

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 63-32922
Date Received: 12/28/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHRISTOPHER K CURTIS Phone: (208)442-8890
13790 SANTA RITA DR
NAMPA ID USA 83686

MARYANN CURTIS Phone: (208)442-8890
13790 SANTA RITA DR
NAMPA ID USA 83686

2. Date of Priority: 04/13/1967

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	15	NE SE	CANYON	
02N	03W	15	SW SE	CANYON	

5. Description of diverting works:

WELLS, PUMPS, PIPELINE & SPRINKLERS.

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	4.12

7. Total Quantity Appropriated is:
0.07 C.F.S. and/or 4.12 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	03W	14	NW	SW	IRRIGATION	3.7
					Section Acres	3.7
					Total Acres	3.7

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:

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.

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

This right is a split from former right 63-32635 .

15. Basis of Claim: License

RECEIVED
JUL 14 2007
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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
63-32632					
63-32635					

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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) Meyers et al
1528 Addison Ave-E. Twin Falls, ID 83301
4. New Owner/Claimant(s) Christopher K. Curtis Maryann Curtis
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 13790 Santa Rita Dr.
- City, State and ZIP Code Nampa, ID 83686
- New Telephone Number (208) 442-8890

5. Date you acquired the property

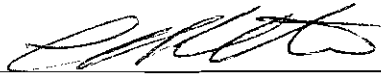
July 11th 2005

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>63-32632</u>		
Irrigation	<u>0.05 CFS / 17.1 AFY</u>	<u>3.7 Acres</u>
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number <u>63-32635</u>		
Irrigation	<u>0.07 CFS / 4.2 AFY</u>	<u>3.7 Acres</u>
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)



(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:Received by DANDate 10-04-07Receipt Amt. No Fee Required.

Received by _____

Date _____

Receipt No. _____

Processed by [Signature] AJDate 12-12-07

WR _____ Date _____

An aerial photograph of a rural landscape, likely a farm or ranch, with a grid of property lines overlaid. A rectangular area in the upper-middle section is highlighted in yellow. The text "T2N R3W S14 NWSW" is printed in blue in the lower-left quadrant, and "SESW" is printed in blue in the lower-right quadrant. A small green circle with a black outline is located in the lower-right quadrant, near the "SESW" label. The landscape features various fields, some with crops, and some buildings or structures. The grid lines are thin and light-colored, while the highlighted area is a solid yellow rectangle.

T2N R3W S14
NWSW

SESW

NO. 200403975

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED, Stetson Homes, Inc.

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto Christopher K. Curtis

whose address is: 13740 Santa Rita Drive, Nampa, Idaho 83686

grantee, the following described real estate, to-wit:

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

SUBJECT TO current years taxes, irrigation district assessments, public utility easements, subdivision restrictions and U.S. patent reservations.

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

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President this 15 day of January, 2004.

Stetson Homes, Inc.

BY: Stan J. Ray
Stan J. Ray, President

REQUEST
TYPE Quick Fee 6-0

PIONEER-CALDWELL

6 NOEL HAYES
CANYON CNTY RECORDER

JAN 23 PM 11 44

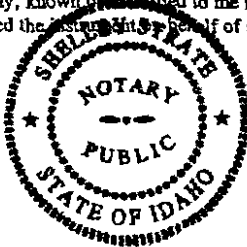
RECORDED

200403975

STATE OF IDAHO)

COUNTY OF ADA)

On This 20 day of January, in the year 2004, before me, a Notary Public in and for said State, personally appeared Stan J. Ray, known and identified to me to be the President of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.



Shelly Strate
Notary Public of Idaho
Residing at Edge 10
Commission expires: 6/2007

RECEIVED
NOV 13 2007
WATER RESOURCES
WESTERN REGION

Exhibit "A"

Lot 5, Block 1, CHAPARRAL RANCH SUBDIVISION, Canyon County, Idaho,
according to the plat filed in Book 30 of Plats, Page 46, records
of said County.

200542395

W28147

QUITCLAIM DEED

FOR VALUE RECEIVED. Christopher K. Curtis, a married man

do hereby convey, release, remise and forever quit claim

unto Christopher K. Curtis and Maryann Curtis, Husband and Wife

whose address is 13790 Santa Rita Dr. Nampa, ID 83686

the following described premises, to-wit:

Lot 5, Block 1, Chapparral Ranch Subdivision, Canyon County, Idaho,
according to the plat filed in Book 30 of Plats, Page 46,
records of said County.

200542395
RECORDED
JUL 19 PM 4 09
CANYON COUNTY RECORDER
PIONEER TITLE
REQUEST
TYPE W&M FEE 3.00 plus

together with their appurtenances.

Dated: 7-18-05

[Signature]

STATE OF IDAHO, COUNTY OF

On this 18 day of July, 2005,
before me, a notary public in and for said State, personally
appeared Christopher K. Curtis

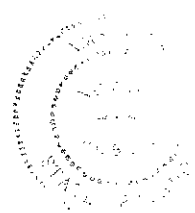
[Signature]

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to
me that *[Signature]* executed the same.

[Signature]
Notary Public

Residing at
Comm. Expires

Residing in Nampa, Idaho
Idaho Commission Expires 4/21/06



610 So. Kimball
Caldwell, Idaho 83605

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 - 10th Ave. South
Nampa, Idaho 83651

POST-RECORD 2005-41502

PN85962

WARRANTY DEED

FOR VALUE RECEIVED
of CHRISTOPHER K. CURTIS

Maryann Curtis

, wife

the Grantor, does hereby grant, bargain, sell and convey unto CHRISTOPHER K. CURTIS, a married man, as his sole and separate property

the Grantee, whose address is 13790 SANTA RITA DRIVE, NAMPA, IDAHO 83687

the following described premises, to-wit:

Lot 5, 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 Grantee, his heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee, that he the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2005 and subsequent years, covenants, conditions, restrictions and easements of record; and that he will warrant and defend the same from all lawful claims whatsoever.

DATED: July 11, 2005

Maryann Curtis

STATE OF IDAHO
COUNTY OF CANYON

On this 11th day of JULY, 2005, before me, a notary public, personally appeared Maryann Curtis, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

A. Beck

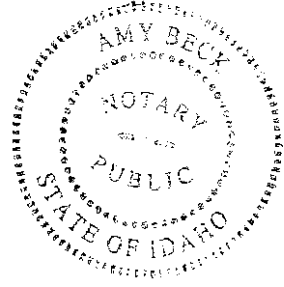
Notary Public
Residing at NAMPA
My commission expires: 4/21/06

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

CANYON COUNTY RECORDER
JUL 15 PM 4 10



RECORDED
TYPE Deed
FEE 5-

PIONEER - NAMPA

200541502

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 63-32635
Date Received: 12/28/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

EDWARD RAY MONTIERTH Phone: (208) 989-8310
825 HEARTLAND DR
NAMPA ID USA 83686

SUSAN L MONTIERTH Phone: (208)463-8163
825 HEARTLAND DR
NAMPA ID USA 83686

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

HERBERT R MONTIERTH JR Phone: (208)407-2243
6312 S ZITHER AVE
BOISE ID USA 83709

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

RODNEY KENT MONTIERTH Phone: (208)733-5217
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

THE ESTATE OF GOLDA D MONTIERTH Phone: (208)463-8163
825 HEARTLAND DRIVE
NAMPA ID USA 83686

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

2. Date of Priority: 04/13/1967

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	15	NE SE	CANYON	
02N	03W	15	SW SE	CANYON	

5. Description of diverting works:

WELLS, PUMPS, PIPELINE & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	2	117

7. Total Quantity Appropriated is:
2 C.F.S. and/or 117 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
02N	03W	14	NW SW	IRRIGATION	40
			SW SW	IRRIGATION	40
				Section Acres	80
02N	03W	15	NE SE	IRRIGATION	20
			SE SE	IRRIGATION	5
				Section Acres	25
				Total Acres	105

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

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.

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

Right 63-32632 overlaps 79 acres of the place of use described above in the W1/2SW, S14, T2N, R3W.

This right is a split from former right 63-32075.

15. Basis of Claim: License

WATER RIGHT NO. 63-32635
As Modified by Transfer No. 71937

In accordance with the approval of Transfer No. 71937, Water Right No. 63-32635 is now described as follows.

Right Holder: RUBY C VICTOR And/Or
W NOLAN VICTOR And/Or
ROBERT J MEYERS And/Or
KATHI L MEYERS And/Or
RODNEY KENT MONTIERTH
1528 ADDISON AVE E
TWIN FALLS ID 83301

And/Or

EDWARD RAY MONTIERTH And/Or
SUSAN L MONTIERTH And/Or
THE ESTATE OF GOLDA D MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

And/Or

HERBERT R MONTIERTH JR
6312 S ZITHER AVE
BOISE ID 83709

Priority Date: April 13, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.00 CFS	117.0 AF
			2.00 CFS	117.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 15 Twp 02N Rge 03W CANYON County
GROUND WATER SWSE Sec. 15 Twp 02N Rge 03W 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							80.0
02N 03W 15													20.0			5.0	25.0

Total Acres: 105

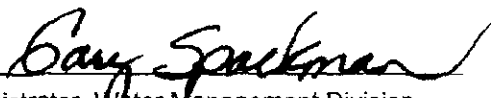
WATER RIGHT NO. 63-32635
As Modified by Transfer No. 71937

CONDITIONS OF APPROVAL

1. 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.
2. The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. Right 63-32632 overlaps 79 acres of the place of use described above in the W1/2SW, S14, T2N, R3W.

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 # 63-32DT5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 91937

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					

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 ☒ 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

Transfer No. _____

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 of 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	1/4	1/4	1/4	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.	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	40	40	39	39					316

Total acres 316

9. 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					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
(cfs/ac-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|-------------------------------|------------------------|----------------------|
| | <u>Commercial</u> | <u>0.27 / 62.47</u> | <u>See Exhibit B</u> | <u>1/1 to 12/31</u> |
| | | | | <u>to</u> |
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 6th day of December, 2004.

Clay Castagneto
 (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-

Received 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):

SPACE ABOVE THIS LINE FOR RECORDING DATA
Order No.: 00024348 XD7CK

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 SHERY 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 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.

Notary Public
My commission expires on: 4/27/2003
Residing at: Twin Falls

RECORDED
NOV 11 3 PM 4 27
G NOEL HALES
CANYON CNTY RECORDER
REQUEST ALLIANCE
TYPE 1002
NOTARY PUBLIC
STATE OF IDAHO

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 $\frac{1}{2}$ 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 $\frac{1}{4}$ of the SW $\frac{1}{4}$ 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 recita(s), 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

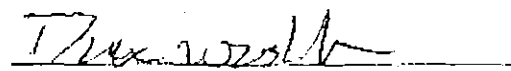
Buyer: Farm Development Corporation
575 West Bannock
Boise, ID 83702

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

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 63-32075
Date Received: 12/28/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

EDWARD RAY MONTIERER Phone: (208)463-8163
1601 POEN RD
KUNA ID USA 83634

SUSAN L MONTIERER Phone: (208)463-8163
825 HEARTLAND DR
NAMPA ID USA 83686

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

HERBERT R MONTIERER JR Phone: (208)463-8163
825 HEARTLAND DR
NAMPA ID USA 83686

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

RODNEY KENT MONTIERER Phone: (208)733-5217
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

THE ESTATE OF GOLDA D MONTIERER Phone: (208)463-8163
825 HEARTLAND DRIVE
NAMPA ID USA 83686

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

2. Date of Priority: 04/13/1967

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	15	NE	SE	CANYON	
02N	03W	15	SW	SE	CANYON	

5. Description of diverting works:

WELLS, PUMPS, PIPELINE & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	2.28	

7. Total Quantity Appropriated is:
2.28 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	NW	SW	IRRIGATION	40		
			SW	SW	IRRIGATION	40		
Section Acres						80		
02N	03W	15	NE	SE	IRRIGATION	20		
			SE	SE	IRRIGATION	20		
Section Acres						40		
Total Acres						120		

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

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

Right 63-32078 overlaps 79 acres of the place of use described above in the W1/2SW, S14, T2N, R3W.

This right is a split from former right 63-3599C.

15. Basis of Claim: License

WATER RIGHT NO. 63-32075
As Modified by Transfer No. 71840

In accordance with the approval of Transfer No. 71840, Water Right No. 63-32075 is now described as follows.

Right Holder: THE ESTATE OF GOLDA D MONTIERTH And/Or
 HERBERT R MONTIERTH JR And/Or
 SUSAN L MONTIERTH
 825 HEARTLAND DRIVE
 NAMPA ID 83686

And/Or

ROBERT J MEYERS And/Or
 W NOLAN VICTOR And/Or
 RUBY C VICTOR And/Or
 KATHI L MEYERS And/Or
 RODNEY KENT MONTIERTH
 1528 ADDISON AVE E
 TWIN FALLS ID 83301

And/Or

EDWARD RAY MONTIERTH
 1601 POEN RD
 KUNA ID 83634

Priority Date: April 13, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.28 CFS	
			2.28 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESE	Sec. 15 Twp 02N	Rge 03W CANYON County
GROUND WATER	SWSE	Sec. 15 Twp 02N	Rge 03W 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							80.0
02N	03W	15													20.0		20.0		40.0

Total Acres: 120

WATER RIGHT NO. 63-32075
As Modified by Transfer No. 71840

CONDITIONS OF APPROVAL

1. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
2. Right 63-32078 overlaps 79 acres of the place of use described above in the W1/2SW, S14, T2N, R3W.

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 23rd day of August, 20 05


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71840

This is to certify that: DANIEL M HUKILL And
MARCINE L HUKILL
14600 DEER FLAT RD
NAMPA ID 83686
(208)467-2390

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>
63-7825A	AJC/License	07/09/1973	0.40 cfs	N/A	N/A	20.0	GROUND WATER
63-3599C	AJC/License	04/13/1967	2.665 cfs	N/A	N/A	140.0	GROUND WATER
63-3599D	AJC/License	04/13/1967	2.17 cfs	508.5 af	N/A	103.0	GROUND WATER
63-7825C	AJC/License	07/09/1973	0.40 cfs	90.0 af	N/A	20.0	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>
63-7825A	NO	NO	YES	YES	NO	NO
63-3599C	YES	NO	YES	YES	NO	NO
63-3599D	NO	NO	YES	YES	NO	NO
63-7825C	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-7825A	63-7825A	0.40 cfs	90.0 af	20.0	163.0		N/A	N/A	N/A	N/A
63-3599C	63-32076	0.38 cfs	90.0 af	20.0	163.0	63-32075	2.28 cfs	N/A	N/A	120.0
63-3599D	63-3599D	2.17 cfs	508.5 af	103.0	163.0		N/A	N/A	N/A	N/A
63-7825C	63-7825C	0.40 cfs	90.0 af	20.0	163.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		3.35 cfs	778.5 af	163.0	163.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23rd day of August, 2005

SUPPORT DATA

IN FILE # 63-3599



Chief, Water Allocation Bureau

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

JAN 25 2005

Transfer No. 71840

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Daniel M. and Marcine L. Hukill Phone (208) 467-2390

Post Office address 14600 Deer Flat Road, Nampa, ID 83686

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Applicant proposes to add points of diversion to each water right and split 63-3599C.

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>63-7825A</u>	<u>7/9/1973</u>	<u>0.4 cfs / 90 af</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>TBD</u>	<u>4/13/1967</u>	<u>0.4 cfs / 90af</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
(portion of 63-3599C)				
<u>63-3599D</u>	<u>4/13/1967</u>	<u>1.97 cfs / 463.5af</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
		<u>0.2 cfs / 45 af</u>	<u>industrial</u>	<u>1/1</u> to <u>12/31</u>
<u>63-7825C</u>	<u>7/9/1973</u>	<u>0.4cfs / 90 af</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>

2. Total amount of water being transferred 3.37 cubic feet per second and/or 778.5 acre-feet per annum.
3. Source of water ground water tributary to NA
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	SW	15	2N	3W	Canyon	
		NE	SE	15	2N	3W	Canyon	
		SW	SE	15	2N	3W	Canyon	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
63-7825A																			
2N	3W	15											20					20	
TBD (portion of 63-3599C)																			
2N	3W	15								20								20	
36-3599D																			
2N	3W	15								18				15	40	30		103	
										1				1	1	1	1		
63-7825C																			
2N	3W	15											20					20	

Total Acres 163

PART 1

6. General Information:

a. Description of diversion system Three wells with electric pumps.

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

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

d. Remarks:
Applicant has purchased 40 acres in the W1/2 of the E1/2 of the SW1/4 of Section 15. Transfer will combine wells for 63-7825A, 63-3599D, 63-7825C, and 20-acre portion of 63-3599C into single system.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 20 _____.

 For the Director

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 as evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

b. License No. 63-7825 issued by the Idaho Department of Water Resources.

c. Claim No. 63-7825A on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water ground water tributary to NA

4. Date or priority 7/9/1973

5. Water is used for the following purposes:

amount 0.4 cfs / 90 af 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 0.4 cfs cubic feet per second and/or 90 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SE	SW	15	2N	3W	Canyon	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	15												20					20

Total Acres 20

9. Describe any other water rights used for the same purpose as described above None

PART 2

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 _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

D. DESCRIPTION OF RIGHT AS RECORDED

4. Right as evidenced by:

- e. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- f. License No. _____ issued by the Idaho Department of Water Resources.
- g. Claim No. 63-3599C on file with the Idaho Department of Water Resources.
- h. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

9. Source of water ground water tributary to NA

10. Date or priority 4/13/1967

11. Water is used for the following purposes:

amount 2.665 cfs /463.5 af 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)

12. Total amount of water under right 2.665 cubic feet per second and/or 463.5 af acre-feet per annum.

13. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NE	SE	15	2N	3W	Canyon	
		SW	SE	15	2N	3W	Canyon	

14. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	14										40	40						80
		15									20				20			20	60

Total Acres 140

11. Describe any other water rights used for the same purpose as described above None

PART 2

12. 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 _____**E. 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 0.4cfs / 90af 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)

3. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	SE	15	2N	3W	Canyon	
		SW	SE	15	2N	3W	Canyon	

6. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	15									20								20

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

1. amount 2.265cfs / 373.5 af 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)

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	SE	15	2N	3W	Canyon	
		SW	SE	15	2N	3W	Canyon	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	14										40	40						80
		15													20			20	40

Total Acres 120

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

G. DESCRIPTION OF RIGHT AS RECORDED

7. Right as evidenced by:

- i. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- j. License No. _____ issued by the Idaho Department of Water Resources.
- k. Claim No. 63-3599D on file with the Idaho Department of Water Resources.
- l. Transfer No. 69150 which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

15. Source of water ground water tributary to NA16. Date or priority 4/13/1967

17. Water is used for the following purposes:

amount 1.97cfs / 463.5 af for irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)

amount 0.2cfs / 45 af for industrial purposes from 1/1 to 11/15
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

18. Total amount of water under right 2.17 cubic feet per second and/or 508.5 acre-feet per annum.

19. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NE	SE	15	2N	3W	Canyon	
		SW	SE	15	2N	3W	Canyon	

20. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	15									18				15	40	30		103
											1				1	1	1		

Total Acres 10313. Describe any other water rights used for the same purpose as described above None

PART 2

14. 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 _____

H. 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 _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

4. Point(s) of Diversion:

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

9. Lands irrigated or place of use:

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

Total Acres _____

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

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

6. Point(s) of Diversion:

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

7. Lands irrigated or place of use:

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

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

J. DESCRIPTION OF RIGHT AS RECORDED

10. Right as evidenced by:

- m. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- n. License No. _____ issued by the Idaho Department of Water Resources.
- o. Claim No. 63-7825C on file with the Idaho Department of Water Resources.
- p. Transfer No. 70837 which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

21. Source of water ground water tributary to NA22. Date or priority 7/9/1973

23. Water is used for the following purposes:

amount 0.4cfs / 90 af 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)

24. Total amount of water under right 0.4 cubic feet per second and/or 90 acre-feet per annum.

25. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NE	SE	15	2N	3W	Canyon	
		SW	SE	15	2N	3W	Canyon	

26. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	15												20					20

Total Acres 2015. Describe any other water rights used for the same purpose as described above None

PART 2

16. 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 _____

K. 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 _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

5. Point(s) of Diversion:

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

12. Lands irrigated or place of use:

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

Total Acres _____

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

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

8. Point(s) of Diversion:

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

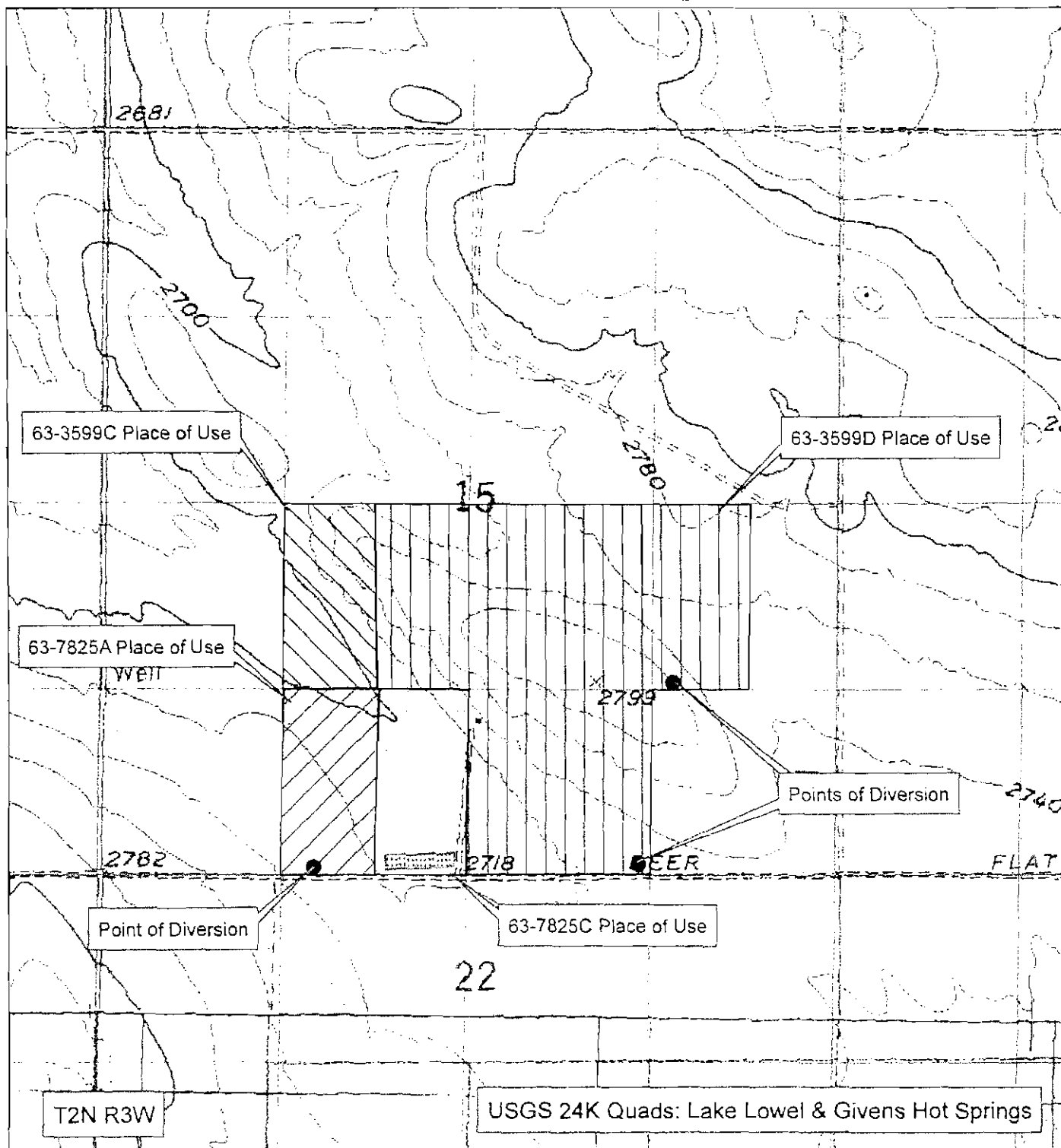
9. Lands irrigated or place of use:

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

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION 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 the rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

- | 1. | <u>New Nature of Use</u> | <u>Amount(cfs/af-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|--------------------------|------------------------|----------------------|
| | _____ | _____ | _____ | to _____ |
| | _____ | _____ | _____ | to _____ |
2. Quantity and quality of return flows and location of discharge: _____

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

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.

Daniel M. Huber

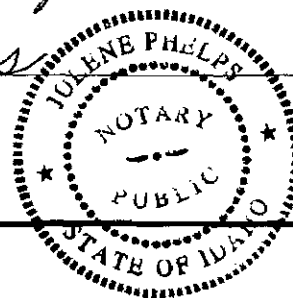
(Signature of Applicant)

Subscribed and sworn to before me this 19th day of January, 20 05.

Jolene Phelps

(Notary Public)

My commission expires June 6, 2005



FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and _____ attachments

Received by AS Date 1-25-05 Protest filed by _____

Prelim. Check by g Fee \$370-

Receipted by DB W032548 Date 1-25-05

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

IN 79324

WARRANTY DEED

B.N.

FOR VALUE RECEIVED J.B. JOHNSTON, an unmarried man

the Grantor, do hereby grant, bargain, sell and convey unto DANIEL M. HUKILL and MARCINE L. HUKILL, husband and wife

the Grantees, whose address is 14600 DEERFLAT ROAD., NAMPA, ID 83686

the following described premises, to-wit:

THE WEST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER IN SECTION 15, 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 Grantees, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantees, that he the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2004 and subsequent years, covenants, conditions, restrictions and easements of record; and that he will warrant and defend the same from all lawful claims whatsoever.

DATED: April 6, 2004

J.B. JOHNSTON

STATE OF IDAHO
COUNTY OF CANYON

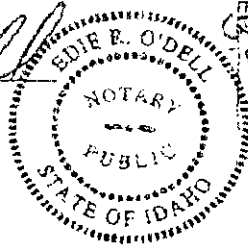
On this 6th day of MARCH, 2004, before me, a notary public, personally appeared J.B. JOHNSTON, known or identified to me to be the person(s) who(s) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Notary Public

Residing at Nampa, ID

My commission expires:

4/17/2009



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

CANYON COUNTY
RECORDS
PIONEER TITLE COMPANY
Nampa, ID

RECORDED

200410915

ATTACHMENT A1

File No: 1010

QUITCLAIM DEED

FOR VALUE RECEIVED

HUKILL FINEGRADING & EXCAVATION, INC.

do hereby convey, release, remise and forever quit claim unto

DEER FLAT SAND & GRAVEL, INC.

whose current address is: 14200 Deer Flat Road, Nampa, Idaho 83686
 the following described premises, to-wit:

The West Half of the Southwest Quarter and the West Half of the East Half of the Southwest Quarter, and the East Half of the East Half of the Southwest Quarter of Section 15, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

This parcel is a portion of the East One-Half of the East One-Half of the Southwest Quarter of Section 15, Township 2 North, Range 3 West of the Boise Meridian in Canyon County, Idaho, and is more particularly described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of said Section 15, being also the West One Quarter corner for said Section 15; thence

North 88° 50' 31" East along the North boundary of said Southwest Quarter a distance of 1538.98 feet to the Northwest corner of said East One-Half of the East One-Half of the Southwest Quarter, said point being the TRUE POINT OF BEGINNING; thence continuing

North 88° 50' 31" East along said North boundary a distance of 484.00 feet; thence South 0° 24' 14" West parallel with the West boundary of said East One-Half of the East One-Half of the Southwest Quarter a distance of 300.00 feet; thence

South 88° 50' 31" West parallel with said North boundary a distance of 484.00 feet to a point on said West boundary; thence

North 0° 24' 14" East along said West boundary a distance of 300.00 feet to the TRUE POINT OF BEGINNING

This parcel includes use of all ingress-egress and utility easement described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of said Section 15, being also the West One Quarter corner for said Section 15; thence

North 88° 50' 31" East along the North boundary of said Southwest Quarter a distance of 1538.98 feet to the Northwest corner of said East One-Half of the East One-Half of the Southwest Quarter; thence

South 0° 24' 14" West along the West boundary of said East One-Half of the East One-Half of the Southwest Quarter a distance of 300.00 feet to the TRUE POINT OF BEGINNING; thence

North 88° 50' 31" East a distance of 30.00 feet; thence

South 0° 24' 14" West a distance of 1751.37 feet to a point on the South boundary of the Southwest Quarter of said Section 15; thence

South 88° 50' 31" West along said South boundary a distance of 30.00 feet to the Southwest corner of the said East One-Half of the East One-Half of the Southwest Quarter; thence

North 0° 24' 14" East along the West boundary of said East One-Half of the East One-Half of the Southwest Quarter a distance of 1751.37 feet to the TRUE POINT OF BEGINNING.

Dated: April 30, 2001

Daniel M. Hukill, President
 HUKILL FINEGRADING & EXCAVATION, INC.

STATE OF _____, County of _____, ss.

On this _____ day of _____ in the year of
 2000, before me, the undersigned, a Notary Public in and
 for said State, personally appeared

known or identified to me to be the person whose name
 subscribed to the within instrument, and acknowledged
 to me that he executed the same.

Signature: _____

Name: _____

Residing at: _____

My commission expires: _____

Transnation Title & Escrow, Inc.

No. C 126306		Due no later than November 30, 2004 Annual Report Form		2 Registered Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		DEER FLAT SAND & GRAVEL, INC. 14200 DEER FLAT RD NAMPA, ID 83686		DANIEL M HUKILL 14200 DEER FLAT RD NAMPA, ID 83686	
NO FILING FEE IF RECEIVED BY DUE DATE				3 New Registered Agent Signature	
4 Corporations: Enter Names and Business Addresses of President, Secretary and Directors.					
Office held	Name	Street or P.O. Address	City	State	Zip
President	Daniel M. Hukill	14600 Deer Flat Road	Nampa	Idaho	83686
Secretary	Marcy L. Hukill	14600 Deer Flat Road	Nampa	Idaho	83686
5 Organized Under the Laws of: IDAHO C 126306		6 Signature <u>Daniel M. Hukill</u> Date <u>9-14-04</u> Name <u>Daniel M. Hukill</u> Title <u>President</u>			
Issued 09/01/2004		Do Not Tape or Staple		20041104053	

No. C 118978		Due no later than Oct 31, 2000 Annual Report Form		2. Registered Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		1. Member Address - Complete this box if applicable HUKILL FINE GRADING & EXCAVATION, I DANIEL M. HUKILL ~~7200 SOUTHWEST SIDE BLVD.~~ 14200 Deer Flat Road NAMPA, ID 83686		DANIEL M. HUKILL ~~7200 SOUTHWEST SIDE BLVD.~~ 14200 Deer Flat Road NAMPA, ID 83686	
NO FILING FEE IF RECEIVED BY DUE DATE				3. New Registered Agent Signature	
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.					
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
President	Daniel M. Hukill	14200 Deer Flat Rd.	Nampa,	Idaho	83686
Secretary	Marcy L. Hukill	14200 Deer Flat Rd.	Nampa,	Idaho	83686
5. Organized Under the Laws of: IDAHO C 118978		6. Signature <u>Daniel M. Hukill</u> Name <u>Daniel M. Hukill</u>		Date <u>8/16/2000</u> Title: <u>President</u>	

Issued 08/01/2000

Do Not Tape or Staple

2134

⑧ PC 26875

9834200

9834200



WARRANTY DEED

For Value Received

Michael G. Crapo and Tyra M. Crapo, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Rakel Engineering & Restoration Inc., an Idaho Corporation

hereinafter referred to as Grantee, whose current address is:

7290 Q.H.
702 Southside Blvd., Nampa, ID 83856

the following described premises, to-wit:

The West Half of the Southeast Quarter; and the West Half of the East Half of the southeast Quarter; and the East Half of the East Half of the Southwest Quarter of Section 15, 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, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises and said premises are free from all encumbrances except current taxes, liens, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: September 11, 1998

Michael G. Crapo
Michael G. Crapo
Tyra M. Crapo
Tyra M. Crapo

RECORDED
INDEXED
FILED
IN 3100

RECORDED
INDEXED
FILED
IN 3100

RECORDED
INDEXED
FILED
IN 3100

RECORDED

9834200

STATE OF IDAHO)

COUNTY OF ADAMS)

On This 11th day of September, in the year 1998, before me, a Notary Public in and for said State, personally appeared Michael G. Crapo and Tyra M. Crapo, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

PATTY L. CHUPP
★ NOTARY PUBLIC ★
STATE OF IDAHO
My Commission Expires 5-4-2004

Patty L. Chupp
Notary Public in Idaho
Residing at Boise
Commission expires: 5/04/04

First American Title Company of Idaho

File Not with

QUITCLAIM DEED

FOR VALUE RECEIVED

HUKILL FINEGRADING & EXCAVATION, INC.

do hereby convey, release, remise and forever quit claim unto

DEER FLAT SAND & GRAVEL, INC.

whose current address is: 14200 Deer Flat Road, Nampa, Idaho 83686
the following described premises, to-wit:

The West Half of the Southeast Quarter; and the West Half of the East Half of the Southeast Quarter; and the East Half of the East Half of the Southwest Quarter of Section 15, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

This parcel is a portion of the East One-Half of the East One-Half of the Southwest Quarter of Section 15, Township 2 North, Range 3 West of the Boise Meridian in Canyon County, Idaho, and is more particularly described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of said Section 15, being also the West One Quarter corner for said Section 15; thence

North 89° 50' 31" East along the North boundary of said Southwest Quarter a distance of 1485.98 feet to the Northwest corner of said East One-Half of the East One-Half of the Southwest Quarter, said point being the TRUE POINT OF BEGINNING; thence

North 38° 50' 31" East along said North boundary a distance of 484.00 feet; thence South 0° 24' 14" West parallel with the West boundary of said East One-Half of the East One-Half of the Southwest Quarter a distance of 900.00 feet; thence

South 89° 50' 31" West parallel with said North boundary a distance of 484.00 feet to a point on said West boundary; thence

North 0° 24' 14" East along said West boundary a distance of 900.00 feet to the TRUE POINT OF BEGINNING.

This parcel includes use of an ingress-egress and utility easement described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of said Section 15, being also the West One Quarter corner for said Section 15; thence

North 89° 50' 31" East along the North boundary of said Southwest Quarter a distance of 1485.98 feet to the Northwest corner of said East One-Half of the East One-Half of the Southwest Quarter; thence

South 0° 24' 14" West along the West boundary of said East One-Half of the East One-Half of the Southwest Quarter a distance of 900.00 feet to the TRUE POINT OF BEGINNING; thence

North 38° 50' 31" East a distance of 484.00 feet; thence South 0° 24' 14" West a distance of 900.00 feet to a point on the South boundary of the Southwest Quarter of said Section 15; thence

South 89° 50' 31" West along said South boundary a distance of 484.00 feet to the Southwest corner of the said East One-Half of the East One-Half of the Southwest Quarter; thence

North 0° 24' 14" East along the West boundary of said East One-Half of the East One-Half of the Southwest Quarter a distance of 900.00 feet to the TRUE POINT OF BEGINNING.

Dated: April 30, 2001

Daniel M. Hukill

Daniel M. Hukill, President

HUKILL FINEGRADING & EXCAVATION, INC.

STATE OF Idaho County of Canyon, ss.

On this 30th day of April in the year of 2001, before me, the undersigned, a Notary Public in, and for said State, personally appeared

DANIEL M. HUKILL

known or identified to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same.

Signature: Jolene PhelpsName: JOLENE PHELPSResiding at: NAMPAMy commission expires: JUNE 6, 2005

Transnation Title & Escrow, Inc.

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: **A63-03599C**
Date Received: 12/28/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	HR MONTIERTH	208-733-5217
Address:	1528 ADDISON AVENUE EAST	
	TWIN FALLS ID 83301	
AND		
Name:	GOLDA D MONTIERTH	208-733-5217
Address:	1528 ADDISON AVENUE EAST	
	TWIN FALLS ID 83301	
AND		
Name:	EDWARD RAY MONTIERTH	208-733-5217
Address:	1528 ADDISON AVENUE EAST	
	TWIN FALLS ID 83301	
AND		
Name:	SUSAN L MONTIERTH	208-733-5217
Address:	1528 ADDISON AVENUE EAST	
	TWIN FALLS ID 83301	
AND		
Name:	RODNEY KENT MONTIERTH	208-733-5217
Address:	1528 ADDISON AVENUE EAST	
	TWIN FALLS ID 83301	
AND		
Name:	RUBY C VICTOR	208-733-5217
Address:	1528 ADDISON AVENUE EAST	
	TWIN FALLS ID 83301	
AND		
Name:	ROBERT J MEYERS	208-733-5217
Address:	1528 ADDISON AVENUE EAST	
	TWIN FALLS ID 83301	
AND		
Name:	WILFORD NOLAN VICTOR	208-733-5217
Address:	1528 ADDISON AVENUE EAST	
	TWIN FALLS ID 83301	
AND		
Name:	KATHI L MEYERS	208-733-5217

Address: 1528 ADDISON AVENUE EAST
TWIN FALLS ID 83301

2. Date of Priority: APR 13, 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	15	NE	SE			CANYON
			SW	SE			CANYON

5. Description of diverting works:
WELLS, PUMPS, PIPELINE & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.665		

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

8. Total consumptive use is 490.0 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	NW	SW		IRR	40.0
			SW	SW		IRR	40.0
						Section Acres	80.0
		15	NE	SW		IRR	20.0
			NE	SE		IRR	20.0
			SE	SE		IRR	20.0
						Section Acres	60.0
						Total Acres	140.0

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:
SEE REMARKS

14. Remarks:

OTHER WATER RIGHTS INCLUDE: 80 ACRES CONCURRENT WITH A63-03589
AND 60 ACRES CONCURRENT WITH A63-02879.

THIS CLAIM IS A RESULT OF A SPLIT DUE TO AN OWNERSHIP CHANGE.

15. Basis of Claim: LICENSE

Water Right Number: 33561

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 02 1998

WATER RESOURCES
WESTERN REGION

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): A63-03599B, A63-07825A
 Adjudication Claim No(s): _____

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Michael G. & Tyra M. Crago
2139 W Sonoma Dr., Meridian

4. New Owner/Claimant(s) # Hukill Finegrading & Excavation Inc.
Name Connector (Check one) [] and [] of [] and/or
 New Mailing Address 7280 Southside Blvd.
 City, State and ZIP Code Nampa, ID 83686
☒ New Telephone Number (208) 467-2390

5. Date you acquired the property Sept. 11, 1998

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate 200 Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) X Daniel M. Hukill, President.
 (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..



WARRANTY DEED

For Value Received

Michael G. Crago and Tyra M. Crago, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Hukill Finegrading & Excavation Inc., an Idaho Corporation

hereinafter referred to as Grantee, whose current address is

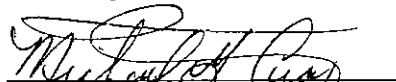
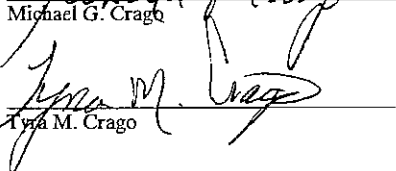
7280 G.H.
728 Southside Blvd., Nampa, ID 83686

the following described premises, to-wit:

The West Half of the Southeast Quarter; and the West Half of the East Half of the southeast Quarter; and the East Half of the East Half of the Southwest Quarter of Section 15, 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, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: September 11, 1998.


Michael G. Crago

Tyra M. Crago

REQUEST PIONEER - CALDWELL
TYPE Deed FEE 3.00

CANYON COUNTY RECORDER
BY J. McFarmer

'98 SEP 14 PM 4 35

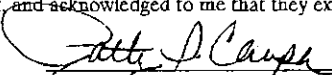
RECORDED

9834200

STATE OF IDAHO)
COUNTY OF Ada) ss.

On This 11th day of September, in the year 1998, before me, a Notary Public in and for said State, personally appeared Michael G. Crago and Tyra M. Crago, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.

PATTY I. CHUPP
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
My Commission Expires 5-8-2004.


Notary Public of Idaho
Residing at Boise
Commission expires: 5/08/04

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

DEC 02 1998

WATER RESOURCES
WESTERN REGION

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).: 63-03599B
Adjudication Claim No(s).: _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: Montierth, Victor, Meyers
US Trust - see attached
4. New Owner/Claimant(s): Michael H. Crago & Jura M. Crago
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address: 2139 W. Sonoma Drive
City, State and ZIP Code: Meridian, ID 83642
New Telephone Number: 7) _____
5. Date you acquired the property: ✓ 1 JUNE 94
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate: ✓ 200 Number and type of stock: ✓ N/A
Diversion rate in CFS: _____ Number of homes: _____ Other uses: _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s): Michael H. Crago
Jura M. Crago
(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..

9834065

1216815

WARRANTY DEED

WILFORD NOLAN VICTOR & RUBY C. VICTOR, H/W & ROBERT J. MEYERS & KATHI L. MEYERS, H/W, GRANTORS, AND

GRANTOR, KENDAL F. EGBERT, Trustee(s), of the V & M Trust, U/T/A dated the 30 day of December, 1993, and any amendments thereto, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain sell and convey unto **MICHAEL G. CRAGO** and **TYRA M. CRAGO**, husband and wife, **GRANTEES**, and to grantees' successors and assigns forever, all of the following described real estate located in the County of Canyon, State of Idaho, described in Exhibit "A" attached hereto and by this reference incorporated herein.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

SUBJECT TO:

Easements, covenants, and restrictions and zoning regulations as appear of record or by use upon premises.

Grantors, for themselves, their heirs and assigns do hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the grantees, their heirs and assigns forever against the lawful claims of all persons.

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

Grantees' Address:

2139 W Sonoma Dr Meridian Id 83646

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument this 3RD day of JUNE, 1994.

THE V & M TRUST

By: Kendal F. Egbert
Trustee

STATE OF Idaho)
COUNTY OF TWIN FALLS) ss.

THE UNDERSIGNED INDIVIDUALS DO HEREBY
CONFIRM THIS CONVEYANCE:

Wilford Nolan Victor
WILFORD NOLAN VICTOR

Ruby C. Victor
RUBY C. VICTOR

Robert J. Meyers
ROBERT J. MEYERS

Kathi L. Meyers
KATHI L. MEYERS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared KENDAL F. EGBERT, to me known or shown to me to be the Trustee of the V & M Trust, and who acknowledged to me that he/she signed the foregoing instrument on behalf of the said Trust.

WITNESS my hand and official seal in the county and state last aforesaid this 3RD day of JUNE, 1994.

J. M. Stevens
Notary Public
Residing at: TWIN FALLS
My Commission expires: 4-28-99



STATE OF Idaho, County of Twin Falls, ss.

On this 10th day of June in the year of 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Wilford Nolan Victor, Ruby C. Victor, Robert J. Meyers and Kathi L. Meyers 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.

Signature: _____

Name: _____

T. W. Stivers

T. W. STIVERS

(Type or Print)

Residing At: _____

TWIN FALLS, ID.

My Commission expires: _____

4-28-99

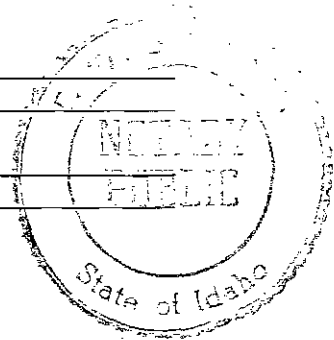


EXHIBIT "A"

The East Half of the West Half of the Northeast Quarter; the West Half of the East Half of the Northeast Quarter; the West Half of the East Half of the Southeast Quarter; the Southwest Quarter of the Southeast Quarter; the Northwest Quarter of the Southeast Quarter; the East Half of the East Half of the Southwest Quarter; of Section 15, Township 2 North, Range 3 West Boise Meridian, Canyon County, Idaho.

9834665

RECORDED

1988 SEP 17 PM 2 17

NED J KERR

CANYON COUNTY RECORDER
BY *J. McLaughlin*

REQUEST PIONEER — CALDWELL

TYPE *Deed* FEE *9.00*

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

V & M TRUST

*the following described premises, to-wit:

...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.

The South One-Half; the South One-Half of the North One-Half and the Northwest Quarter of the North 1st 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.

Dated:

WILFORD NOLAN VICTOR and RUBY E.
VICTOR, husband and wife, and

NEO LKERR
CANYON CNTY RECORDER
BY *[Signature]*

RECORDED

196045

this _____ day of _____
19____ at _____ And duly recorded in Book _____

INSTH

Inst 9411558

QUITCLAIM DEED

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 Hawthorne, County of Turner, 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. Idaho

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 11 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

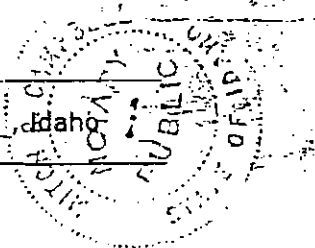
Collie Montierth
COLLIE MONTIERTH

STATE OF IDAHO)
County of Ada) ss:

On this 11 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 Tuan Falls, Idaho
Commission expires _____



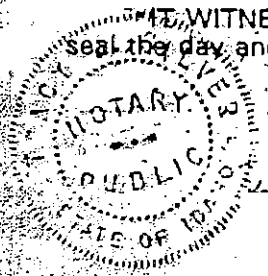
STATE OF IDAHO)

County of Ada)

ss:

On this 21st day of March, 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 Grand View, Idaho
Commission expires _____

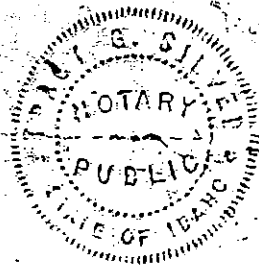
STATE OF IDAHO)

County of Ada)

ss:

On this 21st day of February, 1994, before me the undersigned, a notary public 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 Grand View, Idaho
Commission expires _____

QUITCLAIM DEED - 3

4/282

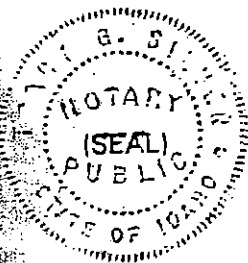
STATE OF IDAHO)

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: _____

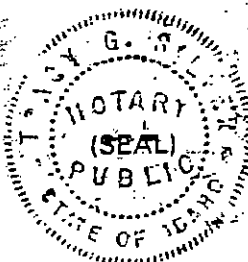
STATE OF IDAHO)

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
4/282

REQUEST
TYPE Quitclaim FEE 13

NEB J. KERR
CANYON COUNTY RECORDER
BY C. Smith

94 APR 20 AM 9 13

RECORDED

9411558

Split Tree

A63-03599B

N/O Monticello/Victor/Meyers

DR: 5.33 cfs CU: 980 AF

POD's: 2N, 3W, S15, NESE, SWSE

POU: 2N, 3W, S14, NWSW - 40 ac SWSW - 40 ac
S15, NESW - 40

NESE - 40 NWSE - 40

SWSE - 40 SESE - 40

280 ac

-03599C

N/O Monticello/Victor/Meyers

DR: 2.665 CU: 490

POD's: 2N, 3W, S15, NESE, SWSE

POU's: 2N, 3W, S14, NWSW - 40 ac SWSW - 40 ac

S15, NESW - 20 ac

NESE - 20 ac SESE - 20 140 ac

-03599D

*

N/O Ageo.

DR: 2.665 CU: 490

POD's: 2N, 3W, S15, NESE, SWSE

POU's: 2N, 3W, S15, NESE - 20 ac SESE - 20 ac

NWSE - 40 SWSE - 40

NESW - 20

140 ac

* Ownership change to Dubill Grading & Excavation

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: A63-03599B
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	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
AND			
Name:	GOLDA D. MONTIERTH	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
AND			
Name:	EDWARD RAY MONTIERTH	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
AND			
Name:	SUSAN L. MONTIERTH	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
AND			
Name:	RODNEY KENT MONTIERTH	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
AND			
Name:	WILFORD NOLAN VICTOR	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
AND			
Name:	RUBY C. VICTOR	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
AND			
Name:	ROBERT J. MEYERS	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
AND			
Name:	KATHI L. MEYERS	208-733-5217	

Address: 1528 ADDISON AVENUE EAST
TWIN FALLS, ID 83301

2. Date of Priority: APR 13, 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	15	NE	SE			CANYON
			SW	SE			CANYON

5. Description of diverting works:
WELLS, PUMPS, PIPELINE & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	5.330		

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

8. Total consumptive use is 980.0 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	NW	SW		IRR	40.0
			SW	SW		IRR	40.0
						Section Acres	80.0
		15	NE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	200.0
						Total Acres	280.0

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:
SEE REMARKS

14. Remarks:
OTHER WATER RIGHTS INCLUDE: 80 ACRES CONCURRENT WITH A63-03589
AND 60 ACRES CONCURRENT WITH A63-02879.

15. Basis of Claim: LICENSE
Water Right Number: 33561

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

RIGHT NUMBER: 63-32922

NAME AND ADDRESS: CHRISTOPHER K CURTIS
13790 SANTA RITA DR
NAMPA ID 83686

MARYANN CURTIS
13790 SANTA RITA DR
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.070 CFS
4.120 AFY

PRIORITY DATE: 04/13/1967

POINT OF DIVERSION:

T02N R03W S15 NESE Within CANYON County

T02N R03W S15 SWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.070 CFS
4.12 AFY

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

PLACE OF USE: IRRIGATION in CANYON County

T02N R03W S14 NWSW 3.70

3.7 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-32635 .

Right 63-32919 & 63-32920 overlap 79 acres of the place of use described above in the W1/2SW, S14, T2N, R3W.

**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: 63-32635 (Split)
	)	63-32921, 63-32922
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: December 13, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 13, 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:

W Nolan Victor	☐	overnight mail
Ruby Victor	☒	regular mail
1528 Addison Ave E	☐	hand-delivered
Twin Falls ID 83301	☐	facsimile

Kathi L Meyers	☐	overnight mail
Robert J Meyers	☒	regular mail
3921 N 3300 E	☐	hand-delivered
Twin Falls ID 83301	☐	facsimile

Christopher K. Curtis	☐	
Maryann Curtis	☒	regular mail
13790 Santa Rita Dr		
Nampa ID 83686		

Edward Ray Montierth
Susan L Montierth
825 Heartland Dr
Nampa ID 83686

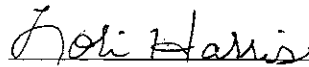
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Herbert R Montierth Jr
6312 S Zither Ave
Boise ID 83709

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

Rodney Kent Montierth
1528 Addison Ave E
Twin Falls ID 83301

☒ regular mail



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

December 13, 2007

CHRISTOPHER CURTIS
MARYANN CURTIS
13790 SANTA RITA DR
NAMPA ID 83686

Re: Original Water Right Nos. 63-32632, 63-32635

Renumbered to Water Right Nos. 63-32920, 63-32922

Dear Mr. & Mrs. Curtis:

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

When a portion of the original water right has been conveyed to another and the original right has been split, then the original right number is renumbered to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original right after the change of ownership. Enclosed is a copy of this new water right for your records. Please refer to your new number when corresponding with our office. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the SRBA Court as notification of this change.

If you have any questions concerning this ownership change, or the enclosed copy, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:1
Enclosures