

04/21/2006

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

RIGHT NUMBER: 73-70

NAME AND ADDRESS: DOUG J PARKINSON
PO BOX 65
ELLIS ID 83235

JANIEL S PARKINSON
PO BOX 65
ELLIS ID 83235

SOURCE: MORSE CREEK

TRIBUTARY: PATTERSON CREEK

QUANTITY: 1.600 CFS

PRIORITY DATE: 05/01/1906

POINT OF DIVERSION:

T15N R22E S26 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.600 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R22E S30	SENW	0.30	T15N R22E S30	NESW	33.00
T15N R22E S30	SESW	25.00	T15N R22E S30	NESE	38.00
T15N R22E S30	NWSE	40.00	T15N R22E S30	SWSE	38.00
T15N R22E S30	SESE	37.00			

211.3 ACRES TOTAL

Right Nos. 73-68 and 73-70 are limited to the irrigation of a combined total of 211.3 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



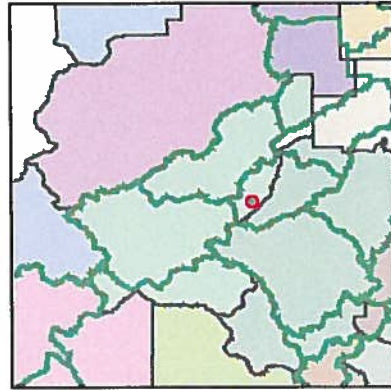
Idaho Department of Water Resources

Adjudication Claim:

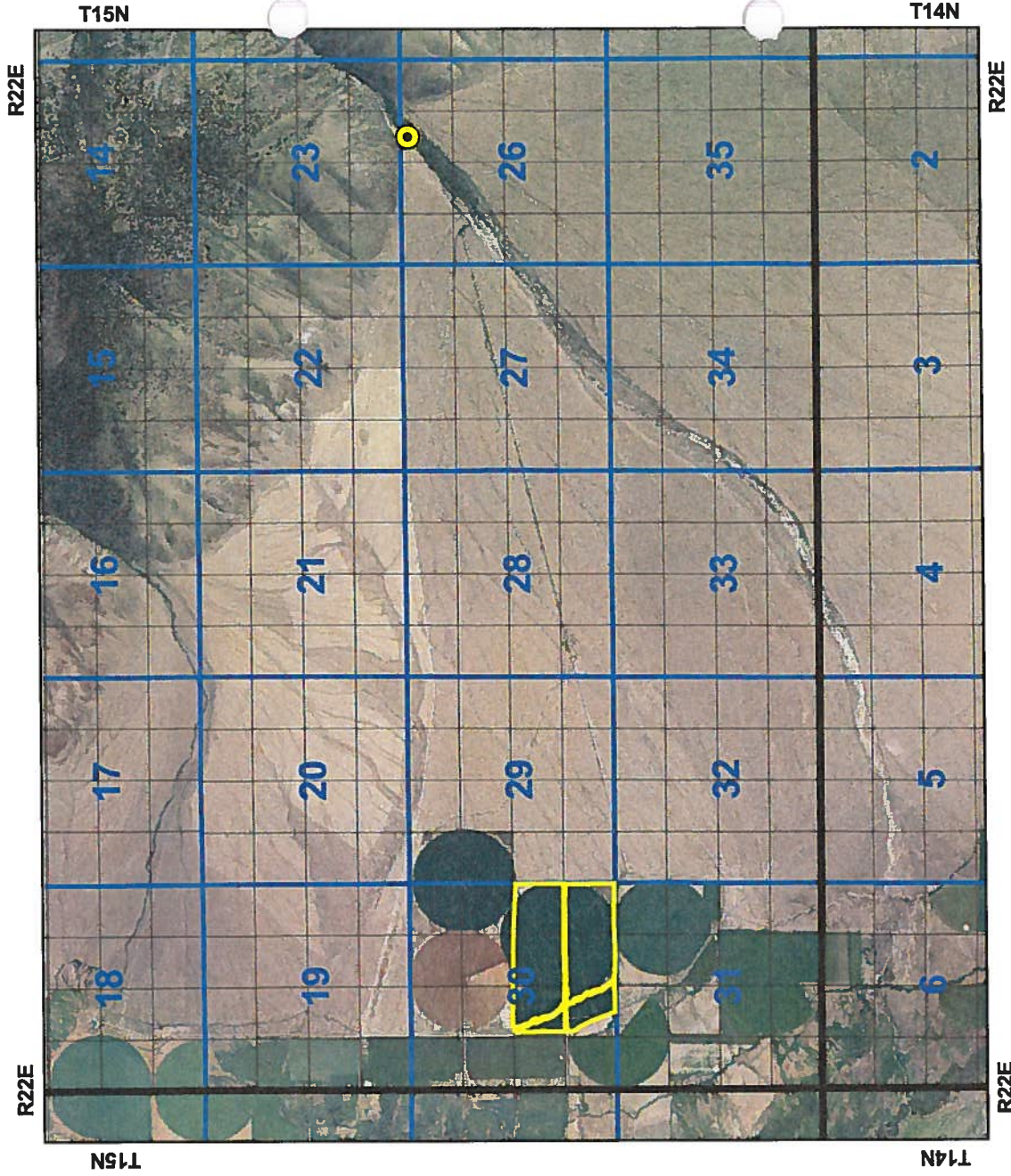
73-68 / 73-170

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Lemhi County
IDWR Basin 73



0 2 4 Miles



Prepared by R. Brown
On Friday, April 21, 2006
2004 Naip Photography

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 73-70
Date Received: 1/16/1990
Receipt No: C014037
Received By:

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

1. Name of Claimant(s)

DOUG J PARKINSON Phone: (208)876-4450
PO BOX 65
ELLIS ID USA 83235

JANIEL S PARKINSON Phone: (208)876-4450
PO BOX 65
ELLIS ID USA 83235

2. Date of Priority: 05/01/1906

3. Source: MORSE CREEK , MORSE CREEK Trib. to: SINKS , SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	22E	26	NW NW NE	LEMHI	
15N	22E	26	NE NW NE	LEMHI	

5. Description of diverting works:

2 HDGATES, WOODEN AND CONCRETE DIV.W/CONCRETE DITCHES,FLOOD,SPRIN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.6	

7. Total Quantity Appropriated is:
1.6 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
15N	22E	30	NE	SW	IRRIGATION	35
			SE	SW	IRRIGATION	30
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	225
					Total Acres	225

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

CHANGED OWNERSHIP 3/26/97/JT/GT

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 6, 2003

DOUG J & JANIEL S PARKINSON
PO BOX 65
ELLIS ID 83235

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 73-64, 73-68, 73-70,
73-2149, 73-7031

Dear Mr. & Mrs. Parkinson:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Kristen Forsgren
Office Specialist 1

Enclosure

cc: Idaho Ag Credit, FLCA

OK JC
11-4-03STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**Notice of Security Interest in a Water Right****And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right**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): 73-2149, 73-7031, 73-70, 73-64, 73-68

Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**B) A **FEE** of \$25.00 per water right or adjudication claim.

3. Name and Mailing Address of Person or Company holding Security Interest

Idaho Ag Credit, FLCA
P.O. Box 386
Rexburg, Idaho 834404. Name of Water Right Owner/Claimant(s) Doug J. Parkinson and
Janiel S. Parkinson5. Expiration Date of Notification Period September 1, 20336. Is this a Renewal of Request for Notification? ☐ YES ☒ NO7. Signature(s) (and title if applicable) Marc Tennesh
Asst. Vice President**For Office Use Only**Received by JC Date 9-11-03 Fee \$125-
Received by JC Date 9-11-03 Receipt No. E029187
Processed by _____ AJ Date _____ WR _____ Date _____

RECEIVED

SEP 11 2003

Department of Water Resources
Eastern Region

AMERICAN LAND TITLE ASSOCIATION
LOAN POLICY
(10-17-92)

Policy No. 72107-

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land;
5. The invalidity or unenforceability of the lien of the insured mortgage upon the title;
6. The priority of any lien or encumbrance over the lien of the insured mortgage;
7. Lack of priority of the lien of the insured mortgage over any statutory lien for services, labor or material:
 - (a) arising from an improvement or work related to the land which is contracted for or commenced prior to Date of Policy; or
 - (b) arising from an improvement or work related to the land which is contracted for or commenced subsequent to Date of Policy and which is financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance;
8. The invalidity or unenforceability of any assignment of the insured mortgage, provided the assignment is shown in Schedule A, or the failure of the assignment shown in Schedule A to vest title to the insured mortgage in the named insured assignee free and clear of all liens.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title or the lien of the insured mortgage, as insured, but only to the extent provided in the Conditions and Stipulations.

In Witness Whereof, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed as of Date of Policy shown in Schedule A, the policy to become valid when countersigned by an authorized signatory.

CHICAGO TITLE INSURANCE COMPANY

By:

President

By:

Secretary



LOAN POLICY

SCHEDULE A

Order Number	Policy Number	Date of Policy	Amount of Insurance	Premium Amount
307031671L-D	72107-1033667	July 9, 2003 At 3:51PM	\$621,280.00	\$75.00

1. Name of Insured:

Idaho AgCredit, FLCA

2. The estate or interest in the land which is encumbered by the insured mortgage is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

Doug J. Parkinson and Janiel S. Parkinson, husband and wife

4. The insured mortgage and assignments thereof, if any, are described as follows:

A Mortgage to secure an indebtedness as shown below and any other obligations secured thereby:

Amount: \$621,280.00.

Mortgagor: Doug J. Parkinson and Janiel S. Parkinson, husband and wife.

Mortgagee: Idaho AgCredit, FLCA.

Recorded: July 9, 2003.

Instrument No.: 255147 of Official Records.

5. The land referred to in this Policy is described as follows:

TRACT 1:

SE1/4 AND THE E1/2SW1/4 OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO;

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

A FRACTION OF THE SE1/4SW1/4 OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHWESTERLY CORNER OF THE SAID SE1/4SW1/4 OF SECTION 30, RUN THENCE EAST ALONG THE SOUTHERLY BOUNDARY OF THE

SE1/4SW1/4 OF SECTION 30 A DISTANCE OF 621.6 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE LEMHI COUNTY ROAD; THENCE NORTHWESTERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF THE LEMHI COUNTY ROAD 1447.7 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY BOUNDARY OF THE SE1/4SW1/4 OF SECTION 30; THENCE SOUTH ALONG THE WESTERLY BOUNDARY OF THE SE1/4SW1/4 OF SECTION 30 A DISTANCE OF 1310.0 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

THAT PORTION OF THE NE1/4SW1/4 OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, LYING AND BEING WEST OF THE LEMHI COUNTY ROAD, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHWESTERLY CORNER OF THE SAID NE1/4SW1/4 OF SECTION 30, RUN THENCE EAST ALONG THE NORTHERLY BOUNDARY OF THE NE1/4SW1/4 OF SECTION 30 A DISTANCE OF 40.2 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE LEMHI COUNTY ROAD; THENCE SOUTHERLY ALONG THE SAID RIGHT-OF-WAY LINE 1260.0 FEET; THENCE WEST 50.5 FEET TO A POINT ON THE WESTERLY BOUNDARY OF THE NE1/4SW1/4 OF SECTION 30; THENCE NORTHERLY ALONG THE WESTERLY BOUNDARY OF THE NE1/4SW1/4 OF SECTION 30 A DISTANCE OF 1259.9 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY COUNTY ROADS.

TRACT 2:

BEGINNING AT A POINT 100 FEET NORTH OF THE SOUTHWEST CORNER OF LOT 1, SECTION 30, TOWNSHIP 15 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, RUN THENCE NORTH 125 FEET PARALLEL WITH THE EAST LINE OF SAID LOT 1, THENCE EAST AT RIGHT ANGLES 232 FEET PARALLEL WITH THE SOUTH LINE OF SAID LOT 1, THENCE SOUTH AT RIGHT ANGLES 125 FEET; THENCE WEST AT RIGHT ANGLES 232 FEET TO THE PLACE OF BEGINNING.

TOGETHER WITH:

A PARCEL OF LAND LOCATED IN THE NW1/4, SECTION 30, TOWNSHIP 15 NORTH., RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SAID SECTION 30, FROM WHICH THE NW CORNER OF SECTION 30 BEARS S. 89° 30' 43" W., 5315.33 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 89° 30' 43" W. ALONG THE

NORTHERLY BOUNDARY OF SECTION 30 A DISTANCE OF 3950.44 FT. TO A POINT ON THE NEW RIGHT-OF-WAY OF PAHSIMEROI ROAD AND THE POINT OF BEGINNING;
THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES:

S. 00° 03' 00" E., 123.06 FT.; S. 00° 53' 33" E., 1148.42 FT.;

THENCE WEST A DISTANCE OF 50.00 FT. TO A POINT ON THE OLD RIGHT-OF-WAY OF PAHSIMEROI ROAD;
THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES:

N. 00° 53' 33" W., 1148.01 FT.; N. 00° 03' 00" W., 123.04 FT. TO A POINT ON SAID NORTHERLY BOUNDARY OF SECTION 30;

THENCE N. 89° 30' 43" E. ALONG SAID BOUNDARY A DISTANCE OF 50.00 FT. TO THE POINT OF BEGINNING.

INCLUDING:

A PARCEL OF LAND LOCATED IN THE NW1/4, SECTION 30, TOWNSHIP 15 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SAID SECTION 30, FROM WHICH THE NW CORNER OF SECTION 30 BEARS S. 89° 30' 43" W., 5315.33 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 89° 30' 43" W. ALONG THE NORTHERLY BOUNDARY OF SECTION 30 A DISTANCE OF 3800.44 FT. TO A POINT ON THE OLD RIGHT-OF-WAY OF PAHSIMEROI ROAD AND THE POINT OF BEGINNING;

THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES:

S. 00° 03' 00" E., 123.10 FT.; S. 00° 53' 33" E., 2517.41 FT.;

S. 89° 07' 29" W., 50.00 FT. TO A POINT ON THE NEW RIGHT-OF-WAY OF PAHSIMEROI ROAD;

THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES :

N. 00° 53' 33" W., 2517.76 FT.; N. 00° 03' 00" W., 123.09 FT. TO A POINT ON SAID NORTHERLY BOUNDARY OF SECTION 30;

THENCE N. 89° 30' 43" E. ALONG SAID NORTHERLY BOUNDARY A DISTANCE OF 50.00 FT. TO THE POINT OF BEGINNING.

TRACT 3:

A PART OF LOT 4 IN SECTION 19, AND LOT 1 IN SECTION 30, TOWNSHIP 15 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOW, TO-WIT:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 15, NORTH, RANGE 22 EAST, BOISE MERIDIAN, RUN THENCE EAST 32 FEET, MORE

OR LESS, TO A POINT ON THE EASTERLY SIDE OF THE COUNTY ROAD AND THE POINT OF BEGINNING; THENCE NORTHERLY AND PARALLEL TO THE COUNTY ROAD, 1320 FEET TO THE NORTHERLY BOUNDARY OF SAID LOT 4 IN SECTION 19, THENCE EASTERLY 680.0 FEET TO THE WESTERLY BOUNDARY OF THE MAY CEMETERY, THENCE SOUTH 208.7 FEET, THENCE EAST 627.1 FEET TO A POINT ON THE EASTERLY BOUNDARY OF SAID LOT 4 IN SECTION 19, THENCE SOUTHERLY ALONG SAID EASTERLY BOUNDARY OF LOT 4 A DISTANCE OF 2431.3 FEET TO THE SOUTHEAST CORNER OF LOT 1 IN SECTION 30, THENCE WESTERLY ALONG THE SOUTH BOUNDARY OF LOT 1 A DISTANCE OF 1107.1 FEET, THENCE NORTH 903.52 FEET, THENCE WEST 200 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY SIDE OF THE COUNTY ROAD, THENCE NORTH 416.48 FEET TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

A FRACTION OF LOT 1 OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 22 EAST, BOISE MERIDIAN, THENCE SOUTH TO THE SOUTHWEST CORNER OF LOT 1; THENCE EAST TO THE SOUTHEAST CORNER OF LOT 1, BEING CORNER NO. 1, THE PLACE OF BEGINNING OF THE PARCEL HEREBY ENCLOSED; THENCE NORTH ALONG THE EAST BOUNDARY OF LOT 1 A DISTANCE OF 50 FEET TO CORNER NO. 2; THENCE DUE WEST AND AT A RIGHT ANGLE A DISTANCE OF 50 FEET TO CORNER NO. 3; THENCE DUE SOUTH AND AT A RIGHT ANGLE A DISTANCE OF 50 FEET TO A POINT IN THE SOUTH BOUNDARY OF SAID LOT 1, BEING CORNER NO. 4; AND THENCE EAST ALONG THE SOUTH BOUNDARY OF SAID LOT 1 A DISTANCE OF 50 FEET TO CORNER NO. 1, THE PLACE OF BEGINNING OF THE PARCEL HEREBY DESCRIBED.

ALSO EXCEPTING THEREFROM ANY COUNTY ROADS.

ALSO EXEPTING:

A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 4, SECTION 19, TOWNSHIP 15 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SAID SECTION 19 FROM WHICH THE NW CORNER OF SECTION 19 BEARS S. 89° 41' 44" W., 5292.13 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 44° 33' 23" W. A DISTANCE 5615.02 FT. TO THE NE CORNER OF SAID GOVERNMENT LOT 4;

THENCE S. 89° 34' 01" W. ALONG THE NORTHERLY BOUNDARY OF LOT 4 A DISTANCE OF 426.70 FT. TO THE POINT OF BEGINNING;

THENCE S. 00° 06' 52" E. A DISTANCE OF 210.01 FT.;
THENCE N. 89° 04' 37" W. A DISTANCE OF 209.94 FT.;
THENCE N. 00° 06' 51" W. A DISTANCE OF 205.04 FT. TO A POINT ON SAID
NORTHERLY BOUNDARY OF LOT 4;

THENCE N. 89° 34' 01" E. ALONG SAID NORTHERLY BOUNDARY A
DISTANCE OF 209.91 FT. TO THE POINT OF BEGINNING.

TOGETHER WITH:

A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 4, SECTION 19,
TOWNSHIP 15 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY,
IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE CORNER OF SAID SECTION 19, FROM WHICH THE
SW CORNER OF SECTION 19 BEARS S. 89° 30' 43" W., 5315.33 FT., THE BASIS OF
BEARING OF THIS DESCRIPTION RUN THENCE S. 89° 30' 43" W. ALONG THE
SOUTHERLY BOUNDARY OF SECTION 19 A DISTANCE OF 3971.61 FT. TO THE SE
CORNER OF SAID GOVERNMENT LOT 4 AND THE POINT OF BEGINNING;

CONTINUE THENCE S. 89° 30' 43" W. ALONG THE SOUTHERLY BOUNDARY OF
SAID LOT 4 A DISTANCE OF 28.84 FT. TO THE OLD RIGHT-OF-WAY OF
PAHSIMEROI ROAD;

THENCE N. 00° 03' 00" W. ALONG SAID RIGHT-OF-WAY A DISTANCE OF
1106.81 FT.;

THENCE S. 89° 04' 37" E. A DISTANCE OF 21.27 FT. TO A POINT ON THE
EASTERLY BOUNDARY OF SAID GOVERNMENT LOT 4, SAID BOUNDARY BEING
THE NEW RIGHT-OF-WAY OF SAID PAHSIMEROI ROAD;

THENCE S. 00° 26' 32" E. ALONG SAID RIGHT-OF-WAY A DISTANCE OF
1106.25 FT. TO THE POINT OF BEGINNING.

TRACT 4:

TOWNSHIP 15 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY,
IDAHO

SECTION 29: W1/2NW1/4

EXCEPTING THEREFROM: THAT PORTION OF THE NW1/4NW1/4 OF SECTION 29
FALLING WITHIN THE RIGHT-OF-WAY OF AIRPORT RUNWAY.

SECTION 30: NE1/4, E1/2NW1/4.

EXCEPTING THEREFROM ANY COUNTY ROADS.

ALSO EXCEPTING THEREFROM:

A PARCEL OF LAND IN THE NE1/4 OF THE NW1/4 OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 22 EAST, BOISE MERIDIAN AND RUNNING THENCE S. 44° 27' 07" E., 1835.51 FEET TO THE SOUTHWEST CORNER OF THE NE1/4 OF THE NW1/4 OF SAID SECTION 30; THENCE N. 00° 53' 33" W., 59.01 FEET ALONG THE WEST LINE OF SAID NE1/4NW1/4 TO A POINT ON THE "OLD" WESTERLY RIGHT-OF-WAY LINE OF THE PAHSIMEROI ROAD AND THE NORTHERLY RIGHT-OF-WAY LINE OF THE MAY ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION:

THENCE N. 00° 53' 33" W., 50.00 FEET ALONG "OLD" WESTERLY RIGHT-OF-WAY LINE OF THE PAHSIMEROI ROAD;

THENCE N. 85° 12' 01" E., 50.11 FEET TO A POINT ON THE "NEW" WESTERLY RIGHT-OF-WAY LINE OF THE PAHSIMEROI ROAD;

THENCE S. 00° 53' 33" E., 50.00 FEET TO THE POINT WHERE THE "NEW" WESTERLY RIGHT-OF-WAY LINE OF THE PAHSIMEROI ROAD INTERSECTS THE NORTHERLY RIGHT-OF-WAY LINE OF THE MAY ROAD;

THENCE S. 85° 12' 01" W. 50.11 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY OF THE MAY ROAD TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING:

A PARCEL OF LAND IN LOT 1 OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 22 EAST, BOISE MERIDIAN AND RUNNING THENCE S. 44° 27' 07" E., 1835.51 FEET TO THE SOUTHEAST CORNER OF LOT 1 (ALSO THE SOUTHWEST CORNER OF THE NE1/4 OF THE NW1/4 OF SAID SECTION 30); THENCE N. 00° 53' 33" W., 59.01 FEET ALONG THE EAST LINE OF SAID LOT 1 TO A POINT ON THE "OLD" WESTERLY RIGHT-OF-WAY LINE OF THE PAHSIMEROI ROAD AND THE NORTHERLY RIGHT-OF-WAY LINE OF THE MAY ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION:

THENCE S. 85° 12' 01" W., 49.89 FEET ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF THE MAY ROAD;

THENCE N. 0° 53' 33" W., 50.00 FEET;

THENCE N. 85° 12' 01" E., 49.89 FEET TO A POINT ON THE "OLD" WESTERLY RIGHT-OF-WAY LINE OF THE PAHSIMEROI ROAD;

THENCE S. 0° 53' 33" E., 50.00 FEET ALONG SAID "OLD" WESTERLY RIGHT-OF-WAY LINE TO THE TRUE POINT OF BEGINNING.

END OF SCHEDULE A

LOAN POLICY

Order No.: 307031671L-D
Policy No.: 72107-1033667

SCHEDULE B

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART I

GENERAL EXCEPTIONS:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary line disputes, and any other matter which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

SPECIAL EXCEPTIONS

- OK 7. Taxes, including any assessments collected therewith, for the year 2003, which are a lien not yet payable.
- OK 8. Easement to the County of Lemhi for construction two channel changes and a small irrigation ditch and incidental purposes recorded June 13, 1951, in Book D, at Page No. 253, records of Lemhi County, Idaho.
- OK 9. Easement to The United States of America for irrigation and incidental purposes, recorded December 19, 1966, as Instrument No. 122135, records of Lemhi County, Idaho.

END OF SCHEDULE B - PART I

LOAN POLICY

Order No.: 307031671L-D

Policy No.: 72107-1033667

SCHEDULE B

EXCEPTION FROM COVERAGE

In addition to the matters set forth on PART I of this Schedule, the title to the estate or interest in the land described or referred to in Schedule A is subject to the following matters, if any be shown, but the Company insures that these matters are subordinate to the lien or charge of the insured mortgage upon the estate or interest:

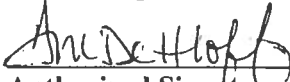
PART II

SPECIAL EXCEPTIONS:

NONE

END OF SCHEDULE B

Countersigned:


Authorized Signature