

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 63-31978
Date Received: 3/14/1990
Receipt No: X777777
Received By:

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

1. Name of Claimant(s)

CAROL L PINTLER Phone: (208)466-6951
13541 SURREY LN
NAMPA ID USA 83686

CHARLES D PINTLER Phone: (208)466-6951
13541 SURREY LN
NAMPA ID USA 83686

2. Date of Priority: 03/29/1967

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	02W	31	NE SW NE	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.26	58.5

7. Total Quantity Appropriated is:
0.26 C.F.S. and/or 58.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	02W	31	SW	NE	IRRIGATION	13
Section Acres						13
Total Acres						13

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Right 63-31979 is also diverted through the point of diversion described above.

15. Basis of Claim: License

WATER RIGHT NO. 63-31978
As Modified by Transfer No. 71518

In accordance with the approval of Transfer No 71518, Water Right No 63-31978 is now described as follows

Right Holder: CHARLES D PINTLER And
CAROL L PINTLER
13541 SURREY LN
NAMPA ID 83686

Priority Date: March 29, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.26 CFS	58.5 AF
			0.26 CFS	58.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESWNE Sec. 31 Twp 02N Rge 02W CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 02W 31			13.0														13.0

Total Acres: 13

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department

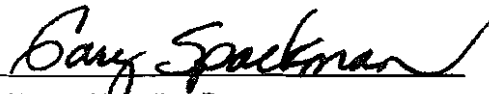
WATER RIGHT NO. 63-31978
As Modified by Transfer No. 71518

CONDITIONS OF APPROVAL

- 6 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval
- 7 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. Right 63-31979 is also diverted through the point of diversion described above

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 2nd day of February, 20 05



Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71518

This is to certify that: CHARLES D PINTLER
13541 SURREY LN
NAMPA ID 83686
(208)466-6951

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-31978	AJC/License	03/29/1967	0.26 cfs	58.5 af	N/A	13.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-31978	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-31978	63-31978	0.26 cfs	58.5 af	N/A	13.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.26 cfs	58.5 af	N/A	13.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 2nd day of February, 2005



Chief, Water Allocation Bureau

MEMORANDUM

TO: Transfer File No. 71517

FROM: Lori Graves 

DATE: 8/24/04

RE: Evaluation of Sufficiency of Information Submitted

Brief: The purpose of the transfer is to split the right and use a proposed well to irrigate applicants parcel resulting from the split instead of using the original well that served the entire acreage. The proposed well will be shared. See accompanying transfer no. 71518.

The site is located 3 miles south of Lake Lowell, and 2 ½ miles west of Hwy 45.

Authority to File: Applicant provided a warranty deed for the proposed p/u, along with an easement description for the proposed p/d. Please note that the p/d easement refers to parcel no. 2, which is a different parcel located west of parcel no. 2 indicated on attachment A. The proposed p/d will be located on adjoining land located west of the lands covered by water right 63-3593.

Water Right Validity: Right presumed valid since the right was claimed in 1990 and beneficial use occurred within the five year period prior to that date. Beneficial use was confirmed by a preliminary SRBA review by Jan Schurte and a 1987 arc view photo.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No change in nature of use has been proposed.

Local Public Interest: No negative impacts are anticipated.

Beneficial Use/Conservation of Water Resources: Applicant proposed beneficial use consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I.C. § 42-222 preventing processing of this application.

Additional Information: The warranty deed attached is in the applicants name and Jana Blacker's (wife) name. Pam Skaggs confirmed that after notifying the applicant, the department can add Jana's name to the transfer without her signature because of the nature of the transfer. If water was being transferred away, a signature would have been required.

License 63-3593 was included on protested transfer no. 3699 that was approved in 1993. The protestants were all select members of Hat Butte Mutual Canal Company. Notice will be sent to Hat Butte Mutual Canal Company.

Discussion: This right was originally licensed for 197.2 acres, 3.94 cfs and 888 afa. As a result of approved transfer no. 3699, the license is now limited to 185 acres, 3.94 cfs and 832.5 afa. The flow rate did not get reduced in proportion with the acres, however, the volume did. On the new transfer, applicant has chosen to transfer only one inch per acre to prevent controversy and confusion. The SRBA can decide what to do with the excessive flow rate left on the remaining acres.

It appears that Snake River rights 2-2280, 2-2368 and 2-2422 cover the same acres listed on right 63-3593. The ground water was originally licensed to lands in S31, aka the Naito place, and the Snake River water was originally licensed to lands in S36, aka the Allen place. The transfer was filed as a result of complaints received by the department that waters from both sources were being used on both places via a common re-lift pond. The transfer was subsequently protested by members of the Hat Butte Mutual Canal Company. For fear of expansion, the protestants did not want Snake River water used on the Naito place. A stipulation agreement was reached, involving the installation of a bi-directional flow meter in the mainline that assured Hat Butte members that there would be no net exchange of water between the two farms, as determined each two week period when the Hat Butte system is delivering Snake River water to Hat Butte members. Basically, if the ground water pump went down, Snake River water could be used from the re-lift pond, but would have to be replaced by ground water within two weeks.

Approved transfer no. 3699 reflects a combined irrigation system, however, the transfer conditions have kept the rights separate regarding supplementation.

The proposed p/d will be shared with right 63-31978 (applicant's parents). The p/d is located on the parents land (see accompanying transfer no. 71518). There will be two separate pumps in the well to serve separate systems. Each applicant plans to build a new home that the well will also serve. Rob Whitney stated that the well would probably be drilled as a domestic well initially, then upgraded it to an irrigation well upon approval of the transfers. The well will be located in the Dry Lake area, which is an area of drilling concern, however, Rob did not have issues regarding this well proposal because the department has not designated this area as a management area.

Conditions: Assuming protests are not filed and/or other information does not contradict the above analysis, and assuming it is determined the application should be approved, the conditions listed on the draft transfer approval should be applied.

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71518

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

250 7021

Name of applicant CHARLES D. PINTLER Phone 208 466-6951
Post Office address 13541 SUTTER LN. Nampa, ID. 83686

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes SPLIT THE RIGHT + ADD A WEIR
FOR SEPARATE IRRIGATION SYSTEM

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------------|------------------|-----------------------|------------------|-----------------------------|
| <u>C.D.P. 63-3593</u> | <u>3-29-1967</u> | <u>26/58.5</u> | <u>IRR.</u> | <u>3-15</u> to <u>11-15</u> |
| <u>(PORTION)</u> | | | | to |
| <u>63-31978</u> | | | | to |
| | | | | to |
- C.D.P. 2. Total amount of water being transferred 126 cubic feet per second and/or 58.5 acre-feet per annum.
3. Source of water GROUND WATER tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NE	31	2N	2W	CANYON	PROPOSED

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	2W	31			13														

Total acres 13

PART 1

6. General Information:

a. Description of diversion system Well, Pump, & SPINNAKES,

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N.A.

d. Remarks:

2 PUMPS WILL ^{BE} USED IN THIS WELL, ONE FOR THIS
C.D.R. TRANSFER & ONE WITH ACCOMPANYING TRANSFER.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Transfer No. _____

Receipt No. _____

Current Water Right No. 63-3593

Priority Date: 03/29/1967

Origin: Adjudication Claim

Basis: License

Status: Active

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	3.94 CFS	832.5 AFA	
Total Diversion		3.94 CFS	832.0 AFA	

Source and Point(s) of Diversion:**PLACE OF USE:** IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 02W 31			25.0		40.0	40.0	40.0	40.0									185.0
02N 03W 36	39.0	39.0	39.0	39.0	39.0	38.0	38.0	38.0	39.0	40.0	39.0	40.0	34.0	40.0	40.0	39.0	620.0

Total Acres: 805

Conditions/Remarks:

1. AC. IRR.=197.2.

TRANS. 2521.

EXTENSION OF TIME WAS VERBALLY GIVEN BY DAVE SHAW FOR SHERL CHAPMAN ON THIS CLAIM. THE EXTENSION WAS GIVEN ON 3/01/90 UNTIL 3/15/90.

CLAIM AMENDED 7/29/1993 TO REFLECT TRANS. 3699.

USE OF WATER UNDER THESE RIGHTS IS SUBJECT TO THE PROVISIONS OF AN AGREEMENT AND STIPULATION BETWEEN THE WATER RIGHT HOLDER AND PROTESTANTS DATED 8/3/1992.

THE WATER RIGHT HOLDER SHALL MAINTAIN A BI-DIRECTIONAL FLOW METER IN THE LINE BETWEEN SECTION 36, T2N, R3W, AND SECTION 31, T2N, R2W, B.M. THIS METER SHALL BE OPEN FOR INSPECTION BY THE HAT BUTTE CANAL CO. DITCH RIDER AND BY THE DEPARTMENT.

THERE SHALL BE NO NET EXCHANGE OF WATER BETWEEN THE ABOVE REFERENCED SECTIONS, AS DETERMINED DURING EACH TWO WEEK PERIOD WHEN THE HAT BUTTE SYSTEM IS DELIVERING WATER TO HAT BUTTE MEMBERS.

THIS RIGHT WHEN COMBINED WITH RIGHTS 02-02280/02422, 63-03593 IS LIMITED TO A COMBINED ANNUAL VOLUME OF 2790.0 ACRE FEET FROM THE SNAKE RIVER AND 832.5 ACRE FEET FROM GROUNDWATER.

THIS RIGHT WHEN CONSIDERED SEPARATELY IS LIMITED TO THE IRRIGATION OF 185 ACRES IN A SINGLE IRRIGATION SEASON.

THE INCLUSION OF THE SNAKE RIVER AS A SOURCE UNDER THIS RIGHT IS THE RESULT OF A TRANSFER REFLECTING CO-MINGLING OF GROUNDWATER (ORIGINALLY LISTED UNDER THIS RIGHT) AND SNAKE RIVER WATER (UNDER RIGHTS 02-02280/02368/02422).

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 126 CFS for 144 purposes from 3-15 to 11-15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: N-C

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>2N</u>	<u>2W</u>	<u>31</u>			<u>13</u>														<u>13</u>

Total acres 13

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from BALANCE OF RIGHT to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3 *see attached Plat map*

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>N/A.</u>			_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

N/A.

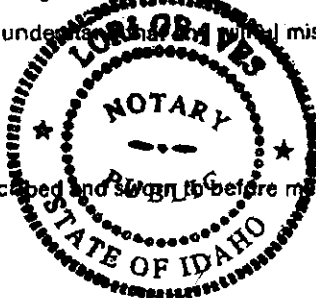
3. Describe effects on other water uses resulting from the proposed change:

N/A.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that intentional misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this _____



Charles P. Smith
 (Signature of Applicant)
19th day of May, 2004

Lori Graves
 (Notary Public)

My commission expires _____

6/18/04**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and _____ attachmentsReceived by G Date 5/19/04 Protest filed by _____Prelim. check by _____ Fee \$250 W031723Receipted by G Date 5/19/04

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECORD OF SURVEY

A PART OF THE SW 1/4 NE 1/4, SECTION 31,
T. 2 N., R. 2 W., B.M., CANYON COUNTY, IDAHO
2002

20024659

RECORDED

DATE 3 APR 02

CANYON COUNTY RECORDER
C.M. Laughlin

\$500

0 100 200 400

Scale: 1"=200'

LEGEND

- Calculated point
- Found brass cap monument
- Set 5/8 inch dia. x 30 inch iron pin
- Found 3/8 inch dia. iron pin
- Found PK nail & washer PLS 3827
- Record data per ROS hist. No. 8915008
- Property boundary line

REFERENCE SURVEYS

INST # 8915008 (ROS)

CERTIFICATE OF SURVEYOR

I, Richard A. Gray do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this Record of Survey correctly represents a survey made by me or under my direct supervision in conformance with Idaho Code 31-2709, 1947 and accepted procedures of land surveying. I further certify that I have complied with Title 55, Chapter 16, Idaho Code.

Richard A. Gray
Richard A. Gray



10/1/02
P.L.S. License No. 7732

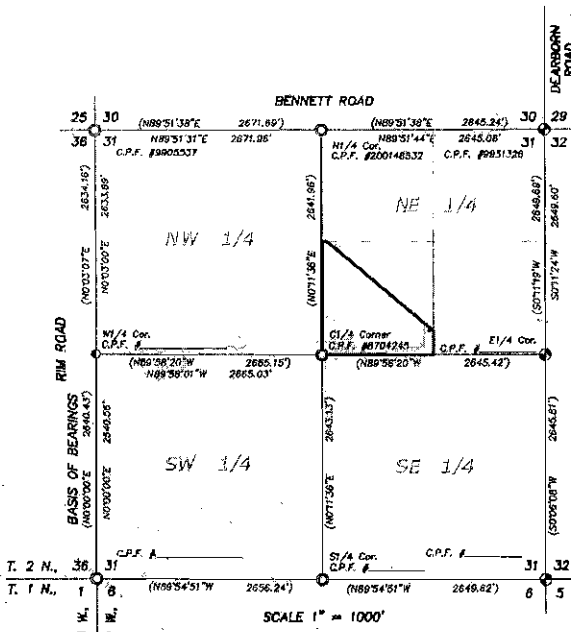
Proportion of
acreage 10.36
89-03193
Includes old right of
way out to the old rd.

INDEX NO. 224-31-1-3-0-00-00

SURVEY FOR:

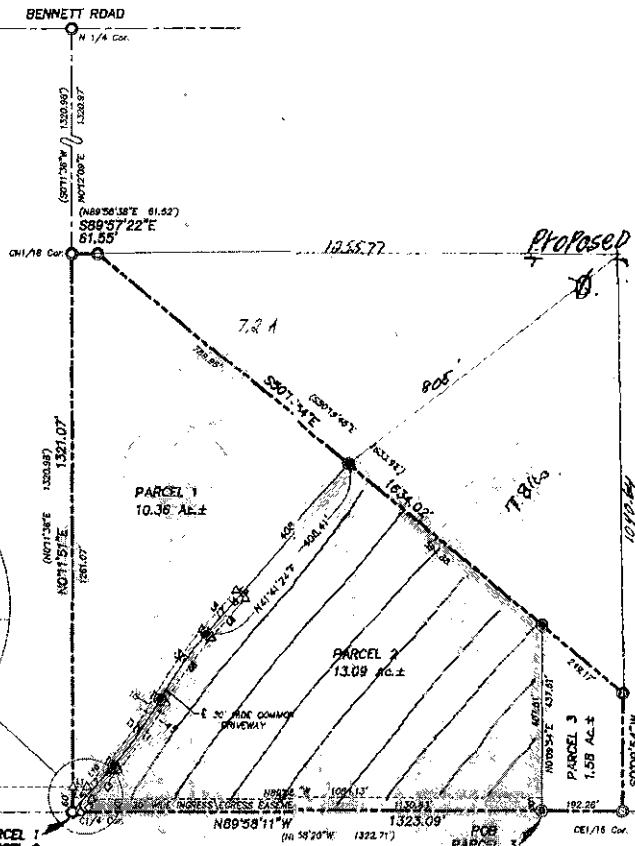
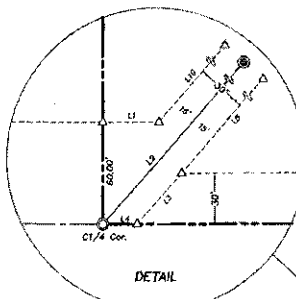
CHARLIE PINTLER

ATTACHMENT



CURVE	ARC	RADIUS	DELTA	BEARING	CHORD BEG.	CHORD END
C1	188.72	107.01	115.57	N89°51'39"E	84.70	188.72
C2	188.72	107.01	115.57	N89°51'39"E	84.70	188.72
C3	188.72	107.01	115.57	N89°51'39"E	84.70	188.72
C4	188.72	107.01	115.57	N89°51'39"E	84.70	188.72
C5	188.72	107.01	115.57	N89°51'39"E	84.70	188.72
C6	188.72	107.01	115.57	N89°51'39"E	84.70	188.72

LINE	BEARING	LENGTH
L1	N89°51'39"E	35.13
L2	N89°51'39"E	146.97
L3	N89°51'39"E	40.15
L4	N89°51'39"E	20.08
L5	N89°51'39"E	83.47
L6	N89°51'39"E	122.00
L7	N89°51'39"E	122.00
L8	N89°51'39"E	30.00
L9	N89°51'39"E	80.01





REQUEST
TIME Deal FEE 18.00

TITLEONE

CANYON COUNTY RECORDER
BY C. McLaughlin

2004 MAR 18 PM 4 25

RECORDED

200414641

PROPOSED P/u

Order No.: C034192

CORPORATION WARRANTY DEED

For Value Received HARVEST FARM CO., AN IDAHO CORPORATION, WHO ACQUIRED TITLE AS BING FROST RANCH, INC.

A Corporation duly organized and existing under the laws of the State of IDAHO hereby Grant, Bargain, Sell and Convey unto CHARLES D. PINTLER and CAROL L. PINTLER, HUSBAND AND WIFE

Whose current address is: 13541 SURREY LN, NAMPA, ID 83686

The following described real estate, to-wit:

C.D. C.L.P.

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH A PORTIONATE SHARE OF THE GROUND WATER FROM WATER RIGHT #63-3593.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed.

Dated: February 27, 2004

HARVEST FARM CO.

BY:

Russell D. Hooper
PRESIDENT

STATE OF

California

COUNTY OF

Los Angeles

ON THIS 27th DAY OF FEBRUARY IN THE YEAR 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY APPEARED, Russell D. Hooper KNOWN TO ME TO BE THE President OF THE CORPORATION THAT EXECUTED THIS INSTRUMENT AND 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.

Mary N. Lombardi
RESIDING AT: Los Angeles, CA
MY COMMISSION EXPIRES ON: 11-21-07



ATTACHMENT B

EXHIBIT "A"

PARCEL 1

A parcel of land located in the Southwest Quarter of the Northeast Quarter of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows;

Commencing at the Southwest corner of the Northwest Quarter (West Quarter corner), of said Section 31, said corner monumented with a found p.k. nail and washer stamped "P .L.S. 3627"; thence South 89° 58'01" East, a distance of 2665.03 feet (formerly South 89° 58'20" East, a distance of 2665.15 feet) along the Southerly boundary of said Northwest Quarter of the Southeast corner of said Northwest Quarter (Center Quarter Corner), said corner monumented with a found 5/8 inch diameter iron pin and being the POINT OF BEGINNING; thence

North 0° 11 '51" East, a distance of 1321.07 feet (formerly North 0° 11 '36" East, a distance of 1320.98 feet) along the Westerly boundary of said Southwest Quarter Northeast Quarter, to the Northwest corner of said Southwest Quarter Northeast Quarter, said corner monumented with a found 5/8 inch diameter iron pin; thence South 89° 57'22" East, a distance of 61.55 feet (formerly North 89° 56'38" East, a distance of 61.52 feet) along the Northerly boundary of said Southwest Quarter Northeast Quarter, to a found 5/8 inch diameter iron pin; thence

South 50° 19'54" East, (formerly South 50° 19'45" East), a distance of 789.96 feet to a set 5/8 inch diameter iron pin; thence

South 41° 41 '24" West, a distance of 530.41 feet to a set 5/8 inch diameter iron pin; thence 191.84 feet along the arc of a curve to the left, with a central angle of 11 ° 55'18" a radius of 922.01 feet, and a chord which bears South 35° 43'45" West, a distance of 191.50 feet to a point of reverse curvature, said point monumented with a set 5/8 inch diameter iron pin; thence 191.84 feet along the arc of a curve to the right, with a central angle of 11 ° 55'18" a radius of 922.01 feet, and a chord which bears

South 35° 43'45" West, a distance of 191.50 feet to a point of tangency, said point monumented with a set 5/8 inch diameter iron pin; thence

South 41° 41'24" West, a distance of 146.97 feet to the POINT OF BEGINNING.

TOGETHER WITH:

A 60.00 foot wide ingress and egress easement being the Southerly 60.00 feet of the Northwest Quarter of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows;

BEGINNING at the Southwest corner of said Northwest Quarter, (West Quarter Corner) said corner monumented with a found p.k. nail and washer stamped "P.L.S. 3627"; thence

North 0° 03'00" East, (formerly North 0° 03'07" East), a distance of 60.00 feet along the Westerly boundary of said Northwest Quarter to a point; thence

South 89° 58'01" East, a distance of 2665.18 feet parallel with the Southerly boundary of said Northwest Quarter to a point on the Easterly boundary of said Northwest Quarter; thence

South 0° 11 '51" West, (formerly South 0° 11 '36" West), a distance of 60.00 feet to the Southeast corner of said Northwest Quarter (Center Quarter Corner), said corner monumented with a found 5/8 inch diameter iron pin; thence

North 89° 58'01" West, a distance of 2665.03 feet (formerly North 89° 58'20" West, a distance of 2665.15 feet), along the Southerly boundary of said Northwest Quarter to the POINT OF BEGINNING

TOGETHER WITH:

An ingress and egress easement lying in the Southwest Quarter Northeast Quarter of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows;

Exhibit "A"

Legal Description

BEGINNING at the Southwest corner of said Southwest Quarter Northeast Quarter (Center Quarter Corner) said corner monumented with a found 5/8 inch diameter iron pin; thence North 41° 41'24" East, a distance of 146.97 feet to a point of a tangent curve left; thence 191.84 feet along the arc of a curve to the left, with a central angle of 11° 55'18" a radius of 922.01 feet and a chord which bears North 35° 43'45" East, a distance of 191.50 feet to a point of reverse curvature; thence 191.84 feet along the arc of a curve to the right, with a central angle of 11° 55'18" a radius of 922.01 feet and a chord which bears North 35° 43'45" East, a distance of 191.50 feet to a point of tangency; thence North 41° 41'24" East, a distance of 122.00 feet to a point; thence South 48° 18'36" East, a distance of 15.00 feet to a point; thence South 41° 41'24" West, a distance of 122.00 feet to a point of a tangent curve left; thence 188.72 feet along the arc of a curve to the left, with a central angle of 11° 55'18" a radius of 907.01 feet and a chord which bears South 35° 43'45" West, a distance of 188.38 feet to a point of reverse curvature; thence 194.97 feet along the arc of a curve to the right, with a central angle of 11° 55'18" a radius of 937.01 feet and a chord which bears South 35° 43'45" West, a distance of 194.61 feet to a point of tangency; thence South 41° 41'24" West, a distance of 40.15 feet to a point on the Southerly boundary of said Southwest Quarter Northeast Quarter; thence North 89° 58'11" West, (formerly North 89° 58'20" West), a distance of 20.08 feet, along the Southerly boundary of said Southwest Quarter Northeast Quarter to the POINT OF BEGINNING of said easement.

SUBJECT TO:

An ingress and egress easement lying in the Southwest Quarter Northeast Quarter of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows;

BEGINNING at the Southwest corner of said Southwest Quarter Northeast Quarter, (Center Quarter Corner) said corner monumented with a found 5/8 inch diameter iron pin; thence North 0° 11 '51" East, (formerly North 0° 11 '36" East), a distance of 60.00 feet along the Westerly boundary of said Southwest Quarter Northeast Quarter to a point; thence

South 89° 58'11" East, a distance of 33.13 feet parallel with a Southerly boundary of said Southwest Quarter Northeast Quarter to a point; thence North 41° 41'24" East, a distance of 80.01 feet to a point of a tangent curve left; thence 188.72 feet along the arc of a curve to the left, with a central angle of 11° 55'18" a radius of 907.01 feet and a chord which bears North 35° 43'45" East, a distance of 188.38 feet to a point of reverse curvature; thence 194.97 feet along the arc of a curve to the right, with a central angle of 11° 55'18" a radius of 937.01 feet and a chord which bears North 35° 43'45" East, a distance of 194.61 feet to a point of tangency; thence North 41° 41'24" East, a distance of 122.00 feet to a point; thence South 48° 18'36" East, a distance of 15.00 feet to a point; thence South 41° 41'24" West, a distance of 122.00 feet to a point of a tangent curve left; thence 191.84 feet along the arc of a curve to the left, with a central angle of 11° 55'18" a radius of 922.01 feet and a chord which bears South 35° 43'45" West, a distance of 191.50 feet to a point of reverse curvature; thence 191.84 feet along the arc of a curve to the right, with a central angle of 11° 55'18" a radius of 922.01 feet and a chord which bears South 35° 43'45" West, a distance of 191.50 feet to a point of tangency; thence South 41° 41'24" West, a distance of 146.97 feet to the POINT OF BEGINNING.

PARCEL 2

A parcel of land located in the Southwest Quarter of the Northeast Quarter of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of the Northwest (West Quarter Corner), of said Section 31, said corner monumented with a found p.k. nail and washer stamped P.L. S. 3627; thence South 89° 58'01" East, a distance of 2665.03 feet (formerly South 89° 58'20" East, a distance of 2665.15 feet)

Exhibit "A"

Legal Description

along the Southerly boundary of said Northwest Quarter to the Southeast corner of said Northwest Quarter (Center Quarter Corner), said corner monumented with a found 5/8 inch diameter iron pin and being the POINT OF BEGINNING; thence

North 41° 41'24" East, a distance of 146.97 feet to a point of a tangent curve left, said point monumented with a set 5/8 inch diameter iron pin; thence 191.84 feet along the arc of a curve to the left, with a central angle of 11° 55'18" a radius of 922.01 feet, and a chord which bears

North 35° 43'45" East, a distance of 191.50 feet to a point of reverse curvature, said point monumented with a set 5/8 inch diameter iron pin; thence 191.84 feet along the arc of a curve to the right, with a central angle of 11° 55'18" a radius of 922.01 feet, and a chord which bears

North 35° 43'45" East, a distance of 191.50 feet to a point of tangency, said point monumented with a set 5/8 inch diameter iron pin; thence

North 41° 41'24" East, a distance of 530.41 feet to a set 5/8 inch diameter iron pin; thence

South 50° 19'54" East, (formerly South 50° 19'45" East), a distance of 594.88 feet to a set 5/8 inch diameter iron pin; thence

South 0° 09'54" West, a distance of 437.61 feet parallel with the Easterly boundary of said Southwest Quarter Northeast Quarter, to a point on the Southerly boundary of said Southwest Quarter Northeast Quarter, said point monumented with a set 5/8 inch diameter iron pin; thence

North 89° 58'11" West, (formerly North 89° 58'11" East), a distance of 1130.83 feet along the Southerly boundary of said Southwest Quarter Northeast Quarter to the POINT OF BEGINNING.

TOGETHER WITH:

A 60.00 foot wide ingress and egress easement being the Southerly 60.00 feet of the Northwest Quarter of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the Southwest corner of said Northwest Quarter, (West Quarter Corner) said corner monumented with a found p.k. nail and washer stamped "P.L.S. 3627"; thence

North 0° 03'00" East, (formerly North 0° 03'07" East), a distance of 60.00 feet along the Westerly boundary of said Northwest Quarter to a point; thence

South 89° 58'01" East, a distance of 2665.18 feet parallel with the Southerly boundary of said Northwest Quarter to a point on the Easterly boundary of said Northwest Quarter; thence

South 0° 11'51" West, (formerly South 0° 11'36" West), a distance of 60.00 feet to the Southeast corner of said Northwest Quarter (Center Quarter Corner), said corner monumented with a found 5/8 inch diameter iron pin; thence

North 89° 58'01" West, a distance of 2665.03 feet, (formerly North 89° 58'20" West, a distance of 2665.15 feet), along the Southerly boundary of said Northwest Quarter to the POINT OF BEGINNING of said easement.

TOGETHER WITH:

An ingress and egress easement lying in the Southwest Quarter Northeast Quarter of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows;

BEGINNING at the Southwest corner of said Southwest Quarter Northeast Quarter, (Center Quarter Corner) said corner monumented with a found 5/8 diameter iron pin; thence

North 0° 11'51" East, (formerly North 0° 11'36" East), a distance of 60.00 feet along the Westerly boundary of said Southwest Quarter Northeast Quarter to a point; thence

South 89° 58'11" East, a distance of 33.13 feet parallel with the Southerly boundary of said Southwest Quarter Northeast Quarter to a point; thence

North 41° 41'24" East, a distance of 80.01 feet to a point of tangent curve left; thence 188.72 feet along the arc of a curve to the left, with a central angle of 11° 55'18" a radius of 907.01 feet and a chord which bears

North 35° 43'45" East, a distance of 188.38 feet to a point of reverse curvature; thence 194.97 feet along the arc of a curve to the right, with a central angle of 11° 55'18" a radius of 937.01 feet and a chord which bears

Exhibit "A"

Legal Description

North 35° 43'45" East, a distance of 194.61 feet to a point of tangency; thence
North 41° 41'24" East, a distance of 122.00 feet to a point; thence
South 48° 18'36" East, a distance of 15.00 feet to a point; thence
South 41° 41'24" West, a distance of 122.00 feet to a point of a tangent curve left; thence 191.84 feet along the
arc of a curve to the left, with a central angle of 11° 55'18" a radius of 922.01 feet and a chord which bears
South 35° 43'45" West, a distance of 191.50 feet to a point of reverse curvature; thence 191.84 feet along the
arc of a curve to the right, with a central angle of 11° 55'18" a radius of 922.01 feet and a chord which bears
South 35° 43'45" West, a distance of 191.50 feet to a point of tangency; thence
South 41° 41'24" West, a distance of 146.97 feet to the POINT OF BEGINNING of said easement.

SUBJECT TO:

An ingress and egress easement lying in the Southwest Quarter Northeast Quarter of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows;

BEGINNING at the Southeast corner of said Southwest Quarter Northeast Quarter (Center Quarter Corner) said corner monumented with a found 5/8 inch diameter iron pin; thence
North 41° 41'24" East, a distance of 146.97 feet to a point of a tangent curve left; thence 191.84 feet along the
arc of a curve to the left, with a central angle of 11° 55'18" a radius of 922.01 feet and a chord which bears
North 35° 43'45" East, a distance of 191.50 feet to a point of reverse curvature; thence 191.84 feet along the arc
of a curve to the right, with a central angle of 11° 55'18" a radius of 922.01 feet and a chord which bears
North 35° 43'45" East, a distance of 191.50 feet to a point of tangency; thence North 41° 41'24" East, a distance
of 122.00 feet to a point; thence
South 48° 18'36" East, a distance of 15.00 feet to a point; thence
South 41° 41'24" West, a distance of 122.00 feet to a point of tangent curve left; thence 188.72 feet along the arc
of a curve to the left, with a central angle of 11° 55'18" a radius of 907.01 feet and a chord which bears
South 35° 43'45" West, a distance of 188.38 feet to a point of reverse curvature; thence 194.97 feet along the
arc of a curve to the right, with a central angle of 11° 55'18" a radius of 937.01 feet and a chord which bears
South 35° 43'45" West, a distance of 194.61 feet to a point of tangency; thence
South 41° 41'24" West, a distance of 93.47 feet to a point; thence
South 89° 58'11" East, a distance of 1084.13 feet parallel with the Southerly boundary of said Southwest Quarter
Northeast Quarter to a point; thence
South 0° 09'54" West, a distance of 30.00 feet to a point on the Southerly boundary of said Southwest Quarter
Northeast Quarter; thence
North 89° 58'11" West, (formerly North 89° 58'20" West), a distance of 1130.83 feet along the Southerly
boundary of said Southwest Quarter Northeast Quarter to the POINT OF BEGINNING of said easement.

PARCEL 3

A parcel of land located in the Southwest Quarter of the Northeast Quarter of Section 31, Township 2 North Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:
Commencing at the Southwest corner of the Northwest Quarter (West Quarter Corner), of said Section 31, said corner monumented with a found p.k. nail and washer by P .L.S. 3627; thence
South 89° 58'01" East, a distance of 3795.86 feet (formerly South 89° 58'20" East,) along the Southerly
boundary of the North Half of said Section 31, said corner monumented with a set 5/8 inch diameter iron pin and
being the POINT OF BEGINNING. thence
North 0° 09'54" East, a distance of 437.61 feet parallel with the Easterly boundary of said Southwest Quarter of
the Northeast Quarter, said corner monumented with a set 5/8 inch diameter iron pin; thence
South 50° 19'54" East, a distance of 249.17 feet (formerly South 50° 19'45" East,) to a found 5/8 inch diameter
iron pin; thence
South 0° 09'54" West, a distance of 278.65 feet (formerly South 0° 11'27" West), along the Easterly boundary of
said Southwest Quarter of the Northeast Quarter, to the Southeast corner of said Southwest Quarter of the
Northeast Quarter, said point monumented with a found 5/8 inch diameter iron pin; thence

Exhibit "A"

Legal Description

North 89° 58'01" West, a distance of 192.26 feet along the Southerly boundary of said Southwest Quarter of the Northeast Quarter to the POINT OF BEGINNING.

TOGETHER WITH:

A 60.00 foot wide ingress and egress easement being the Southerly 60.00 feet of the Northwest Quarter of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows;

BEGINNING at the Southwest corner of said Northwest Quarter, (West Quarter corner), said corner monumented with a found p.k. nail and washer stamped lip .L.S. 3627"; thence North 0° 03'00" East, (formerly North 00 03'07" East), a distance of 60.00 feet along the Westerly boundary of said Northwest Quarter to a point; thence South 89° 58'01" East, a distance of 2665.18 feet parallel with the Southerly boundary of said Northwest Quarter to a point on the Easterly boundary of said Northwest Quarter; thence South 0° 11 '51" West, (formerly South 00 11 '36" West), a distance of 60.00 feet to the Southeast corner of said Northwest Quarter (Center Quarter Corner), said corner monumented with a found 5/8 inch diameter iron pin; thence North 89° 58'01" West, a distance of 2665.03 feet, (formerly North 89° 58'20" West, a distance of 2665.15 feet), along the Southerly boundary of said Northwest Quarter to the POINT OF BEGINNING of said easement.

ALSO TOGETHER WITH:

An ingress and egress easement lying in the Southwest Quarter Northeast Quarter of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows;

BEGINNING at the Southwest corner of said Southwest Quarter Northeast Quarter (Center Quarter Corner) said corner monumented with a found 5/8 inch diameter iron pin; thence North 0° 11 '51" East, (formerly North 0° 11 '36" East), a distance of 60.00 feet along the Westerly boundary of said Southwest Quarter Northeast Quarter to a point; thence South 89° 58'01" East, a distance of 33.13 feet parallel with the Southerly boundary of said Southwest Quarter Northeast Quarter to a point; thence South 24° 08'25" East, a distance of 32.88 feet to a point lying 30.00 feet Northerly of the Southerly boundary of said Southwest Quarter Northeast Quarter; thence South 89° 58'01" East, a distance of 1084.13 feet along a line parallel with and 30.00 feet Northerly from the Southerly boundary of said Southwest Quarter Northeast Quarter to a point; thence South 0° 09'54" West, a distance of 30.00 feet to a point on the Southerly boundary of said Southwest Quarter Northeast Quarter; thence North 89° 58'01" West, (formerly North 89° 58'20" West), a distance of 1130.83 feet along the Southerly boundary of said Southwest Quarter Northeast Quarter to the POINT OF BEGINNING of said easement.

Exhibit "A"

Legal Description



Order No.: C044912

REQUEST
TYPE Deed FEE 9.00

TITLEONE

Q NOEL HOLE'S
CANYON CITY RECORDER
BY [Signature]

2004 MAR 18 PM 4 25

RECORDED

200414642

PROPOSED P/D

WARRANTY DEED

FOR VALUE RECEIVED,

RONALD AKINA, SR. and CLEO ANN AKINA, husband and wife

The Grantor(s), do(es) hereby grant, bargain sell and convey unto

CHARLES PINTLER and CAROL PINTLER, husband and wife

whose current address is TBD DEARBORNE RD NAMPA, ID 83686

the Grantee(s), the following described premises, in Canyon County, Idaho, TO WIT:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 03/01/04

[Signature]
RONALD AKINA, SR.

[Signature]
CLEO ANN AKINA

STATE OF Hawaii
COUNTY OF Hawaii

ON THIS 2 OF MARCH, 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC PERSONALLY APPEARED, RONALD AKINA, SR., ~~CLEO ANN AKINA~~, KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME ~~THAT THEY~~ EXECUTED THE SAME.

[Signature]
Gail B. Kuali
NOTARY PUBLIC
RESIDING AT: Hilo, HI 96720
MY COMMISSION EXPIRES: 07-07-2006

(SEAL)



ATTACHMENT C

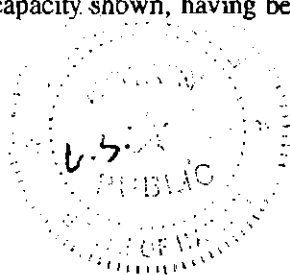
STATE OF HAWAII)

CITY & COUNTY OF HONOLULU)

SS.

On this 9th day of March, 2004 before me appeared CLEO ANN AKINA

_____ to me personally known, who being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.



Mei Wah Wong

MEI-WAH WONG

Notary Public, State of Hawaii [FIRST Judicial Circuit]

My Commission expires: SEPTEMBER 23, 2005

ATTENTION NOTARY: Although the information below is OPTIONAL, it could prevent fraudulent attachment of this acknowledgement to another document.

THIS MUST BE
ATTACHED TO THE
DOCUMENT DESCRIBED
AT THE RIGHT:

Title/type of document: WARRENTY DEED Date of document: 03/01/2004

Number of pages in body of document (excluding, e.g., all acknowledgements and exhibits): ONE

Signer(s) other than named above: ONE

EXHIBIT "A"

PARCEL I

A portion of the Southwest Quarter of the Northeast Quarter of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described, to-wit:

COMMENCING at a brass monument marking the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho; thence North 89° 06' 27" West a distance of 1,322.71 feet (formerly stated as 1,326.85 feet) to the Southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 31; thence North 01° 03' 20" East a distance of 278.62 feet (formerly stated as North 01° 00' 28" East a distance of 282.26 feet) along the Easterly boundary of the said Southwest Quarter of the Northeast Quarter to a found 5/8-inch iron pin with a plastic cap, the INITIAL POINT of this description; thence North 49° 27' 52" West a distance of 1,633.92 feet (formerly stated as 1,628.21 feet) to a found 5/8-inch iron pin with a plastic cap on the Northerly boundary of the said Southwest Quarter of the Northeast Quarter; thence South 89° 11' 29" East a distance of 1,261.14 feet (formerly stated as 1,255.77 feet) along the said Northerly boundary to the Northeast corner of the Southwest Quarter of the Northeast Quarter marked by a found 5/8-inch iron pin with a plastic cap; thence South 01° 03' 20" West a distance of 1,044.29 feet (formerly stated as South 01° 00' 08" West a distance of 1,040.64 feet) along the Easterly boundary of the said Southwest Quarter of the Northeast Quarter to the INITIAL POINT of this description.

PARCEL II

An easement for ingress and egress over and across the following described real property:

The Easterly 28 feet of the Southerly 300 feet of the Southwest Quarter of the Northeast Quarter; ALSO the Southerly 28 feet of the Southwest Quarter of the Northeast Quarter AND the Southerly 28 feet of the Northwest Quarter, all in said Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

Exhibit "A"

Legal Description

10/26/2006

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

RIGHT NUMBER: 63-31978

NAME AND ADDRESS: CHARLES D PINTLER
13541 SURREY LN
NAMPA ID 83686

CAROL L PINTLER
13541 SURREY LN
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.260 CFS
58.500 AFY

PRIORITY DATE: 03/29/1967

POINT OF DIVERSION:

T02N R02W S31 NESWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.260 CFS

58.50 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County

T02N R02W S31 SWNE 13.00

13 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

10/26/2006

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

This right is a split from former right 63-3593.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Right 63-31979 is also diverted through the point of diversion described above.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

The right holder shall accomplish the change authorized by Transfer No. 71518 within one year of the date of its approval.

Failure of the right holder to comply with the conditions of Transfer No. 71518 is cause for the Director to rescind approval of the transfer.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

06/23/2006

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

RIGHT NUMBER: 63-31978

NAME AND ADDRESS: CHARLES D PINTLER
13541 SURREY LN
NAMPA ID 83686

CAROL L PINTLER
13541 SURREY LN
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.260 CFS
58.500 AFY

PRIORITY DATE: 03/29/1967

POINT OF DIVERSION:

T02N R02W S31 NESWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.260 CFS

58.50 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County

T02N R02W S31 SWNE 13.00

13 ACRES TOTAL

~~This right is limited to the irrigation of 3 acres within the place of use described above in a single irrigation season.~~

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

06/23/2006

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

This right is a split from former right 63-3593.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Right 63-31979 is also diverted through the point of diversion described above.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

The right holder shall accomplish the change authorized by Transfer No. 71518 within one year of the date of its approval.

Failure of the right holder to comply with the conditions of Transfer No. 71518 is cause for the Director to rescind approval of the transfer.

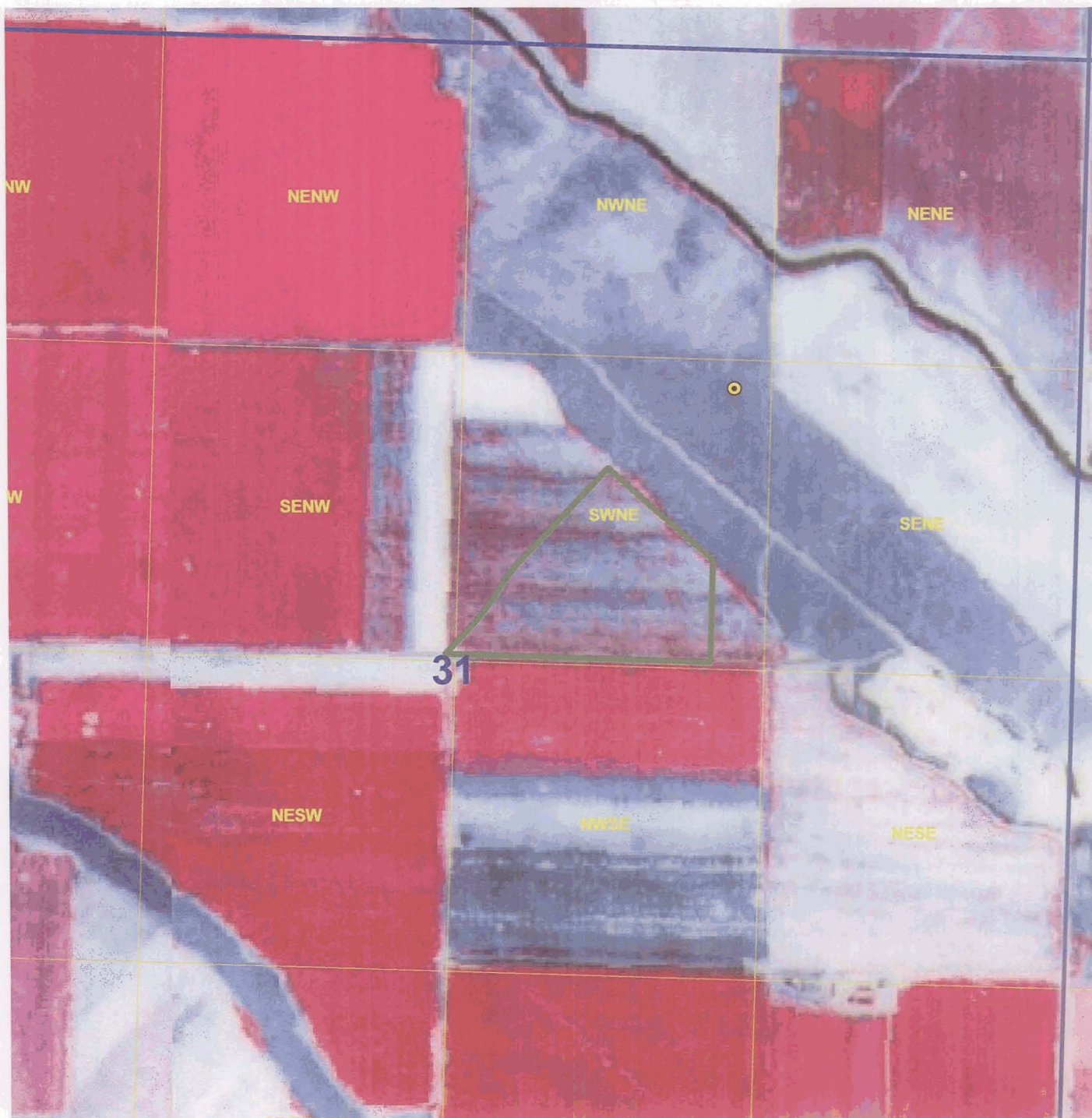
After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.



Idaho Department of Water Resources

63-31978

T02N R02W S31



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter

Total irrigated
acres = 13



500 0 500 Feet

IDWR
Prepared by: Sandy Egbert
Date: June 23, 2006
1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31978 V1

WATER RIGHT NUMBER: 63-31978 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	NAITO BROTHERS , ID
Original Owner	RUBY SKAGGS 1325 SHARON WAY RENO, NV 89509
Original Owner	JOHN SKAGGS 1325 SHARON WAY RENO, NV 89509
Original Owner	HARVEST FARM CO 13735 MISSOURI AVE NAMPA, ID 83686 208-467-9712
Current Owner	CHARLES D PINTLER 13541 SURREY LN NAMPA, ID 83686 (208)466-6951
Current Owner	CAROL L PINTLER 13541 SURREY LN NAMPA, ID 83686 (208)466-6951

Priority Date: 03/29/1967

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.260 CFS	58.50 AF
	<u>Total Diversion:</u>	0.260 CFS	58.50 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4NE1/4	Sec. 31, Twp 02N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	02W	31			13.0														13.0

Total Acres: 13

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31978 V1

Conditions of Approval:

1. P21 This right is a split from former right 63-3593.
2. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. X36 Right 63-31979 is also diverted through the point of diversion described above.
4. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. S39 The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
6. T07 The right holder shall accomplish the change authorized by Transfer No. 71518 within one year of the date of its approval.
7. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
8. T08 Failure of the right holder to comply with the conditions of Transfer No. 71518 is cause for the Director to rescind approval of the transfer.
9. K06 This right is limited to the irrigation of 3 acres within the place of use described above in a single irrigation season.
10. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31978 V1

Summary		08/11/2004	lharris	Active
Priority Date	6/23/2006 9:36:02 AM	segbert		Active
POD	6/23/2006 9:36:28 AM	segbert		Active
Source	6/23/2006 9:38:13 AM	segbert		Active
POU	6/23/2006 9:38:35 AM	segbert		Active
Use	6/23/2006 9:39:18 AM	segbert		Active
Season	6/23/2006 9:39:39 AM	segbert		Active
Quantity	6/23/2006 9:40:26 AM	segbert		Active
Summary		06/23/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	6/23/2006 9:38:00 AM	segbert	Updated shape
Season	6/23/2006 9:39:43 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	6/23/2006 9:40:25 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - per transfer 71518

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31978 V1

Summary	6/23/2006 9:46:52 AM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Summary	8/11/2004 2:26:13 PM	lharris	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
Source	6/23/2006 9:38:26 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
General	6/23/2006 9:36:28 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	6/23/2006 9:38:46 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	6/23/2006 9:39:10 AM	segbert	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31978 V1

Use	6/23/2006 9:39:24 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POD	6/23/2006 9:36:51 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31978

WATER RIGHT NUMBER: 63-31978

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CAROL L PINTLER 13541 SURREY LN NAMPA, ID 83686 (208)466-6951
Original Owner	NAITO BROTHERS , ID
Original Owner	RUBY SKAGGS 1325 SHARON WAY RENO, NV 89509
Current Owner	CHARLES D PINTLER 13541 SURREY LN NAMPA, ID 83686 (208)466-6951
Original Owner	HARVEST FARM CO 98 PALMER AVE PO BOX 650 COTTAGE GROVE, OR 97424 (800)547-7023
Original Owner	JOHN SKAGGS 1325 SHARON WAY RENO, NV 89509

Priority Date: 03/29/1967 ✓

Basis: License ✓

Status: Active ✓

Source

GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION ✓

From To

03/15 to 11/15 ✓

3-1

Diversion Rate

0.260 CFS ✓

Total Diversion:

0.260 CFS ✓

Annual Volume

58.50 AF ✓

58.50 AF ✓

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4SW1/4NE1/4 ✓ T

Sec. 31, Twp 02N, Rge 02W, B.M. ✓

Place of Use

IRRIGATION

Transfer 71518

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	02W	31	✓												13.0

Total Acres: 13

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-31978

Conditions of Approval:

1. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. X36 Right 63-31979 is also diverted through the point of diversion described above.
4. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
8. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Remarks:

Comments:

1. pskaggs 2/2/2005 8:14:19 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 71518

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31978

04/11/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2280	Claim	02N	02W	31	SW	NE		IRRIGATION	25/805	HARVEST FARM CO
2368	Claim	02N	02W	31	SW	NE		IRRIGATION	25/805	HARVEST FARM CO
2422	Claim	02N	02W	31	SW	NE		IRRIGATION	25/805	HARVEST FARM CO
31978	Claim	02N	02W	31	SW	NE		IRRIGATION	13/13	CAROL L PINTLER
31979	Claim	02N	02W	31	SW	NE		IRRIGATION	12/12	JANA S BLACKER
2280	Water Right	02N	02W	31	SW	NE		IRRIGATION	25/805	HARVEST FARM CO
2368	Water Right	02N	02W	31	SW	NE		IRRIGATION	25/805	HARVEST FARM CO
2422	Water Right	02N	02W	31	SW	NE		IRRIGATION	25/805	HARVEST FARM CO

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33534/63-3593 Priority March 29, 1967 Amount 3.94 cfs

THIS IS TO CERTIFY, that The Travelers Insurance Company
of Portland, Oregon, has complied with the terms and conditions of Permit
No. 33534/63-3593 issued pursuant to Application for Permit dated March 29, 1967
and has submitted proof to the Department of Water Administration on May 7, 1971
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 5.85 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 3.94 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 3.94 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, Twp. 2 N, Rge. 2 W, B.M.

in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 888 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2 N	2 W	31			39		38.7	40	40	38.5									197.2

Total number of acres irrigated 197.2

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 12 day of
April, 19 73.


Deputy Director

63 3593