26, 1962 and recorded August 15, 1962 as Instrument No. 8435 on Film No. 15, records of Cassia County, Idaho.

Provisions and agreements contained in that certain document entitled Agreement Re: Use and Ownership of Domestic Well between Fred J. Hill, Jr., and Sylvia Hill, husband and wife, parties of the first part, Thomas H. Church and Louise Church, husband and wife, parties of the second part, and Isaac W. Lee and Pearl Lee, husband and wife, parties of the third part, and Thomas A. Rudy and Arlene J. Rudy, parties of the fourth part, dated April 15, 1977 and recorded November 16, 1977 as Instrument No. 102885 on Film No. 113, records of Cassia County, Idaho.

Covenants and Use Privileges Agreement between Fred J. Hill, Jr. and Sylvia Hill, husband and wife and Thomas H. Church and Louise Church, husband and wife, dated August 4, 1978 and recorded August 29, 1978 as Instrument No. 110574 on Film No. 120, records of Cassia County, Idaho.

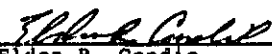
Subject To's continued on Exhibit "B"

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, and their heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President
this 27th day of June, 1991.

GLINES & CONDIE, CHARTERED

By


Elden R. Condie

PRESIDENT

STATE OF IDAHO }
County of Cassia }

On this 27th day of June, 1991
before me, a Notary public in and for said State, personally
appeared Elden R. Condie

known to me to
be the President of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate
first above written.

Residing at

Notary Public
Burley Idaho

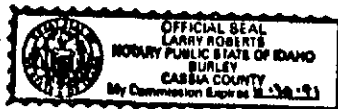


EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: Part of Lot 3, more particularly described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ of said Section 27, said point lying 4.45 feet South 88°51' East from the intersection of the North right of way of U.S. Highway 81 with the South boundary line of said Lot 3; thence South 88°51' East for 654.0 feet along the South boundary of said Lot 3 to a point; thence North 0°48'10" West for 32.42 feet to a point; thence North 88°57'45" West for 173.26 feet to a point; thence North 56°07'40" East for 32.40 feet to a point; thence North 8°35'01" East for 62.39 feet to a point; thence North 20°33'07" West for 46.17 feet to the True Point of Beginning;
Thence North 33°18'26" West for 58.38 feet to a point;
Thence North 49°41'24" East for 150.94 feet of which 30.83 feet pass down the middle of an 8" concrete footing and 39.52 feet pass between two walls which are 1" apart, said line running down the center of the 1" wall space;
Thence South 35°24'50" East for 51.53 feet to a point;
Thence South 47°13'56" West for 153.80 feet to the True Point of Beginning.

SUBJECT TO a right of way for Churchill Drive.

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: Part of Lot 3, more particularly described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ of said Section 27; thence North 88°51' West along the South boundary line of said Lot 3 for 4.45 feet to a point on the North right-of-way of U.S. Highway 81; thence North 48°49' West along said right-of-way for 20.21 feet to a point; thence North 60°58'20" East for 694.13 feet to a point; thence South 44°07'13" East for 41.89 feet to a point, which shall be the Point of Beginning;
Thence South 44°07'13" East for 54.36 feet to a point;

-CONTINUED-

Exhibit "A" attached to Deed from Glines & Condie, Chartered, as Grantor, to Paul A. Spanbauer and Janice I. Spanbauer, Grantees dated June 27, 1991

Thence South 52°56'21" West for 50.07 feet to a point;
Thence North 35°24'50" West for 51.53 feet to a point;
Thence North 49°41'24" East for 43.64 feet to the Point of Beginning.

PARCEL NO. 3:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: Part of Lot 3, more particularly described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ of said Section 27; thence North 88°51' West along the South boundary line of said Lot 3 for 4.45 feet to a point on the North right-of-way of U.S. Highway 81; thence North 48°49' West along said right-of-way for 20.21 feet to a point; thence North 60°58'20" East for 470.36 feet to a point on the South right-of-way of Churchill Drive; thence South 41°32'51" East along said right-of-way for 85.69 feet to a point which shall be the Point of Beginning;
Thence South 41°32'51" East along said right-of-way for 58.71 feet to a point;
Thence North 47°13'56" East for 17.44 feet to a point;
Thence North 33°18'26" West for 58.38 feet to a point;
Thence South 49°41'24" West for 25.81 feet to the Point of Beginning.

LESS a right of way for Churchill Drive

PARCEL NO. 4:

An undivided one-fourth ($\frac{1}{4}$) interest in and to the following described property:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: A part of Lot 3, more particularly described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ of said Section 27; thence North 88°51' West along the South boundary line of Lot 3 for 4.45 feet to a point on the North Right-of-Way of U.S. Highway 81; thence North 48°49' West along said Right-of-Way for 20.21 feet to a point; thence North 60°58'20" East for 694.13 feet to THE POINT OF BEGINNING;

-CONTINUED-

Exhibit "A" attached to Deed From Glines & Condie, Chartered, as Grantor, to Paul A. Spanbauer and Janice I. Spanbauer, Grantees dated June 27, 1991

Thence North 44°07'13" West for 69.10 feet to a point;
Thence North 23°37' West for 9.21 feet to a point;
Thence North 51°17'01" East for 190.71 feet to a point on the high water line of the Snake River;
Thence South 35°08'41" East along said high water line for 108.6 feet to a point;
Thence South 60°58'20" West for 182.44 feet to THE POINT OF BEGINNING.

PARCEL NO. 5:

An undivided one-fourth (1/4) interest in and to the following described property:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: A part of Lot 3, more particularly described as follows:

Beginning at the Northeast corner of the SW1/4 of said Section 27; thence North 88°51' West along the South boundary line of Lot 3 for 4.45 feet to a point on the North Right-of-Way of U.S. Highway 81; thence North 48°49' West along said Right-of-Way for 20.21 feet to a point; thence North 60°58'20" East for 694.13 feet to a point which shall be THE POINT OF BEGINNING;
Thence North 60°58'20" East for 182.44 feet to a point on the high water line of the Snake River;
Thence South 35°08'41" East along said high water line for 81.55 feet to a point;
Thence South 54°10'05" West for 159.13 feet to a point;
Thence South 52°56'21" West for 6.0 feet to a point;
Thence North 44°07'13" West for 96.25 feet to THE POINT OF BEGINNING.

PARCEL NO. 6:

An easement and right-of-way over and on that certain existing street or road commonly known as Churchill Drive, and

An easement for access to Parcels No. 4 and 5 over and on that certain existing private roadway, the centerline of which is described as follows:

Beginning at the Northeast corner of the SW1/4 of Section 27 of Township 10 South, Range 23 East of the Boise Meridian, Cassia County, Idaho; thence North 88°51' West along the South boundary line of Lot 3 for 4.45 feet to a point on the North right-of-way of U.S. Highway 81; thence North 48°49'

-CONTINUED-

Exhibit "A" attached to Deed From Glines & Condie, Chartered, as Grantor, to Paul A. Spanbauer and Janice J. Spanbauer, Grantees dated June 27, 1991

West along said right-of-way for 20.21 feet to a point;
thence North 60°58'20" East for 470.36 feet to a point on the
South right-of-way of Churchill Drive; thence North 41°32'51"
West for 26 feet; thence North 43°36'39" West 67.27 feet to a
point, which is The Point of Beginning and in the center of
said roadway; thence North 56°10' East for 99.07 feet; Thence
North 74°52' East for 133.55 feet to a point, which is the
end of said road.

Exhibit "A" attached to Deed From Glines & Condie, Chartered,
as Grantor, to Paul A. Spanbauer and Janice I. Spanbauer,
Grantees dated June 27, 1991

EXHIBIT "B"

Agreement Re: Use of Land, Use and Maintenance of Roadways, Easements and Rights of Way and Restrictive Covenants between Isaac W. Lee and Pearl Lee, husband and wife, Fred J. Hill, Jr., a widower and Thomas H. Church and Louise Church, husband and wife, dated April 22, 1988 and recorded May 23, 1988 as Instrument No. 195606 on Film No. 198, records of Cassia County, Idaho.

Deed of Trust from Thomas H. Church and Louise Church, husband and wife, as Grantors, to Cassia County Abstract Company, Ltd., an Idaho Corporation, as Trustee, and Lex Kunau whose wife's name is Calia Kunau, as Beneficiaries, dated October 5, 1982 and recorded October 13, 1982 as Instrument No. 146776 on Film No. 152, record of Cassia County, Idaho. (Effects Parcel Nos. 4 and 5)

Deed of Trust from Thomas H. Church and Louise Church, husband and wife, as Grantors, to Cassia County Abstract Company, Ltd., an Idaho corporation, as Trustee, and K. C. Rosenberg, as Beneficiary, dated September 16, 1985 and recorded October 3, 1985 as Instrument No. 173155 on Film No. 176, records of Cassia County, Idaho. (Effects Parcel Nos. 4 and 5)

Release of the property shown as Parcels 4 & 5 under Item No. 5 of Schedule A, hereof, from the lien of State Tax Lien against Thomas H. and Louise Church, dated October 23, 1986 and recorded October 27, 1986 as Instrument No. 183037 on Film No. 185, records of Cassia County, Idaho. (Effects Parcel Nos. 4 and 5)

Release of the property shown as Parcels 4 & 5 under Item No. 5 of Schedule A, hereof, from the lien of Federal Tax Lien against Thomas H. Church and Louise Church, dated June 18, 1987 and recorded June 24, 1987 as Instrument No. 189051 on Film No. 191, records of Cassia County, Idaho. (Effects Parcel Nos. 4 and 5)

LAND TITLE & ESCROW

RECORDED
FEE 18.00
CASSIA COUNTY, IDAHO
FRANK N. KEARNS
RECORDER
JAN 27 4 50 PM '91
236
LAND TITLE & ESCROW

214108

Exhibit "B" attached to Deed From Glines & Condie, Chartered, as Grantor, to Paul A. Spanbauer and Janice I. Spanbauer, Grantees dated June 27, 1991

92904

WARRANTY DEED

FOR VALUE RECEIVED

FRED J. HILL, JR. and SYLVIA HILL, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

THOMAS A. RUDY and ARLENE J. RUDY, husband and wife

Address: Route #1, 150 East Hwy. 30, Burley, Idaho

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: A part of Lot 3 of said Section 27, more particularly described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ of said Section 27, said point lying 4.45 feet South 88°51' East from the intersection of the North Right-of-Way of State Highway 81, with the South boundary line of Lot 3; thence South 88°51' East for 654.0 feet along the South boundary of Lot 3 to a point; thence North 0°48'10" West for 32.42 feet to the True Point of Beginning;

Thence North 88°57'45" West for 173.26 feet to a point;
Thence North 56°07'40" East for 32.40 feet to a point;
Thence North 8°35'01" East for 62.39 feet to a point;
Thence North 20°33'07" West for 46.17 feet to a point;
Thence North 47°13'56" East for 153.80 feet to a point;
Thence North 52°56'21" East for 50.07 feet to a point;
Thence South 38°53'44" East for 249.79 feet to a point;
Thence North 54°02'12" East for 149.29 feet to a point on the mean high water line of the Snake River;
Thence South 35°28'41" East along said mean high water line for 200.05 feet to a point;
Thence South 52°12'22" West along said mean high water line for 50.0 feet to a point on the South boundary line of Lot 3;
Thence North 88°51' West for 157.78 feet along said South boundary line to a point;
Thence North 46°51'43" West for 98.24 feet to a point;
Thence North 54°13'45" West for 30.34 feet to a point;
Thence North 85°07'04" West for 25.72 feet to a point;
Thence South 65°55'33" West for 36.18 feet to a point;
Thence South 56°42'27" West for 49.77 feet to a point;
Thence South 2°16'05" East for 8.73 feet to the True Point of Beginning.

SUBJECT TO a 25.0 foot wide road Right-of-Way along the most Westerly side of said property as shown on Idaho Land Surveys Map No. 2031-76.

TOGETHER WITH the right of ingress and egress over and across that strip of ground lying South of the True Point of Beginning and being 14.0 feet wide lying between the East side of the said 25.0 foot wide road right-of-way and the True Point of Beginning, as shown on Idaho Land Surveys Map No. 2031-76.

SUBJECT TO:

Easement from H. C. Van Engelen and Addie S. Van Engelen, to The Mountain States Telephone and Telegraph Company, its successors and assigns, dated August 2, 1956, and recorded August 15, 1956 as Instrument No. 190763 in Book 15 of Miscellaneous, Page 381, records of Cassia County, Idaho, over and across that portion of Lot 3 which lies East and North of the railroad right of way in Section 27, Township 10 South, Range 23 East, Boise Meridian, Cassia County, Idaho.

Subject to - Continued

Easement For Erection and Maintenance of Power Line from Vernon Rehn and Bernice M. Rehn, husband and wife, and Fred J. Hill, Jr. and Sylvia Hill, husband and wife, to Unity Light and Power Company, a cooperative association, dated March 26, 1962, and recorded August 15, 1962 as Instrument No. 8435 on Film No. 15, records of Cassia County, Idaho, over and across a portion of said property.

Assessments of the Burley Irrigation District and the rights and powers of said District as by law provided.

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

Dated : August 12, 1976

Fred J. Hill, Jr.
Fred J. Hill, Jr.
Sylvia Hill
Sylvia Hill

STATE OF IDAHO }
County of Cassia } ss.

On this 22nd day of August, 1976, before me, a notary public in and for said State, personally appeared FRED J. HILL, JR. and SYLVIA HILL, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

[Signature]
Notary Public for Idaho
Residing at Burley, Idaho

State of Idaho }
County of Cassia } ss 92904

I hereby certify that the within instrument was

filed at the request of

LAND TITLE AND ESCROW, INC.

On Aug 31, 1976

At 1:16 P. M., and

recorded on Film 103

Inst. # 92904

by Frank B. Kearns, Recorder

by Kenneth Arrell, Deputy

LE: LAND TITLE AND ESCROW, INC.
9200

WARRANTY DEED

For Value Received \$10.00 and other good and valuable consideration,

FRED J. HILL, JR. and SYLVIA HILL, husband and wife, of the County of Cassia, State of Idaho,

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto J.A. PARSONS and LA VONDA PARSONS, husband and wife, whose current mailing address is 204 Churchill Drive, Burley, Idaho 83318

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

A parcel of ground commonly known as 204 Churchill Drive, Burley, Cassia County, Idaho, more particularly described on Schedule "A" attached hereto and by this reference made a part hereof the same as though fully and completely set forth herein at length.

RECORDED AT THE REQUEST OF
Cassia County Clerk
FILM 133
JAN 25 3 46 PM '79
CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER
FEE \$20.00 DEPUTY
Cc: CCA, Burley

113807

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

Dated: August 23, 1978.

Fred J. Hill Jr.
FRED J. HILL, JR.

Sylvia Hill
SYLVIA HILL

Instrument No.

STATE OF IDAHO, COUNTY OF Cassia
On this 23rd day of August, 1978,
before me, a notary public in and for said State, personally appeared
FRED J. HILL, JR. and SYLVIA
HILL, husband and wife,

known to me to be the persons whose name s are
subscribed to the within instrument, and acknowledged
to me that they executed the same.
Richard S. Harper
Notary Public
Residing at Burley, Idaho.

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record
at the request of
at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at page _____
Ex-Officio Recorder
By _____ Deputy.
Fees \$ _____
Mail to: _____

SCHEDULE "A"

Part of Lot 3 of Section 27 of Township 10 South, Range 23 East of the Boise Meridian.

Beginning at the NE corner of the SW $\frac{1}{4}$ of Section 27 of Township 10 South, Range 23, East of the Boise Meridian; thence North 88 degrees 51' West along the South boundary line of Lot 3 for 4.45 feet to a point on the North right-of-way of U.S. Highway 81; thence North 48 degrees 49' West along said right-of-way for 20.21 feet to a point; thence North 60 degrees 58'20" East for 470.36 feet to a point on the South right-of-way of Churchill Drive; thence South 41 degrees 32'51" East along said right-of-way for 45.60 feet to a point which shall be the Point of Beginning.

thence South 41 degrees 32'51" East along said right-of-way for 40.09 feet to a point; thence North 49 degrees 41'24" East 220.39' to a point; thence North 44 degrees 07'13" West 40.17' to a point; thence South 49 degrees 41'24" West 218.59' to the Point of Beginning.

TOGETHER WITH an easement and right-of-way over and on that certain existing street or road commonly known as Churchill Drive;

ALSO TOGETHER WITH the right to use a certain existing private roadway which extends easterly from Churchill Drive to certain lands situated easterly of the above described parcel, and the center line of which said roadway is described as follows: Beginning at the NE corner of the SW $\frac{1}{4}$ of Section 27 of Township 10 South, Range 23, East of the Boise Meridian; thence North 88 degrees 51' West along the South boundary line of Lot 3 for 4.45 feet to a point on the North right-of-way of U.S. Highway 81; thence North 48 degrees 49' West along said right-of-way for 20.21 feet to a point; thence North 60 degrees 58'20" East for 470.36 feet to a point on the South right-of-way of Churchill Drive; thence North 41 degrees 32'51" W for 26'; thence North 43 degrees 36'39" W 67.27' to a point which is the point of beginning and in the center of said roadway; thence North 56 degrees 10' E for 99.07'; thence North 74 degrees 52' E for 133.55' to a point, which is the end of said road.

ALSO TOGETHER WITH a limited right of use to a certain portion of a certain parcel of ground hereinafter described with limited right of use as set out under a separate document and was recorded in the office of the County Recorder, County of Cassia, State of Idaho, on the 29th day of August, 1978 as Instrument No. 110574 and on film # T20. The parcel of ground subject to such use is contiguous to the above described property and is described as follows: Beginning at the NE corner of the SW $\frac{1}{4}$ of Section 27 of Township 10 South, Range 23, East of the Boise Meridian; thence North 88 degrees 51' West along the South Boundary Line of Lot 3 for 4.45 feet to a point on the North right-of-way of U.S. Highway 81; thence North 48 degrees

49' West along said right-of-way for 20.21 feet to a point; thence North 60 degrees 58' 20" E for 470.36 feet to a point on the South right-of-way of Churchill Drive; thence North 41 degrees 32' 51" W for 26'; thence North 43 degrees 36' 39" W for 67.27' to a point; thence North 56 degrees 10' E for 99.07'; thence North 74 degrees 52' E for 133.55' to a point, which is the point of beginning; thence South 44 degrees 07' 13" E for 165.35'; thence North 52 degrees 56' 21" E for 6' to a point; thence North 54 degrees 10' 5" E for 159.13' to a point on the high water line of Snake River; thence North 35 degrees 08' 41" W along said high water line for 190.15' to a point on said high water line; thence South 51 degrees 17' 01" W for 190.71' to a point; thence South 23 degrees 37' E for 9.21' to the Point of Beginning.

SUBJECT TO:

1) Taxes, levies and assessments taxed, levied and assessed against said premises for the year 1978, and all subsequent years

2) That portion of Churchill Drive which extends over and across the W 30 feet of said property, subject to the provisions and agreements contained in that certain document entitled "Agreement re: Use and Ownership of Domestic Well", recorded the 16th day of November 1977, as Instrument #102885 in the office of the County Recorder of the County of Cassia, State of Idaho.

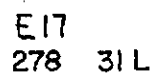
From: DWR60::AMERRITT 30-JUL-1997 11:38:22.97
To: SOUTH1, DJONES
CC: AMERRITT
Subj: phone call regarding ESPA West bill

A Michelle with Pete Snow's office called and said they recieved the bill #99 for Tom Church (A45-07278) for \$33.20. She indicated that Tom Church died and the property has sold but she does not know who has it now.

Allen

A45-07278

Section SW 1/4 NE 1/4 27 Township 10 Range 23



SECTION NW 1/4 27 TOWNSHIP 10 RANGE 23 10S23E27

000 S
200 E

