

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 63-32633
Date Received: 3/14/2005
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FARM DEVELOPMENT CORP Phone: (208)342-6524
PO BOX 1201
BOISE ID USA 83701

2. Date of Priority: 03/22/1967

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	03W	11	NW SW	CANYON	
02N	03W	14	SE SW	CANYON	

5. Description of diverting works:

2 WELL & DEEP WELL TURBINES, PUMPED TO MAINLINES TO IRR. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.07	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	03W	14	SE	SW	IRRIGATION	5
Section Acres						5
Total Acres						5

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-32293 .

15. Basis of Claim: License

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	)	Water Rights: 63-32293 (Split)
	)	63-32632, 63-32633, 63-32634
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- ☐ IC § 42-222 transfer
- | | |
|---|--|
| ☐ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |
| ☐ Other | |
- ☐ IC § 42-219 license

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 Report(s)* for said water right(s). 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: September 14, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on September 14, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

Clive Strong	☐ overnight mail
Office of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

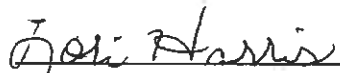
United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

Ruby C & W Nolan Victor	☐ overnight mail
Kathi L & Robert J Meyers	☒ regular mail
1528 Addison Ave E	☐ hand-delivered
Twin Falls ID 83301	☐ facsimile

Farm Development Corp	☐ overnight mail
PO Box 1201	☒ regular mail
Boise ID 83701	☐ hand-delivered
	☐ facsimile

Kimberly Tiersma	
Lynndon Tiersma	☒ regular mail
9121 Chaparral Ranch Dr	
Nampa ID 83686	



Signature of person mailing this document

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 63-32293
Date Received: 3/14/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RUBY C VICTOR Phone: (208) 733-1359
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

W NOLAN VICTOR Phone: (208) 733-1359
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

KATHI L MEYERS Phone: (208) 733-5217
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

ROBERT J MEYERS Phone: (208) 733-5217
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

2. Date of Priority: 03/22/1967

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	03W	11	NW SW	CANYON	
02N	03W	14	SE SW	CANYON	

5. Description of diverting works:

2 WELL & DEEP WELL TURBINES, PUMPED TO MAINLINES TO IRR. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
---------	------	----	--------	------------

IRRIGATION

03/15 11/15 1.93

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	03W	14	NE	SW	IRRIGATION	35.5
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	39
			SE	SW	IRRIGATION	29.75
					Section Acres	144.25
					Total Acres	144.25

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-32078 .

15. Basis of Claim: License

Canyon

RECEIVED
OCT 03 2005
WATER RESOURCES
WESTERN REGION

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

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
63-32078					

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)

4. New Owner/Claimant(s)

RUSSELL R. SARGENT, Cynthia A. Sargent
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

- New Mailing Address

13663 SANTA RITA Dr.

- City, State and ZIP Code

Nampa, ID 83686

- New Telephone Number

(208) 461-4771

5. Date you acquired the property

11/12/2003

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>63-32078 (Lot 6, Blk 2, Chiparal Ranch Sub)</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>4.5 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

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

[Signature] / *[Signature]*

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 *[Signature]* Date 10-3-05 Fee *[initials]*
 Received by *[Signature]* Date 10-3-05 Receipt No. N/A
 Processed by *[Signature]* AJ Date 5-4-06 WR _____ Date _____

CC 5499 INSTRUMENT NO. 200370700

CC1713

WARRANTY DEED

FOR VALUE RECEIVED David W. Washburn and Kelly L. Washburn,
husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto Russell R. Sargent and Cynthia
A. Sargent, husband and wife

the Grantees, whose address is 13663 Santa Rita Drive, Nampa, ID, 83686

the following described premises, to-wit:

LOT 6 IN BLOCK 2 OF CHAPARRAL RANCH SUBDIVISION, CANYON COUNTY,
IDAHO, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 30 OF
PLATS AT PAGE 46, RECORDS OF SAID COUNTY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns
forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said
premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2002 and
subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same
from all lawful claims whatsoever.

DATED: November 13, 2003

David W. Washburn
David W. Washburn

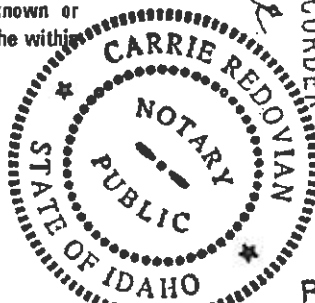
Kelly L. Washburn
Kelly L. Washburn

STATE OF IDAHO

COUNTY OF CANYON

On this 13th day of November in the year 2003, before me, a Notary Public,
personally appeared David W. Washburn & Kelly L. Washburn 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.

Carrie Redovan
Notary Public
Residing at Melba
My commission expires 3/10/09



C NOEL HALE

NOV 14 PM 2 14

RECORDED

PIONEER TITLE COMPANY
OF CANYON COUNTY
"CANYON OFFICE"

PIONEER-CALDWELL
REQUEST
TYPE Deed FEE 300

5680 E. FRANKLIN, STE. 150
NAMPA, IDAHO 83686

TEL. (208) 465-6655
FAX. (208) 465-6556

200370700

63-32078

VICTOR/MEYERS

148.75 ACRES

1.99 CFS

$$1.99 \div 148.75 = .013 \times 144.25 = 1.93 \text{ CFS}$$

$$.013 \times 4.5 = .06 \text{ CFS}$$



63-32293

VICTOR/MEYERS

144.25 ACRES

1.93 CFS

63-32294

SARGENT

4.5 ACRES

.06 CFS

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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Ident. Number 63-32078
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NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RUBY C VICTOR Phone: (208)733-1359

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

W NOLAN VICTOR Phone: (208) 733-1359

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

KATHI L MEYERS Phone: (208)733-5217

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

ROBERT J MEYERS Phone: (208)733-5217

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

2. Date of Priority: 03/22/1967

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
02N	03W	11	NW	SW	CANYON	
02N	03W	14	SE	SW	CANYON	

5. Description of diverting works:

2 WELL & DEEP WELL TURBINES, PUMPED TO MAINLINES TO IRR. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.99	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	03W	14	NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	39
			SE	SW	IRRIGATION	29.75
Section Acres						148.75
Total Acres						148.75

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-32018.

15. Basis of Claim: License

Liberty -

The only thing happening from the paperwork submitted is the removal of Kidner & Dolly Montworth from the rights. The Victors and Meyers are also being removed.

Before completing the state entry, we should obtain a signed copy of the Decree of Partition by stipulation & order. Then, the above listed names can be removed from 63-3557A/3232/7156A & 3599A.

63-3589 has already been split by a previous ownership change into 63-32018 and 63-32019. Attached are prog. reports of the claims & recomm. for the 2 new numbers. I've written some notes on the recomm. prog. And I marked up the claim report for 63-32018, showing how this new split should be made.

Let me know if you have any questions.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32019 V1

WATER RIGHT NUMBER: 63-32019 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	EDWARD RAY MONTIERTH 1601 POEN RD KUNA, ID 83634 (208)463-8163
Original Owner	BRYCE MILLAR RT 7 BOX 7380 NAMPA, ID 83651

*Recommend. needs to
be updated
according to
claim record*

Priority Date: 03/22/1967

Basis:

Status:

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

3/15 to 11/15

4.220 CFS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32019

WATER RIGHT NUMBER: 63-32019

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BRYCE MILLAR RT 7 BOX 7380 NAMPA, ID 83651
Original Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Original Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Original Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-5217
Original Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208) 463-8163
<u>Current Owner</u>	JEANIE AMEN 9125 SKY RANCH RD NAMPA, ID 83686 (208) 466-1853
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208) 343-7782
Original Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-5217
Original Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-5217
Original Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
<u>Current Owner</u>	FRANKIE AMEN 9125 SKY RANCH RD NAMPA, ID 83686 (208) 466-1853

Priority Date: 03/22/1967

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.120 CFS

Annual Volume

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32019

Total Diversion: 0.120 CFSLocation of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 11, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SE1/4SW1/4	Sec. 14, Twp 02N, Rge 03W, B.M.
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	03W	14												9.3					9.3

Total Acres: 9.25

Conditions of Approval:Remarks:

1. Explanatory This right is a split from former right 63-3589.

Comments:Dates and Other Information:

Claim Received Date: 1/10/2005
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 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:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32018 V1

WATER RIGHT NUMBER: 63-32018 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EDWARD RAY MONTIERTH 1601 POEN RD KUNA, ID 83634 (208)463-8163
Original Owner	BRYCE MILLAR RT 7 BOX 7380 NAMPA, ID 83651
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217

*Recommend needs to
be updated
according to
claim record*

Priority Date: 03/22/1967

Basis:

Status:

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

4.220 CFS

Annual Volume

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32018 V1

Total Diversion: 4.220 CFSLocation of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 11, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SE1/4SW1/4	Sec. 14, Twp 02N, Rge 03W, B.M.
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	03W	14					39.0	39.0	40.0	40.0	40.0	40.0	39.0	39.0					316.0

Total Acres: 316

Conditions of Approval: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:
 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:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32018

WATER RIGHT NUMBER: 63-32018

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	EDWARD P 1601 KUNA (208)4
Original Owner	BRYCE RT 7 BOX NAMPA,
Current Owner	RODNEY 1528 ADD TWIN FALLS (208)733-5
Current Owner	KATHI L ME 1528 ADDISON TWIN FALLS, (208)733-5217
Current Owner	SUSAN L MON 825 HEARTLAND NAMPA, ID 83686 (208)463-8163
Current Owner	RUBY C VICTOR 1528 ADDISON A TWIN FALLS, ID 83301 (208)733-1359
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217

changed portion
remained

63-32077
63-32078

Priority Date: 03/22/1967

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

4.100 CFS

Annual Volume

2.11 cfs
1.99 cfs

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32018

Total Diversion: 4.100 CFSLocation of Point(s) of Diversion

GROUND WATER

CANYON County

GROUND WATER

CANYON County

NW1/4SW1/4

Sec. 11, Twp 02N, Rge 03W, B.M.

SE1/4SW1/4

Sec. 14, Twp 02N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec													Totals
			NE			NW				SW			SE		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	14					39.0	39.0	40.0	40.0	40.0	40.0	39.0	29.8	306.8

Total Acres: 306.75

*changed**remains*Conditions of Approval:Remarks:

1. Explanatory This right is a split from former right 63-3589.

Comments:Dates and Other Information:

Claim Received Date: 1/10/2005
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 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:

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 63-32018
Date Received: 1/10/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

W NOLAN VICTOR Phone: (208) 733-1359

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

GOLDA D MONTIERTH Phone:

RT 1 BOX 156
KUNA ID USA 83634

EDWARD RAY MONTIERTH Phone: (208)463-8163

1601 POEN RD
KUNA ID USA 83634

RODNEY KENT MONTIERTH Phone: (208)733-5217

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

KATHI L MEYERS Phone: (208)733-5217

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

SUSAN L MONTIERTH Phone: (208)463-8163

825 HEARTLAND DR
NAMPA ID USA 83686

RUBY C VICTOR Phone: (208)733-1359

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

HERBERT R MONTIERTH JR Phone: (208)463-8163

825 HEARTLAND DR
NAMPA ID USA 83686

ROBERT J MEYERS Phone: (208)733-5217

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

2. Date of Priority: 03/22/1967

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	03W	11	NW SW	CANYON	
02N	03W	14	SE SW	CANYON	

5. Description of diverting works:

2 WELL & DEEP WELL TURBINES, PUMPED TO MAINLINES TO IRR. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	4.1	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
02N	03W	14	NE NW	IRRIGATION	39
			NW NW	IRRIGATION	39
			SW NW	IRRIGATION	40
			SE NW	IRRIGATION	40
			NE SW	IRRIGATION	40
			NW SW	IRRIGATION	40
			SW SW	IRRIGATION	39

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3589

WATER RIGHT NUMBER: 63-3589

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	BRYCE MILLAR RT 7 BOX 7380 NAMPA, ID 83651
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	EDWARD RAY MONTIERTH 1601 POEN RD KUNA, ID 83634 (208)463-8163
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163

Priority Date: 03/22/1967

Basis: License

Status: Parent

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

4.220 CFS

Annual Volume

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3589

Total Diversion: 4.100 CFSLocation of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 11, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SE1/4SW1/4	Sec. 14, Twp 02N, Rge 03W, B.M.
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	03W	14					39.0	39.0	40.0	40.0	40.0	40.0	39.0	29.8					306.8

Total Acres: 306.75

Conditions of Approval:Remarks:

- General SPLIT RIGHT: SEE RIGHT NOS.63-32018 AND 63-32019.

Comments:Dates and Other Information:

Claim Received Date: 12/28/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 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:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
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Verification Log:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3589

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

SPLIT TREE

CLAIM: 63-3589

AGENT: Jan Shurte

Date: 12-27-04

FACTOR = CFS 4.22 / ACRES 316 = .01335 CFS/AC

SPLIT .01335 = FACTOR x N acres 9.25 = CFS .12 CFS

SPLIT .01335 = FACTOR x N acres 306.75 = CFS 4.10 CFS

TOTALS 316 4.22 CFS

NAME	<u>MONTIERTH, VICTOR, MEYERS</u>
RIGHT	<u>63-3589</u>
CFS	<u>4.22 CFS</u>
ACRES	<u>316 AC</u>
TRACT(S)	<u>SEE RT.</u>

NAME	<u>MONTIERTH, VICTOR, MEYERS</u>
SPLIT	<u>NEW #63-32018</u>
CFS	<u>4.10 CFS</u>
ACRES	<u>306.75</u>
TRACT(S)	<u>ALL THE NW 1/4 SAME</u> <u>ALL THE SW 1/4 SAME EXCEPT</u> <u>FOR THE USEW = 29.25 AC</u>

QAMKE POD'S

NAME	<u>FRANKIE & JEANNE H</u>
SPLIT	<u>NEW #63-32019</u>
CFS	<u>.12 CFS</u>
ACRES	<u>9.25</u>
TRACT(S)	<u>USEW, S. 1/4,</u> <u>T. 2N, R. 3W.</u>

JAMKE POD'S

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

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
	63-3589				

RECEIVED
NOV 26 2004
DEPARTMENT OF
WATER RESOURCES

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) LOLLIPOPS, 1000 ADDISON AVE E?
- ☒ 4. New Owner/Claimant(s) Frankie Amen & Jeanie Amen
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 9125 Sky Ranch Road
- City, State and ZIP Code Nampa, Idaho 83686
- New Telephone Number (208) 466-1853
- ☒ 5. Date you acquired the property April 23, 2004

RECEIVED

NOV 29 2004

WATER RESOURCES
WESTERN REGION

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>63-3589</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>.13 CFS</u>	<u>10 ACRES</u> <u>(9.25 AC)</u>
Stock		<u>PER PLAT MAP</u>
Domestic		
Other		
Total	<u>.13</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)

Frankie Arnes
Jeanie Arnes

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

NO
FEE
ON ADJ.
CLAIMS

PC57732
CC2682 *CHC*

INSTRUMENT NO. 200442531

WARRANTY DEED

FOR VALUE RECEIVED Steve A. Rouppet and Linda Rouppet, husband & wife

the Grantors, do hereby grant, bargain, sell and convey unto Frankie Amen and Jeanie Amen, husband and wife

the Grantees, whose address is 9125 Sky Ranch Rd., Nampa, ID 83686

the following described premises, to-wit:

THE SOUTH ONE HALF OF LOT 12 BLOCK 1, CHAPARRAL RANCH SUBDIVISION, CANYON COUNTY, IDAHO, ACCORDING TO THE PLAT FILED IN BOOK 30 OF PLATS, PAGE 46, RECORDS OF SAID COUNTY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances, except for general taxes and assessments for the year 2003 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: April 23, 2004

Steve A. Rouppet
Steve A. Rouppet

Linda Rouppet
Linda Rouppet

STATE OF IDAHO

COUNTY OF CANYON

On this 23rd day of April in the year 2004, before me, a Notary Public, personally appeared Steve A. Rouppet & Linda Rouppet 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.

Quinn Redovian
Notary Public
Residing at Melba
My commission expires 3/10/09



2004 APR 24 PM 3 52

RECORDED

PIONEER TITLE COMPANY
OF CANYON COUNTY
"CANYON OFFICE"

G NOEL HALES
CANYON COUNTY RECORDER

5630 E. FRANKLIN, STE. 150
NAMPA, IDAHO 83686

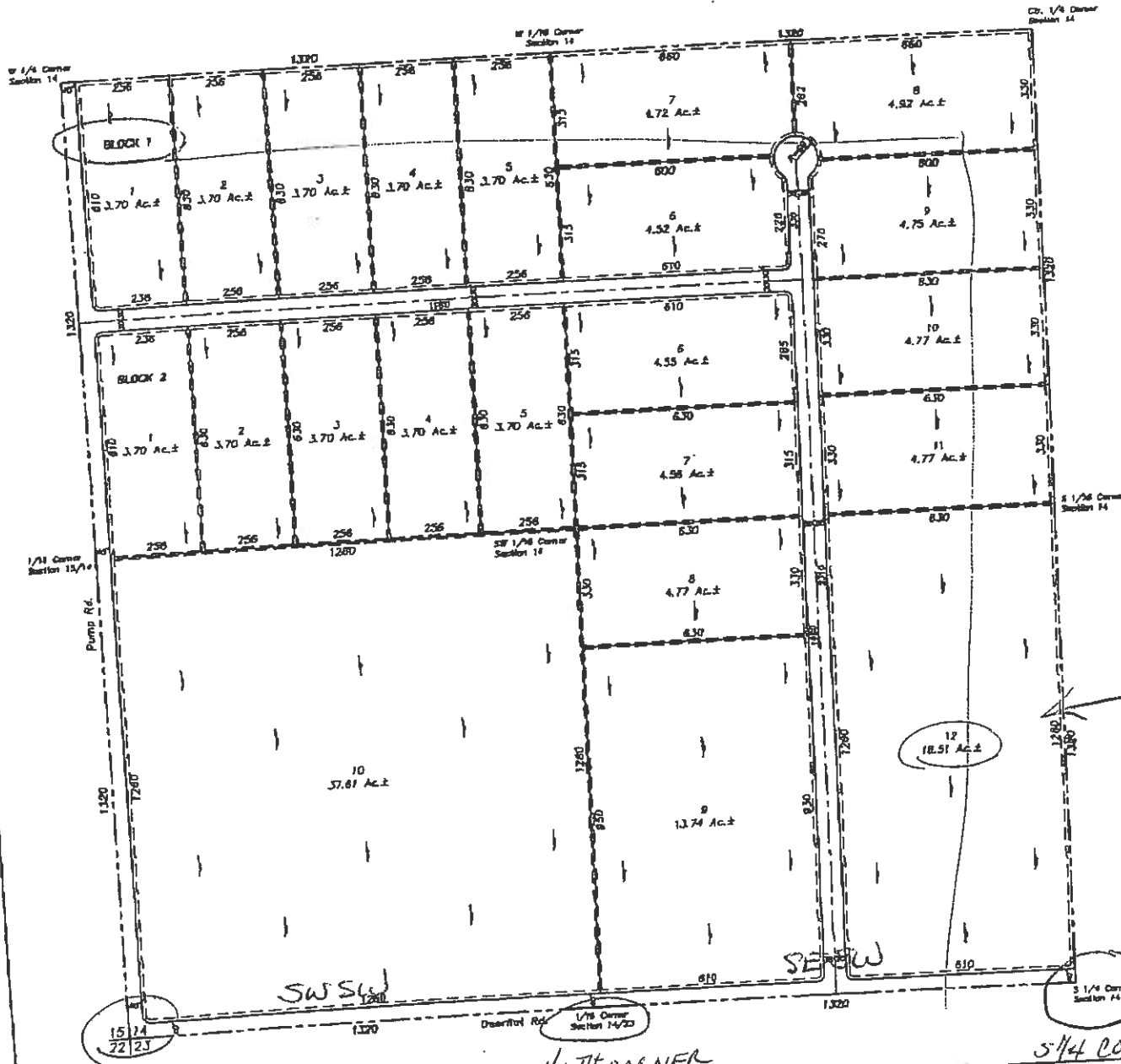
TEL. (208) 465-6655
FAX. (208) 465-6556

PIONEER-CALDWELL
REQUEST *102* FEE *3.00*
TYPE *102*

200442531

Conceptual Plan

THE SW 1/4 OF SECTION 14
TOWNSHIP 2 NORTH, RANGE 3 WEST, BOISE MERIDIAN
CANYON COUNTY, IDAHO



Scale: 1" = 200'

LEGEND

- PROPERTY BOUNDARY LINE
- - - EASEMENT LINE
- - - DIRECTION OF SLOPE
- UTILITY, drainage and irrigation easement.
- Unless otherwise noted widths shall be:
10 feet along street frontage
10 feet on each side of back lot lines
5 feet on each side of interior lot lines

LOT 12
BLOCK 1

INDEX No. 234-14-3-0-0-00-00

SURVEY FOR

BRIAN MILLAR

Drawn By: RFJ

Date: OCT. 17, 2000

Book:

Job No. 001000

Skinner Land
Survey Co. Inc.

1001 E. Chicago, Suite C
Columbia, SC 29204
(803) 733-1000

To: Idaho Dept. of Water Resources
Attn: Jan

334-2348

From: Frankie & Jennie Amen
466-1853

Re: H2O Rights

Frankie & I were married & I was added
as a partner to the deeds. See enclosed
& second set of deeds. (80 acres)

Thanks for your help.

Jennie

Addition of Partner
&
Clarification of Deed

Timothy J. Schelhorn and Julie M. Schelhorn, husband and wife; and Frankie Amen, married to Jeanie M. Amen, request the addition of Jeanie M. Amen, wife of Frankie Amen, to be added as a full and equal partner to the properties and contracts listed below and to read as follows:

First property:

"Timothy J. Schelhorn and Julie M. Schelhorn, husband and wife, as to an undivided one-half interest; and Frankie Amen and Jeanie M. Amen, husband and wife, as to an undivided one-half interest.

Whose address is: 9135 Sky Ranch Road, Nampa Idaho and
9125 Sky Ranch Road, Nampa Idaho, respectively.

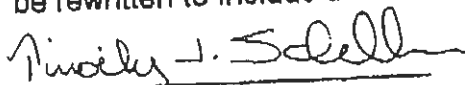
SE 1/4, SE 1/4; Section 14, Township 2 North, Range 3 West, Boise
Meridian, Canyon County, Idaho."

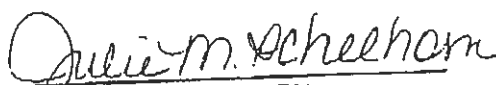
Second Property - under contract for purchase:

"Timothy J. Schelhorn and Julie M. Schelhorn, husband and wife, as to an undivided one-half interest; and Frankie Amen and Jeanie M. Amen, husband and wife, as to an undivided one-half interest; herein after designated as the buyers."

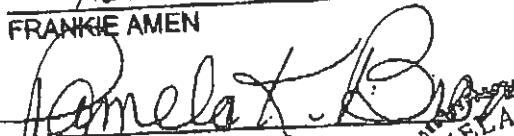
"SW 1/4 SE 1/4; Section 14, Township 2 North, Range 3 West, Boise
Meridian, Canyon County, Idaho."

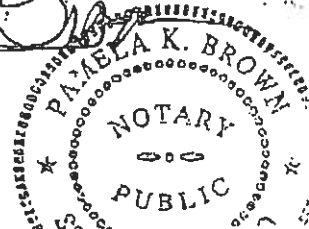
For the purpose of clarification of the Warranty Deed and the Installment Contract for Real Estate, Warranty Deed, we request that the deed and contract be rewritten to include these changes.


TIMOTHY J. SCHELHORN


JULIE M. SCHELHORN


FRANKIE AMEN


NOTARY PUBLIC



Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3589

WATER RIGHT NUMBER: 63-3589

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	BRYCE MILLAR RT 7 BOX 7380 NAMPA, ID 83651
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686
Current Owner	EDWARD RAY MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686

Priority Date: 03/22/1967

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To
3/15 to 11/15

Diversion Rate

4.220 CFS

Total Diversion:

4.220 CFS

Annual Volume

1.13 CFS
10 acres

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3589

GROUND WATER

CANYON County

NW1/4SW1/4

Sec. 11, Twp 02N, Rge 03W, B.M.

GROUND WATER

CANYON County

SE1/4SW1/4

Sec. 14, Twp 02N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
02N	03W	14	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	316.0
							39.0	39.0	40.0	40.0	40.0	40.0	39.0	39.0					

Total Acres: 316

SESW

Conditions of Approval:Remarks:Comments:

(10 ACRES)
 NOTE: THE SESESW IS LOCATED WITHIN
 THE SESW AS LISTED ABOVE.

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: A63-03589
Date Received: 12/28/1989
Receipt No: N003518
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: H.R. MONTIERTH
Address: 1528 ADDISON AVENUE EAST
TWIN FALLS, ID

83301

208-733-5217

Name: GOLDA D. MONTIERTH
Address: 1528 ADDISON AVENUE EAST
TWIN FALLS, ID

83301

208-733-5217

Name: EDWARD MONTIERTH
Address: 1528 ADDISON AVENUE EAST
TWIN FALLS, ID

83301

208-733-5217

Name: SUSAN L. MONTIERTH
Address: 1528 ADDISON AVENUE EAST
TWIN FALLS, ID

83301

208-733-5217

Name: RODNEY KENT MONTIERTH
Address: 1528 ADDISON AVENUE EAST
TWIN FALLS, ID

83301

208-733-5217

Name: WILFORD NOLAN VICTOR
Address: 1528 ADDISON AVENUE EAST
TWIN FALLS, ID

83301

208-733-5217

Name: RUBY C. VICTOR
Address: 1528 ADDISON AVENUE EAST
TWIN FALLS, ID

83301

208-733-5217

Name: ROBERT J. MEYERS
Address: 1528 ADDISON AVENUE EAST
TWIN FALLS, ID

83301

208-733-5217

Name: KATHI L. MEYERS

208-733-5217

Address: 1528 ADDISON AVENUE EAST
TWIN FALLS, ID 83301

2. Date of Priority: MAR 22, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	03W	11	NW	SW			CANYON
		14	SE	SW			CANYON

5. Description of diverting works:
2 WELL & DEEP WELL TURBINES, PUMPED TO MAINLINES TO IRR. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.220		

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

8. Total consumptive use is 1106.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	03W	14	NE	NW		IRR	39.0
			NW	NW		IRR	39.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0

Section Acres 316.0

Total Acres 316.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
80 ACRES CONCURRENT WITH A63-03599B

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 33528

CHANGE IN OWNERSHIP

[] Water Right Number(s): ✓33561/63-3599B; ✓33559/63-3597; G-29632; ✓63-7156; ✓33561/63-3599A; ✓63-7825; ✓33528/63-3589; ✓33303/63-3557A
G-22446; ✓63-7778

[] Name and Address of Former Claimant: FEDERAL LAND BANK OF SPOKANE

W. 601 1st AVE., TAF-C5
SPOKANE, WA 99220

[] New Claimant(s): H.R. MONTIERTH, GOLDA D. MONTIERTH, EDWARD MONTIERTH, SUSAN L. MONTIERTH, RODNEY KENT MONTIERTH, WILFORD NOLAN VICTOR, RUBY C. VICTOR, ROBERT J. MEYERS, KATHI L. MEYERS

[] New Mailing Address: 1528 Addison Avenue East
Twin Falls, ID 83301

New Telephone Number: (208) 733-5217

[] Does the change in ownership result in a splitting of the water right claimed? yes ✓ no

If yes, then describe the portion of the water right that is now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: COPY OF RECORDED WARRANTY DEED

[] Signature of New Claimant(s): SEE ATTACHED SIGNATURE PAGE

Date: 2-1-90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

RECEIVED

OCT 24 1990

Department of Water Resources gpc 2/27/91 Deed matches claims on split portions. id #63-7156 A as
A63-387A

SIGNATURE PAGE, ATTACHED TO ALL CLOSING DOCUMENTS

H.R. Montierth

H.R. MONTIERTH, aka Herbert R. Montierth

Golda D. Montierth

GOLDA D. MONTIERTH aka Darlene R. Montierth

Edward Ray Montierth

EDWARD RAY MONTIERTH aka Ray Montierth

Susan L. Montierth

SUSAN L. MONTIERTH

Rodney Kent Montierth

RODNEY KENT MONTIERTH

Wilford Nolan Victor

WILFORD NOLAN VICTOR

Ruby C. Victor

RUBY C. VICTOR

Robert J. Meyers

ROBERT J. MEYERS

Kathi L. Meyers

KATHI L. MEYERS

MICROFILMED

PAV 15618

RECORD NO. 9002195

1077

WARRANTY DEED

X GRANTOR, FARM CREDIT BANK OF SPOKANE, a corporation, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto (1) H. R. MONTIERTH, also known as Herbert R. Montierth, and GOLDA D. MONTIERTH, also known as Darlene R. Montierth, husband and wife; EDWARD RAY MONTIERTH, also known as Ray Montierth, and SUSAN L. MONTIERTH, husband and wife; RODNEY KENT MONTIERTH, a single man; grantees collectively as to a one-third undivided interest; (2) WILFORD NOLAN VICTOR and RUBY C. VICTOR, husband and wife, grantees collectively as to a one-third undivided interest; and (3) ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife, grantees collectively as to one-third undivided interest, as tenants in common in the shares provided above, whose current address is Route 1, Kuna, Idaho 83634, as GRANTEE, and to grantee's heirs and assigns forever, all of the real estate located in Canyon County, State of Idaho, more particularly described on Exhibit A, attached hereto and incorporated herein.

Grantor does hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the grantee, his heirs and assigns forever against the lawful claims of all persons.

WARRANTY DEED

Grantor warrants that it has complied with the applicable provisions of the Agricultural Credit Act of 1987.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, grantor has hereunto subscribed his name to this instrument this 2 day of February, 1990.

FARM CREDIT BANK OF SPOKANE

By: Daniel R. Huff

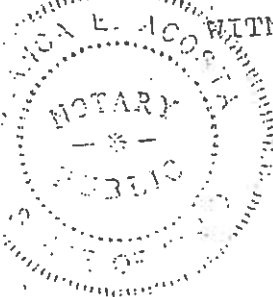
Authorized Agent

STATE OF IDAHO

COUNTY OF Boyer) ss.

On this 2nd day of February, 1990, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Daniel R. Huff, known or identified to me to be the authorized agent of Farm Credit Bank of Spokane, the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and Official Seal.



Daniel R. Huff
Notary Public for Idaho
Residing at Boyer, Idaho
My Commission expires: 8-11-93

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: A63-03589
Date Received: 12/20/1989
Receipt No: N-3518
Received By: AR

RECEIVED

JAN 02 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

208-343-7782

1. Name: FARM CREDIT BANK OF SPOKANE
Address: P.O. BOX 15367
BOISE, ID 83715

2. Date of Priority: MAR 22, 1967

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	11		NW	SW		CANYON
		14		SE	SW		CANYON

5. Description of diverting works:
2 WELL & DEEP WELL TURBINES, PUMPED TO MAINLINES TO IRR. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.220		

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

8. Total consumptive use is 1106.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	14	NE	NW		IRR	39.0
			NW	NW		IRR	39.0
			SW	NW		IRR	40.0

A63-03589

Page 1

Date: 12/28/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	03W	14	SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	39.0
			SE	SW	IRR	39.0
Section Acres						316.0
Total Acres						316.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
80 ACRES CONCURRENT WITH A63-03599B

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 33528

16. Signatures(s)

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

Number of Attachments: 2

For Organizations

I do solemnly swear or affirm that I am the Senior Engineer-Appraiser of Farm Credit Bank of Spokane, that I have signed the foregoing document in the space below as Senior Engineer-Appraiser of Farm Credit Bank of Spokane and that the statements contained in the foregoing document are true and correct.

Herbert J. Sanders
(Signature of authorized Agent)

Senior Engineer-Appraiser
Farm Credit Bank of Spokane
(Title and Organization)

12/28/89
(Date)

State of Idaho)
County of Kootenai) SS.

Subscribed and sworn (or affirmed) before me this 28th day of Dec, 19 89.

SEAL

Allen Beardslee
Notary Public

Residing at Rathbun

My Commission Expires: 7/20/94

EXHIBIT "A"

Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, Section 14:

South Half EXCEPT:

A part of the Southeast Quarter described as:

COMMENCING at the Northeast corner of said Southeast Quarter (East Quarter corner), monumented with an iron pipe, 2 inches diameter; thence

South $0^{\circ} 3'$ East 478.04 feet along the East boundary of said Southeast Quarter; thence

South $89^{\circ} 57'$ West 25 feet to the POINT OF BEGINNING; thence

South $89^{\circ} 57'$ West 396 feet; thence

South $0^{\circ} 3'$ East 220 feet parallel with the East boundary of said Southeast Quarter; thence

North $89^{\circ} 57'$ East 396 feet; thence

North $0^{\circ} 3'$ West 220 feet parallel with the East boundary of said Southeast Quarter to the POINT OF BEGINNING.

Section 15:

Southwest Quarter of the Southeast Quarter; Southeast Quarter of the Southwest Quarter; Northwest Quarter of the Southwest Quarter; Southwest Quarter of the Southwest Quarter; Northeast Quarter of the Southwest Quarter; Northwest Quarter of the Southeast Quarter; East Half of the Southeast Quarter.

Section 13:

Northwest Quarter of the Northwest Quarter.

Section 14:

Northeast Quarter of the Northeast Quarter; Northwest Quarter; Southeast Quarter of the Northeast Quarter; West Half of the Northeast Quarter;

EXCEPT:

A part of the Northwest Quarter, Section 14, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as:

COMMENCING at the Northeast corner of said Section 14 (section corner) monumented with a rebar, 5/8 inches diameter; thence

South $62^{\circ} 48' 15''$ West 4,462.39 feet to the POINT OF BEGINNING; said point bears

South $62^{\circ} 05' 00''$ East 1,460.17 feet from a found 3/8 inch pipe at the Northwest corner of the Southwest Quarter of the Northwest Quarter, Section 14 (North One-Sixteenth Corner), thence

North $89^{\circ} 54' 30''$ East 295.32 feet; thence

South $0^{\circ} 05' 30''$ East 295.00 feet; thence

South $89^{\circ} 54' 30''$ West 295.32 feet; thence

South $0^{\circ} 05' 30''$ West 295.00 feet to the POINT OF BEGINNING.

Section 10

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South Half of the Northeast Quarter; Southeast Quarter of the Northwest Quarter; Northeast Quarter of the Southwest Quarter; South Half of the Southwest Quarter; West Half of the Southeast Quarter; Northeast Quarter of the Southeast Quarter; Southeast Quarter of the Southeast Quarter; Southwest Quarter of the Northwest Quarter; Northwest Quarter of the Southwest Quarter;

EXCEPTING THEREFROM:

That portion of the East Half of Section 10, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, described as:

BEGINNING at the section corner common to Section 2, 3, 10 and 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho; thence

South $0^{\circ} 4' 0''$ East 1,358.47 feet along the East section line (Basis of Bearing) to the REAL POINT OF BEGINNING; thence continuing

South $0^{\circ} 4' 0''$ East 1,298.48 feet to the quarter corner; thence

South $0^{\circ} 9' 27''$ East 1,818.74 feet along the section line to a point

North $0^{\circ} 9' 27''$ West 836.23 feet of the Southeast corner of said Section 10; thence

North $39^{\circ} 35' 0''$ West 421.13 feet; thence

North $19^{\circ} 39' 55''$ West 722.59 feet; thence

North $16^{\circ} 48' 33''$ West 201.19 feet; thence

North $37^{\circ} 3' 36''$ West 599.17 feet; thence

North $13^{\circ} 47' 14''$ West 527.44 feet; thence

North $0^{\circ} 54' 43''$ East 492.15 feet; thence

North $61^{\circ} 11' 12''$ West 315.87 feet; thence

North $21^{\circ} 40' 11''$ West 304.77 feet; thence

North $89^{\circ} 56' 0''$ East 1,431.45 feet to the POINT OF BEGINNING.

Section 15:

Northwest Quarter; Northeast Quarter.

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

Together with all water and water rights used upon or appurtenant to said property, however evidenced, including but not limited to Permit No. 53-9654 issued by the Water Resources Department of the State of Idaho

REQUEST PIONEER WAVIA
TYPE Meacham 12

CANYON CNTY RECORDER
BY C. Smith 12

REC'D J. KERR

90 FEB 6 PM 12 06

RECORDED

9002195

Claim # A63-03597 → Portions in Sec. 11
are not mentioned in deed

11-20-90

MS

2 N 3 W

14	all SW	W 1/2 - A63-03599 B	A63-03589 (all)
	all SE	A63-07778	
✓	NE NE	A63-03599 A	A63-03232
	all NW	A63-03589	
	SE NE	A63-07156 A	
	NW NE		
	SW NE		

15	SW SE	A63-03599 B	all NE A63-03597
	SE SW		all NW A63-03597
✓	NW SW	A63-07825	A63-02879
	SW SW		
	NE SW	A63-03599 B	
	NW SE	A63-03599 B	
	NE SE		
	SE SE		

✓ 13 NW NW A63-03557 A

✓ 10	SW NE	A63-03597	
	SE NE		
	SE NW	A63-03597	
	NE SW	A63-03597	
	SW SW		
	SE SW		
	NW SE	A63-03597	
	SW SE		

SW NW A63-03597
NW SW A63-03597

MICROFILME

AUG 10 1992

Gotts Point

A03-03597, 1100

Not in deed, but in claims

2 N 3 W

2

2

13

A03-03598

A03-03589

A03-03597

0 2784

MICROFILMED

OK

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

01/08/91 15:48:00
Page 1

Water Right Number - A63-03589

Adj. Flag Translation: ADJUDICATION CLAIM

Old (D) Number - 33528

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

*** C - CURRENT OWNER ***
FARM CREDIT BANK OF SPOKANE

1 - P.O. BOX 15367
2 -
3 -
City- BOISE State- ID Zip- 83715
Phone - 208-343-7782

*** O - ORIGINAL OWNER ***
MILLAR

BRYCE

1 - RT. 7, BOX 7380
2 -
3 -
City- NAMPA State- ID Zip- 83651
Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
03/22/1967 14 Error in Region L - LICENSE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
02N	03W	11	NW SW			(27) CANYON		
02N	03W	14	SE SW			(27) CANYON		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15		4.220	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +	+ - Total Consumptive Use - +	+ - KW Usage - +
4.220			1106.0	

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
02N	03W	14	NE NW		39.0	01	IRRIGATION	(27) CANYON
02N	03W	14	NW NW		39.0	01	IRRIGATION	(27) CANYON
02N	03W	14	SW NW		40.0	01	IRRIGATION	(27) CANYON
02N	03W	14	SE NW	340	40.0	01	IRRIGATION	(27) CANYON
02N	03W	14	NE SW		40.0	01	IRRIGATION	(27) CANYON
02N	03W	14	NW SW		40.0	01	IRRIGATION	(27) CANYON
02N	03W	14	SW SW		39.0	01	IRRIGATION	(27) CANYON
02N	03W	14	SE SW		39.0	01	IRRIGATION	(27) CANYON

Total Acres: 316.0

+ - - Diversion Means - 2 WELL & DEEP WELL TURBINES, PUMPED TO MAINLINES TO IRR. SYSTEM

+ - - Non-Irrigation Use -

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AUG 19 1992

RECEIVED

DEC 10 2004

WATER RESOURCES
WESTERN REGION

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

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
63-3557A		N/A			
63-3589		1/2			
63-3232		N/A			
63-7156A		N/A			
63-3599A		N/A			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *N/A*
- 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) SEE ATTACHED WATER RIGHTS (MULTIPLE NAMES)

4. New Owner/Claimant(s) MONTIERTH, EDWARD RAY (OR) SUSAN L (OR) H.R. (OR)
Name Connector (Check one): [] and, [] or, [] and/or ESTATE OF GOLDA

New Mailing Address

825 HEARTLAND DR

City, State and ZIP Code

Nampa, ID 83686

New Telephone Number

208 463-8163

5. Date you acquired the property

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>63-3589 (only split)</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>2.2</u>	<u>158</u>
Stock		
Domestic		
Other		
Total	<u>2.2 cfs</u>	<u>158 ac</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) *AP Montierth*
(include title if applicable)

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

For Office Use Only

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

200638800

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE &
ESCROW CORP.

READ & APPROVED BY GRANTEE(S):

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 00024348 XD/CH

WARRANTY DEED

FOR VALUE RECEIVED KENDAL F. EGBERT, TRUSTEE OF THE V & M TRUST

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto SOUTHSIDE, INC., an Idaho corporation

GRANTEE(S), whose current address is: 420 SHERRY RD, NAMPA, ID 83686
the following described real property in CANYON County, State of Idaho, more particularly described as follows, to wit:

The Southwest Quarter of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: October 31, 2000

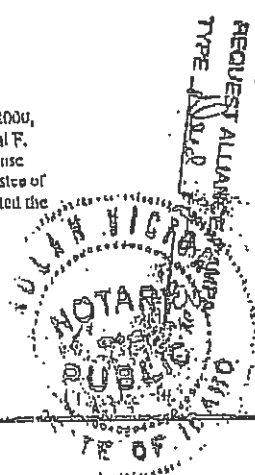
V & M TRUST

By: Kendal F. Egbert, Trustee

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 1 day of November, in the year 2000, before me a Notary Public, personally appeared Kendal F. Egbert, known to me to be the person whose name is subscribed to the within instrument as the trustee of V & M Trust, and acknowledged to me that he executed the same as such trustee.

Notary Public
My commission expires on: 4/27/2003
Residing at: TWIN FALLS



NO NOV 3 PM 4 27
G NOEL HALES
CANYON CNTY RECORDER
BY:

RECORDED

200038800

200038799

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE &
ESCROW CORP.

READ & APPROVED BY GRANTEE(S):

REQUEST ALLIANCE NUMBER
NOV 1 1997 FEB 27 2000CANYON CTR RECORD
G MOEL HALES
CANYON CTR RECORD

RECORDED

SHADE ABOVE THIS LINE FOR RECORDING DATA
Order No.: 24348/CM TCO

WARRANTY DEED

FOR VALUE RECEIVED ROBERT J. MEYERS & KATHI L. MEYERS, husband & wife
AND WILFORD NOLAN VICTOR, also shown of record as W. NOLAN VICTOR &
RUBY C. VICTOR, HUSBAND & WIFE
GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto V & M TRUST

GRANTEE(S), whose current address is: 420 Shennard Nampa ID 83686
the following described real property in CANYON County, State of Idaho, more particularly
described as follows, to wit:

The Southwest Quarter of Section 14, Township 2 North, Range
3 West, Boise Meridian, Canyon County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said
Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from
all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered
or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and
agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments,
if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend
the same from all lawful claims whatsoever.

Dated: November 01, 2000

ROBERT J. MEYERS

WILFORD NOLAN VICTOR

KATHI L. MEYERS

RUBY C. VICTOR

STATE OF IDAHO
COUNTY OF TWID FALLS

On this 1st day of November, in the year of 2000, before me, the undersigned, a Notary
Public in and for said State, personally appeared ROBERT J. MEYERS, KATHI L. MEYERS,
WILFORD NOLAN VICTOR & RUBY C. VICTOR

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and
acknowledged to me that he/she/they executed the same.

BONNY J. MOORE

NOTARY PUBLIC
STATE OF IDAHO

Residing at:

My Commission Expires: 8-28-04

PN-54353
PN-54419
INSTRUMENT NO: 9924656

BRIAN F. McCOLL
WILSON, CARNAHAN & McCOLL
420 W. Washington
P.O. Box 1544
Boise, Idaho 83701
Telephone: 208-345-9100
Attorney for Defendants Montierth

NO. FILED 2:48 PM

APR 13 1994

DAVID NAVARRO, CLERK
DEPUTY

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF

THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

W. NOLAN VICTOR and RUBY C.)
VICTOR, husband and wife; and)
ROBERT J. MEYERS and KATHI L.)
MEYERS, husband and wife,)

Plaintiffs,)

vs.)

HERBERT R. MONTIERTH and THE)
ESTATE OF GOLDA D. MONTIERTH;)
EDWARD RAY MONTIERTH and SUSAN L.)
MONTIERTH, husband and wife;)
RODNEY KENT MONTIERTH and DOLLIE)
MONTIERTH, husband and wife;)
MONTIERTH ENTERPRISES, a)
Partnership consisting of each of)
the above-named individual)
Defendants; and NORWEST)
AGRICULTURAL CREDIT, INC., a)
foreign corporation authorized to)
do business in the State of Idaho,)

Defendants.)

Case No. 95729

DECREE OF PARTITION BY
STIPULATION AND ORDER

RECITALS

By Pre-Trial Order entered by this Court on February 12, 1993, the trial in this matter was bifurcated with issues pertaining to a partition of the real estate presented at Court Trial on February 19, 1993. At the conclusion of that trial, the Court orally entered its Findings of Fact and Conclusions of Law with respect to the partition of the real estate which Findings and Conclusions have been transcribed.

By agreement between the parties, a 400 acre parcel of the so-called Star Farm was sold to a third party on May 13, 1993; and, by another agreement between the parties, the Montierths Defendants conveyed their interest in the remaining 520 acres of the Star Farm to the Plaintiffs on or about November 12, 1993.

Pursuant to Idaho Code §6-512, the Court entered its Order of Reference on June 9, 1993 wherein W. Roy Brown, Anthony Moreda and Robert W. Smith were appointed referees with directions to determine a proper division of the portion of the real property known as the "Nampa Farm".

Thereafter, the Court entered its Order on Referee's Report on October 4, 1993 directing that the parties conduct a lottery to determine which party would receive which parcels. On October 5, 1993, the parties with their counsel met, the lottery was conducted and with certain modifications to the referee's Report, the parties stipulated to a division of the Nampa Farm.

Attached hereto as Exhibit "A" and by this reference made a part hereof is a schematic map of the real property known to the

parties as the Nampa Farm containing thereon, in addition to the real property, certain ground water wells.

STIPULATION

1. The following real and personal property is awarded to and fee simple title shall be vested in Herbert R. Montierth and the Estate of Golda D. Montierth, Edward Ray Montierth and Susan L. Montierth, husband and wife, Rodney Kent Montierth and Dolly Montierth (hereinafter "Montierths"):

The NW¼ of the NW¼ of Section 13 and the NW¼ of Section 14 of Township 2 North, Range 3 West, Boise Meridian, County of Canyon, excepting therefrom a tract of land commencing at the northeast corner of said Section 14 monumented with a rebar, 5/8" in diameter; thence south 62°48'15" west 4,482.39 feet to the POINT OF BEGINNING; said point bears 63°05'00" east 1,480.17 feet from a found 3/8" pipe at the northwest corner of the southwest corner of the southwest quarter of the northwest quarter, Section 14 (north 1/16 corner); thence north 89°54'30" east 295.32 feet; thence south 0°05'30" east 295.00 feet; thence south 89°54'30" west 295.32 feet; thence north 0°05'30" west 295.00 feet to the POINT OF BEGINNING. (Parcel No. 1)

Together with all right, title and interest in, including well water permits for well No. 1 and well No. 4 as designated in Exhibit "A"; together with that certain easement for the benefit of the referenced Parcel No. 1, which easement is more particularly described on Exhibit "B" attached hereto and by this reference incorporated herein.

2. The following real and personal property is awarded to and fee simple title shall be vested in Robert J. Meyers and Kathi L. Meyers (hereinafter "Meyers"):

The NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 15 of Township 2 North, Range 3 West, Boise Meridian, Canyon County.

and

Lots 1 and 2 of Meyers/Montierth/Victor acreages in Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho. (Parcel No. 2)

Together with all right, title and interest in, including well water permits for wells Nos. 5, 6 and 7 as designated on Exhibit "A".

3. The following real and personal property is award to and fee simple title shall be vested in W. Nolan Victor and Ruby C. Victor (hereinafter "Victors"):

The NE $\frac{1}{4}$ of Section 15 and the SW $\frac{1}{4}$ of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, excepting therefrom a tract of land commencing at the northeast corner of said southeast quarter (east quarter corner) monument with an iron pipe 2" diameter; thence south 0°3' east 478.04 feet along the east boundary of said southeast quarter; thence south 89°57' west 25 feet to the POINT OF BEGINNING; thence south 89°57' west 396 feet; thence south 0°3' east 220 feet parallel with the east boundary of said southeast quarter; thence north 89°57' east 396 feet; thence north 0°3' west 220 feet parallel with the east boundary of said southeast quarter to the POINT OF BEGINNING.

and

Lot 5 of Meyers/Montierth/Victor acreages in Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho. (Parcel No. 3)

Together with all right, title and interest in, including well water permits for wells Nos. 8 and 9 as designated on Exhibit "A".

4. Any and all government allotments used in connection with and appurtenant to all of the above described real property shall be divided and awarded in three equal shares, one each to the Montierths, Victors and Meyers.

5. Parcel No. 1 awarded to the Montierths is currently subject to a first mortgage lien in favor of Farm Credit Bank of Spokane as mortgagee, whose mortgagee's interest was subsequently assigned to W. Nolan Victor and Robert J. Meyers. It is agreed that the Montierths' share of the unpaid balance due, and that therefore the only obligation in reference to this mortgage that encumbers the property shall be the sum of \$68,436.00 as of June 28, 1993; which unpaid principal balance shall be paid by the Montierths together with interest on the unpaid principal balance at the rate of ten percent (10%) per annum by the payment of \$21,474.05 on or before February 1, 1994 and each February 1 thereafter until the principal balance plus accrued interest shall be paid in full. All other terms and conditions of the original Promissory Note and Mortgage, including penalty interest, shall remain in full force and effect. Victor and Meyers acknowledge receipt of the February 1, 1994 payment.

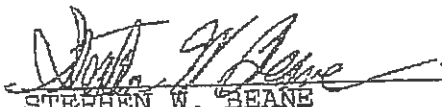
6. The Court appointed referee has submitted his invoice in the sum of \$3,076.00. Each of the Montierths, Victors and Meyers shall be responsible for one-third (1/3) of the invoiced amount. It is acknowledged that this invoice has been paid accordingly.

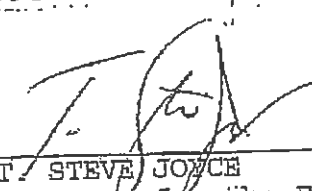
7. The parties reserve all rights and claims with respect to attorney fees incurred herein.

8. With respect to Parcel Nos. 1, 2 and 3, the parties to whom each parcel is not awarded, shall execute Quitclaim Deeds to the party to whom the parcel is awarded; and the Plaintiffs shall execute the original Exhibit "B", all of such acts, shall be subject to the requirements and sanctions of Rule 70, I.R.C.P.

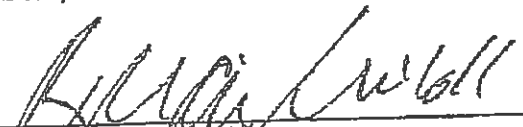
9. The Montierths, Meyers and Victors shall each take one-third of all irrigation hand lines, wheel lines and portable aluminum main line sections currently located on the Nampa farm.

DATED this 12th day of April 1994.


STEPHEN W. BEANE
Attorney for Victors and Meyers


T. STEVE JOYCE
Attorney for the Estate of
Golda Montierth

WILSON, CARNAHAN & MCCOLL

By 
BRIAN F. MCCOLL
Attorney for Montierths

ORDER

Upon reading the foregoing Recitals and Stipulation and good cause appearing therefore;

IT IS HEREBY ORDERED that all terms and conditions of the foregoing Stipulation be adjudicated and decreed to be a Final Judgment of this Court.

DATED this 13th day of April, 1994.


D. DUFF MCKEE
District Judge

RULE 54(b) CERTIFICATION

With respect to the issues determined by the above Judgment or Order, it is hereby certified in accordance with Rule 54(b) of the Idaho Rules of Civil Procedure that the Court has determined that there is no just reason for delay of the entry of the final judgment and that the Court has and does hereby direct that the above Judgment or Order shall be a final Judgment upon which execution may issue and appeal may be taken as provided by the Idaho Appellate Rules.

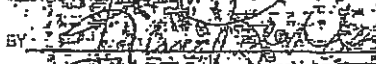
DATED this 13th day of April, 1994.

STATE OF IDAHO
COUNTY OF ADA
SS.

I, J. DAVID NAVARRO, CLERK OF THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF ADA, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS 13th DAY OF APRIL, 1994.

J. DAVID NAVARRO, CLERK

BY:  DEPUTY

DECREES OF PARTITION BY STIPULATION AND ORDER - 7
s/259.11


D. DUFF MCKEE
District Judge

T 2 N, R 3 W, B.M.

PARCEL #1



PARCEL #2



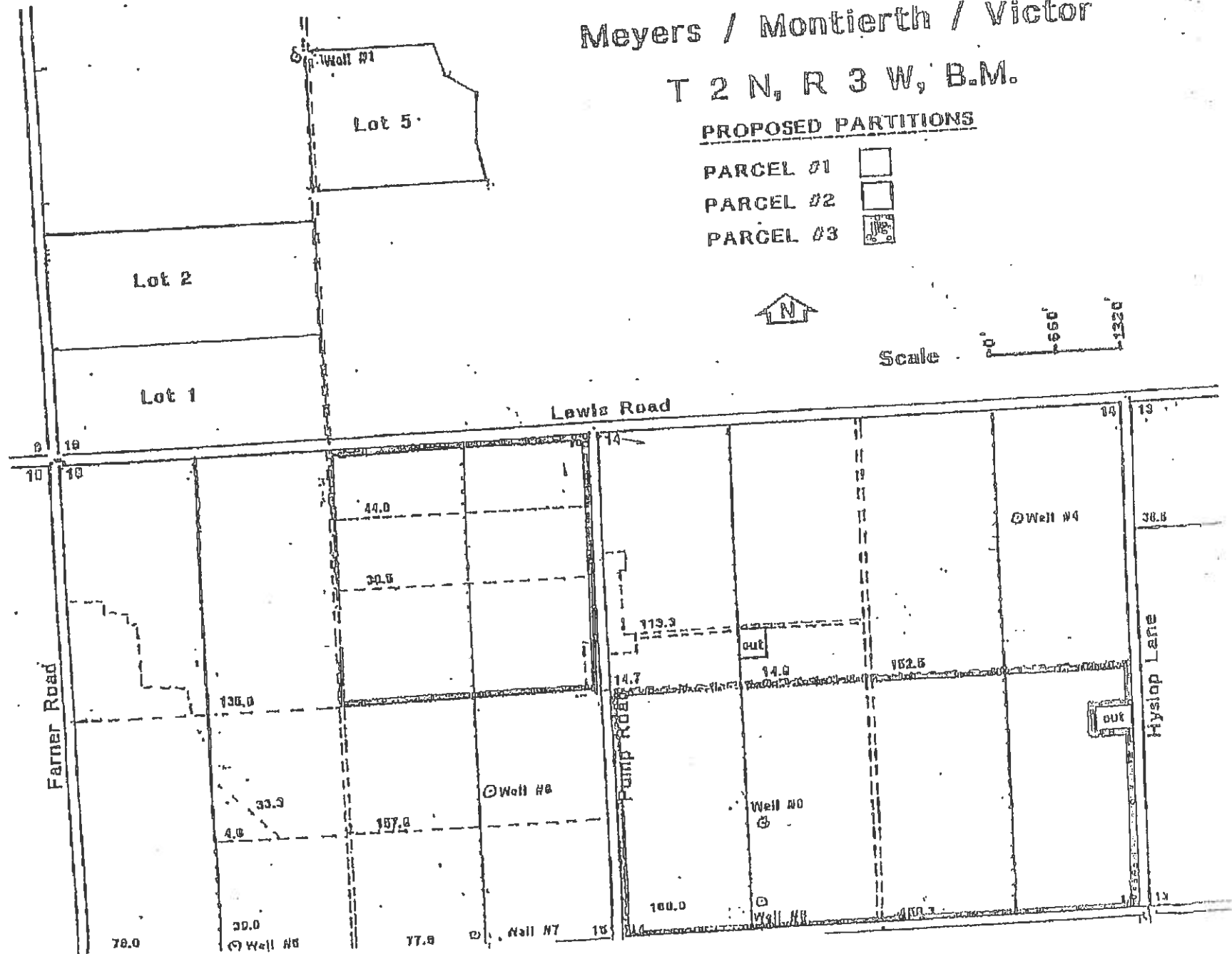
PARCEL #3



Scale



EXHIBIT A



EASEMENT

GRANTOR: Robert J. Meyers and Kathi L. Meyers,
husband and wife and W. Nolan Victor and
Ruby C. Victor, husband and wife

GRANTEE: Herbert R. Montierth and The Estate of Golda
D. Montierth; Edward Ray Montierth and
Susan L. Montierth, husband and wife;
Rodney Kent Montierth and Dollie Montierth,
husband and wife

GRANTEE'S ADDRESS: 1601 Poen Road
Kuna, Idaho 83634

WHEREAS, Grantor Robert J. Meyers and Kathi L. Meyers are the owners in fee simple of the following described real property:

Lots 1 and 2 of Meyers/Montierth/Victor Acreage in Section
10, Township 2 North, Range 3 West, Boise Meridian,
Canyon County, Idaho (hereinafter "Servient Parcel No. 1");
and

WHEREAS, Grantor and W. Nolan Victor and Ruby C. Victor are the owners in fee simple of the following described real property:

The Northeast quarter of Section 15, Township 2 North,
Range 3 West, Boise Meridian, Canyon County, Idaho
(hereinafter "Servient Parcel No. 2");

WHEREAS, Grantor and Grantee have heretofore reserved and/or acquired certain easements for ingress and egress and maintenance for a powerline easement and an underground irrigation line easement, which various easements are reserved and/or acquired in Instrument Nos. 9218571, 9218572, 9222003, 92220181,

EASEMENT - 1
s/264

EXHIBIT B

records Canyon County, Idaho, which easements (hereinafter the "Existing Easements") provide in general for the use of an existing lane and the use and maintenance of an existing underground irrigation line lying on both the east and west sides of the north/south mid-section line of said Section 10.

WHEREAS, Grantee is the owner in fee simple of the following described real property:

The Northwest quarter of the Northwest quarter of Section 13 and the North half of Section 14, Township 2 North, Range 3 West, Boise Meridian, Ada County, Idaho (hereinafter the "Dominant Parcel").

FOR VALUE RECEIVED, the above named Grantor does hereby grant, bargain, sell and convey unto the above described Grantee, its successors and assigns, a perpetual easement for the construction, operation and maintenance of an underground irrigation line along and across a strip of land twenty-five feet (25') in width on the above described Servient Parcel Nos. 1 and 2 for the benefit of the Dominant Parcel, which strip of land is more particularly described as follows:

Commencing at the Northeast corner of the referenced Lot 2 of Meyers/Montierth/Victor Acreage, then running southerly across the easterly twenty-five feet (25') of Servient Parcel No. 1 to the southeast corner of said Lot 1 of Meyers/Montierth/Victor Acreage, thence commencing at the Northwest corner of the Servient Parcel No. 2, thence running easterly across the northerly twenty-five feet (25') of the above described Servient Parcel No. 2 to the northwest corner of the Dominant Parcel.

Further, Grantor does relinquish to Grantee any and all right to use and maintain the existing underground irrigation line on the Existing Easements. It being further understood that the ingress/egress use of the Existing Easements shall be non-exclusive for the benefit of all parties hereto and their successors and assigns.

This easement is subject to the following terms and conditions, to which Grantor and Grantee agree on behalf of themselves and their respective heirs, personal representative, successors and assigns forever:

1. The easement granted hereby shall be appurtenant to the land of Dominant Parcel and shall run with said land forever.
2. All use of the easement granted hereby shall be at the sole risk of the user or users thereof.
3. The Grantee, their successors and assigns shall be responsible for the costs of constructing and maintaining the underground irrigation lines.
4. In the event the Grantee shall subdivide the above described Dominant Parcel in any manner permitted by law, Grantee shall have the right to grant and convey to the owners of each of such subdivided parcels the permit right to use the easement granted herein.

DATED this 4th day of March, 1994.

GRANTOR:

Robert J. Meyers
ROBERT J. MEYERS

Kathi L. Meyers
KATHI L. MEYERS

W. Nolan Victor
W. NOLAN VICTOR

Ruby C. Victor
RUBY C. VICTOR

GRANTEE:

Herbert R. Montierth
HERBERT R. MONTIERTH

Herbert R. Montierth
ESTATE OF GOLDA D. MONTIERTH by
Herbert R. Montierth, Personal
Representative

Edward Ray Montierth
EDWARD RAY MONTIERTH

Susan L. Montierth
SUSAN L. MONTIERTH

Rodney Kent Montierth
RODNEY KENT MONTIERTH

Dollie Montierth
DOLLIE MONTIERTH

STATE OF IDAHO

County of Twin Falls

ss.

On this 14th day of March, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT J. MEYERS, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL)

[Signature]
Notary Public for Idaho

Residing at Twin Falls, Idaho

Commission expires: _____

STATE OF IDAHO

County of Twin Falls

ss.

On this 14th day of March, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared KATHI L. MEYERS, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

(SEAL)

[Signature]
Notary Public for Idaho

Residing at Twin Falls, Idaho

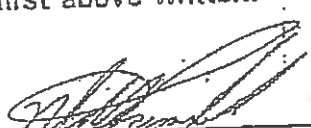
Commission expires: _____

STATE OF IDAHO)
) ss.
County of Ada)

On this 4th day of March, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared W. NOLAN VICTOR, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL)

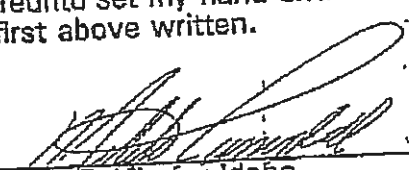

Notary Public for Idaho
Residing at Twin Falls, Idaho
Commission expires: _____

STATE OF IDAHO)
) ss.
County of Ada)

On this 4th day of March, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared RUBY C. VICTOR, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

(SEAL)


Notary Public for Idaho
Residing at Twin Falls, Idaho
Commission expires: _____

STATE OF IDAHO)
) ss.
County of Ada)

On this 11th day of April, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared HERBERT R. MONTIERTH, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL)

Donald R. Rive
Notary Public for Idaho
Residing at Boise, Idaho
Commission expires: May 7-94

STATE OF IDAHO)
) ss.
County of Ada)

On this 11th day of April, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared HERBERT R. MONTIERTH, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as personal representative of the Estate of Golda D. Montierth.

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

(SEAL)

Donald R. Rive
Notary Public for Idaho
Residing at Boise, Idaho
Commission expires: May 7-94

STATE OF IDAHO)
) ss.
County of Ada)

On this 16th day of April, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared EDWARD RAY MONTIERTH, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL)

Donald Rowe
Notary Public for Idaho
Residing at Buna, Idaho
Commission expires: May 7-94

STATE OF IDAHO)
) ss.
County of Ada)

On this 16th day of April, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared SUSAN L. MONTIERTH, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

(SEAL)

Donald Rowe
Notary Public for Idaho
Residing at Buna, Idaho
Commission expires: May 7-94

STATE OF IDAHO)
) ss.
County of Ada)

On this 11th day of April, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared RODNEY KENT MONTIERTH, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL)

Donald Rowe
Notary Public for Idaho
Residing at Boise, Idaho
Commission expires: May 7 - 94

STATE OF IDAHO)
) ss.
County of Ada)

On this 11th day of April, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared DOLLIE MONTIERTH, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

(SEAL)

Donald Rowe
Notary Public for Idaho
Residing at _____, Idaho
Commission expires: May 7 - 94

EASEMENT - 8
#1284

RECORDED
TYPE Misc FEE 51.00

PIONEER - NAMP

BY Donna
CANYON CITY RECORDER

39 JUN 23 PM 4 11

RECORDED

9924656

THE SW 1/4 OF SECTION 14
TOWNSHIP 2 NORTH, RANGE 3 WEST, BOISE MERIDIAN
CANYON COUNTY, IDAHO
2022

NOTE:

This Developmental Progression Section 22-4302, below Code, might be formed which allows:
The applicant operation or any experience to it check be or become a licensee
of public or private by any charged conditions in or about the determining responsibility
the activities after the same have been in operation for more than one year, upon the
operation was not a business at the time it was first established; provided that the
provisions of this chapter shall not apply whenever a licensee results from the inspection
or negligent operation of any applicant operation or any experience to it.

2. All Dues must pay to be Admitted in the conference.

2. AIRCRAFT NO. 12 OF BLOCK 1 AND TOL 8 AND 10 OF BLOCK 7 ARE TO BE REBUILT TO THE FUNCTION OF SERVING STRUCTURES THAT WOULD INTERFERE WITH THE APPROACH AND TAKE OFF PATTERNS OF THE AIRCRAFT AND THAT COMPLY WITH FAA REQUIREMENTS.

$\approx 1/2$ C.L.

INDEX

NOTE:
1. There are 4 to 5 sets on neighboring properties to the northwest. There are no sets within 1/2 mile of development.

2. All years of the projected irrigation must be not
exceed any portion of the projected irrigation type.

2. The bridge deck at the support stiffener should be double checked for a length of 10' on either side of the stiffener.

NOT OFFICIAL DOCUMENT

[illegible]

LINE TABLE		
LINE	LENGTH	BEARING
1	45.00	3 80° 00' 00"
2	45.00	3 80° 00' 00"
3	45.00	3 80° 00' 00"
4	45.00	3 80° 00' 00"
5	45.00	3 80° 00' 00"
6	45.00	3 80° 00' 00"
7	45.00	3 80° 00' 00"
8	45.00	3 80° 00' 00"
9	45.00	3 80° 00' 00"
10	45.00	3 80° 00' 00"

1842

[illegible]

2. The Agency stated that its responsibility for the review of the job offers and the selection of the best qualified and experienced candidates for the positions of the proposed project was to ensure that the project was completed in a timely and efficient manner.

☒ 4/8" REBAR - FOUND
☐ 5/8" x 30" REBAR - SET
☐ 1/2" REBAR - FOUND
☐ 1/2" x 24" REBAR - SET
 PROPERTY BOUNDARY LINE

10 feet along street boundary
 10 feet on each side of back lot line
 10 feet on each side of front lot line
 If a lot was moved its easement(s) shall move
 with the lot i.e., provided all utilities have not
 been installed within the easement(s).

DATE OF PREPARATION:
October 7, 2005

Stinner Land
N. Surrey Co. Inc.

2017 2. Sanyatna No.
 201704, 21. 04.2017
 1000-11-1000

4400 • J. Neurosci., July 26, 2006 • 26(30):4395–4400

гв. 30 гв. 4/6

24. 2 25. 7/6

OWNERS' CERTIFICATE

We, Southside, Inc. being first duly sworn depose and say we are the owners of CHAPARRAL RANCH SUBDIVISION more particularly described in the legal description below, state that it is our intention to include said property in this subdivision plat, and that we do for ourselves, our heirs, transferees, successors, and assigns, hereby dedicate, donate, and convey to the public forever the public streets shown on this plat. The easements shown on this plat are intended for the right and purpose set forth and no structures other than those for utility, irrigation, or drainage purposes are to be erected within limits of the easements. Also, we hereby certify that this subdivision is in compliance with paragraph 1, section 52-1334 of the Idaho Code.

This parcel of land consists of the SW 1/4 of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

Beginning at the southwest corner of said SW 1/4;

thence North 00° 34' 25" East along the west boundary of said SW 1/4 a distance of 1322.68 feet to the southwest corner of the NW 1/4 of said SW 1/4;

thence continuing North 00° 34' 25" East along said west boundary a distance of 1322.68 feet to the northwest corner of the NW 1/4 of said SW 1/4;

thence South 89° 56' 22" East along the north boundary of said SW 1/4 a distance of 1326.74 feet to the northwest corner of the NW 1/4 of said SW 1/4;

thence continuing South 89° 56' 22" East along said north boundary a distance of 1326.73 feet to the northeast corner of the NE 1/4 of said SW 1/4, said point also being the northeast corner of Sky Ranch Estates, as set in Book 23, Page 42, Office of the Recorder, Canyon County, Idaho;

thence South 00° 35' 00" West along the east boundary of said SW 1/4 and the west boundary of said Sky Ranch Estates a distance of 1322.45 feet to the southeast corner of said Sky Ranch Estates, which is also the northeast corner of the SE 1/4 of said SW 1/4;

thence South 00° 35' 31" West along the east boundary of said SW 1/4 a distance of 1322.67 feet to the southeast corner of the SE 1/4 of said SW 1/4;

thence North 89° 59' 16" West along the south boundary of said SW 1/4 a distance of 1326.49 feet to the southeast corner of the SE 1/4 of said SW 1/4;

thence continuing North 89° 59' 16" West along said south boundary a distance of 1326.40 feet to the POINT OF BEGINNING, containing 151.60 acres more or less.

Dana Washburn, President, Southside, Inc.

ACKNOWLEDGEMENT

Be it remembered that on this _____ day of _____, 2002, personally appeared Dana Washburn, President, Southside, Inc., who is known to me to be the owner of Chaparral Ranch Subdivision and that executed the above instrument.

In witness whereof, I have hereunto set my hand and notarial seal this day last above written.

Notary Public for _____
Residing at _____
Commission expires _____

Chaparral Ranch Subdivision

CERTIFICATE OF COUNTY TREASURER

I, Tracy Lloyd, County Treasurer in and for the County of Canyon, State of Idaho, per the requirements of I.C.50-1308, do hereby certify that any and all current and/or delinquent County Property Taxes for the property included in this proposed subdivision have been paid in full.

This certificate is valid for the next thirty (30) days only.

County Treasurer

Date

SURVEYOR'S CERTIFICATE

I, Greg L. Skinner, do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this plat of Chaparral Ranch Subdivision as described in the owners' certificate and the attached plat, was drawn from an actual survey made by me and accurately represents the points thereon.

I further certify that I made this survey under the direction of the owner (owners) and that the survey is in conformity with the State of Idaho Codes relating to plats and subdivisions.



CERTIFICATION AND APPROVAL OF COUNTY SURVEYOR

I, Dennis A. King, Canyon County Surveyor do hereby certify that I have examined the plat of Chaparral Ranch Subdivision and that it complies with the requirements of Idaho State Code.

County Surveyor

Date

CERTIFICATION AND APPROVAL OF SOUTHWEST DISTRICT HEALTH DEPARTMENT

Sanitary restrictions of this plat are hereby removed according to the letter to be read on file with the Canyon County Recorder or his/her agent stating the conditions of approval.

Southwest District Health Department

Date

CERTIFICATION AND APPROVAL OF NAMPA HWY. DIST.

Nampa Highway District has no responsibility for the streets shown on this plat, unless and until a petition has been received and approved together with a dedication of rights-at-way and evidence that said streets meet current District Standards for Construction.

Chairman

Date

CERTIFICATION AND APPROVAL OF CANYON COUNTY PLANNING AND ZONING COMMISSION

Accepted and approved this _____ day of _____, 2002 by the Canyon County Planning and Zoning Commission, Canyon County, Idaho.

Chairman

CERTIFICATION AND APPROVAL OF CANYON COUNTY COMMISSIONERS

Accepted and approved this _____ day of _____, 2002 by the Canyon County Commissioners, Canyon County, Idaho.

Chairman

Clerk

OWNER'S CERTIFICATE	_____
COUNTY TREASURER	_____
COUNTY SURVEYOR	_____
SURVEYOR	_____
PLANNING AND ZONING COMMISSION	_____
CANYON COUNTY COMMISSIONERS	_____
RECORDING OFFICE	_____

Sheet 2 of 2

BK. _____ PG. _____

200212585

RECORDED

2002 MAR 19 AM 11 22

G NOEL HALES
CANYON ONTX RECORDER
BY *C. Hales*

[illegible]

Entire 24 Mac 7 28 CFS

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3599A

WATER RIGHT NUMBER: 63-3599A

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Original Owner	CHRYSTAL R EVANS 9990 ROAN MEADOWS DR BOISE, ID 83705
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	EDWARD T EVANS 9990 ROAN MEADOWS DR BOISE, ID 83709 (208)362-9411
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	EDWARD RAY MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3599A

Priority Date: 04/13/1967

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

0.280 CFS

Annual VolumeTotal Diversion:

0.280 CFS

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4

Sec. 14, Twp 02N, Rge 03W, B.M.

CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
02N	03W	14	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	14.0
			14.0																✓

Total Acres: 14Conditions of Approval:Remarks:

- General THE DIVERSION WORKS CONSIST OF A WELL, PUMP & MOTOR, THE WATER IS DISCHRGD INTO AN OPEN POND. THE WATER IS PUMPED TO SPRINKLER SYSTEM.

Comments:

NE of NE - 14
14 acres .280 CFS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3557A

WATER RIGHT NUMBER: 63-3557A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Original Owner	CHRYSTAL R EVANS 9990 ROAN MEADOWS DR BOISE, ID 83705
Current Owner	HERBERT R MONTIER TH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Original Owner	EDWARD T EVANS 9990 ROAN MEADOWS DR BOISE, ID 83709 (208)362-9411
Current Owner	SUSAN L MONTIER TH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	GOLDA D MONTIER TH RT 1 BOX 156 KUNA, ID 83634
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	RODNEY KENT MONTIER TH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Current Owner	EDWARD RAY MONTIER TH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3557A

Priority Date: 10/31/1966

Basis: License

Status: Active

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

3/15 to 11/15

0.760 CFS

Total Diversion:

0.760 CFS

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4

Sec. 14, Twp 02N, Rge 03W, B.M.

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	03W	13						38.0											38.0

Total Acres: 38

Conditions of Approval:

Remarks:

Comments:

= ~~02N 03W 13~~ sec 13 - ~~02N 03W 13~~
 02N 03W 13 - 38 acres
 NW - NW 1/4 → .760 CFS

76ac 52

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3232

WATER RIGHT NUMBER: 63-3232

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	LADISLAV MAGLECIC 12754 DEER FLAT RD NAMPA, ID 83686 (208)466-3075
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	EDWARD RAY MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217

Priority Date: 04/17/1961

Basis: License

Status: Active

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

3/15 to 11/15

0.520 CFS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3232

Total Diversion: 0.520 CFS

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4NE1/4

Sec. 14, Twp 02N, Rge 03W, B.M.

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	03W	14	26.0																26.0

Total Acres: 26

Conditions of Approval:

Remarks:

1. General

THE DIVERSION WORKS CONSIST OF A WELL, PUMP & MOTOR, THE WATER IS DISCHARGED INTO AN OPEN POND. THE POND WATER IS PUMPED TO SPRINKLER SYSTEM.

Comments:

NE 1/4 NE 1/4 sec 14

26 acres

.520 CFS

120 ac , 1.2 cfs

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7156A

WATER RIGHT NUMBER: 63-7156A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Original Owner	BRYCE MILLAR NAMPA, ID 83651
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	EDWARD RAY MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217

Priority Date: 10/07/1968

Basis: License

Status: Active

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

4/01 to 11/01

1.200 CFS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7156A

Total Diversion: 2.810 CFSLocation of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4

Sec. 11, Twp 02N, Rge 03W, B.M.

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 03W 14		40.0	40.0	40.0													120.0
		X	X														

Total Acres: 120

STOCKWATER same as IRRIGATIONConditions of Approval:

1. 001 A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

Remarks:

1. General THE DIVERSION WORKS INCLUDE A WELL WITH A DEEP WELL TURBINE PUMP PRESSURIZED DISCHARGE INTO A MAINLINE FOR SPRINKLER IRR. THE ORIGINAL LICENSE LISTED AN ADDITIONAL 160 ACRES IN SEC.11. THIS CLAIM WAS SPLIT TO AN "A" SUFFIX CLASSIFICATION. THIS CLAIM NOW EXCLUDES 160 ACRES IN SEC.11: THE CLAIMED DIVERSION QUANTITY (1.20 CFS) IS BASED ON A PRORATED SHARE, CALCULATED USING PLACE OF USE ACREAGES. THEREFORE, THE CLAIM IS FOR 120.0/280.0 OF THE ORIGINAL 2.81 CFS.

Comments:

NW/NE 40
 SW/NE 40
 SE/NE 40
 SE 120



PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702
(208) 336-6700

8151 W. Rifleman Street / Boise, Idaho 83704
(208) 377-2700

98 FEB 17 PM 12 10
NED J KERR
CANYON CNTX RECORDER
BY *C. J. Kerr*
REQUEST PIONEER - CALDWELL
TYPE Doc FEB 3.00

RECORDED

9805377

SPACE ABOVE FOR RECORDING DATA

WHD 98-386

QUITCLAIM DEED

FOR VALUE RECEIVED

RODNEY KENT MONTIERTH, WHO ACQUIRED TITLE AS ROD MONTIERTH, A SINGLE MAN, AND
DOLLIE L. MONTIERTH, HUSBAND AND WIFE, AS THEIR INTEREST MAY APPEAR
do hereby convey, release, remise and forever quitclaim

unto HERBERT R. MONTIERTH, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY AND
HERBERT R. MONTIERTH AS PER SONAL REPRESENTATIVE OF THE ESTATE OF GOLDA
DARLENE MONTIERTH, DECEASED
whose address is: 4301 N. Dalton Lane, Boise, Id. 83704

the following described premises, to wit:

A tract of land situated in Section 4, Township 2 North, Range 1
East, Boise Meridian, Ada County, Idaho, more particularly
described as follows:
Commencing at a point marking the section corner common to
Sections 35, 36, 37 and 38, Township 2 North, Range 1 East,
Boise Meridian, Ada County, Idaho, also being the REAL POINT
OF BEGINNING, thence along the centerline of Cleveland
Road:
North 0° 02' 05" East 819.05 feet to D.R. Nails; thence:
South 89° 40' 04" East 72.40 feet to an iron pin; thence:
North 0° 02' 05" West 832.72 feet to an iron pin; thence:
South 89° 40' 04" East 998.10 feet to a point; thence:
South 0° 15' 43" West 2,087.05 feet to a point on the centerline
of Kuna Mora Road; thence, along the centerline of Kuna
Mora Road
North 89° 46' 08" West 2,661.59 feet to a point, said point being
the REAL POINT OF BEGINNING.

EXCEPT ditch and road rights-of-way.

State of Idaho
County of Canyon

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

DATED 12/16/01

G. Noel Hales, Clerk of the District Court
and Ex Officio Recorder

By *G. Noel Hales*
Deputy

together with their appurtenances.

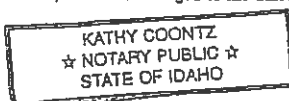
Dated: Feb 12, 1998

Rodney Kent Montierth
RODNEY KENT MONTIERTH

Dollie L. Montierth
DOLLIE L. MONTIERTH

STATE OF Idaho, County of Ada, ss.

On this 13th day of February, in the year of 1998, before me
the undersigned _____, a notary public,
personally appeared, Rodney Kent Montierth and Dollie L. Montierth
known or identified to me to be the person(s) whose name(s) are _____
instrument, and acknowledged to me that they executed the same.



Notary Public: *Kathy Coontz*
Residing at: Boise
My Commission Expires: Aug. 15, 2002

ACCOMMODATION Pioneer-Ada
RECORDING W- 231608

CANYON CNTY RECORDER
G. NOEL HALES
G. Noel Hales

2003 MAR 8 PM 4 02

RECORDED

200320849

CORRECTION QUITCLAIM DEED

REQUEST PIONEER-NAMPA
TYPE Real FEE 9.00 *OK*

FOR VALUE RECEIVED

Grantors, Rodney Kent Montierth, who originally acquired title as Rod Montierth, a single man, and Dollie L. Montierth, husband and wife, as their separate interests may appear, of 11505 Melba Road, Melba, Idaho, 83641, Canyon County, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged and to correct a clerical error in the execution of an original Quitclaim Deed dated February 12, 1998 between the same parties which instrument was recorded February 26, 1998 as instrument number 98017376, records of Ada County Recorder and by inadvertent clerical error omitted certain real property which was intended to be transferred as part of the original deed from February, 1998, and therefore, issue this corrective Deed and hereby REMISE, RELEASE AND FOR EVER QUITCLAIM unto Herbert R. Montierth, a married man, as his sole and separate property, of 4301 N. Dalton Lane, Boise, Ada County, Idaho, 83704, Grantee, and to Grantee's heirs and assigns forever, all of the following described real estate situate in Canyon County, State of Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

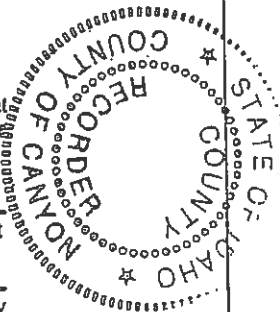
State of Idaho }
County of Canyon } ss.

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

DATED 12-16-04

G. Noel Hales, Clerk of the District Court
and Ex Officio Recorder.

By *G. Noel Hales* Deputy



TOGETHER, with all tenements, hereditaments, and appurtenances thereunto
belonging.

In construing this Deed, and where the context so requires, the singular includes
the plural and masculine, the feminine and the neuter.

IN WITNESS WHEREOF, the Grantors have hereunto subscribed their names to
this instrument, this 7th day of April, 2003.

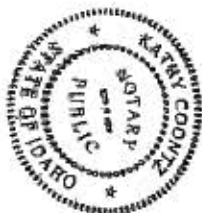

Rodney Kent Montierth


Dollie L. Montierth

STATE OF IDAHO)
 ADA)
COUNTY OF CANYON) .ss

On this 7th day of April, 2003, before me, the undersigned, a notary public,
personally appeared Rodney Kent Montierth and Dollie L. Montierth, 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.

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




Notary Public for Idaho
Residing at: Kaa
My Commission Expires: 8-15-08

EXHIBIT A

The NW¼ of the NW¼ of Section 13 and the N½ of Section 14 of Township 2 North, Range 3 West, Boise Meridian, County of Canyon, excepting therefrom a tract of land commencing at the northeast corner of said Section 14 monumented with a rebar, 5/8" in diameter; thence south 62°48'15" west 4,482.39 feet to the POINT OF BEGINNING; said point bears 63°05'00" east 1,480.17 feet from a found 3/8" pipe at the northwest corner of the southwest corner of the southwest quarter of the northwest quarter, Section 14 (north 1/16 corner); thence north 89°54'30" east 295.32 feet; thence south 0°05'30" east 295.00 feet; thence south 89°54'30" west 295.32 feet; thence north 0°05'30" west 295.00 feet to the POINT OF BEGINNING.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging together with all right, title and interest including well water permits for well No. 1 and well No. 4

9411240

QUITCLAIM DEED

GRANTOR, W. NOLAN VICTOR and RUBY C. VICTOR, husband and wife and ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife of Boise, County of Ada, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM unto HERBERT R. MONTIERTH; the ESTATE OF GOLDA D. MONTIERTH; EDWARD RAY MONTIERTH and SUSAN L. MONTIERTH, husband and wife; RODNEY KENT MONTIERTH and COLLIE MONTIERTH, husband and wife, whose current address is 1601 Poen Rd., Kuna, County of Ada, State of Idaho as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate situated in Nampa, County of Canyon, State of Idaho, to-wit:

The NW¼ of the NW¼ of Section 13 and the N½ of Section 14 of Township 2 North, Range 3 West, Boise Meridian, County of Canyon, excepting therefrom a tract of land commencing at the northeast corner of said Section 14 monumented with a rebar, 5/8" in diameter; thence south 62°48'15" west 4,482.39 feet to the POINT OF BEGINNING; said point bears 63°05'00" east 1,480.17 feet from a found 3/8" pipe at the northwest corner of the southwest quarter of the northwest quarter of the northwest quarter, Section 14 (north 1/16 corner); thence north 89°54'30" east 295.32 feet; thence south 0°05'30" east 295.00 feet; thence south 89°54'30" west 295.32 feet; thence north 0°05'30" west 295.00 feet to the POINT OF BEGINNING.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging together with all right, title and interest including well water permits for well No. 1 and well No. 4 as designated on Exhibit "A".

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

QUITCLAIM DEED - 1
1282

State of Idaho }
County of Canyon } ss.

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

DATED

G. Noel Hales, Clerk of the District Court
and Ex-Officio Recorder.

By

Deputy



IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this
Instrument this 4th day of February, 1994.

W. Nolan Victor
W. NOLAN VICTOR

Ruby C. Victor
RUBY C. VICTOR

Robert J. Meyers
ROBERT J. MEYERS

Kathi L. Meyers
KATHI L. MEYERS

STATE OF IDAHO)
County of Ada) ss:

On this 4th day of February, 1994, before me the undersigned, a notary public for Idaho, personally appeared W. NOLAN VICTOR and RUBY C. VICTOR, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

Notary Public for Idaho
Residing at Boise, Idaho
Commission expires _____



STATE OF IDAHO)
County of Ada) ss:

On this 4th day of February, 1994, before me the undersigned, a notary public for Idaho, personally appeared ROBERT J. MEYERS and KATHI L. MEYERS, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

Notary Public for Idaho
Residing at Boise, Idaho
Commission expires _____



QUITCLAIM DEED - 2
#1282

REQUESTED BY: James L. Kern
TYPE: Quitclaim FEE: 6.00

CANYON CITY RECORDER
BY: James L. Kern

94 APR 18 PM 2 09

RECORDED

9411240



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 5, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

W Nolan & Ruby Victor
Robert & Kathi Meyers
1528 Addison Ave E
Twinfalls, ID 83301

Re: Original Notice of Claim to a Water Right No. 63-32078

Renumbered to Notice of Claim to a Water Right No. 63-32293

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your right. This claim represents the remaining portion of the claim filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience, as we have had several water right changes to process. If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

LG: lg

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 14, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

W Nolan & Ruby Victor
Robert & Kathy Meyers
1528 Addison Ave E
Twin Falls ID 83301

Re: Original Notice of Claim to a Water Right No. 63-32018
Renumbered to Notice of Claim to a Water Right No. 63-32078

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your right. This claim represents the remaining portion of the claim filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience, as we have had several water right changes to process. If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

LG: lg

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

April 26, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

V & M TRUST
C/O NOLAN VICTOR
1528 ADDISON AVE EAST
TWIN FALLS, ID 83301

RE: Changes of Ownership

Dear Nolan:

The copies of Deeds you provided were very helpful in trying to determine the ownership of the SRBA claims, and subsequent splits of some of the claims, that were originally filed by the Montierths, Victors & Meyers. Using those Deeds and copies of others we had in our files, I think I have determined which claims still need to be changed to coincide with the ownership of the land. However, prior to completing any ownership changes I need the enclosed Notice of Change of Water Right Ownership form signed by the trustee of V & M Trust.

The claim numbers described on the form are those that I believe should be in the name of V & M Trust. Enclosed are copies of profile reports for you to review as a double check against my review. Let me know if you disagree.

At the same time that I change the ownership of V & M Trust's claims I will remove the names of Victors and Meyers from the following claims that are appurtenant to the land in the names of the Montierths: A63-07156A, A63-03557A, A63-03232, A63-03589A & A63-03599A.

All of the changes described above are based on Deeds and information currently in our possession. If you know of any additional information we should have that will contribute to the accuracy of our records please let me know.

Cordially,

Mel Schulte
Senior Water Right Agent
208-334-2190

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s): _____
 Adjudication Claim No(s): A63-03597P, A63-07778A, A63-03599C, A63-03589
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. If your water right or adjudication claim 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 Montierths, Victors, Meyers
Various addresses
4. New Owner/Claimant(s) V & M Trust
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 1528 Addison Ave East
 City, State and ZIP Code Twin Falls, ID 83301
 New Telephone Number () _____
5. Date you acquired the property _____
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____
7. Signature of New Owner(s) _____
 or Claimant(s) _____
 Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Claims in the IVO V2M Trust only.

A63-03597P

A63-07778A

-03599C

~~-03599A~~

-03589B

Claims in the IVO Mortgages only

A63-07156A

-03557A

-03232

-03589.A

-03599A

Split tree A03-03589

A63-03589 N/O Montierth, Victor, Meyers

DR: 4.22 cf_2 CU: 1106 AF.

POD: T02N, R03W, S11, NWSW
S14, SESW

POU: T02N, R03W, S14, NENW-39_{ac} NWNW-39_{ac}
SWNW-40 SENW-40
NESW-40 NWSW-40
SWSW-39 SESW-39 3,

A63-03589A N/O Montierth

DR: 2.11 cf_2 CU: 553 AF

POD: 2N, 3W, S11, NWSW
S14, SESW

POU: 2N, 3W, S14, NENW-39 NWNW-39
SWNW-40 SENW-40 15

A63-03589B N/O V & M Trust

DR: 2.11 cf_2 CU: 553 AF

POD: 2N, 3W, S11, NWSW
S14, SESW

POU: 2N, 3W, S14, NESW-40 NWSW-40
SWSW-39 SESW-39 15

AJ5809NP
No. A63-03589

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/31/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GOLDA D MONTIERTH	03/22/1967	IRRIGATION	03-15 11-15	4.220 CFS	
C	EDWARD MONTIERTH					
C	WILFORD NOLAN VICTOR			TOTAL DIVERSION:	4.220 CFS	
C	RUBY C VICTOR			CONSUMPTIVE USE:		1106.00 AFA
C	KATHI L MEYERS					
C	HR MONTIERTH					
C	SUSAN L MONTIERTH					
C	RODNEY KENT MONTIERTH					
C	ROBERT J MEYERS					
	1528 ADDISON AVENUE EAST					
	TWIN FALLS ID 83301					
	(208) 733-5217					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T02N R03W S11
S14

NWSW
SESW

CANYON County
CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
02N	03W	14	:					:	39	39	40	40	:	40	40	39	39	:					:	316.0
TOTAL ACRES																							316.0	

POU County: CANYON

Other Rights: 80 ACRES CONCURRENT WITH A63-03599B

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	
Audit:	12/28/89 BEARDSLE	02/21/91 STERLING	03/30/95 POST-STD

1-30-92

QUITCLAIM DEED

For Value Received

WILFORD NOLAN VICTOR and RUBY C. VICTOR, husband and wife, and ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife

do hereby convey, release, remian and forever quitclaim unto

V. & M. TRUST

whose current address is 1528 Addison Avenue, East
Twin Falls, Idaho 83301
the following described premises, to-wit:

PARCEL #1

All of right, title, and interest of the said party in Section 10; S $\frac{1}{2}$ 14; and 15; Township 2 North, Range 3 West of the Boise Meridian, Canyon County Idaho, TOGETHER with all water rights, government grain base, irrigation wells/pumps, and equipment.

PARCEL #2

The South One-Half; the South One-Half of the North One-Half and the Northwest Quarter of the Northeast Quarter, all in Section 25, Township 5 North, Range 2 West, Boise Meridian, Canyon County, State of Idaho. TOGETHER with all water rights, government grain base, irrigation wells/pumps, and equipment.

together with their appurtenances.

Dated:

12/30/92
Wilford Nolan Victor
Ruby C. Victor

REQUESTED BY *V. & M. Trust*
TYPE *Quit* FEE *3.00*

CANYON COUNTY RECORDER
BY *[Signature]*

94 JAN 11 PM 1 58

RECORDED

9400960

STATE OF IDAHO, COUNTY OF Twin Falls
On this *30th* day of December, 19 *92*,
before me, a notary public in and for the said State, personally appeared
WILFORD NOLAN VICTOR and RUBY C. VICTOR, husband and wife, and
ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife

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

[Signature]
Notary Public
Building at *[Signature]*, Idaho

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at the request of
at _____ minutes past _____ o'clock M.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book _____ of Deeds at Page _____

Ex-Officio Recorder
By _____ Deputy.
Fees \$ _____
Mail to: _____

INSTRUMENT NO.

Trst 94/1559

2-4-94

QUITCLAIM DEED

GRANTOR, ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife; HERBERT R. MONTIERTH; the ESTATE OF GOLDA D. MONTIERTH; EDWARD RAY MONTIERTH and SUSAN L. MONTIERTH, husband and wife; RODNEY KENT MONTIERTH and DOLLIE MONTIERTH, husband and wife, of Kuna, County of Ada, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM unto W. NOLAN VICTOR and RUBY C. VICTOR, husband and wife whose current address is 1528 Alder Ave East, County of Twin Falls, State of Idaho as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate situated in Nampa, County of Canyon, State of Idaho, to-wit:

The NE $\frac{1}{4}$ of Section 15 and the S $\frac{1}{2}$ of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, excepting therefrom a tract of land commencing at the northeast corner of said southeast quarter (east quarter corner) monument with an iron pipe 2" diameter; thence south 0°3' east 478.04 feet along the east boundary of said southeast quarter; thence south 89°57' west 25 feet to the POINT OF BEGINNING; thence south 89°57' west 396 feet; thence south 0°3' east 220 feet parallel with the east boundary of said southeast quarter; thence north 89°57' east 396 feet; thence north 0°3' west 220 feet parallel with the east boundary of said southeast quarter to the POINT OF BEGINNING.

and

Lot 5 of Meyers/Montierth/Victor acreages in Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho. (Parcel No. 3)

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging together with all right, title and interest including well water permits for well Nos. 8 and 9 as designated on Exhibit "A".

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument this 4 day of February, 1994.

Robert J. Meyers
ROBERT J. MEYERS

Kathi L. Meyers
KATHI L. MEYERS

Herbert R. Montierth
HERBERT R. MONTIERTH

Herbert R. Montierth
HERBERT R. MONTIERTH
Personal Representative of the
Estate of Golda D. Montierth

Edward Ray Montierth
EDWARD RAY MONTIERTH

Susan L. Montierth
SUSAN L. MONTIERTH

Rodney Kent Montierth
RODNEY KENT MONTIERTH

Dollie Montierth
DOLLIE MONTIERTH

STATE OF IDAHO)
County of Ada) ss.

On this 21st day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared RODNEY KENT MONTIERTH and DOLLIE MONTIERTH, known and identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Tracy A. Sullivan
Notary Public for Idaho
Residing at Grand Haven, Idaho
Commission expires: _____

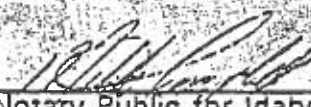
STATE OF IDAHO

County of Ada

ss:

On this 1 day of February, 1994, before me the undersigned, a notary public for Idaho, personally appeared ROBERT J. MEYERS and KATHI L. MEYERS known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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


Notary Public for Idaho

Residing at Two Five, Idaho

Commission expires _____



STATE OF IDAHO

County of Ada

ss:

On this 2 day of February, 1994, before me the undersigned, a notary public for Idaho, personally appeared HERBERT R. MONTIERTH, known to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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


Notary Public for Idaho

Residing at Grand View, Idaho

Commission expires _____



STATE OF IDAHO

County of Ada

ss:

On this 11th day of February, 1994, before me the undersigned, a notary public for Idaho, personally appeared HERBERT R. MONTIERTH, known to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that he executed the same as personal representative of the Estate of Golda D. Montierth.

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



[Signature]
Notary Public for Idaho
Residing at General View, Idaho
Commission expires _____

STATE OF IDAHO)

ss.

County of Ada)

On this 11th day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared EDWARD RAY MONTIERTH and SUSAN L. MONTIERTH, known and identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



[Signature]
Notary Public for Idaho
Residing at General View, Idaho
Commission expires: _____

QUITCLAIM DEED - 4
#282

REQUEST BY [Signature]
TYPE Deed FEE 1.00

CANYON CNTY RECORDER
BY [Signature]

94 APR 20 AM 9 13

RECORDED

9411559

9911240

QUITCLAIM DEED

3-4-94

GRANTOR, W. NOLAN VICTOR and RUBY C. VICTOR, husband and wife and ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife of Boise, County of Ada, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM unto HERBERT R. MONTIERTH; the ESTATE OF GOLDA D. MONTIERTH; EDWARD RAY MONTIERTH and SUSAN L. MONTIERTH, husband and wife; RODNEY KENT MONTIERTH and DOLLIE MONTIERTH, husband and wife, whose current address is 1601 Poen Rd., Kuna, County of Ada, State of Idaho as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate situated in Nampa, County of Canyon, State of Idaho, to-wit:

The NW¼ of the NW¼ of Section 13 and the N½ of Section 14 of Township 2 North, Range 3 West, Boise Meridian, County of Canyon, excepting therefrom a tract of land commencing at the northeast corner of said Section 14 monumented with a rebar, 5/8" in diameter; thence south 62°48'15" west 4,482.39 feet to the POINT OF BEGINNING; said point bears 63°05'00" east 1,480.17 feet from a found 3/8" pipe at the northwest corner of the southwest corner of the southwest quarter of the northwest quarter, Section 14 (north 1/16 corner); thence north 89°54'30" east 295.32 feet; thence south 0°05'30" east 295.00 feet; thence south 89°54'30" west 295.32 feet; thence north 0°05'30" west 295.00 feet to the POINT OF BEGINNING.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging together with all right, title and interest including well water permits for well No. 1 and well No. 4 as designated on Exhibit "A".

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this
Instrument this 4th day of February, 1994.

W. Nolan Victor
W. NOLAN VICTOR

Ruby C. Victor
RUBY C. VICTOR

Robert J. Meyers
ROBERT J. MEYERS

Kathi L. Meyers
KATHI L. MEYERS

STATE OF IDAHO)
County of Ada) ss:

On this 4th day of February, 1994, before me the undersigned, a notary
public for Idaho, personally appeared W. NOLAN VICTOR and RUBY C. VICTOR,
known to me to be the persons whose names are subscribed to the within
Instrument and acknowledged to me that they executed the same.

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

Chapbell
Notary Public for Idaho
Residing at Twain Falls
Commission expires _____



STATE OF IDAHO)
County of Ada) ss:

On this 4th day of February, 1994, before me the undersigned, a notary
public for Idaho, personally appeared ROBERT J. MEYERS and KATHI L. MEYERS,
known to me to be the persons whose names are subscribed to the within
Instrument and acknowledged to me that they executed the same.

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

Chapbell
Notary Public for Idaho
Residing at Twain Falls
Commission expires _____



QUITCLAIM DEED - 2
4/282

94 APR 18 PM 2 09
RECORDED
NED J. KERN
CANYON CITY RECORDER
BY Victoria D. Kern
REQUEST W. Nolan Victor
TYPE Quit FEE 6.00

9411240

Inst 9411558

QUITCLAIM DEED

3-4-94

GRANTOR, W. NOLAN VICTOR and RUBY C. VICTOR, husband and wife; HERBERT R. MONTIERTH; the ESTATE OF GOLDA D. MONTIERTH; EDWARD RAY MONTIERTH and SUSAN L. MONTIERTH, husband and wife; RODNEY KENT MONTIERTH and DOLLIE MONTIERTH, husband and wife, of Kuna, County of Ada, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM unto ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife whose current address is 3024 Harlowe, County of Terrell, State of Idaho as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate situated in Nampa, County of Canyon, State of Idaho, to-wit:

The W $\frac{1}{2}$ and the SE $\frac{1}{4}$ of Section 15 of Township 2 North, Range 3 West, Boise Meridian, Canyon County.

and

Lots 1 and 2 of Meyers/Montierth/Victor acreages in Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging together with all right, title and interest including well water permits for well Nos 5, 6 and 7 as designated on Exhibit "A".

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument this 14 day of March, 1994.

W. Nolan Victor
W. NOLAN VICTOR

Edward Ray Montierth
EDWARD RAY MONTIERTH

Ruby C. Victor
RUBY C. VICTOR

Susan L. Montierth
SUSAN L. MONTIERTH

Herbert R. Montierth
HERBERT R. MONTIERTH

Rodney Kent Montierth
RODNEY KENT MONTIERTH

Herbert R. Montierth
HERBERT R. MONTIERTH,
Personal Representative of the
Estate of Golda D. Montierth

Dollie Montierth
DOLLIE MONTIERTH

STATE OF IDAHO)

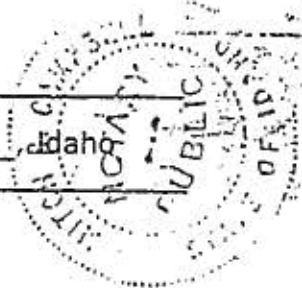
County of Ada)

ss:

On this 14 day of March, 1994, before me the undersigned, a notary public for Idaho, personally appeared W. NOLAN VICTOR and RUBY C. VICTOR, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

[Signature]
Notary Public for Idaho
Residing at Turn Falls, Idaho
Commission expires _____



STATE OF IDAHO

County of Ada

ss:

On this 21st day of February, 1994, before me the undersigned, a notary public for Idaho, personally appeared HERBERT R. MONTIERTH, known to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



[Signature]
Notary Public for Idaho
Residing at Broad Street, Idaho
Commission expires _____

STATE OF IDAHO

County of Ada

ss:

On this 21st day of February, 1994, before me the undersigned, a notary public for Idaho, personally appeared HERBERT R. MONTIERTH, known to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that he executed the same as personal representative of the Estate of Golda D. Montierth.

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



[Signature]
Notary Public for Idaho
Residing at Broad Street, Idaho
Commission expires _____

STATE OF IDAHO)
County of Ada) ss.

On this 21st day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared EDWARD RAY MONTIERTH and SUSAN L. MONTIERTH, known and identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



[Signature]
Notary Public for Idaho
Residing at Grand View, Idaho
Commission expires: _____

STATE OF IDAHO)
County of Ada) ss.

On this 21st day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared RODNEY KENT MONTIERTH and DOLLIE MONTIERTH, known and identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



[Signature]
Notary Public for Idaho
Residing at Grand View, Idaho
Commission expires: _____

QUITCLAIM DEED - 4
#282

REQUEST 1/27/94
TYPE Placed FEE 19.00

CANYON CH. & RECORDER
BY C. Smith

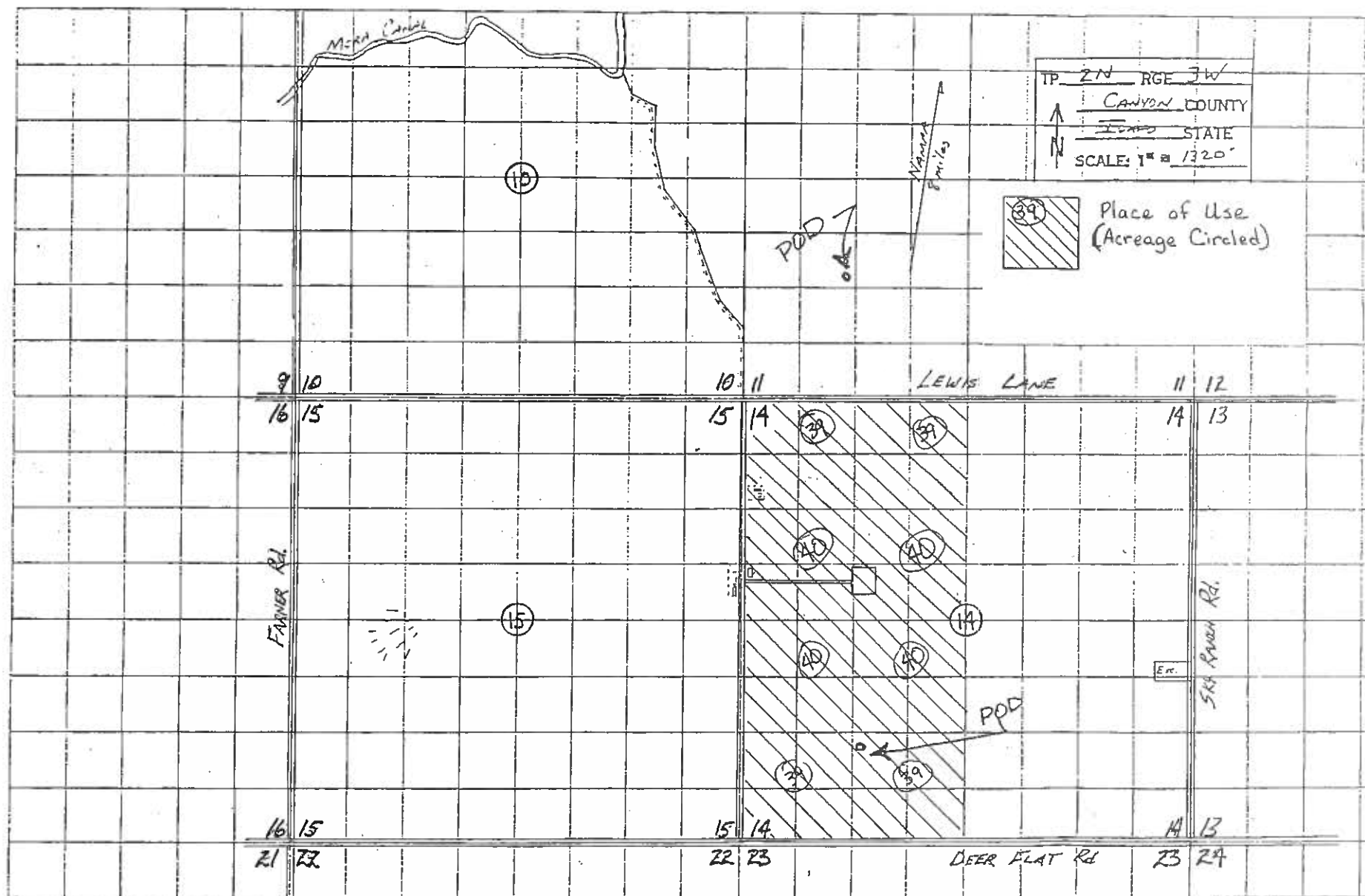
91 APR 20 AM 9 13

RECORDED

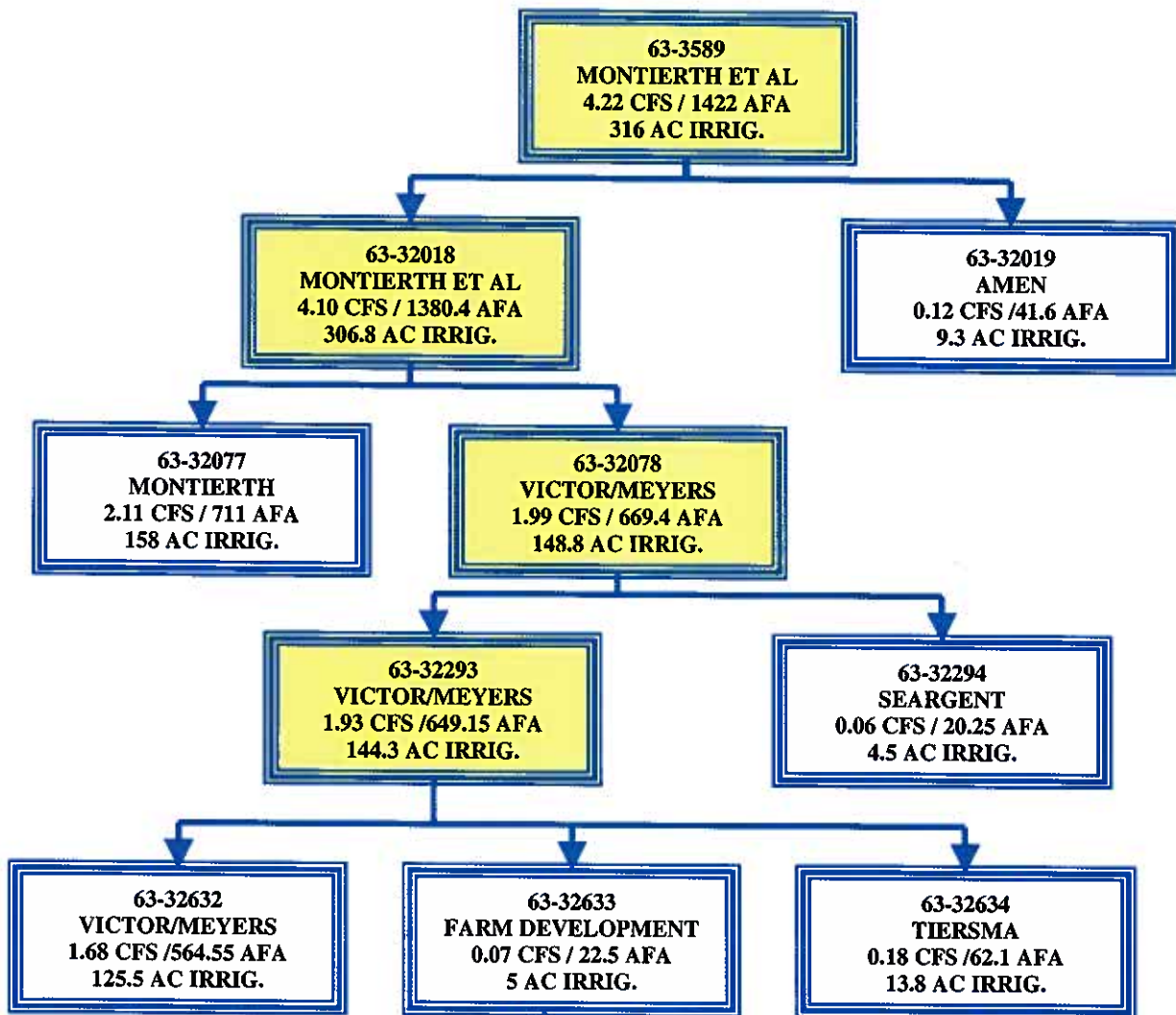
9411558

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 04/23/1985	Old Judicial District	-
Claim Received Date	- 12/28/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Claims Tape Error Flg	-	Receipt Number	- N003518	Water District	-
Fee Exempt Flag	-	POU Ownership Flag	- Y	Federal/State Indicator	- S
Name Connector	-			Presumption Flag	-

AUG 19 1992



SPLIT TREE FOR 63-3589



Volume will be reduced in the transfer to the historic consumptive use or 15.6 afa. However, for purposes of the adjudication split it will remain at the diversion volume amount of 22.5 afa.

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

RIGHT NUMBER: 63-32633

NAME AND ADDRESS: FARM DEVELOPMENT CORP
PO BOX 1201
BOISE ID 83701

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.070 CFS
15.600 AFY

PRIORITY DATE: 03/22/1967

POINT OF DIVERSION:

T01N R03W S4 NESWSW Within CANYON County

T01N R03W S9 NWNWNE Within CANYON County

Right 63-32636 is also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.070 CFS 15.60 AFY
INDUSTRIAL	01/01 12/31	0.070 CFS 15.60 AFY

Industrial use is for a machine shop and feed preparation for a feedlot.

PLACE OF USE: STOCKWATER in CANYON County

T01N R03W S04	NWSW	T01N R03W S04	SWSW
T01N R03W S04	SESW	T01N R03W S05	NESE
T01N R03W S09	NENW	T01N R03W S09	NWNW

INDUSTRIAL in CANYON County

T01N R03W S04	NWSW	T01N R03W S04	SWSW
T01N R03W S04	SESW	T01N R03W S05	NESE
T01N R03W S09	NENW	T01N R03W S09	NWNW

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

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

Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

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

The right holder shall accomplish the change authorized by Transfer 71937 within one year of the date of the approval.

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.

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

Water Rights: 63-32633

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

☐ Address change

☐ Substitution of Party

XX IC § 42-222 transfer

XX Point of diversion XX Place of use

XX Period of use XX Nature of use

☐ Split of water right ☐ Change in ownership

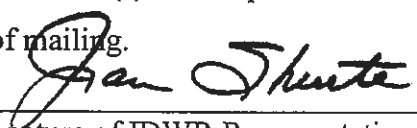
XX Other- Conditions & Remarks

☐ IC § 42-219 license

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 Report(s)* for said water right(s). 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: September 21, 2007


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on September 21, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

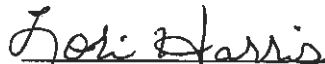
Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

Farm Development Corp	☐ overnight mail
PO Box 1201	☒ regular mail
Boise ID 83701	☐ hand-delivered
	☐ facsimile

☐	overnight mail
☐	regular mail
☐	hand-delivered
☐	facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

August 31, 2007

FARM DEVELOPMENT CORP
PO BOX 1201
BOISE ID 83701

Re: Water Right Nos. 63-32633, 63-32636 (Split from 63-32075)

Dear Sir or Madam:

Enclosed are copies of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right(s).

The change to your water right(s) was a result of an approved transfer. This notification to the Court does not affect the previous approval of this transfer or your water right(s). You will be notified of any future action on your water right(s) by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

JS:lh
Enclosures

WATER RIGHT NO. 63-32633
As Modified by Transfer No. 71937

In accordance with the approval of Transfer No. 71937, Water Right No. 63-32633 is now described as follows.

Right Holder: FARM DEVELOPMENT CORP
 PO BOX 1201
 BOISE ID 83701

Priority Date: March 22, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to 12/31		0.07 CFS	15.6 AF
INDUSTRIAL	01/01 to 12/31		0.07 CFS	15.6 AF
			0.07 CFS	15.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESWSW	Sec. 4	Twp 01N	Rge 03W	CANYON County
GROUND WATER	NWNWNE	Sec. 9	Twp 01N	Rge 03W	CANYON County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	03W	4									X	X	X						
01N	03W	5															X		
01N	03W	9					X	X											

PLACE OF USE: INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	03W	4									X	X	X						
01N	03W	5															X		
01N	03W	9					X	X											

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.

WATER RIGHT NO. 63-32633
As Modified by Transfer No. 71937

CONDITIONS OF APPROVAL

3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
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.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. Industrial use is for a machine shop and feed preparation for a feedlot.
9. Right 63-32636 is also diverted through the points 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 31st day of May, 20 07


Administrator, Water Management Division

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71937

This is to certify that: FARM DEVELOPMENT CORP

PO BOX 1201
BOISE ID 83701
(208)342-6524

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>
63-32075	AJC/License	04/13/1967	2.28 cfs	184.5 af	N/A	120.0	GROUND WATER
63-32633	AJC/License	03/22/1967	0.07 cfs	22.5 af	N/A	5.0	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>
63-32075	YES	YES	YES	NO	YES	YES
63-32633	NO	YES	YES	NO	YES	YES

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>
63-32075	63-32636	0.28 cfs	46.9 af	N/A	N/A	63-32635	2.00 cfs	117.0 af	N/A	105.0
63-32633	63-32633	0.07 cfs	15.6 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.35 cfs	62.5 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 31st day of May, 20 07



Administrator, Water Management Division

SUPPORT DATA

IN FILE # 63-32075

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 71937

RECEIVED

APR 29 2005

**WATER RESOURCES
WESTERN REGION**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Farm Development Corporation Phone 342-6524

Post Office address P.O. Box 1201, Boise, Idaho 83701

Contact John Marshall, Givens Pursley LLP, 601 W. Bannock, Boise, Idaho 83702, 388-1270

A. PURPOSE OF TRANSFER

1. ☐ Change in 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 Applicant needs additional water right for water use at feedlot.

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>63-3589</u> | <u>3/22/1967</u> | <u>0.27 / 90.0</u> | <u>Industrial</u> | <u>1/1</u> to <u>12/31</u> |
| | | | <u>Stockwater</u> | <u>1/1</u> to <u>12/31</u> |
| | | | | to _____ |
| | | | | to _____ |
2. Total amount of water being transferred 0.27 cubic feet per second and/or 90 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
		SW	SW	4	1N	3W	Canyon	N/A
		NW	NE	9	1N	3W	Canyon	N/A

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	
1N	3W	9					I, S	I, S											
1N	3W	4									I, S	I, S	I, S						
1N	3W	5												I, S					

One Total acres N/A

6. General Information:

a. Description of diversion system

Existing well, distribution system to watering tanks in and around feedlot.

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, please 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:

Land has been subdivided and no longer is irrigated.

d. Remarks:

Applicant expects the transfer approval to be conditioned on limiting consumptive use under the new uses to 62.5 AF. See Exhibit B.

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 _____, 20____

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

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-3589 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other document which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☒ Other See Exhibit A.

3. Source of water Ground water tributary to _____4. Date or priority 3/22/1967

5. Water is used for the following purpose:

amount 4.22 / 1422 for Irrigation 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)

6. Total amount of water under right 4.22 cubic feet per second and/or 1422 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	11	2N	3W	Canyon	
		SE	SW	14	2N	3W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	3W	14					39	39	40	40	40	40	39	39					316

Total acres 3169. Describe any other water rights used for the same purpose as described above N/A

PART 2

Transfer No. _____

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 0.27 / 90 for Irrigation 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:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	11	2N	3W	Canyon	N/A
		SE	SW	14	2N	3W	Canyon	N/A

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	
2N	3W	14									10			10					20

Total acres 20**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*

1. amount 3.95 / 1332 for Irrigation 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:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	11	2N	3W	Canyon	N/A
		SE	SW	14	2N	3W	Canyon	N/A

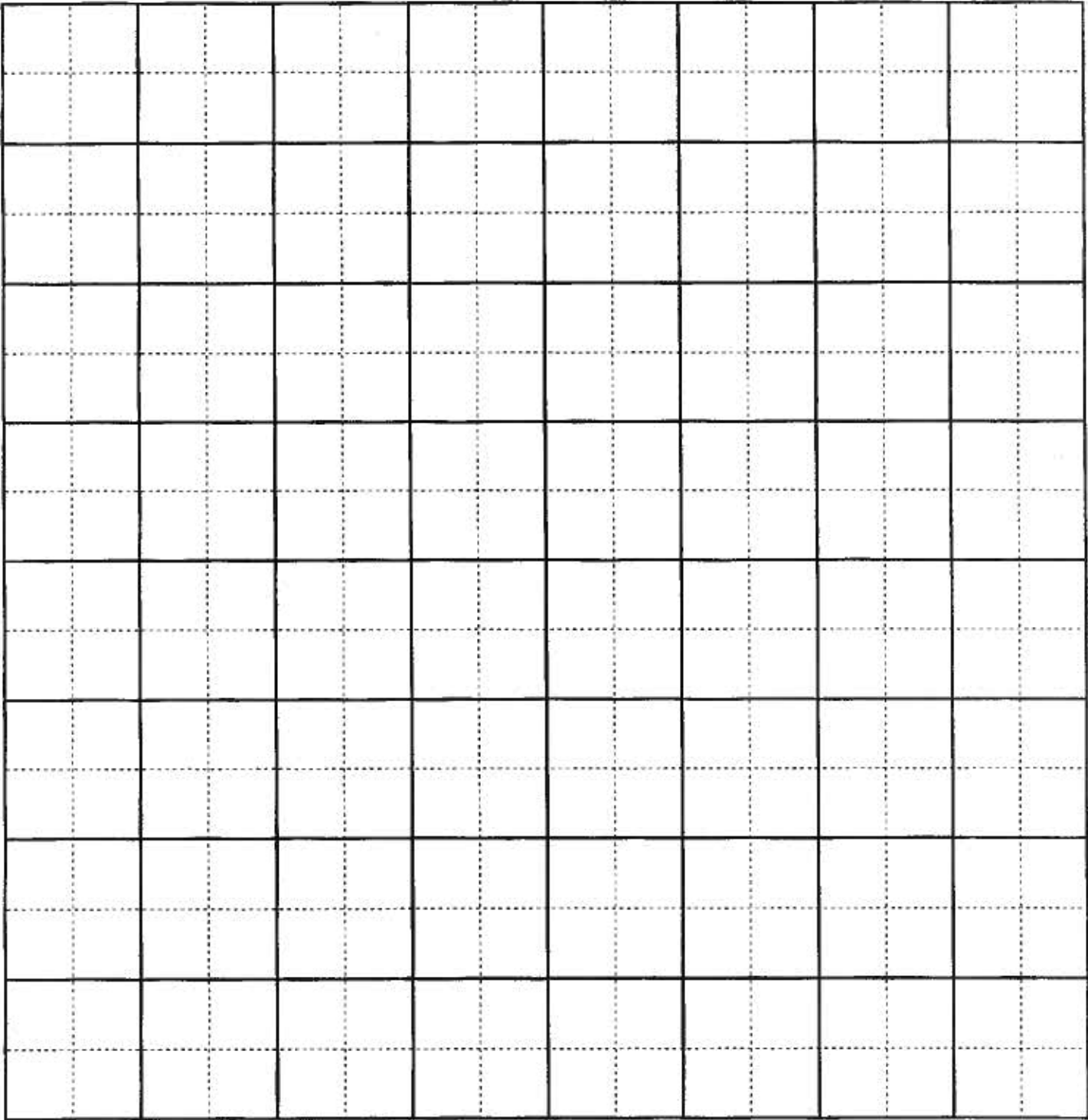
3. Lands irrigated or place of use:

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	
2N	3W	14					39	39	40	40	30	40	39	29	18				296

Total acres 296

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- 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. See Exhibit C



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

B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
Commercial	0.27 / 62.47	See Exhibit B	1/1 to 12/31
			to
2. Quantity and quality of return flows and location of discharge:
Water for all practical purposes is fully consumed by cattle.
3. Describe effects on other water uses resulting from the proposed change:
None expected.

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 any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this

3rd

day of

December

, 20

04

(Signature of Applicant)

Heidi C. Meier

(Notary Public)



May commission expires

9/29/2010

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by DB Date 12-7-04

Protest filed by _____

Prelim. check by _____ Fee \$350-

Receipted by DB W033451 Date 12-7-04

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 _____

EXHIBIT A – Ownership documents

1. Warranty Deed to Southside, Inc.
2. Water Right Purchase and Sale between Southside, Inc. and Applicant

200638800

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE &
ESCROW CORP.

READ & APPROVED BY GRANTEE(S):

[Signature]

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 00024348 XD/CH

WARRANTY DEED

FOR VALUE RECEIVED KENDAL F. EGBERT, TRUSTEE OF THE V & M TRUST

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto SOUTHSIDE, INC., an Idaho corporation

GRANTEE(S), whose current address is: 420 SHERBY RD. NAMPA, ID 83686
the following described real property in CANYON County, State of Idaho, more particularly described as follows, to wit:

The Southwest Quarter of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: October 31, 2000

V & M TRUST

By: *[Signature]*
Kendal F. Egbert, Trustee

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 1 day of November, in the year 2000, before me a Notary Public, personally appeared Kendal F. Egbert, known or identified to me to be the person whose name is subscribed to the within instrument as the trustee of V & M Trust, and acknowledged to me that he executed the same as such trustee.

[Signature]
Notary Public

My commission expires on: 4/22/2003
Residing at: *[Signature]*



NOV 3 PM 4 27

RECORDED

200038800

WATER RIGHT PURCHASE AND SALE AGREEMENT

THIS WATER RIGHT PURCHASE AND SALE AGREEMENT ("Agreement") is entered into effective this 2nd day of Sept, 2004 (the "Effective Date"), by and between Southside, Inc. (the "Seller"), whose address is 420 Sherry Road, Nampa, Idaho 83686, and Farm Development Corporation (the "Buyer"), whose address is 575 W. Bannock, Boise, Idaho 83702.

RECITALS

1. Seller owns a portion of a water right to divert ground water for irrigation purposes within the Boise River Basin (administrative Basin 63), which water right is represented by license number 63-3589 in the records of the Idaho Department of Water Resources ("Department"), and which water right authorizes diversion of ground water for irrigation uses on certain lands in Canyon County during the irrigation season at a rate of 4.22 cubic feet per second ("cfs") on 360 acres of land located in the West ½ of Section 14, T2N, R3W, Boise Meridian in Canyon County. A copy of license number 63-3589 is attached as Exhibit A.
2. Seller desires to sell a portion of water right no. 63-3589 that is appurtenant to twenty acres in the SE ¼ of the SW ¼ of Section 14, T2N, R3W (the "Property"). This twenty-acre portion of licensed water right no. 63-3589 hereinafter is referred to as the "Water Right." Seller no longer owns the Property, but specifically retained the appurtenant Water Right upon sale of the Property to a third party.
3. Buyer desires to purchase the Water Right and transfer it for use on Buyer's property in Canyon County, or, in the alternative, use the Water Right as mitigation for a new ground water permit in which the retirement of the Water Right will serve a mitigation or similar purpose.

AGREEMENT

NOW THEREFORE, in consideration of the foregoing recitals, and the covenants and conditions set forth below, Seller agrees to sell the Water Right to Buyer, and Buyer agrees to purchase it.

4. **Purchase Price.** The Purchase Price for the Water Right is payable as follows:
 - a. **Earnest Money payment.** Upon execution of this Agreement by Seller and Buyer, Buyer shall pay Seller as an earnest money payment ("Earnest Money").
 - b. **Balance of Purchase Price.** being the Purchase Price less the Earnest Money, shall be due and payable to Seller at closing, less any reduction for early payment as provided below.

c. Reduction in Purchase Price for early closing. If closing occurs prior to the one-year anniversary of the Effective Date of this Agreement, then the total Purchase Price shall be adjusted downward at the rate of 0.5% per month as reflected in the following table:

Date of closing relative to Effective Date:	Percentage Reduction in Purchase Price	Adjusted Balance of Purchase Price
Within One Month	5.5%	
Within Two Months	5.0%	
Within Three Months	4.5%	
Within Four Months	4.0%	
Within Five Months	3.5%	
Within Six Months	3.0%	
Within Seven Months	2.5%	
Within Eight Months	2.0%	
Within Nine Months	1.5%	
Within Ten Months	1.0%	
Within Eleven Months	0.5%	

5. Buyers due diligence period. Seller shall make best efforts to provide all documentation, including appropriate deeds, leases, and assignments, confirming Seller's ownership of the Water Right and its entitlement to convey it to Buyer within ten days after the Effective Date of this Agreement. The Buyer shall have twenty-one days after the receipt of Seller's documentation (the "Due Diligence Period") to review the Water Right and make a preliminary determination as to its acceptability for Buyer's purposes. If Buyer determines the Water Right is not acceptable, Buyer shall notify the Seller prior to the end of the Due Diligence Period, and upon receipt of such notice, Seller shall refund to Buyer the full amount of Earnest Money and all parties will be released and discharged from any obligation under this Agreement. If Buyer terminates this Agreement anytime after the Due Diligence Period, Seller shall retain the Earnest Money.

6. Buyer responsible for water right transfer; Seller's cooperation. Within forty-five days after this Agreement is signed and at Buyer's expense, Buyer shall prepare and file an application to the Idaho Department of Water Resources ("Department") either: a) to change or transfer the Water Right to Buyer's place of use, proposed nature or time of use, and point of diversion, or b) a draft application for a new ground water permit in which the retirement of the Water Right will serve a mitigation or similar purpose (collectively, "Transfer"). Buyer shall file the Transfer with the Department and diligently pursue it at Buyer's sole cost. At any time prior to the final disposition of the Transfer by the Department, Seller shall provide Buyer with any information Seller has concerning the Water Right that Buyer may reasonably request in pursuit of the Transfer.

7. Closing. Closing shall occur no later than the earlier of a) ten days after the final, unappealable approval of the Transfer ("Transfer approval"), or b) the one-year anniversary date of this Agreement. At the closing:

a. Seller shall deliver to Buyer: i) an executed and acknowledged Water Right Grant Deed and Assignment ("Deed") in the form attached to this Agreement as Exhibit B; and

ii) such other documents as Buyer may reasonably request within thirty days prior to closing to confirm Buyer's ownership of the Water Right or its transferability.

b. Buyer shall deliver to Seller the balance of the Purchase Price by means of a cashier's check or other means of payment acceptable to Seller. Buyer shall have responsibility for recording or filing the Deed with the county recorder and any notices of change of ownership with the Department or any other entities Buyer deems appropriate.

8. Failure to close within one year; Buyer's and Seller's elections. If the Transfer approval does not occur on or before the one-year anniversary of this Agreement, Buyer at its option may either proceed to closing within thirty days after such anniversary deadline or terminate this Agreement by written notice and forfeit its Earnest Money. If Buyer fails to close the transaction within such thirty days after the anniversary deadline or otherwise breaches this Agreement, Seller at its option may terminate this Agreement and retain the Earnest Money. If this Agreement is terminated by whatever means, Buyer, at its cost, shall forthwith withdraw and cancel the Transfer and take any steps necessary to ensure that the Department cancels, reverses or otherwise nullifies the Transfer application process and any Transfer approval, and such obligations shall survive the termination.

9. Representations and Warranties.

a. Seller hereby represents and warrants that:

- i. The Property is no longer irrigated by the Water Right;
- ii. Seller is the owner of the Water Right and has not conveyed, mortgaged, or pledged the Water Right to any other person or entity;
- iii. Seller has not engaged or dealt with any broker or finder in connection with the sale of the Water Right; and
- iv. Seller has the legal power, right and authority to enter into this Agreement and to perform Seller's obligations hereunder;

b. Buyer hereby represents and warrants that:

- i. Buyer has the legal power, right and authority to enter into this Agreement and to perform Buyer's obligations hereunder; and
- ii. Buyer has not engaged any broker or finder in connection with the purchase of the Water Right.

10. Notices:

Seller: Dave Washburn
420 Sherry Road
Nampa, ID 83686

Buyer: Farm Development Corporation
575 West Bannock
Boise, ID 83702

11. General Provisions.

- a. This Agreement contains the entire agreement between the parties related to the purchase and sale of the Water Right, and all prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged herein.
- b. No modification, amendment, discharge, or change of this Agreement shall be valid unless the same is in writing and signed by both parties.
- c. If either party commences litigation for the judicial interpretation, enforcement or rescission of this Agreement, the prevailing party shall be entitled to its reasonable attorney fees and costs.
- d. All obligations referred to herein that reasonably are to be performed, or may be performed, after closing, and all representations and warranties contained herein, shall survive the closing and delivery of Seller's Water Right Grant Deed and Assignment.
- e. This Agreement shall be binding upon, inure to the benefit of, and be enforceable by the parties hereto and their respective heirs, representatives, successors and assigns.
- f. All notices to be given to the parties shall be in writing, delivered in hand, or by U.S. Mail, postage pre-paid directed to such parties address as stated above unless such party shall have directed in writing that notice be sent to a different address. Notice shall be deemed given upon receipt if hand-delivered or upon deposit into the U.S. Mail if provided by mail.
- g. This Agreement may be executed in counterparts.

IN WITNESS WHEREOF, this Agreement has been executed by the parties, in the State of Idaho, as of the date set forth above.

SELLER:


Dave Washburn
Southside, Inc

BUYER:


Farm Development Corporation
Craig Castagneto, Vice President

Exhibits to
Water Right Purchase And Sale Agreement
Omitted

EXHIBIT B – Transfer Remarks

This transfer application seeks to retire 20 acres of irrigation in the current place of use under water right 63-3589 in favor of industrial and stockwater uses at an existing feedlot. The applicant has entered into a purchase and sale agreement (see Exhibit A) with Southside, Inc., the current owner of water right 63-3589, to purchase a portion of the right appurtenant to 20 acres. The transfer will move 10 acres of irrigation from the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 10 acres from the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, T2N, R3W to the new place of use for commercial purposes. Historically, sugar beets were grown on these 20 acres.

This transfer application proposes to transfer 62.5 AF of consumptive use to the new industrial and stockwater use, calculated as follows: Using consumptive use ("cu") data from G. Allen and C.E. Brockway, *Estimating Consumptive Irrigation Requirements for Crops in Idaho*, University of Idaho (August, 1983) (Appendix E – mean CU for Swan Falls Power House), we determined that the cu for sugar beets in the area is 952 mm/acre. Using the factor 304.8 mm/foot, we converted this to 3.12 AF/acre. Over 20 acres, this equates to 62.5 AF. The applicant needs approximately this same volume of water at its feedlot and expects that the transfer approval will be conditioned to limit consumptive use to the 62.5 AF historically consumed for irrigation.

Two existing wells serve the feedlot. The primary well is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T1N, R2W. A well used as a backup is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T1N, R2W. The transfer proposes to use these existing wells as the new points of diversion. The combined diversion rate from these wells will not exceed 0.27 cfs.

PCL XL error

Subsystem: IMAGE

Error: ExtraData

Operator: ReadImage

Position: 3451