

FYI

MEMORANDUM

TO: Harold Jones, Water Rights Supervisor
FROM: Tony Olenichak, Deputy Watermaster
DATE: April 4, 2002
SUBJECT: Kennedy/Great Western Water Right Deliveries

I've reviewed the claims owned by Brad Reed, Gerald Yamasaki, Ladd Holmquist, Hansen Farms, and The Newman Trust who claim that their water rights, historically delivered to the Kennedy Canal by Water District #1, should instead be delivered to the Great Western Canal and distributed by New Sweden Irrigation District.

Ladd Holmquist's claims (A01-10106, A01-10107, and A01-10108) are for water rights listed in Transfers #331 and #486 that describe the point of diversion as the Great Western Canal and include the transferred place of use. The Water District #1 delivery records will be corrected for these claims.

Brad Reed's and Gerald Yamasaki's claims are for water rights listed for Sam Yamasaki, Katsuki Yamasaki, and Charles Reed in the Shattuck Irrigation Company Dissolution Decree, dated May 21, 1973 (*see attached summary sheet*). Apparently, the Great Western Canal served the place of use for these individuals but the new point of diversion was never recorded in the Water District #1 records. The water rights listed for Sam Yamasaki, Katsuki Yamasaki, and Charles Reed, as recorded in the Shattuck Irrigation Company Dissolution Decree will be moved from the Kennedy Canal to the Great Western Canal in the Water District #1 delivery records beginning the 2002 irrigation season.

Water right 01-00128 for 1.00 cfs, partially claimed by both Hansen Farms (A01-10153) and The Newman Trust (A01-10075), was included in the Shattuck Irrigation Company Dissolution Decree and proportioned among the 11 individuals in the decree. The places of use claimed by either Hansen Farms or The Newman Trust are not included within the place of use description for the 11 individuals in the dissolution decree. It appears their claims are based on Transfer #315, dated February 16, 1922, which occurred prior to the dissolution decree. There doesn't appear to be sufficient evidence to completely validate the claims. Therefore, I would recommend that the Hansen Farms claim (A01-10153) and The Newman Trust claim (A01-10075), for portions of water right 01-00128A, not be moved from the Kennedy Canal until it can be identified as to specifically which party described in the dissolution decree the claimed portions were derived from.

I've attached a comparison of the water rights delivered to the Kennedy and Great Western Canals in previous years and the water rights to be delivered in the upcoming season after the changes. Initially, I had thought that the Kennedy would be greatly affected by the changes, increasing their annual storage usage in the upcoming season. However, after my review, I discovered there were an additional 2.7 cfs of 6/1/1886 water right (01-00122A) that had previously been delivered to the Great Western Canal that should have been delivered to the Kennedy Canal according the Shattuck Irrigation Company Dissolution Decree. This additional 2.7 cfs compensates for all the other water rights senior to 7/10/1890 that were moved from the Kennedy to the Great Western Canal. Therefore, the storage usage for the Kennedy Canal shouldn't change compared to similar conditions that were experienced last year.

REED

Claim	Priority	cfs	Portion of;
01-10119	6-11-1880	0.024 cfs	109J
01-10120	6-01-1881	0.033 cfs	110E & 110F
01-10121	6-01-1882	0.034 cfs	111G
01-10122	6-01-1883	0.035 cfs	112G
01-10123	6-01-1884	0.034 cfs	113E
01-10124	6-01-1885	0.118 cfs	114E & 35AG
01-10125	6-01-1886	0.708 cfs	115U,122A,123A,127A
01-10126	6-01-1887	0.084 cfs	116AW,116AX,116AY,116AZ
01-10127	6-01-1888	0.243 cfs	117AV,117AX,124A,128A
01-10128	6-01-1889	0.168 cfs	47G,118AS
01-10129	7-10-1889	0.235 cfs	1L
01-10130	6-01-1890	0.401 cfs	2C
01-10133	6/1/1939	1.403 cfs	327A

YAMASAKI

Claim	Priority	cfs	
01-10132	6-11-1880	0.055 cfs	109J
01-10167	6-01-1881	0.079 cfs	110E,110F
01-10168	6-01-1882	0.081 cfs	111G
01-10169	6-01-1883	0.079 cfs	112G
01-10170	6-01-1884	0.081 cfs	113E
01-10171	6-01-1885	0.277 cfs	114E,35AG
01-10172	6-01-1886	1.667 cfs	115U,122A,123A,127A
01-10173	6-01-1887	0.20 cfs	116AW,AX,AY,AZ
01-10174	6-01-1888	0.577 cfs	117AV,AX,124A,128A
01-10175	7-10-1889	0.954 cfs	47G,118AS,1L
01-10176	6-01-1890	0.951 cfs	2C
01-10177	4/1/1939	3.332 cfs	

HANSEN

Claim	Priority	cfs	
01-10153	5-01-1888	0.160 cfs	128A

NEWMAN

Claim	Priority	cfs	
01-10075	5-01-1888	0.334 cfs	128A

HOLMQUIST

Claim	Priority	cfs	
01-10106	6-01-1887	0.45 cfs	116F,Z
01-10107	6-01-1888	0.45 cfs	117H,AH
01-10108	6-01-1889	0.16 cfs	

SHATTUCK IRRIGATION CO. DISSOLUTION DECREE

Water Right	Suffix	Transfer	Priority	Original CFS	Ray Stoddard	Clarence Love	Takeno Sakaguchi	Philip Hoehn	Sam Yamasaki	Katsuki Yamasaki	Wayne Landon	R. Lee Sherton	George Kabayashi	Charles Reed	Dale Shuetz	TOTAL
01-0109 J		292	6/11/1880	0.26	0.053	0.000	0.025	0.001	0.019	0.036	0.035	0.028	0.025	0.024	0.014	0.26
01-0110 G&H		292	6/01/1881	0.38	0.077	0.000	0.043	0.002	0.027	0.052	0.052	0.039	0.036	0.033	0.019	0.38
01-0111 G&H		292	6/01/1882	0.39	0.079	0.000	0.044	0.002	0.028	0.053	0.053	0.040	0.037	0.034	0.019	0.39
01-0112 G&H		292	6/01/1883	0.38	0.077	0.000	0.040	0.002	0.027	0.052	0.052	0.039	0.037	0.035	0.019	0.38
01-0113 E&H		292	6/01/1884	0.39	0.079	0.000	0.044	0.002	0.028	0.053	0.053	0.040	0.037	0.034	0.019	0.39
01-0114 E&F		292	6/01/1885	0.38	0.079	0.000	0.045	0.003	0.030	0.053	0.056	0.039	0.039	0.036	0.022	0.40
01-0035 AG		324	6/01/1885	0.57	0.116	0.000	0.065	0.003	0.041	0.078	0.077	0.059	0.053	0.050	0.028	0.57
01-0115 D&V		292	6/01/1886	0.39	0.079	0.000	0.044	0.002	0.028	0.053	0.053	0.040	0.037	0.034	0.019	0.39
01-0123 A&B		316	6/01/1886	0.80	0.163	0.000	0.091	0.004	0.057	0.109	0.109	0.083	0.075	0.070	0.040	0.80
01-0122 A&B		317	6/01/1886	2.16	0.440	0.000	0.245	0.010	0.155	0.295	0.293	0.223	0.202	0.189	0.107	2.16
01-0122 A&B		317	6/01/1886	2.64	0.539	0.000	0.246	0.021	0.191	0.363	0.365	0.280	0.255	0.240	0.140	2.64
01-0116 AY&AZ		332	6/01/1887	0.58	0.000	0.118	0.066	0.003	0.042	0.079	0.079	0.060	0.054	0.051	0.029	0.58
01-0116 AW&AX		292	6/01/1887	0.38	0.000	0.077	0.043	0.002	0.027	0.052	0.052	0.039	0.036	0.033	0.019	0.38
01-0128 A&B		315	5/01/1888	1.00	0.000	0.204	0.113	0.005	0.072	0.137	0.136	0.103	0.094	0.088	0.049	1.00
01-0117 *		292	6/01/1888	0.39	0.000	0.079	0.044	0.002	0.028	0.053	0.053	0.040	0.037	0.034	0.019	0.39
01-0124 A&B		316	6/01/1888	0.80	0.000	0.163	0.091	0.004	0.057	0.109	0.109	0.083	0.075	0.070	0.040	0.80
01-0117 *		332	6/01/1888	0.58	0.000	0.118	0.066	0.003	0.042	0.079	0.079	0.060	0.054	0.051	0.029	0.58
01-0047 G&H		283	5/01/1889	1.65	0.000	0.336	0.187	0.008	0.118	0.225	0.224	0.171	0.155	0.145	0.082	1.65
01-0118 *		292	6/01/1889	0.26	0.000	0.053	0.029	0.001	0.019	0.036	0.035	0.027	0.024	0.023	0.013	0.26
01-0001 *		283	7/10/1889	2.67	0.000	0.544	0.313	0.000	0.191	0.365	0.362	0.276	0.251	0.235	0.133	2.67
01-0002 C&D		283	6/01/1890	4.59	0.588	0.342	0.517	0.022	0.326	0.625	0.621	0.472	0.430	0.401	0.224	4.57
01-0035 AG		324	6/01/1885	0.36	0.073	0.000	0.041	0.002	0.026	0.049	0.049	0.037	0.034	0.032	0.018	0.36
01-0127 A&B		315	5/01/1886	2.00	0.407	0.000	0.227	0.010	0.143	0.273	0.271	0.207	0.187	0.175	0.099	2.00
01-0327 A&B			4/1/1939	16.00	1.629	1.629	1.814	0.077	1.146	2.186	2.171	1.655	1.499	1.403	0.792	16.00
TOTAL				24.00	4.48	3.66	4.48	0.19	2.87	5.47	5.44	4.14	3.76	3.52	1.99	40.00

Note: All Shattuck water rights have been delivered to the Kennedy Canal by Water District #1 prior to 2002, except for 2.64 cfs of Transfer #317 and water transferred to W.E. Barkdull in Transfer #1670. Yamasaki and Reed water delivered to New Sweden system beginning in 2002 based on Gerald Yamasaki's and David Reed's SRBA claims. The remaining rights (excepting Transfer #1670) will be delivered to the Kennedy Canal beginning the 2002 irrigation season.

GREAT WESTERN CONT.

1889-07-10	2.030	211.36	01-00001T	1889-05-01	0.480	185.735	01-00047D
1890-06-01	1.440	212.8	01-00071D	1889-05-01	0.488	186.223	01-00047G
1891-01-24	1.150	213.95	01-00135B	1889-05-01	1.980	188.203	01-00047J
1891-01-24	395.280	609.23	01-00135C	1889-06-01	0.160	188.363	01-00118*
1891-06-01	2.000	611.23	01-00083K	1889-06-01	0.093	188.456	01-00118*
1891-06-01	10.680	621.91	01-00083M	1889-06-01	0.386	188.842	01-00118K
1891-06-01	3.200	625.11	01-00083S	1889-06-01	0.279	189.121	01-00118M
1891-06-01	0.520	625.63	01-00083Y	1889-06-01	0.520	189.641	01-00118Z
1891-06-01	0.600	626.23	01-00083Z	1889-06-01	1.210	190.851	01-00118AP
1891-06-01	0.800	627.03	01-00083AA	1889-06-01	0.216	191.067	01-00163D
1891-06-01	0.200	627.23	01-00083AB	1889-06-01	1.727	192.794	01-00163F
1893-04-30	3.640	630.87	01-00196B	1889-06-01	0.140	192.934	01-00163G
1893-04-30	3.500	634.37	01-00196D	1889-06-01	0.620	193.554	01-00163H
1900-04-30	2.050	636.42	01-00125B	1889-07-10	0.791	194.345	01-00001*
1900-04-30	0.800	637.22	01-00125D	1889-07-10	5.150	199.495	01-00001*
1900-04-30	0.200	637.42	01-00125E	1889-07-10	5.330	204.825	01-00001H
1900-04-30	1.050	638.47	01-00125F	1889-07-10	2.390	207.215	01-00001P
1900-06-01	0.101	638.571	01-00164D	1889-07-10	2.600	209.815	01-00001R
1900-06-01	0.804	639.375	01-00164F	1889-07-10	1.650	211.465	01-00001S
1900-06-01	0.070	639.445	01-00164G	1889-07-10	2.030	213.495	01-00001T
1900-06-01	0.280	639.725	01-00164H	1890-06-01	1.352	214.847	01-00002C
1905-06-01	0.258	639.983	01-00165D	1890-06-01	1.440	216.287	01-00071D
1905-06-01	2.063	642.046	01-00165F	1891-01-24	395.280	611.567	01-00135C
1905-06-01	0.170	642.216	01-00165G	1891-06-01	2.000	613.567	01-00083K
1905-06-01	0.750	642.966	01-00165H	1891-06-01	10.680	624.247	01-00083M
1905-06-01	17.540	660.506	01-02009A	1891-06-01	3.200	627.447	01-00083S
1908-08-12	3.470	663.976	01-02009B	1891-06-01	0.520	627.967	01-00083Y
1913-05-31	3.500	667.476	01-00289	1891-06-01	0.600	628.567	01-00083Z
1915-07-17	7.880	675.356	01-02009C	1891-06-01	0.800	629.367	01-00083AA
1916-01-22	1.620	676.976	01-00235B	1891-06-01	0.200	629.567	01-00083AB
1916-01-22	143.700	820.676	01-00265A	1893-04-30	3.640	633.207	01-00196B
1919-11-15	20.000	840.676	01-02074	1893-04-30	3.500	636.707	01-00196D
1932-05-01	17.000	857.676	01-00372	1900-04-30	2.050	638.757	01-00125B
1939-04-01	220.000	1077.676	01-00320	1900-04-30	0.800	639.557	01-00125D
				1900-04-30	0.200	639.757	01-00125E
				1900-04-30	1.050	640.807	01-00125F
				1900-06-01	0.101	640.908	01-00164D
				1900-06-01	0.804	641.712	01-00164F
				1900-06-01	0.070	641.782	01-00164G
				1900-06-01	0.280	642.062	01-00164H
				1905-06-01	0.258	642.320	01-00165D
				1905-06-01	2.063	644.383	01-00165F
				1905-06-01	0.170	644.553	01-00165G
				1905-06-01	0.750	645.303	01-00165H
				1905-06-01	17.540	662.843	01-02009A
				1908-08-12	3.470	666.313	01-02009B
				1913-05-31	3.500	669.813	01-00289
				1915-07-17	7.880	677.693	01-02009C
				1916-01-22	1.620	679.313	01-00235B
				1916-01-22	143.700	823.013	01-00265A
				1919-11-15	20.000	843.013	01-02074
				1932-05-01	17.000	860.013	01-00372
				1939-04-01	220.000	1080.013	01-00320
				1939-04-01	4.735	1084.748	01-00327A

KENNEDY DITCH WATER RIGHTS

2001

2002

PRIORITY	CFS	CUMULATIVE CFS	WATER RIGHT NUMBER
1880-06-11	0.174	0.174	01-00109J
1881-06-01	0.254	0.428	01-00110G
1882-06-01	0.260	0.688	01-00111G
1883-06-01	0.254	0.942	01-00112G
1883-06-01	0.136	1.078	01-00143B
1884-06-01	0.260	1.338	01-00113E
1884-06-01	0.144	1.482	01-00142B
1885-06-01	0.263	1.745	01-00035AG
1885-06-01	0.254	1.999	01-00114E
1885-06-01	0.706	2.705	01-00144B
1886-06-01	0.256	2.961	01-00115D
1886-06-01	0.462	3.423	01-00122A
1886-06-01	0.534	3.957	01-00123A
1887-06-01	0.290	4.247	01-00116F
1887-06-01	0.160	4.407	01-00116Z
1887-06-01	0.220	4.627	01-00116AW
1887-06-01	0.420	5.047	01-00116AY
1888-05-01	0.667	5.714	01-00128A
1888-06-01	0.761	6.475	01-00117*
1888-06-01	0.300	6.775	01-00117H
1888-06-01	0.160	6.935	01-00117AH
1888-06-01	0.404	7.339	01-00124A
1888-06-01	1.484	8.823	01-00145D
1889-01-12	5.000	13.823	01-00018
1889-05-01	2.271	16.094	01-00047G
1889-06-01	0.171	16.265	01-00118*
1889-06-01	0.160	16.425	01-00118*
1889-07-10	7.911	24.336	01-00001*
1890-06-01	3.062	27.398	01-00002C
1906-09-24	0.800	28.198	01-00290
1911-03-03	4.560	32.758	01-00291
1939-04-01	10.675	43.433	01-00327A

PRIORITY	CFS	CUMULATIVE CFS	WATER RIGHT NUMBER
1880-06-11	0.095	0.095	01-00109J
1881-06-01	0.142	0.237	01-00110G
1882-06-01	0.145	0.382	01-00111G
1883-06-01	0.140	0.522	01-00112G
1883-06-01	0.136	0.658	01-00143B
1884-06-01	0.145	0.803	01-00113E
1884-06-01	0.144	0.947	01-00142B
1885-06-01	0.347	1.294	01-00035AG
1885-06-01	0.135	1.429	01-00114E
1885-06-01	0.706	2.135	01-00144B
1885-05-01	0.743	2.878	01-00127A
1886-06-01	0.141	3.019	01-00115D
1886-06-01	3.121	6.140	01-00122A
1886-06-01	0.298	6.438	01-00123A
1887-06-01	0.220	6.658	01-00116AW
1887-06-01	0.420	7.078	01-00116AY
1888-05-01	0.370	7.448	01-00128A
1888-06-01	0.474	7.922	01-00117*
1888-06-01	0.168	8.090	01-00124A
1888-06-01	1.484	9.574	01-00145D
1889-01-12	5.000	14.574	01-00018
1889-05-01	1.783	16.357	01-00047G
1889-06-01	0.078	16.435	01-00118*
1889-07-10	7.120	23.555	01-00001*
1890-06-01	1.710	25.265	01-00002C
1906-09-24	0.800	26.065	01-00290
1911-03-03	4.560	30.625	01-00291
1939-04-01	5.940	36.565	01-00327A

GREAT WESTERN CANAL WATER RIGHTS

2001				2002			
PRIORITY	CFS	CUMULATIVE CFS	WATER RIGHT NUMBER	PRIORITY	CFS	CUMULATIVE CFS	WATER RIGHT NUMBER
1880-06-11	0.790	0.79	01-00109F	1880-06-11	0.790	0.790	01-00109F
1883-06-01	10.000	10.79	01-00068	1880-06-11	0.079	0.869	01-00109J
1883-06-01	5.000	15.79	01-00136B	1881-06-01	0.112	0.981	01-00110G
1883-06-01	3.000	18.79	01-00136D	1882-06-01	0.115	1.096	01-00111G
1884-06-01	2.500	21.29	01-00080D	1883-06-01	0.114	1.210	01-00112G
1885-06-01	4.883	26.173	01-00035B	1883-06-01	10.000	11.210	01-00068
1885-06-01	0.760	26.933	01-00035Z	1883-06-01	5.000	16.210	01-00136B
1885-06-01	2.470	29.403	01-00035AB	1883-06-01	3.000	19.210	01-00136D
1885-06-01	1.300	30.703	01-00035AF	1884-06-01	2.500	21.710	01-00080D
1885-06-01	0.360	31.063	01-00035AG	1884-06-01	0.115	21.825	01-00113E
1885-06-01	0.300	31.363	01-00093D	1885-06-01	4.883	26.708	01-00035B
1885-06-01	0.380	31.743	01-00093F	1885-06-01	0.760	27.468	01-00035Z
1885-06-01	2.400	34.143	01-00195E	1885-06-01	2.470	29.938	01-00035AB
1885-06-01	2.000	36.143	01-00195K	1885-06-01	1.300	31.238	01-00035AF
1885-06-01	1.000	37.143	01-00195M	1885-06-01	0.276	31.514	01-00035AG
1886-01-07	118.930	156.073	01-00134A	1885-06-01	0.300	31.814	01-00093D
1886-05-01	1.330	157.403	01-00127A	1885-06-01	0.380	32.194	01-00093F
1886-06-01	1.040	158.443	01-00115R	1885-06-01	0.119	32.313	01-00114E
1886-06-01	1.500	159.943	01-00115T	1885-06-01	2.400	34.713	01-00195E
1886-06-01	2.640	162.583	01-00122A	1885-06-01	2.000	36.713	01-00195K
1887-06-01	0.387	162.97	01-00116M	1885-06-01	1.000	37.713	01-00195M
1887-06-01	0.278	163.248	01-00116P	1886-01-07	118.580	156.293	01-00134A
1887-06-01	0.520	163.768	01-00116X	1886-05-01	0.591	156.884	01-00127A
1887-06-01	1.640	165.408	01-00116AM	1886-06-01	0.115	156.999	01-00115D
1887-06-01	8.000	173.408	01-00116AT	1886-06-01	1.040	158.039	01-00115R
1888-06-01	0.500	173.908	01-00094F	1886-06-01	1.500	159.539	01-00115T
1888-06-01	0.620	174.528	01-00094H	1886-06-01	1.681	161.220	01-00122A
1888-06-01	0.387	174.915	01-00117R	1886-06-01	0.236	161.456	01-00123A
1888-06-01	0.278	175.193	01-00117T	1887-06-01	0.290	161.746	01-00116F
1888-06-01	0.480	175.673	01-00117AF	1887-06-01	0.387	162.133	01-00116M
1888-08-13	0.717	176.39	01-00162D	1887-06-01	0.278	162.411	01-00116P
1888-08-13	5.732	182.122	01-00162F	1887-06-01	0.520	162.931	01-00116X
1888-08-13	0.480	182.602	01-00162G	1887-06-01	0.160	163.091	01-00116Z
1888-08-13	2.050	184.652	01-00162H	1887-06-01	1.640	164.731	01-00116AM
1889-05-01	0.480	185.132	01-00047D	1887-06-01	8.000	172.731	01-00116AT
1889-05-01	1.980	187.112	01-00047J	1888-05-01	0.297	173.028	01-00128A
1889-06-01	0.386	187.498	01-00118K	1888-06-01	0.500	173.528	01-00094F
1889-06-01	0.279	187.777	01-00118M	1888-06-01	0.620	174.148	01-00094H
1889-06-01	0.520	188.297	01-00118Z	1888-06-01	0.287	174.435	01-00117*
1889-06-01	1.210	189.507	01-00118AP	1888-06-01	0.300	174.735	01-00117H
1889-06-01	0.216	189.723	01-00163D	1888-06-01	0.387	175.122	01-00117R
1889-06-01	1.727	191.45	01-00163F	1888-06-01	0.278	175.400	01-00117T
1889-06-01	0.140	191.59	01-00163G	1888-06-01	0.480	175.880	01-00117AF
1889-06-01	0.620	192.21	01-00163H	1888-06-01	0.160	176.040	01-00117AH
1889-07-10	5.150	197.36	01-00001*	1888-06-01	0.236	176.276	01-00124A
1889-07-10	5.330	202.69	01-00001H	1888-08-13	0.717	176.993	01-00162D
1889-07-10	2.390	205.08	01-00001P	1888-08-13	5.732	182.725	01-00162F
1889-07-10	2.600	207.58	01-00001R	1888-08-13	0.480	183.205	01-00162G
1889-07-10	1.650	209.33	01-00001S	1888-08-13	2.050	185.255	01-00162H

WARRANTY DEED

WARRANTY DEED made as of the 29 day of April, 1996, between David S. Reed and Sharon L. Reed, husband and wife, "Grantors," and David Bradley Reed and Anita Reed, husband and wife, "Grantees," whose address is: 2050 West 81st North, Idaho Falls, ID 83402.

WITNESSETH:

The Grantors, for valuable consideration, the receipt whereof is hereby acknowledged, have granted, bargained, and sold, and do, by these presents, grant, bargain, sell, convey, and confirm unto Grantees and to their successors and assigns forever, all of the following described real estate located in the County of Bonneville, State of Idaho:

See Exhibit "A" attached hereto and incorporated by reference.

SUBJECT TO:

1. Taxes for the year 1996 and all subsequent years.
2. All easements and rights-of-way of record or those appearing on the land which affect the described property.
3. Reservations or exceptions on patents or in acts authorizing the issuance thereof.
4. All building and zoning codes, laws, and regulations.

BUT OTHERWISE TOGETHER WITH all tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, all and singular the above-described premises together with the appurtenances unto the Grantees and to their heirs and assigns forever.

And Grantors their heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of the Grantees, and the Grantees' heirs and assigns, against Grantor and the Grantor's heirs and against all and every person whomsoever lawfully claiming the same.

IN WITNESS WHEREOF, Grantors have hereunto set their hand on the day and year first above written.

David S. Reed
David S. Reed

Sharon L. Reed
Sharon L. Reed

LESS AND EXCEPTING:

Township 3 North, Range 37, E.B.M., Section 23:

Beginning at a point that is North $0^{\circ}16'24''$ West along the Section line 877.90 feet from the Southwest Corner of Section 23, Township 3 North, Range 37, E.B.M.; running thence South $0^{\circ}16'24''$ East 450 feet; thence North $89^{\circ}43'36''$ East 435.43 feet; thence North $0^{\circ}44'$ West 84.77 feet; thence North $89^{\circ}16'$ East 285.00 feet more or less to the Northwestern right-of-way line of Payne Road; thence Northeasterly along said Payne Road 400.00 feet more or less; thence North $0^{\circ}17'12''$ West 113.42 feet more or less to a point that is East 1032.41 feet from the POINT OF BEGINNING: Thence West 1032.41 feet to the point of beginning.

ALSO LESS AND EXCEPTING any portion of the above tract included within the following parcel owned by Glendon Workman:

Beginning at the Southwest Corner of Section 23, Township 3 North, Range 37, E.B.M., Bonneville County, Idaho, running thence East along the Section line 380.05 feet; thence North $33^{\circ}01'$ East 244.43 feet to a point on the Northwestern right of way line of a county road; thence North $33^{\circ}01'$ East along said right of way line 133.25 feet to the TRUE POINT OF BEGINNING; running thence North $33^{\circ}01'$ East 240.54 feet; thence South $89^{\circ}16'$ West 284.63 feet; thence South $0^{\circ}44'$ East 200.00 feet; thence North $89^{\circ}16'$ East 151.0 feet to the TRUE POINT OF BEGINNING.

STATE OF IDAHO

)

) ss.

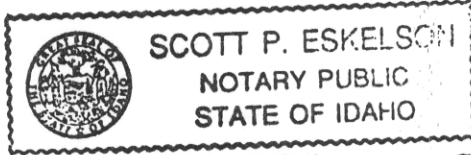
County of Bonneville

)

On this 29 day of April, 1996, before me, Scott P. Eskelson
the undersigned, a Notary Public in and for the State of Idaho, personally appeared **David S. Reed and Sharon L. Reed**, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

(SEAL)



Idaho Falls, Idaho
Commission Expires 10-25-99

Scott P. Eskelson

Notary Public for State of Idaho

Residing at: Id Falls

My Commission Expires: 10-25-99

EXHIBIT "A"

TRACT 1: ("Dad's Place"—Tax Parcel Nos. 7586 and 8401)

Beginning at a point which is North 0°07' West 331.6 feet from the Southeast Corner of the SW 1/4 of the SE 1/4 of Section 14, Township 3 North, Range 37, E.B.M.; thence North 0°07' West 1694.6 feet; thence South 79°13'10" East 1309.7 feet; thence South 15°07'50" West 258.45 feet; thence South 88°07'30" West 350.95 feet; thence South 5°20'30" West 817.2 feet (to a point which is North 37°39' West 882.45 feet from the Southeast Corner of Section 14, Township 3 North, Range 37, E.B.M.); thence South 39° 24'40" West 508.5 feet; thence North 87°46'10" West 466.8 feet to the point of beginning.

ALSO:

The S 1/2 of the SW 1/4 and the SW 1/4 of the SE 1/4 of Section 14, Township 3 North, Range 37, E.B.M.

Excepting the following tract:

Beginning at a point that is North along the Section line 1063.03 feet from the Southwest corner of Section 14, Township 3 North, Range 37, E.B.M.; running thence North 251.74 feet; thence South 87°50'25" East 26.00 feet; thence South 88°56'17" East 168.90 feet; thence South 03°30'44" West 236.91 feet; thence South 86°27'27" West 180.69 feet to the POINT OF BEGINNING.

Subject to existing county road right-of-way and easements of record.

TRACT II: (Old Kobayashi Place—Tax Parcel 2417)

Beginning at a point that is South 89°18' East along the Section line 1032.61 feet and North 0°24'47" East 764.48 feet from the Southwest corner of Section 23, Township 3 North, Range 37, E.B.M., Bonneville County, Idaho; running thence North 0°24'47" East 304.14 feet; thence North 0°24'23" West 1366.35 feet; thence North 25°52'22" East 367.12 feet; thence North 48°57'11" East 641.25 feet; thence North 15°19'40" East 504.72 feet; thence North 0°22'28" East 1608 feet more or less to the North line of said Section 23; thence West along the Section line to the Northwest corner of Section 23; thence South along the Section line to a point that is 427.9 feet North of the Southwest corner of said Section 23; thence South 89°18" East parallel to the South line of said Section 23 to the Northerly right-of-way line of a county road right of way; thence Northeasterly along said right-of-way to the point of beginning.

EXCEPTING THEREFROM a parcel described as beginning at a point that is North along the Section line 427.9 feet from the Southwest Corner of Section 23, Township 3 North, Range 37, E.B.M.; thence North along the said Section line 300 feet; thence East 180 feet; thence South 300 feet; thence West 180 feet to the point of beginning.