

IDAHO DEPT OF WATER RESOURCES



CLAIM(S): 65-02944

T12N, R04E, S04,
S05, S08 & S09

Owner(s): HERRICK TRUST

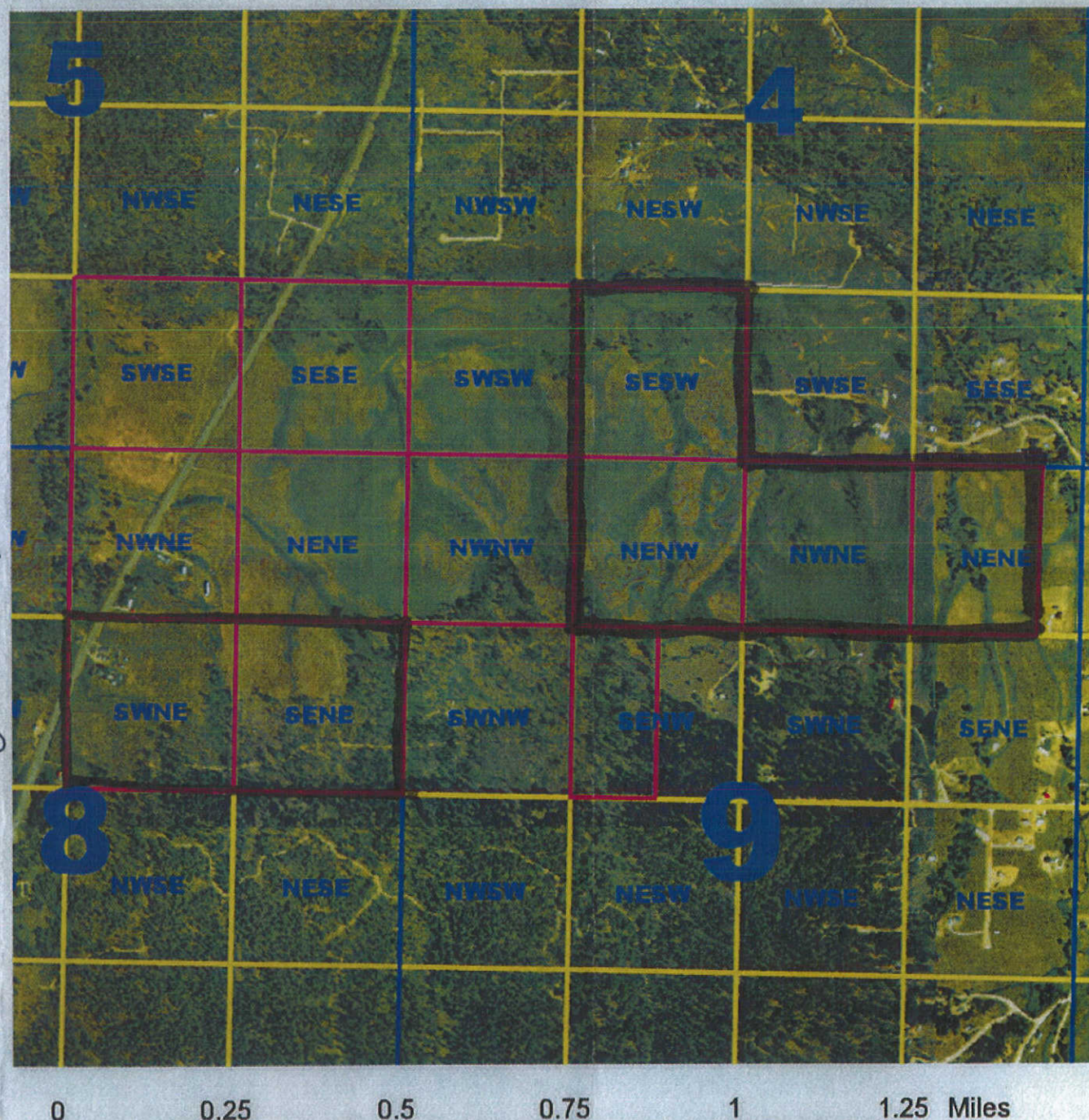
 = Place of Use for
Dorsey + Florence Herrick
Trust.

 Place of Use (prior to split)

 Section Lines

 1/4 1/4's

Prepared by: KAY WALKER
Date: July 8, 1999



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: A65-02944
Date Received: 11/ 3/1988
Receipt No: X999999
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: MYRTLE I HERRICK TRUST 208-382-4421
Address: 10574 HWY 55
CASCADE ID 83611

2. Date of Priority: FEB 14, 1950

3. Source: SKUNK CREEK Trib. to: CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	04E	16	SE	NE			VALLEY
			SE	NE			VALLEY

5. Description of diverting works:

SKUNK CK. TO INSTREAM RESERVOIR, DITCH FROM RESERVOIR TO IRRIGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION FROM STORAGE	04/15	10/15			562.00

7. Total Quantity Appropriated is:

C.F.S. (and/or) 562.00 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/1,000 HEAD INSTREAM STOCKWATER FROM DITCHES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	04E	4	SW	SW		IRR FS	34.0
			SE	SW		IRR FS	21.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	55.0
		5	SW	SE		IRR FS	24.0
			SE	SE		IRR FS	24.0
						Section Acres	48.0
		8	NE	NE		IRR FS	40.0
			NW	NE		IRR FS	26.0
			SW	NE		IRR FS	25.0
			SE	NE		IRR FS	13.0
						Section Acres	104.0
		9	NE	NE		IRR FS	30.0
			NW	NE		IRR FS	39.0
			NE	NW		IRR FS	38.0
			NW	NW		IRR FS	34.0
			SE	NW		IRR FS	5.0
						Section Acres	146.0
						Total Acres	353.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:
FORM 42-248/42-1409(6) OWNERSHIP CHANGE, HERRICK BROS TO MYRTLE I
HERRICK TRUST 2/11/99 SS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

October 26, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DORSEY HERRICK FAMILY TRUST
FLORENCE HERRICK FAMILY TRUST
10568 HWY 55
CASCADE ID 83611

Re: Original Notice of Claim to a Water Right No. 65-02944

Renumbered Notice of Claim to a Water Right No. 65-22289

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim.

Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosure

cc: Matt J Howard, Attorney at Law

Prepared by: K. V. WALKER
Date: JUL 18, 1991

☐ 1/4 Section

☒ 1/2 Section

☐ 1/4 Section (prior to 1991)

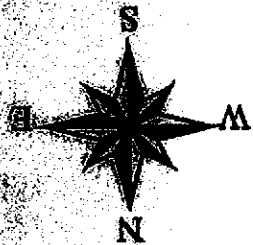
☐ 1/4 Section (prior to 1991)

Owner(s): HEBBICK TRUST

305, 308 & 309

T12N, R04E, S04

CLAIM(S): 65-02944



IDAHO DEPT OF WATER RESOURCES

10/31/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-22289

NAME AND ADDRESS: DORSEY HERRICK FAMILY TRUST
FLORENCE HERRICK FAMILY TRUST
10568 HWY 55
CASCADE, ID 83611

SOURCE: SKUNK CREEK TRIBUTARY: CLEAR CREEK
264.3 AFY

PRIORITY DATE: 02/14/1950

POINT OF DIVERSION: T12N R04E S16 SENE Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION FROM STORAGE	04-15 10-15	264.3 AFY
IRRIGATION STORAGE	01-01 12-31	264.3 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within					
VALLEY County					
T12N R04E S4	SESW	21	T12N R04E S8	SWNE	25
T12N R04E S8	SENE	13	T12N R04E S9	NENE	30
T12N R04E S9	NWNE	39	T12N R04E S9	NENW	38

166 ACRES TOTAL

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

In Re SRBA

Case No. 39576

) SUBCASE NO. 65-02944
)
)
)
)

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

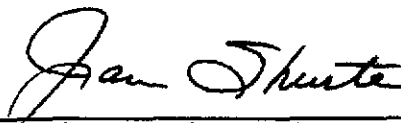
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: October 26, 2000



Signature of IDWR Representative

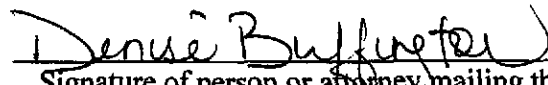
CERTIFICATE OF MAILING

I certify that on October 26, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Myrtle I Herrick Trust
10574 Hwy 55
Cascade ID 83611
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Myrtle I Herrick Trust
10574 Hwy 55
Cascade ID 83611

Dorsey Herrick Family Trust
Florence Herrick Family Trust
10568 Hwy 55
Cascade ID 83611
4. One Copy to:
Each party in the subcase or attorney of record:
Matt J Howard
Attorney at Law
2402 W Jefferson
Boise ID 83702
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

RECEIVED**OCT 20 2000****WATER RESOURCES
WESTERN REGION**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>65-02285</u>	<u>A65-02285</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>65-02944</u>	<u>A65-02944</u>	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
<u>65-03709</u>	<u>A65-03709</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question. **WITH ATTACHED LEGAL DESCRIPTION.**

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Dorsey and Florence Herrick, 10568 Hwy 55
Cascade, ID 83611
4. New Owner/Claimant(s) Dorsey & Florence Herrick Family Trust
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 10568 Hwy 55
- City, State and ZIP Code Cascade, ID 83611
- New Telephone Number 208) 382-4417
5. Date you acquired the property September 8, 1999

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>65-02944</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>264.1 afy</u>	<u>166 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>264.1 afy</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Truster Florence Herrick

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

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

65 - 2944

Myrtle 353 acres
562 AFA

Myrtle Trust
65-22288

65-22289
Dorsey + Florence
Hessock Family Trust

Sec 4 SWSW 34

SESW 21

Sec 5 SWSE 24

SESE 24

Sec 8 NENE 40

SWNE 25

NWNE 26

SENE 13

Sec 9 NWNW 34

NENE 30

SENE 5

NWNE 39

NENW 38

187 acres

146 acres

IRR STORAGE 297.7 AFA

264.3 AFA

IRR FROM storage 297.7 AFA

264.3 AFA

Split recommendation - NCAP

MATT J. HOWARD

ATTORNEY AT LAW

2402 W. JEFFERSON
BOISE, IDAHO 83702
TELEPHONE (208) 333-0622
FACSIMILE (208) 345-8945

EMAIL: MHOWARD@MICRON.NET

October 19, 2000

RECEIVED

OCT 21 2000

WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Attention: Cathy

RE: Notices of Claim, Transfer Applications, and Notice of Change of Ownership
Dorsey & Florence Herrick Family Trust

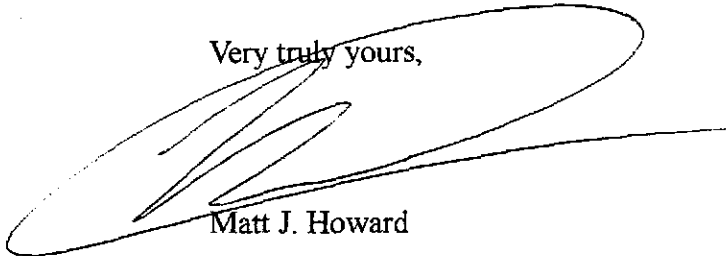
Dear Cathy:

I represent the Dorsey & Florence Herrick Family Trust concerning the water rights held by the trust. The water rights held by the trust require certain changes and updates. To effectuate those changes and updates, I am enclosing two notices of claim, two transfer applications, and a notice of change of ownership form. Please accept these documents for filing with the Department. Enclosed you will find a check for \$275.00, which I understand is the appropriate filing fee for the above-mentioned forms.

Also, I have enclosed two additional copies of the notices of claim. Please assign claim numbers to those forms and return them to me in the self-addressed stamped envelope.

If you, or any of the agents processing these forms, have any questions, please do not hesitate to contact me.

Very truly yours,



Matt J. Howard

Enclosure
cc: Client

RECEIVED

OCT 20 2000

WATER RESOURCES
WESTERN REGION

MATT J. HOWARD
Attorney at Law
2402 W. Jefferson
Boise, Idaho 83702
(208) 333-0622
(208) 345-8945 (facsimile)
mhoward@micron.net
ISB 5115

Attorney for Claimants

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

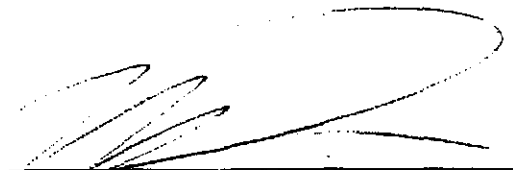
In Re SRBA

Case No. 39576

) Water Right no. 65-02944
)
) NOTICE OF APPEARANCE
)
)
)
)

NOTICE IS HEREBY GIVEN that Matt J. Howard, Attorney at Law, hereby enters an appearance on behalf of The Dorsey and Florence Herrick Family Trust for the above-referenced water right.

DATED this 28 day of September, 2000.


MATT J. HOWARD
Attorney for Claimants

246824

TYPE:

LELAND HERRICK

VALLEY COUNTY RECORDER

BY:

FEE: 21.00

00 APR 19 PM 1 19

REQUESTED BY
Walter Patterson
RECORDED

BARGAIN AND SALE DEED

DORSEY C. HERRICK and FLORENCE E. HERRICK, Grantors, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey to THE DORSEY & FLORENCE HERRICK FAMILY TRUST, Grantee, a trust established under the laws of the State of Idaho by an agreement dated SEPTEMBER 8, 1999, of which the present Trustees are Dorsey C. Herrick and Florence E. Herrick, whose current address is 10568 Highway 55, Cascade, Idaho 83611, the following described real property, to wit:

See Schedule "A" attached hereto and incorporated herein by this reference.

Together with all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

The Grantors hereby fully warrant the title to said land and will defend the same against all lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have hereunto subscribed their names to this instrument this 8 day of September, 1999.

Dorsey C. Herrick

Dorsey C. Herrick

Florence E. Herrick

Florence E. Herrick

STATE OF IDAHO)
 : ss.
County of Canyon)

On this 8th day of September, 1999, before me
STEPHEN L. PEUSS, a Notary Public, personally appeared Dorsey C.
Herrick and Florence E. Herrick, husband and wife, known or identified to me to be the
persons whose names are subscribed to the within instrument, and acknowledged to me
that they executed the same.

(SEAL)



vm\Z:\Work\H Herrick Dorsey and Flo Herrick

Stephen L. Peuss
Notary Public for Idaho
Commission expires: 7-30-2004

SCHEDULE "A"

PARCEL 1: (Strickland Place)

The North Half (N1/2) of the South Half (S1/2) of Section Thirty-Two (32) in Township Twelve (12) North of Range Four (4) East of the Boise Meridian, Valley County, Idaho.

(Tax Parcel #RP12N04E324805A)

PARCEL 2:

SE1/4SW1/4, Section 4, Township 12 North, Range 4 East, Boise Meridian, Valley County, Idaho.

(Tax Parcel #RP12N04E046605A)

PARCEL 3:

W1/2NW1/4 in Section 8, Township 12 North, Range 4 East, Boise Meridian, Valley County, Idaho.

(Tax Parcel #RP12N04E083005A)

PARCEL 4: (Smith Place)

The Southeast quarter of the Northwest Quarter (SE1/4NW1/4) and the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4), and Lots Three (3) and Four (4) in Section Six (6), Township 11 North, Range Four (4) East, Boise Meridian, Valley County, Idaho, together with all water rights and ditch rights thereunto belonging or anywise appertaining.

(Tax Parcel No. RP11N04E62405A)

PARCEL 5: (Homestead and across the road from house)

A parcel of land located in the N1/2 of the NE1/4 of Section 8, T. 12 N., R. 4 E., B.M., Valley County, Idaho, being more particularly described as follows: Commencing at the north 1/4 corner of said Section 8, being a found brass cap monument, C.P.F., Inst., 174167, corner records of said Valley County; thence a bearing of S 00°21'19" E, a distance of 1324.39 feet on the west boundary of said NE1/4 to a point marking the southwest corner of said N1/2 of the NE1/4; thence a bearing of N 89°42'50" E, a distance of

317.41 feet on the south boundary of said N1/2 of the NE1/4 to a set 5/8 inch rebar on the easterly right of way boundary of State Highway 55, being the TRUE POINT OF BEGINNING. Thence a bearing of N 89°42'50" E, a distance of 65.54 feet along said south boundary of the N1/2 of the NE1/4 to a point; thence a bearing of N 76°11'19" W, a distance of 60.00 feet to a set 5/8 inch rebar on said easterly right of way boundary of State Highway 55; thence on a curve to the left, on said easterly right of way boundary of State Highway 55, which curve has a radius of 11,399.16 feet and a long chord which bears S 26°23'49" W, a distance of 16.36 feet to the POINT OF BEGINNING. Said described parcel of land contains 0.01 acres, more or less, together with and subject to rights of way and easements of record and/or use.

AND

The East One-half of the Northwest Quarter, Section 8, T.12N., R.4E., Boise Meridian, Valley County, Idaho SAVE AND EXCEPT THE FOLLOWING: A parcel of land located in the NW1/4 of Section 8, T.12N., R.4E., Boise Meridian, Valley County, Idaho, more particularly described as follows: Commencing at the west 1/4 corner of said Section 8, a found aluminum monument CPF Inst., 124871, corner records of Valley County; Thence a bearing of N. 89°31'17" E a distance of 2394.20 feet on the south boundary of said NW1/4 to a set 5/8 inch rebar on the easterly right of way boundary of State Highway 55, being the TRUE POINT OF BEGINNING. Thence on a curve to the right, on said right of way boundary, which curve has a radius of 11,399.16 feet, a delta angle of 1°06'44", a length of 221.28 feet, and a long chord which bears N 19°40'11" E a distance of 221.28 feet to a set 5/8 inch rebar; Thence a bearing of N 89°34'57" E a distance of 171.50 feet to a set 5/8 inch rebar on the east boundary of said NW1/4; Thence a bearing of S 0°21'19" E a distance of 207.56 feet on said east boundary to a set 5/8 inch rebar marking the center 1/4 corner of said Section 8; Thence a bearing of S 89°31'17" W a distance of 247.28 feet on said south boundary of the NW1/4 to the POINT OF

BEGINNING. Said described parcel of land contains 1.00 acre, more or less, together with rights of way and easements of record and/or use.

AND

South Half of the Northeast Quarter, North Half of the Southwest Quarter of Section Eight, Township Twelve North, Range Four East, Boise Meridian, Valley County, Idaho, SAVE AND EXCEPT THE FOLLOWING:

A parcel of land located in the NE1/4 of the SW1/4 of Section 8, T.12N., R.4E., B.M., Valley County, Idaho, more particularly described as follows: Commencing at the south 1/4 corner of said Section 8, a found aluminum monument, CPF Inst. 124879, corner records of Valley County; Thence a bearing of N 0°21'19"W a distance of 1745.74 feet on the east boundary of said SW1/4 of Section 8 to a set 5/8 inch rebar being the TRUE POINT OF BEGINNING. Thence a bearing of N 0°21'19" W a distance of 895.70 feet on said east boundary of the SW1/4 to a set 5/8 inch rebar marking the center 1/4 corner of said Section 8; Thence a bearing of S 89°31'17" W a distance of 247.28 feet on the north boundary of said SW1/4 to a set 5/8 inch rebar on the easterly right of way boundary of State Highway 55; Thence on a curve to the left, on said right of way boundary, which curve has a radius of 11,399.16 feet, a delta angle of 4°18'59", a length of 858.76 feet, and a long chord which bears S 16°57'20" W a distance of 858.55 feet to a set 5/8 inch rebar; Thence a bearing of S 2°05'33" W a distance of 76.55 feet on said right of way boundary, formerly the boundary of abandoned State Highway 15 right of way, to a set 5/8 inch rebar; Thence a bearing of N 89°31'51" E a distance of 506.02 feet to the POINT OF BEGINNING. Said described parcel of land contains 8.04 acres, more or less, together with rights of way and easements of record and or use, including an easement for the operation, maintenance, and replacement of a septic system drainfield, more particularly described as follows: Commencing at the southwest corner of said described 8.04 acre parcel being a

set 5/8 inch rebar on the easterly right of way boundary of State Highway 55, formerly the boundary of abandoned State Highway 15 right of way; Thence a bearing of N 89°31'51" E a distance of 203.77 feet on the south boundary of said 8.04 acre parcel to the TRUE POINT OF BEGINNING. Thence a bearing of S 37°43'57" E a distance of 155.00 foot on the centerline of a 30 feet wide drainfield area to the POINT OF ENDING of said septic system drainfield easement. Said described easement contains 0.11 acres, more or less and being subject to an access easement for ingress and egress to a 5.43 acre portion of said NE1/4 of the SW1/4, more particularly described as follows: Commencing at the southwesterly corner of said described 8.04 acre parcel, being a set 5/8 inch rebar on the easterly right of way boundary of State Highway 55 and the TRUE POINT OF BEGINNING. Thence a bearing of N 2°05'33" E a distance of 76.55 feet on said right of way boundary, formerly the boundary of abandoned State Highway 15 right of way, to a set 5/8 inch rebar; Thence on a curve to the right, on said right of way boundary, which curve has a radius of 11399.16 feet, a delta angle of 0°24'18", a length of 80.56 feet, and a long chord which bears N 14°59'59" E a distance of 80.56 feet to a point; Thence a bearing of S 74°47'52" E a distance of 30.75 feet to a point; Thence a bearing of S 14°59'59" W a distance of 80.34 feet to a point; Thence a bearing of S 2°05'33" W a distance of 68.45 feet to a point on the south boundary of said 8.04 acre parcel; Thence a bearing of S 89°31'51" W a distance of 30.03 feet on said south boundary to the POINT OF BEGINNING of said access easement. Said described easement contains 0.11 acres, more or less.

AND FURTHER SAVE AND EXCEPT, A parcel of land located in the Northeast Quarter of the Southwest Quarter of Section 8, Township 12 North, Range 4 East, Boise Meridian, Valley County, Idaho, more particularly described as follows: COMMENCING at the South 1/4 corner of said Section 8, a found aluminum monument, CPF Inst. 124879, corner records of Valley County; Thence a bearing of North 0 degrees 21 minutes 19 seconds West a distance of 1320.72

feet on the East boundary of said Southwest Quarter of Section 8 to a set 5/8 inch rebar being the TRUE POINT OF BEGINNING. Thence continuing on a bearing of North 0 degrees 21 minutes 19 seconds West a distance of 425.02 feet to a set 5/8 inch rebar; Thence a bearing of South 89 degrees 31 minutes 51 seconds West a distance of 506.02 feet to a set 5/8 inch rebar on the Easterly right of way boundary of State Highway 55; Thence a bearing of South 2 degrees 05 minutes 33 seconds West a distance of 16.02 feet on said right of way boundary to a set 5/8 inch rebar; Thence on a curve to the left, on said right of way boundary, which curve has a radius of 11,379.16 feet a delta angle of 1 degree 00 minutes 01 seconds, a length of 198.66 feet, and a long chord which bears South 13 degrees 50 minutes 33 seconds West a distance of 198.66 feet to a set 5/8 inch rebar; Thence a bearing of South 13 degrees 57 minutes 08 seconds West a distance of 223.40 feet on said right of way boundary to a set 5/8 inch rebar; Thence a bearing of North 89 degrees 32 minutes 25 seconds East a distance of 610.66 feet to a set 5/8 inch rebar, which is the TRUE POINT OF BEGINNING. Said parcel contains 5.43 acres, more or less SUBJECT TO rights of way and easements of record and or use, including an easement for the operation, maintenance, and replacement of a septic system drainfield, more particular described as follows: Commencing at the Northwest corner of said 5.43 acre parcel being a set 5/8 inch rebar on the Easterly right of way boundary of State Highway 55 formerly the boundary of abandoned State Highway 15 right of way; Thence a bearing of North 89 degrees 31 minutes 51 seconds East a distance of 203.77 feet on the North boundary of said 5.43 acre parcel to the TRUE POINT OF BEGINNING. Thence a bearing of South 37 degrees 43 minutes 57 seconds East a distance of 155.00 feet on the centerline of a 30 foot wide drainfield area to the POINT OF ENDING of said septic system drainfield easement. Said described easement contains 0.11 acres, more or less. Together with all right of way, easements and appurtenances of record and of use.

AND FURTHER SAVE AND EXCEPT, A parcel of land located in the S1/2 of the NE1/4 of section 8, T. 12 N., R. 4

E., B.M., Valley County, Idaho, being more particularly described as follows: Commencing at the north 1/4 corner of said Section 8, being a found brass cap monument, C.P.F., Inst. 174167, corner records of said Valley County; thence a bearing of S 00°21'19" E, a distance of 1324.39 feet on the west boundary of said NE1/4 to a point marking the northwest corner of said S1/2 of the NE1/4; thence a bearing of N 89°42'50" E, a distance of 317.41 feet on the north boundary of said S1/2 of the NE1/4 to a set 5/8 inch rebar on the easterly right of way boundary of State Highway 55; thence a bearing of N 89°42'50" E, a distance of 65.54 feet on said north boundary of the S1/2 of the NE1/4 to a point being the TRUE POINT OF BEGINNING. Thence a bearing of N 89°42'50" E, a distance of 117.11 feet on said north boundary of the S1/2 of the NE1/4 to a set 5/8 inch rebar; thence a bearing of S 7°01'13" W, a distance of 28.73 feet to a set 5/8 inch rebar; thence a bearing of N. 76°11'19" W, a distance of 116.98 feet to the POINT OF BEGINNING. Said described parcel of land contains 0.04 acres, more or less together with and subject to rights of way and easements of record and/or use.

(Tax Parcel -- part of RP 12N04E08126A)

PARCEL 6: (Humphrey Place)

West Three-Quarters of the Northeast Quarter of the Northeast Quarter of Section Nine, Township 12 North, Range 4 East, Boise Meridian, Valley County, Idaho.

AND

NE1/4NW1/4, Section 9, Township 12 North, Range 4 East, Boise Meridian, Valley County, Idaho.

AND

NW1/4NE1/4 Section 9, Township 12 North, Range 4 East, Boise Meridian, Valley County, Idaho, SAVE AND EXCEPT THE FOLLOWING: A parcel of land in the NW1/4NE1/4 of Section 9, Township 12 North, Range 4 East of the Boise Meridian, Valley County, Idaho, described as follows:

Beginning at the NW corner of the said NW1/4NE1/4;
thence South 208 feet to a point; thence East 208 feet to a
point; thence North 208 feet; thence West 208 feet to the
Point of Beginning. Subject to road way in existence along
the West side of said parcel.

(Tax Parcel #RP12N04E090026A)

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