

06/17/2003

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

RIGHT NUMBER: 29-13583

NAME AND ADDRESS: JEFFERY F HARRIS
PO BOX 252
MC CAMMON ID 83250

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.105 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.111 CFS. COMBINED RIGHT NOS.: 29-13583,
29-13590, 29-13596, 29-13602, 29-13608, 29-13614, 29-13620.

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:

T09S R37E S15 SENENW Within BANNOCK County

T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.105 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R37E S15 SWSE 6.0 T09S R37E S22 NWNE 2.8

STOCKWATER same as IRRIGATION

8.8 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 8.75 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13583, 29-13590,
29-13596, 29-13602, 29-13608, 29-13614, 29-13620.

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: Beneficial Use

THIS IS AN EXTENDED SEASON OF USE CLAIM.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-13583, 29-13590, 29-13596, 29-13602,
29-13608, 29-13614, 29-13620.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-13534.

A2913583

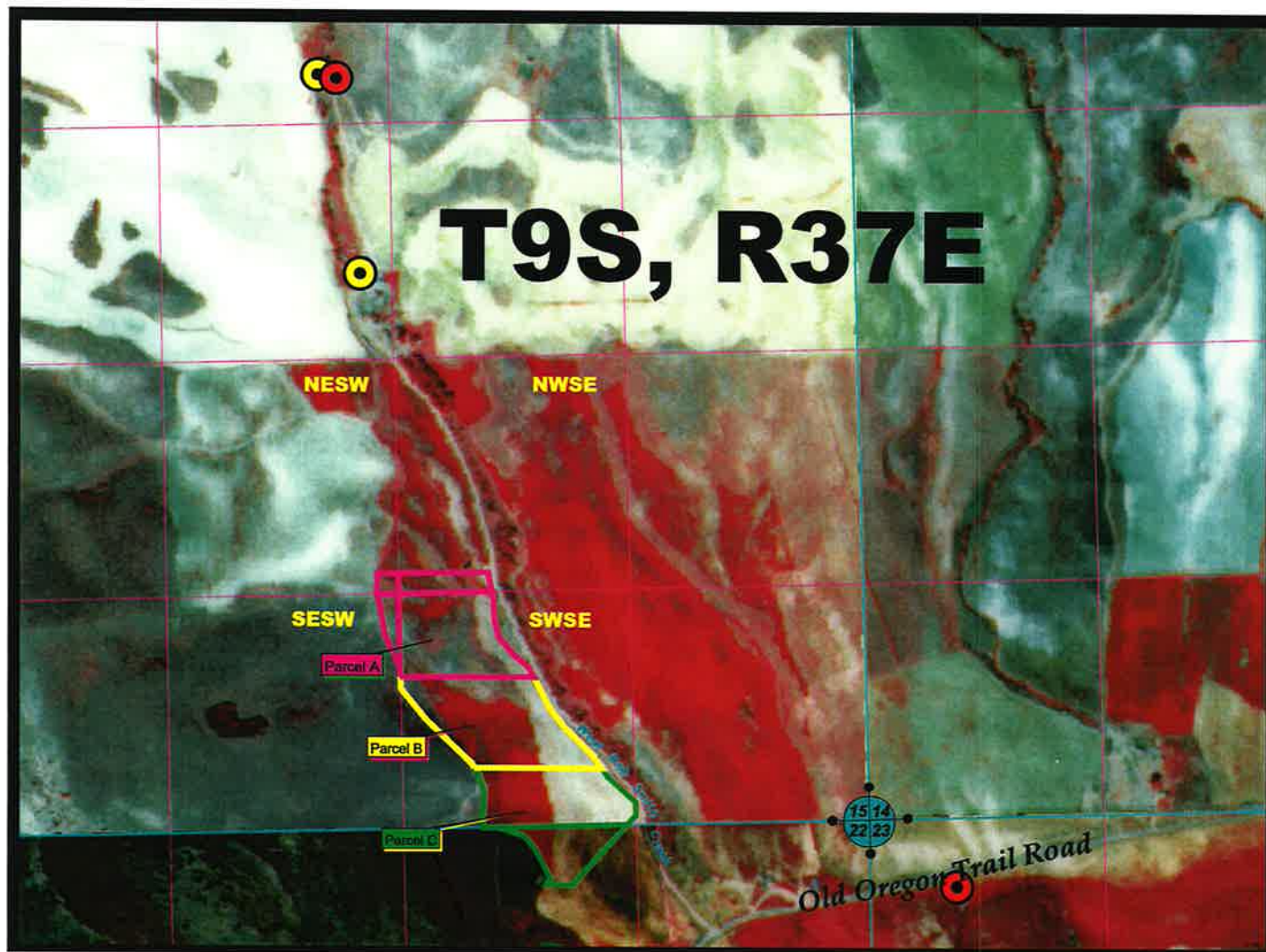




State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

Parcel A	Parcel B	Parcel C
29-13581,	29-13582,	29-13583,
29-13588,	29-13589,	29-13590,
29-13594,	29-13595,	29-13596,
29-13600,	29-13601,	29-13602,
29-13606,	29-13607,	29-13608,
29-13612,	29-13613,	29-13614,
29-13618,	29-13619,	29-13620.

Place of Use: T9S, R37E
Secs.15 & 22 as Parcel A,
Parcel B, Parcel C.

Point(s) of Diversion: T9S, R37E
Sec. 15 SESE, SESE, SESE



LEGEND

- Point of Diversion
- SESE Place of Use
- Section
- Quarter-Quarter

500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 Feet

MAX (HALL)
~~29-13565~~ 13580

222⁴ AC @ 2.672 cfs

JEFF HARRIS

~~29-13566~~ 13581 PARCEL A

0.63 AC @ 0.104 cfs

JEFF HARRIS

~~29-13567~~ 13582 PARCEL B

0.65 AC @ 0.104 cfs

MAX HALL
29-13534

3.16 cfs

PERMISSIBLE POU
WITH THE FOLLOWING
RIGHTS:

JEFF HARRIS

~~29-13568~~ 13583 PARCEL C

0.75 AC @ 0.105 cfs

EXT SOL

LARRY NAEF

~~29-13569~~ 13584

6.27 AC @ 0.075 cfs

ROLAND HULL

~~29-13570~~ 13585 - DISALLOWED IN MAX HALL'S NAME.

RECOMMENDED AS AND INCLUDING
THE NUMBER BELOW FOR MR. HULL.

ROBEN HULL

~~29-13571~~ 13586

8.30 AC @ 0.0997 → 0.100 cfs

TE:
'd' OUT NUMBERS
RE NOT USED, THEY
RE REPLACED DUE
O SOME DATA BASE
ERROR. DELETED
FROM DATA BASE
NOT TO BE USED.

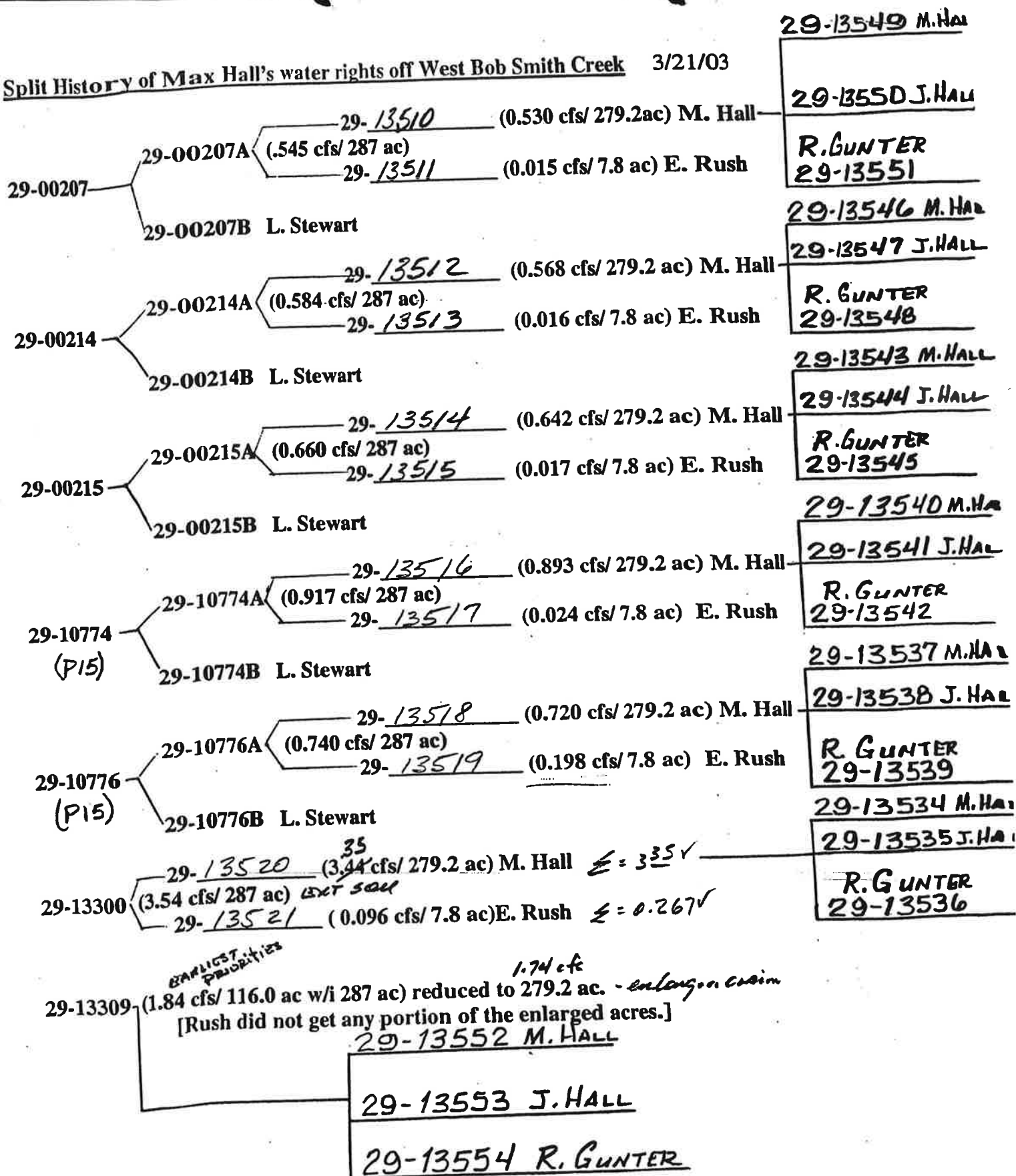
TOTAL 263⁰ AC.

PRIORITY DATE:
AUG. 7 1932

29-13534 IS
AN EXTENDED
EASON OF USE
CLAIM. THIS CLAIM
ORIGINATED AS
29-13300

yes, it's fixed.

Split History of Max Hall's water rights off West Bob Smith Creek 3/21/03



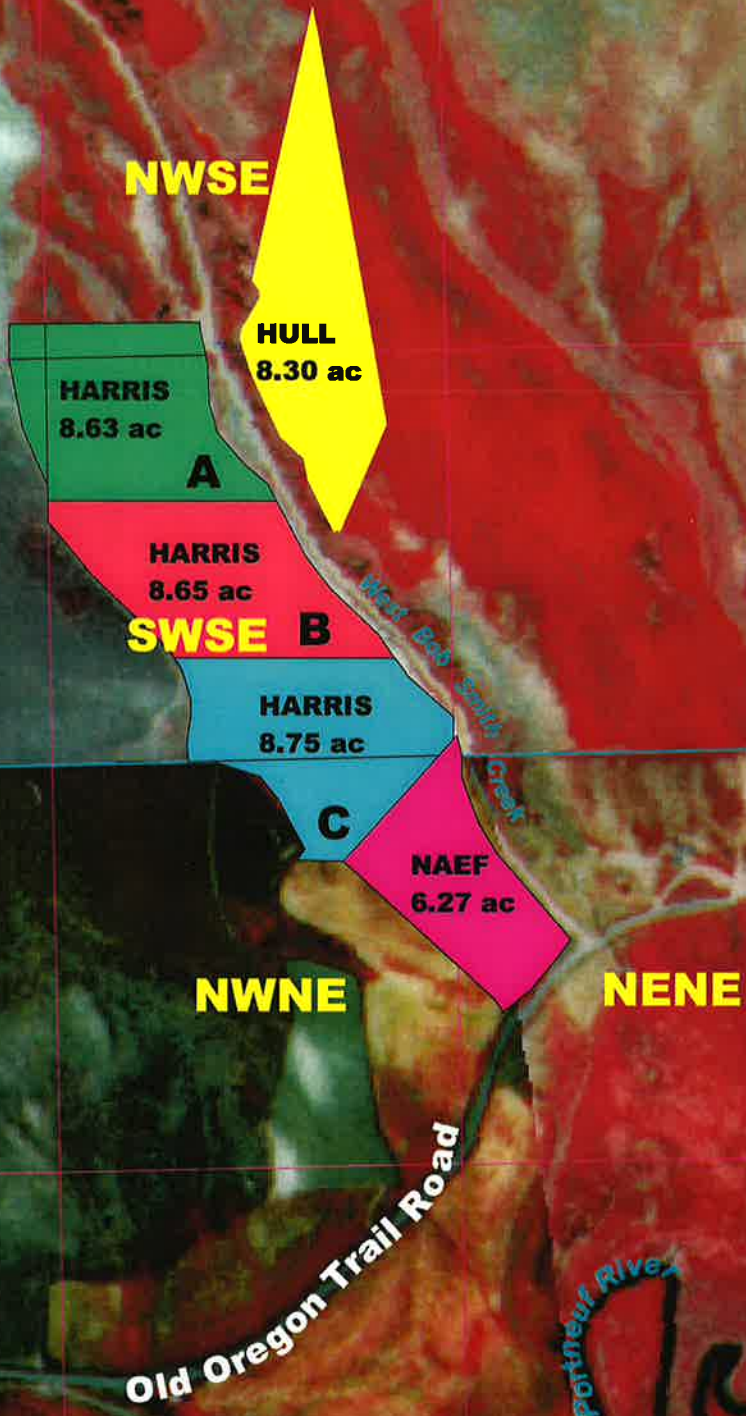
Note: All Stewart split portions were split off circa March 2002.

263²⁵ - MAX HALL RETAINS REMAINDER OF ALL PARENT Rts @ 263²⁵ AC

50 - JASON HALL GETS 4.95 AC AS IRRIG. W/ APPROPRIATE Q, INCLUDES ENLARGED

117 - D. GUNTER GETS 11.70 AC AS IRRIG. " " " " " "

T9S, R37E



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Attn: Al Ruben

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
			PARCEL 3 OR C		

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

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

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s)

4. New Owner/Claimant(s)

Jeffrey or KATHLEEN HARRIS
Name Connector (Check one): ☐ and, ☒ or, ☐ and/or

New Mailing Address

Box 252 FLAMINGO ST.

City, State and ZIP Code

M-CAHON IDAHO 83250

New Telephone Number

(208) 254-3454

5. Date you acquired the property

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Item 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s).** Please enter the number(s) at **Item 1.** Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3.**
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4.** Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

ATTACHED LEGAL DESCRIPTION

Order No.: P35675

PARCEL 1:

A PARCEL OF LAND LOCATED IN THE SW¼SE¼ OF SECTION 15, TOWNSHIP 9 SOUTH, RANGE 37 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ¼ CORNER OF SECTION 15, BEING DESCRIBED AS SHOWN IN BANNOCK COUNTY INSTRUMENT NUMBER 96017929;

THENCE NORTH 89°56'00" EAST, ALONG THE SOUTH LINE OF SECTION 15, A DISTANCE OF 381.98 FEET TO AN EXISTING PROPERTY LINE;

THENCE NORTH 20°32'26" WEST, ALONG THE EXISTING PROPERTY LINE, A DISTANCE OF 222.76 FEET;

THENCE NORTH 6°26'28" EAST, ALONG SAID EXISTING PROPERTY LINE, A DISTANCE OF 103.28 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 6°26'28" EAST A DISTANCE OF 77.57 FEET;

THENCE NORTH 28°04'04" WEST A DISTANCE OF 568.26 FEET;

THENCE NORTH 89°29'25" EAST A DISTANCE OF 698.95 FEET TO THE CENTER LINE OF WEST BOB SMITH ROAD BEING ON A POINT OF TANGENCY OF 1073.76 FOOT RADIUS CURVE IN WHICH THE CENTER BEARS NORTH 65°55'30" EAST;

THENCE FOLLOWING THE SAID 1073.76 FOOT RADIUS CURVE AND THE CENTER LINE OF WEST BOB SMITH ROAD IN A SOUTHEASTERLY DIRECTION THROUGH A CENTRAL ANGLE OF 16°25'41" AN ARC DISTANCE OF 307.87 FEET (THE CORD OF WHICH BEARS SOUTH 32°17'21" EAST A DISTANCE OF 306.82 FEET) TO THE END OF THE CURVE AND A POINT OF TANGENCY;

THENCE SOUTH 40°30'11" EAST, ALONG SAID CENTERLINE, A DISTANCE OF 327.85 FEET;

THENCE SOUTH 33°56'08" EAST, ALONG SAID CENTERLINE, A DISTANCE OF 90.47 FEET;

THENCE SOUTH 89°56'00" WEST, LEAVING SAID CENTERLINE AND FOLLOWING THE PROPERTY LINE ON THE SOUTH, A DISTANCE OF 867.58 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO A 100.00 FOOT WATER LINE EASEMENT ADJACEMENT TO THE WEST LINE OF THE ABOVE DESCRIBED PARCEL.

PARCEL 2:

A PARCEL OF LAND LOCATED IN THE SOUTH ½ OF SECTION 15, TOWNSHIP 9 SOUTH, RANGE 37 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ¼ CORNER OF SECTION 15, BEING DESCRIBED AS SHOWN IN BANNOCK COUNTY INSTRUMENT NUMBER 96017929;

*TAKEN FROM FIRST AMERICAN TITLE
TITLE INSURANCE: ORDER NO. P35675
MARCH 29, 2002*

ALTA Plain Language Commitment Legal Description
(P35675.PFD/P35675/16)

LEGAL DESCRIPTION

(Continued)

Order No.: P35675

THENCE NORTH 89°56'00" EAST, ALONG THE SOUTH LINE OF SECTION 15, A DISTANCE OF 381.98 FEET TO AN EXISTING PROPERTY LINE;

THENCE NORTH 20°32'26" WEST, ALONG THE EXISTING PROPERTY LINE, A DISTANCE OF 222.76 FEET;

THENCE NORTH 6°26'28" EAST, A DISTANCE OF 180.85 FEET;

THENCE NORTH 28°04'04" WEST A DISTANCE OF 568.26 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 28°04'04" WEST A DISTANCE OF 181.48 FEET;

THENCE NORTH 50°50'24" WEST A DISTANCE OF 91.12 FEET;

THENCE NORTH 10°16'54" WEST A DISTANCE OF 270.78 FEET;

THENCE NORTH 1°19'00" EAST A DISTANCE OF 81.32 FEET;

THENCE NORTH 89°56'53" EAST A DISTANCE OF 681.25 FEET TO THE CENTER LINE OF WEST BOB SMITH ROAD BEING A POINT OF NON-TANGENCY ON A 1083.09 FOOT RADIUS CURVE IN WHICH THE CENTER BEARS NORTH 78°49'41" EAST;

THENCE SOUTHEASTERLY FOLLOWING THE SAID 1083.09 FOOT RADIUS CURVE AND THE CENTER LINE OF WEST BOB SMITH ROAD THROUGH A CENTRAL ANGLE OF 12°54'11" AN ARC DISTANCE OF 243.91 FEET (THE CORD OF WHICH BEARS SOUTH 17°37'24" EAST A DISTANCE OF 243.40 FEET) TO THE END OF THE CURVE AND A POINT OF TANGENCY;

THENCE SOUTH 24°04'30" EAST, FOLLOWING SAID CENTERLINE, A DISTANCE OF 359.06 FEET;

THENCE SOUTH 89°29'25" WEST, LEAVING SAID CENTERLINE, A DISTANCE OF 698.95 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO A 100.00 FOOT WATER LINE EASEMENT ADJACEMENT TO THE WEST LINE OF THE ABOVE DESCRIBED PARCEL.

SCHEDULE B - SECTION 1
REQUIREMENTS

The following requirements must be met:

- a. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- b. Pay us the premiums, fees and charges for the policy.
- c. Documents satisfactory to us creating the interest in the land and/or mortgage to be insured must be signed, delivered and recorded.
- d. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
- e. Release(s) or Reconveyance(s) of item(s) N/A.

SNAKE RIVER SURVEYING, INC.

460 Lincoln St. Suite C
American Falls, Idaho 83211
Phone (208) 226-5764, Fax (208) 226-5767

**FAX TRANSMITTAL****TO:** Allan**FROM:** Dan Long**FAX:** 525-7177**PAGES:** 2 with cover sheet**PHONE:****DATE:** May 8, 2003**RE:** Legal description for most Southerly Piece sold to Jeff Harris☐ **Urgent**☐ **For Review**☐ **Please Comment**☐ **Please Reply**

Comments:



SNAKE RIVER SURVEYING, INC.

460 Lincoln Street, Suite C
American Falls, Idaho 83211
Phone (208) 226-5764, Fax (208) 226-5767

Job no. 21053-2
Max Hall
10.00 Acres
Date: January 10, 2002

#8 A parcel of land in the Southwest $\frac{1}{4}$ Southeast $\frac{1}{4}$ of Section 15 and the Northwest $\frac{1}{4}$ Northeast $\frac{1}{4}$ of Section 22, Township 9 South, Range 37 East of the Boise Meridian, Bannock County, Idaho, described as follows:

Beginning at a point on the Section Line common to Sections 15 and 22 and the intersection of said Section line with the Westerly right-of-way line of West Bob Smith Road, said point also being the most Northerly corner of a parcel of land shown on Record of Survey Instrument no. 96017931, which point bears South $89^{\circ} 56' 00''$ West a distance of 1356.33 feet from the Section Corner common to Sections 14, 15, 22 and 23;

Thence South $40^{\circ} 37' 19''$ West along the Northerly line of said Record of Survey, a distance of 460.65 feet to a $\frac{1}{2}$ " rebar with a plastic cap reading PLS 8075, said point being a common corner of Record of Surveys Inst. No. 96017931 and 20111048;

Thence North $87^{\circ} 34' 27''$ West, along the Northerly line of Record of Survey Inst. No. 20111048, a distance of 243.55 feet to a $\frac{1}{2}$ " rebar with a plastic cap reading PLS 843;

Thence North $47^{\circ} 57' 34''$ West a distance of 424.00 feet;

Thence North $20^{\circ} 32' 26''$ West, along an existing fence line, a distance of 222.76 feet;

Thence North $06^{\circ} 26' 28''$ East, continuing along said fence line, a distance of 103.28 feet;

Thence North $89^{\circ} 56' 00''$ East a distance of 867.58 feet to a point on the centerline of West Bob Smith Road;

Thence South $33^{\circ} 56' 08''$ East along said centerline, a distance of 94.99 feet to a point of tangency on a 132.50 foot radius curve in which the radius point bears South $33^{\circ} 56' 08''$ West;

Thence continuing along said centerline, in a Southeasterly direction, along a curve to the right, following the 132.50 foot radius, through a central angle of $27^{\circ} 41' 37''$, for an arc length of 64.04 feet (the chord bears South $20^{\circ} 05' 21''$ East for a distance of 63.42 feet;

Thence South $06^{\circ} 14' 33''$ East, continuing along said centerline, a distance of 50.00 feet to a point of tangency on a 822.97 foot radius curve in which the radius point bears North $83^{\circ} 45' 27''$ East;

Thence continuing along said centerline, along a curve to the left, following the 822.97 foot curve in a Southeasterly direction, through a central angle of $04^{\circ} 50' 26''$, for an arc length of 69.53 feet (the chord bears South $08^{\circ} 39' 46''$ East for a distance of 69.53 feet);

Thence South $89^{\circ} 56' 00''$ West a distance of 33.59 feet

to the TRUE POINT OF BEGINNING and containing 10.00 acres more or less.

Reserving there from an easement 100.00 feet in width for water pipeline maintenance lying 100.00 feet West of the following described line: Beginning at the most Northwesterly corner of the above described parcel; Thence South $06^{\circ} 26' 28''$ West a distance of 103.28 feet; Thence South $20^{\circ} 32' 26''$ East a distance of 222.76 feet; Thence South $47^{\circ} 57' 34''$ East a distance of 424.00 feet.



First American Title Company
P.O. Box 9 (420 S. 4th Ave)
Pocatello, ID 83204
(208)232-6224 Fax (208)232-6257

FAX TRANSMITTAL SHEET 3No. of Pages Including Cover Sheet: 3DATE: 5/8/03TIME: 9:00

PLEASE DELIVER TO:

Jeff Harris / Allen

COMPANY:

WRB

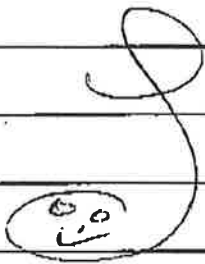
FROM:

LINDA

RE:

Legal Descriptions

MESSAGE:



If you have any problems receiving this message or have any questions regarding our transmittal please contact us at (208)232-6224.

CONFIDENTIALITY NOTE: The information transmitted in the fax message is intended to be confidential and for the use of only the individual or entity named above, and may be privileged. If the reader of this message is not the intended recipient, you are hereby notified that any retention, dissemination, distribution or copy of this fax is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone. Thank you!

\$ 20,000

A PARCEL OF LAND IN THE SOUTHWEST ¼ SOUTHEAST ¼ OF SECTION 15 AND THE NORTHWEST ¼ NORTHEAST ¼ OF SECTION 22, TOWNSHIP 9 SOUTH, RANGE 37 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SECTION LINE COMMON TO SECTIONS 15 AND 22 AND THE INTERSECTION OF SAID SECTION LINE WITH THE WESTERLY RIGHT-OF-WAY LINE OF WEST BOB SMITH ROAD, SAID POINT ALSO BEING THE MOST NORTHERLY CORNER OF PARCEL OF LAND SHOWN ON RECORD OF SURVEY INSTRUMENT NO.96017931, WHICH POINT BEARS SOUTH 89°56'00" WEST A DISTANCE IF 1356.33 FEET FROM THE SECTION CORNER COMMON TO SECTIONS 14, 15, 22 AND 23;

THENCE SOUTH 40°37'19" WEST ALONG THE NORTHERLY LINE OF SAID RECORD OF SURVEY, A DISTANCE OF 460.65 FEET TO A ½" REBAR WITH A PLASTIC CAP READING PLS 8075, SAID POINT BEING A COMMON CORNER OF RECORD OF SURVEYS INST. NO. 96017931 AND 20111048;

THENCE NORTH 87°34'27" WEST, ALONG THE NORTHERLY LINE OF RECORD OF SURVEY INST. NO. 20111048, A DISTANCE OF 243.55 FEET TO A ½" REBAR WITH A PLASTIC CAP READING PLS 843;

THENCE NORTH 47°57'34" WEST A DISTANCE OF 424.00 FEET;

THENCE NORTH 20°32'26" WEST, ALONG AN EXISTING FENCE LINE, A DISTANCE OF 222.76 FEET;

THENCE NORTH 06°26'28" EAST, CONTINUING ALONG SAID FENCE LINE, A DISTANCE OF 103.28 FEET;

THENCE NORTH 89°56'00" EAST A DISTANCE OF 867.58 FEET TO A POINT ON THE CENTERLINE OF WEST BOB SMITH ROAD;

THENCE SOUTH 33°56'08" EAST ALONG SAID CENTERLINE, A DISTANCE OF 94.99 FEET TO A POINT OF TANGENCY ON A 132.50 FOOT CURVE IN WHICH THE RADIUS POINT BEARS SOUTH 33°56'08" WEST;

THENCE CONTINUING ALONG SAID CENTERLINE, IN A SOUTHEASTERLY DIRECTION, ALONG A CURVE TO THE RIGHT, FOLLOWING THE 132.50 FOOT RADIUS, THROUGH A CENTRAL ANGLE OF 27°41'37", FOR AN ARC LENGTH OF 64.04 FEET (THE CHORD BEARS SOUTH 20°05'21" EAST FOR A DISTANCE OF 63.42 FEET);

THENCE SOUTH 06°14'33" EAST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 50.00 FEET TO A POINT OF TANGENCY ON A 822.97 FOOT RADIUS CURVE IN WHICH THE RADIUS POINT BEARS NORTH 83°45'27" EAST;

THENCE CONTINUING ALONG SAID CENTERLINE, ALONG A CURVE TO THE LEFT, FOLLOWING THE 822.97 FOOT CURVE IN A SOUTHEASTERLY DIRECTION, THROUGH A CENTRAL ANGLE OF 04°50'26", FOR AN ARC LENGTH OF 69.53 FEET (THE CHORD BEARS SOUTH 08°39'46" EAST FOR A DISTANCE OF 69.53 FEET);

THENCE SOUTH 89°56'00" WEST 33.59 FEET TO THE TRUE POINT OF BEGINNING.

RESERVING THEREFROM AN EASEMENT 100.00 FEET IN WIDTH FOR WATER PIPELINE MAINTENANCE LYING 100.00 FEET WEST OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE MOST NORTHWESTERLY CORNER OF THE ABOVE DESCRIBED PARCEL; THENCE SOUTH 06°26'28" WEST A DISTANCE OF 103.28 FEET;

THENCE SOUTH 20°32'26" EAST A DISTANCE OF 222.76 FEET;
THENCE SOUTH 47°57'34" EAST A DISTANCE OF 424.00 FEET.

#35,000

PARCEL 1:

A PARCEL OF LAND LOCATED IN THE SW¼SE¼ OF SECTION 15, TOWNSHIP 9 SOUTH, RANGE 37 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ¼ CORNER OF SECTION 15, BEING DESCRIBED AS SHOWN IN BANNOCK COUNTY INSTRUMENT NUMBER 96017929;

THENCE NORTH 89°56'00" EAST, ALONG THE SOUTH LINE OF SECTION 15, A DISTANCE OF 381.98 FEET TO AN EXISTING PROPERTY LINE;

THENCE NORTH 20°32'26" WEST, ALONG THE EXISTING PROPERTY LINE, A DISTANCE OF 222.76 FEET;

THENCE NORTH 6°26'28" EAST, ALONG SAID EXISTING PROPERTY LINE, A DISTANCE OF 103.28 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 6°26'28" EAST A DISTANCE OF 77.57 FEET;

THENCE NORTH 28°04'04" WEST A DISTANCE OF 568.26 FEET;

THENCE NORTH 89°29'25" EAST A DISTANCE OF 898.95 FEET TO THE CENTER LINE OF WEST BOB SMITH ROAD BEING ON A POINT OF TANGENCY OF 1073.78 FOOT RADIUS CURVE IN WHICH THE CENTER BEARS NORTH 85°55'30" EAST;

THENCE FOLLOWING THE SAID 1073.78 FOOT RADIUS CURVE AND THE CENTER LINE OF WEST BOB SMITH ROAD IN A SOUTHEASTERLY DIRECTION THROUGH A CENTRAL ANGLE OF 16°25'41" AN ARC DISTANCE OF 307.87 FEET (THE CORD OF WHICH BEARS SOUTH 32°17'21" EAST A DISTANCE OF 308.82 FEET) TO THE END OF THE CURVE AND A POINT OF TANGENCY;

THENCE SOUTH 40°30'11" EAST, ALONG SAID CENTERLINE, A DISTANCE OF 327.85 FEET;

THENCE SOUTH 33°56'08" EAST, ALONG SAID CENTERLINE, A DISTANCE OF 80.47 FEET;

THENCE SOUTH 89°56'00" WEST, LEAVING SAID CENTERLINE AND FOLLOWING THE PROPERTY LINE ON THE SOUTH, A DISTANCE OF 867.58 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO A 100.00 FOOT WATER LINE EASEMENT ADJACEMENT TO THE WEST LINE OF THE ABOVE DESCRIBED PARCEL.

PARCEL 2:

A PARCEL OF LAND LOCATED IN THE SOUTH ½ OF SECTION 15, TOWNSHIP 9 SOUTH, RANGE 37 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ¼ CORNER OF SECTION 15, BEING DESCRIBED AS SHOWN IN BANNOCK COUNTY INSTRUMENT NUMBER 96017929;

THENCE NORTH 89°56'00" EAST, ALONG THE SOUTH LINE OF SECTION 15, A DISTANCE OF 381.98 FEET TO AN EXISTING PROPERTY LINE;

THENCE NORTH 20°32'26" WEST, ALONG THE EXISTING PROPERTY LINE, A DISTANCE OF 222.76 FEET;

THENCE NORTH 6°26'28" EAST, A DISTANCE OF 180.85 FEET;

THENCE NORTH 28°04'04" WEST A DISTANCE OF 588.26 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 28°04'04" WEST A DISTANCE OF 181.48 FEET;

THENCE NORTH 50°50'24" WEST A DISTANCE OF 91.12 FEET;

THENCE NORTH 10°16'54" WEST A DISTANCE OF 270.78 FEET;