

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84153**

This is to certify that: CHARLES J KRITZ JR AND DIANE KRITZ TRUST
9015 NACIMIENTO LAKE DR
PASO ROBLES, CA 93446-7706
AND
RAYMOND BARKER JR LIVING TRUST
1355 SANTA YSABEL AVE
PASO ROBLES, CA 93446-5401

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
57-11713	WR/LICENSE	12/20/2007	0.150 cfs	16.5 af	N/A	N/A	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>
57-11713	NO	NO	NO	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>
57-11713	57-11713	0.150 cfs	16.5 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.150 cfs	16.5 af	N/A	N/A		N/A	N/A	N/A	N/A

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 23rd day of February, 2021.

Patricia Kelly
for, Chief, Water Allocation Bureau

Transfer No. 84153

WATER RIGHT NO. 57-11713**As Modified by Transfer No. 84153**

In accordance with the approval of Transfer No. 84153, Water Right No. 57-11713 is now described as follows:

Right Holder: CHARLES J KRITZ JR AND DIANE KRITZ TRUST
9015 NACIMIENTO LAKE DR
PASO ROBLES, CA 93446-7706
AND
RAYMOND BARKER JR LIVING TRUST
1355 SANTA YSABEL AVE
PASO ROBLES, CA 93446-5401

Priority Date: 12/20/2007

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	01/01	to 12/31	0.150 cfs	2.1 af
DOMESTIC	01/01	to 12/31	0.150 cfs	14.4 af
			0.150 cfs	16.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L5 (SENW)	Sec 14 Twp 03N Rge 05W OWYHEE County
GROUND WATER	L5 (SENW)	Sec 14 Twp 03N Rge 05W OWYHEE County
GROUND WATER	L6 (SWNW)	Sec 14 Twp 03N Rge 05W OWYHEE County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	05W	14					X	X											
03N	05W	14					X	X	X	X									
							L 5	L 6	L 6	L 5									

PLACE OF USE: DOMESTIC

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	05W	14						X											
03N	05W	14						X	X	X									
								L 6	L 6	L 5									

CONDITIONS OF APPROVAL

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

Transfer No. 84153

WATER RIGHT NO. 57-11713
As Modified by Transfer No. 84153

CONDITIONS OF APPROVAL

2. Domestic and commercial uses are for 24 mobile homes and 45 RV spaces.
3. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
4. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

State of Idaho
Department of Water Resources

Transfer 84153

57-11713

This map depicts the DOMESTIC & COMMERCIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Transfer POD
- ▭ Transfer POU
- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters

0 0.0375 0.075 0.15 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

February 23, 2021

RAYMOND BARKER JR LIVING TRUST
1355 SANTA YSABEL AVE
PASO ROBLES CA 93446-5401

CHARLES J KRITZ JR AND DIANE KRITZ TRUST
9015 NACIMIENTO LAKE DR
PASO ROBLES CA 93446-7706

RE: Transfer No: 84153
Water Right No(s): 57-11713

Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190.

Sincerely,


DENISE LAUERMAN

for Nick Miller
Western Regional Manager

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on February 23, 2021 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84153
Water Right No(s): 57-11713

RAYMOND BARKER JR LIVING TRUST
1355 SANTA YSABEL AVE
PASO ROBLES CA 93446-5401

CHARLES J KRITZ JR AND DIANE KRITZ TRUST
9015 NACIMIENTO LAKE DR
PASO ROBLES CA 93446-7706



Denise Lauerman
Administrative Assistant 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 17 2020

WATER RESOURCES
IN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s)
 ☒ Add diversion point(s)
 ☒ Ownership change
 ☐ Ownership split
- ☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Charles J. Kritz, Jr. and Diane Kritz 2003 Trust Phone see attached

2. **MAILING ADDRESS** see attached City _____

State _____ Zip _____ Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☒ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☒ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 57-11713

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 0.15 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			SE	NW	14	3N	5W	Owyhee	Ground Water	Proposed
Y	5		SE	NW	14	3N	5W	Owyhee	Ground Water	Proposed
N	6		SW	NW	14	3N	5W	Owyhee	Ground Water	Log Attached

Owners Names and Addresses

Raymond Barker Jr. Living Trust

1355 Santa Ysabel

Paso Robles, CA 93446

805-391-3179

Lubova@aol.com

Charles J. Kritz, Jr. and Diane KritZ 2003 Trust

9015 Nacimiento Lake Dr.

Paso Robles, CA 93446

805-610-7205

dianekritz33@gmail.com

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

2 proposed wells, 1 existing well, pumps, pressurized system. Measuring devices and lockable controlling works will be accommodated upon Department request.

- b. Who owns the property at the point(s) of diversion? Applicants

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

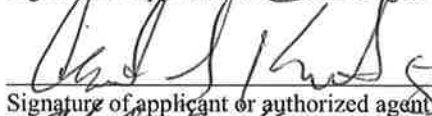
7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.


Signature of applicant or authorized agent

DIANE KRITZ
Print name and title if applicable Manager

June 1, 2020
Date


Signature of applicant or authorized agent

CHARLES KRITZ
Print name and title if applicable Manager
Raymond Barker

June 1, 2020
Date
June 1, 2020

9. **FEE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by LE Date 06/17/2020

Fee paid \$300 Date 06/17/2020 Received by LE Receipt # W048400

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

Path: S:\PROJECTS\1501\Snake River RV Resort\1501PROJECT\GIS\Map\Projects\XFR Map.mxd



Legend

-  Proposed Wells
-  57-11713 current well
-  57-11713 Place of Use



300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

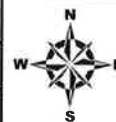
Application for Transfer
Water Right 57-11713

Snake River RV Resort

DATE: 5/28/2020

CREATOR: Igraves

PROJECT: 1501.0010



Absolute Scale: 1:3,500

0 125 250 500 Feet

**IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report**

6/17/2020

Water Right 57-11713

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DIANE B KRITZ 415 VOLPI YSABEL RD PASO ROBLES, CA 93446 (805) 610-7205
Current Owner	CHARLES J KRITZ JR 415 VOLPI YSABEL RD PASO ROBLES, CA 93446 (805) 610-7205
Current Owner	RAYMOND C BARKER JR 415 VOLPI YSABEL RD PASO ROBLES, CA 93446 (805) 610-7205
Representative	ERO RESOURCES CORP C/O STEVE HANNULA 4001 E MAIN ST EMMETT, ID 83617 (208) 365-7684

Priority Date: 12/20/2007

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	12/31	0.150 CFS	2.1 AF
DOMESTIC	01/01	12/31	0.150 CFS	14.4 AF
<u>Total Diversion</u>			0.150 CFS	16.5 AF

Source and Point(s) of Diversion

GROUND WATER L6(SWNW) Sec. 14, Twp 03N, Rge 05W, Owyhee County

Place Of Use

DOMESTIC within CANYON,OWYHEE Counties

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	05W	14						X											
03N	05W	14						X L6	X L6	X L5									

COMMERCIAL within CANYON,OWYHEE Counties

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/17/2020

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	05W	14					X	X											
03N	05W	14					X	X	X	X									
							L5	L6	L6	L5									

Conditions of Approval:

1. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. Domestic and commercial uses are for 24 mobile homes and 45 RV spaces.
3. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

Dates and Other Information

Licensed Date: 9/11/2019
Water District Number: NWD
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

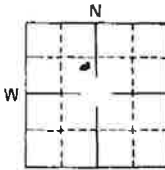
Water Supply Bank:

N/A

84153
84153

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>J.C. JACKSON</u> Address <u>HOME DALE IDAHO 83628</u> Owner's Permit No. <u>57-90-2-007</u>	7. WATER LEVEL Static water level <u>12</u> feet below land surface. Flowing? ☐ Yes ☐ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality <u>3 GRNS.</u> Describe artesian or temperature zones below.																																														
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)	8. WELL TEST DATA ☒ Pump ☐ Bailer ☐ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>30</u></td><td><u>25</u></td><td><u>6</u></td></tr></tbody></table>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>30</u>	<u>25</u>	<u>6</u>																																								
Discharge G.P.M.	Pumping Level	Hours Pumped																																													
<u>30</u>	<u>25</u>	<u>6</u>																																													
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Bore Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td><u>6</u></td><td><u>0</u></td><td><u>2</u></td><td><u>BROWN CLAY</u></td><td></td><td>☒</td></tr><tr><td><u>2</u></td><td><u>18</u></td><td><u>18</u></td><td><u>GRAVEL</u></td><td></td><td>☒</td></tr><tr><td><u>18</u></td><td><u>23</u></td><td><u>23</u></td><td><u>BLUE CLAY</u></td><td></td><td>☒</td></tr><tr><td><u>25</u></td><td><u>26</u></td><td><u>26</u></td><td><u>SANDY BLUE CLAY</u></td><td></td><td>☒</td></tr><tr><td><u>26</u></td><td><u>180</u></td><td><u>180</u></td><td><u>BLUE CLAY</u></td><td></td><td>☒</td></tr><tr><td><u>180</u></td><td><u>185</u></td><td><u>185</u></td><td><u>BLUE CLAY BLACK SAND</u></td><td></td><td>☒</td></tr></tbody></table>	Bore Diam.	Depth		Material	Water		From	To	Yes	No	<u>6</u>	<u>0</u>	<u>2</u>	<u>BROWN CLAY</u>		☒	<u>2</u>	<u>18</u>	<u>18</u>	<u>GRAVEL</u>		☒	<u>18</u>	<u>23</u>	<u>23</u>	<u>BLUE CLAY</u>		☒	<u>25</u>	<u>26</u>	<u>26</u>	<u>SANDY BLUE CLAY</u>		☒	<u>26</u>	<u>180</u>	<u>180</u>	<u>BLUE CLAY</u>		☒	<u>180</u>	<u>185</u>	<u>185</u>	<u>BLUE CLAY BLACK SAND</u>		☒
Bore Diam.	Depth		Material	Water																																											
	From	To		Yes	No																																										
<u>6</u>	<u>0</u>	<u>2</u>	<u>BROWN CLAY</u>		☒																																										
<u>2</u>	<u>18</u>	<u>18</u>	<u>GRAVEL</u>		☒																																										
<u>18</u>	<u>23</u>	<u>23</u>	<u>BLUE CLAY</u>		☒																																										
<u>25</u>	<u>26</u>	<u>26</u>	<u>SANDY BLUE CLAY</u>		☒																																										
<u>26</u>	<u>180</u>	<u>180</u>	<u>BLUE CLAY</u>		☒																																										
<u>180</u>	<u>185</u>	<u>185</u>	<u>BLUE CLAY BLACK SAND</u>		☒																																										
4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____	RECEIVED MAY 18 1990 Department of Water Resources RECEIVED MAY 21 1990 Department of Water Resources Western Regional Office RECEIVED MAY 24 1990 Department of Water Resources																																														
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>2.50</u> inches</td><td><u>6</u> inches</td><td><u>1</u> feet</td><td><u>29</u> feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun Size of perforation _____ inches by _____ inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>18</u> Material used in seal: ☐ Cement grout ☐ Bentonite ☒ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☒ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port _____		Thickness	Diameter	From	To	<u>2.50</u> inches	<u>6</u> inches	<u>1</u> feet	<u>29</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet														
Thickness		Diameter	From	To																																											
<u>2.50</u> inches		<u>6</u> inches	<u>1</u> feet	<u>29</u> feet																																											
_____ inches	_____ inches	_____ feet	_____ feet																																												
_____ inches	_____ inches	_____ feet	_____ feet																																												
_____ inches	_____ inches	_____ feet	_____ feet																																												
Number	From	To																																													
_____ perforations	_____ feet	_____ feet																																													
_____ perforations	_____ feet	_____ feet																																													
_____ perforations	_____ feet	_____ feet																																													
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>OWYHEE</u> SE 1/4 NW 1/4 Sec. <u>14</u> , T. <u>3</u> N 2 R. <u>5</u> W 2	10. Work started <u>3-29-90</u> finished <u>4-1-90</u>																																														
11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>WELL DRILLING</u> Firm No. <u>93</u> Address <u>HOME DALE IDA</u> Date <u>4-17-90</u> Signed by (Firm Official) <u>Kenne Metzger</u> and (Operator) _____																																															

OWNERSHIP CHAIN OF DEEDS

(previous to current)

WARRANTY DEED

FOR VALUE RECEIVED BONNIE MARIE BENTON, TRUSTEE OF THE FLOYD WAYNE AND BONNIE MARIE BENTON REVOCABLE TRUST

the Grantor, does hereby grant, bargain, sell and convey unto ^{JR.} RAYMOND C. BARKER, a married man as his sole and separate property, 50% INTEREST and CHARLES J. KRITZ, JR. and DIANE B. KRITZ, husband and wife, 50% INTEREST

the Grantees, whose address is 415 Volpi Ysabel Road, Paso Robles, CA 93446

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is 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 2003 and subsequent years, covenants, conditions, restrictions and easements of record; and that she will warrant and defend the same from all lawful claims whatsoever.

DATED: October 8, 2003

THE FLOYD WAYNE AND BONNIE MARIE BENTON REVOCABLE TRUST

BY:

TRUSTEE

STATE OF IDAHO
COUNTY OF CANYON

On this 8th day of OCTOBER, 2003, before me, a notary public, personally appeared BONNIE MARIE BENTON, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument as TRUSTEE of THE FLOYD WAYNE AND BONNIE MARIE BENTON REVOCABLE TRUST and acknowledged to me that they executed the same as such TRUSTEE.

Edie R. O'Dell
Notary Public

Residing at Nampa, Idaho
My commission expires: 4/17/2009

Instrument # 245356

MURPHY, OWYHEE, IDAHO

2003-10-09 04:18:40 No. of Pages: 5

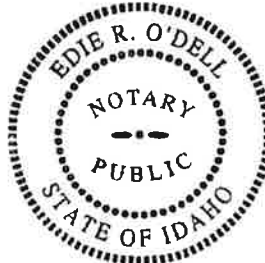
Recorded for : PIONEER TITLE

CHARLOTTE SHERBURN

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Fee: 15.00



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

PO5582

PARCEL I:

Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, Section 14: That portion of Government Lots 5 and 6 lying Northeasterly of the right of way of the Union Pacific Railroad (formerly Oregon Shortline Railroad) as described in Book 16 of Deeds at Pages 333, 335 and 365, Owyhee County Records.

EXCEPTING THEREFROM the following 2 parcels:

BEGINNING at a point 1,855 feet North of the Southwest corner of Lot 6, Section 14, Township 3 North, Range 5 West, Boise Meridian, being the **REAL POINT OF BEGINNING**; thence

South 52° 37' East along the South boundary of the Union Pacific (Oregon Shortline) Railroad right of way 1187 feet; thence

North 30° 25' East to the North line of Lot 6; thence

In a Northwesterly direction along the North line of Lot 6 to the Northwest corner of Lot 6; thence

South along the West line of Lot 6 to the **REAL POINT OF BEGINNING**.

AND

A part of Lot 6 and 5, Section 14, Township 3 North, Range 5 West, Boise Meridian; more particularly described as follows:

COMMENCING at the Southwest corner of said Lot 6 (West Quarter corner); thence

North 0° 20' 00" West 1916.86 feet (formerly recorded as 1917 feet) along the West boundary of said Lot 6; thence

South 52° 38' 00" East (formerly recorded as South 52° 37' East) 1220.00 feet along the center line of the Marsing Branch of the Oregon Shortline Railroad; thence

North 30° 24' 00" East (formerly recorded as North 30° 25' East) 166.37 feet to the **POINT OF BEGINNING**; thence continuing

North 30° 24' 00" East 194.50 feet to a point of record as being on the Southwesterly bank of the Snake River; thence

South 53° 08' 20" East 107.64 feet along the approximate High Water line of the Snake River; thence

North 82° 09' 14" East 166.58 feet along the approximate High Water line of the Snake River; thence

South 30° 24' 00" West 260.95 feet; thence

North 65° 29' 40" West 239.04 feet to the **POINT OF BEGINNING**.

PARCEL II:

A part of Lot 6 and 5, Section 14, Township 3 North, Range 5 West, Boise Meridian; more particularly described as follows:

COMMENCING at the Southwest corner of said Lot 6 (West Quarter corner); thence

North 0° 20' 00" West 1916.86 feet (formerly recorded as 1917 feet) along the West boundary of said Lot 6; thence

South 52° 38' 00" East (formerly recorded as South 52° 37' East) 1220.00 feet along the center line of the Marsing Branch of the Oregon Shortline Railroad; thence

North 30° 24' 00" East (formerly recorded as North 30° 25' East) 166.37 feet to the **POINT OF BEGINNING**; thence continuing

North 30° 24' 00" East 194.50 feet to a point of record as being on the Southwesterly bank of the Snake River; thence
South 53° 08' 20" East 107.64 feet along the approximate High Water line of the Snake River; thence
North 82° 09' 14" East 166.58 feet along the approximate High Water line of the Snake River; thence
South 30° 24' 00" West 260.95 feet; thence
North 65° 29' 40" West 239.04 feet to the POINT OF BEGINNING.

PARCEL III:

A part of Lot 6 and 5, Section 14, Township 3 North, Range 5 West, Boise Meridian; more particularly described as follows:

COMMENCING at the Southwest corner of said Lot 6 (West Quarter corner); thence

North 0° 20' 00" West 1916.86 feet (formerly recorded as 1917 feet) along the West boundary of said Lot 6; thence

South 52° 38' 00" East (formerly recorded as South 52° 37' East) 1220.00 feet along the center line of the Marsing Branch of the Oregon Shortline Railroad; thence

North 30° 25' 00" East (formerly recorded as North 30° 25' East) 50.37 feet to the POINT OF BEGINNING; thence continuing

North 30° 25' 00" East 240.50 feet (formerly 310.5 feet) to a point of record as being on the Southwesterly bank of the Snake River; thence

North 66° 27' 24" West along the top of the bank of the Snake River 142.64 feet to a point; thence

South 0° 20' 00" East 252.58 feet to a point on the Northeasterly boundary of the said railroad right of way; thence

South 52° 37' 26" East 32.56 feet along said railroad right of way to the POINT OF BEGINNING.

EXCEPTING THEREFROM a parcel of land located in Lot 6 of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

BEGINNING at an iron pin marking the West Quarter corner of said Section 14; thence

North 0° 20' 00" West, a distance of 1916.83 feet (formerly 1917.00 feet) along the Westerly Section line of said Section 14 to an iron pin located at the intersection of said Westerly Section line of Section 14 and the centerline of the Union Pacific Railroad; thence

South 52° 37' 26" East, a distance of 1220.00 feet along the centerline of the Union Pacific Railroad to a point; thence

North 0° 20' 00" West, a distance of 157.90 feet to an iron pin located on an existing board fence, said point being the TRUE POINT OF BEGINNING; thence continuing

North 0° 20' 00" West, a distance of 157.88 feet to an iron pin located at the top of the bank of the Snake River; thence

South 66° 27' 24" East, a distance of 20.00 feet along the top of the bank of the Snake River to an iron pin located at the intersection of the top of the bank of the Snake River and an existing board fence; thence

South 6° 27' 38" West, a distance of 150.89 feet along an existing board fence to the TRUE POINT OF BEGINNING.

PARCEL IV:

A parcel of land located in Lot 6 of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, and is more particularly described as follows:

BEGINNING at an iron pin marking the West Quarter corner of said Section 14; thence North 0° 20' 00" West, a distance of 1916.83 feet (formerly 1917.00 feet) along the Westerly Section line of said Section 14 to an iron pin located at the intersection of said Westerly Section line of Section 14 and the centerline of the Union Pacific Railroad; thence

South 52° 37' 26" East, a distance of 1220.00 feet along the centerline of the Union Pacific Railroad to a point; thence

North 0° 20' 00" West, a distance of 63.20 feet to an iron pin located on the Northerly right of way line of the Union Pacific Railroad, said point being the **TRUE POINT OF BEGINNING**; thence

North 52° 37' 26" West, a distance of 14.00 feet to an iron pin located at an angle point in an existing board fence; thence

North 6° 59' 36" East, a distance of 86.87 feet along the existing board fence to an iron pin; thence

South 0° 20' 00" East, a distance of 94.70 feet to the **TRUE POINT OF BEGINNING**.

Parcel V:

A tract of land in Owyhee County, Idaho, being a portion of the right of way of the **UNION PACIFIC RAILROAD COMPANY**, a Delaware corporation (successor in interest by merger to **UNION PACIFIC RAILROAD COMPANY**, a Utah corporation, and to the **OREGON SHORT LINE RAILROAD COMPANY**), being that same tract of land heretofore acquired by the said **OREGON SHORT LINE RAILROAD COMPANY** by virtue of (i) that certain Quitclaim Deed dated July 13, 1922, from Owyhee County, a municipal corporation of the State of Idaho, the said instrument having been filed for record in the said Owyhee County on October 24, 1922, at Page 365 of Book 16 of Deeds, (ii) that certain Bargain and Sale Deed dated June 15, 1922, from **GEM IRRIGATION DISTRICT**, a municipal corporation of the State of Idaho, the said instrument having been filed for record in the said Owyhee County on October 5, 1922, at Page 333 of Book 16 of Deeds; and (iii) that certain Quitclaim Deed dated May 29, 1922, from **CYRUS E. JOHNSON**, a widower, the said instrument having been filed for record in the said Owyhee County on October 5, 1922, at Page 335 of Book 16 of Deeds; the said tract of land being more particularly described therein as follows:

"A strip of land one hundred (100) feet wide, being fifty (50) feet on each side of the center line of main track of the Homedale Branch Extension of the **OREGON SHORT LINE RAILROAD** as the same is now located over and across Lots 5 and 6, of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho. The location of said center line of main track being more particularly described as follows:

BEGINNING at a point in the West line of said Section 14, 1,885.1 feet, North of the West Quarter section corner thereof; thence

South 52° 50' East, 3,081 feet, to a point in the East and West center line of said Section 14, 228 feet, more or less, West of the center of said Section 14.

EXCEPTING THEREFROM:

A portion of Government Lot 6 of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, and is more particularly described as follows:

COMMENCING at the Southwest corner of said Government Lot 6; thence
North 0° 32'36" West along the West boundary of said Government Lot 6 a distance
of 1977.98 feet to a point on the Northeasterly right of way of railroad; thence
South 52° 55'22" East along said Northerly right of way a distance of 68.00 feet to
the TRUE POINT OF BEGINNING; thence continuing
South 52° 55'22" East along said Northerly right of way a distance of 1104.98 feet;
thence
South 82° 04'38" West a distance of 71.06 feet to a point on the centerline of
railroad; thence
North 52° 55'22" West along said centerline a distance of 957.22 feet; thence
North 25° 39'23" West a distance of 109.70 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM

All mineral rights, including oil and gas as excepted and reserved to Union Pacific Railroad Company, a Delaware corporation in the Quitclaim Deed recorded May 16, 2000 as Instrument No. 232360, Owyhee County Records.

Parcel VI:

A tract of land in Owyhee County, Idaho, being a portion of the right of way of the UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (successor in interest by merger to UNION PACIFIC RAILROAD COMPANY, a Utah corporation, and to the OREGON SHORT LINE RAILROAD COMPANY), being that same tract of land heretofore acquired by the said OREGON SHORT LINE RAILROAD COMPANY by virtue of that certain Warranty Deed dated July 25, 1922, from OLIVER ALBERTSON, a bachelor, the said instrument having been filed for record in the said Owyhee County on October 5, 1922, at Page 331 of Book 16 of Deeds, the said tract of land being more particularly described therein as follows:

"A strip of land one hundred (100) feet wide, being fifty (50) feet on each side of the center line of main track of the Homedale Branch Extension of the OREGON SHORT LINE RAILROAD as the same is now located over and across the Northeast Quarter of the Southwest Quarter of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho. The location of said center line of main track being more particularly described as follows:

BEGINNING at a point in the East and West center line of said Section 14, 228 feet, more or less, West of the center of said Section; thence

South 52° 50' East, 298.5 feet to a point in the North and South center line of said Section 14, 175 feet, more or less, South of the center of said section.

EXCEPTING THEREFROM:

All mineral rights, including oil and gas as excepted and reserved to Union Pacific Railroad Company, a Delaware Company, in the Quitclaim Deed recorded May 16, 2000 as Instrument No. 232360, Owyhee County Records.

WARRANTY DEED

FOR VALUE RECEIVED LUBOVA BARKER, wife of grantee

the Grantor, does hereby grant, bargain, sell and convey unto RAYMOND C. BARKER, JR. a married man as his sole and separate property

the Grantee, whose address is 415 Volpi Ysable Road, Paso Robles, CA 93446

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE:

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 she is 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 2003 and subsequent years, covenants, conditions, restrictions and easements of record; and that she will warrant and defend the same from all lawful claims whatsoever.

DATED: October 8, 2003

[Signature]
LUBOVA BARKER

STATE OF IDAHO
COUNTY OF CANYON

On this 10 day of OCTOBER, 2003, before me, a notary public, personally appeared LUBOVA BARKER, 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.

[Signature: Edie R. O'Dell]
Notary Public
Residing at Nampa, ID
My commission expires: 4/17/2009

Instrument # 245357

MURPHY, OWYHEE, IDAHO
2003-10-09 04:27:00 No. of Pages: 5
Recorded for : PIONEER TITLE
CHARLOTTE SHERBURN Fee: 15.00
Ex-Officio Recorder Deputy *[Signature]*
Index to: DEED, WARRANTY



**PIONEER TITLE COMPANY
OF CANYON COUNTY**

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

PO5582

PARCEL I:

Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, Section 14: That portion of Government Lots 5 and 6 lying Northeasterly of the right of way of the Union Pacific Railroad (formerly Oregon Shortline Railroad) as described in Book 16 of Deeds at Pages 333, 335 and 365, Owyhee County Records.

EXCEPTING THEREFROM the following 2 parcels:

BEGINNING at a point 1,855 feet North of the Southwest corner of Lot 6, Section 14, Township 3 North, Range 5 West, Boise Meridian, being the **REAL POINT OF BEGINNING**; thence

South 52° 37' East along the South boundary of the Union Pacific (Oregon Shortline) Railroad right of way 1187 feet; thence

North 30° 25' East to the North line of Lot 6; thence

In a Northwesterly direction along the North line of Lot 6 to the Northwest corner of Lot 6; thence

South along the West line of Lot 6 to the **REAL POINT OF BEGINNING**.

AND

A part of Lot 6 and 5, Section 14, Township 3 North, Range 5 West, Boise Meridian; more particularly described as follows:

COMMENCING at the Southwest corner of said Lot 6 (West Quarter corner); thence

North 0° 20' 00" West 1916.86 feet (formerly recorded as 1917 feet) along the West boundary of said Lot 6; thence

South 52° 38' 00" East (formerly recorded as South 52° 37' East) 1220.00 feet along the center line of the Marsing Branch of the Oregon Shortline Railroad; thence

North 30° 24' 00" East (formerly recorded as North 30° 25' East) 166.37 feet to the **POINT OF BEGINNING**; thence continuing

North 30° 24' 00" East 194.50 feet to a point of record as being on the Southwesterly bank of the Snake River; thence

South 53° 08' 20" East 107.64 feet along the approximate High Water line of the Snake River; thence

North 82° 09' 14" East 166.58 feet along the approximate High Water line of the Snake River; thence

South 30° 24' 00" West 260.95 feet; thence

North 65° 29' 40" West 239.04 feet to the **POINT OF BEGINNING**.

PARCEL II:

A part of Lot 6 and 5, Section 14, Township 3 North, Range 5 West, Boise Meridian; more particularly described as follows:

COMMENCING at the Southwest corner of said Lot 6 (West Quarter corner); thence

North 0° 20' 00" West 1916.86 feet (formerly recorded as 1917 feet) along the West boundary of said Lot 6; thence

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L.B.

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North 0° 20' 00" West 1916.86 feet (formerly recorded as 1917 feet) along the West boundary of said Lot 6; thence
South 52° 38' 00" East (formerly recorded as South 52° 37' East) 1220.00 feet along the center line of the Marsing Branch of the Oregon Shortline Railroad; thence
North 30° 25' 00" East (formerly recorded as North 30° 25' East) 50.37 feet to the **POINT OF BEGINNING**; thence continuing
North 30° 25' 00" East 240.50 feet (formerly 310.5 feet) to a point of record as being on the Southwesterly bank of the Snake River; thence
North 66° 27' 24" West along the top of the bank of the Snake River 142.64 feet to a point; thence
South 0° 20' 00" East 252.58 feet to a point on the Northeasterly boundary of the said railroad right of way; thence
South 52° 37' 26" East 32.56 feet along said railroad right of way to the **POINT OF BEGINNING**.

EXCEPTING THEREFROM a parcel of land located in Lot 6 of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

BEGINNING at an iron pin marking the West Quarter corner of said Section 14; thence
North 0° 20' 00" West, a distance of 1916.83 feet (formerly 1917.00 feet) along the Westerly Section line of said Section 14 to an iron pin located at the intersection of said Westerly Section line of Section 14 and the centerline of the Union Pacific Railroad; thence
South 52° 37' 26" East, a distance of 1220.00 feet along the centerline of the Union Pacific Railroad to a point; thence
North 0° 20' 00" West, a distance of 157.90 feet to an iron pin located on an existing board fence, said point being the **TRUE POINT OF BEGINNING**; thence continuing
North 0° 20' 00" West, a distance of 157.88 feet to an iron pin located at the top of the bank of the Snake River; thence
South 66° 27' 24" East, a distance of 20.00 feet along the top of the bank of the Snake River to an iron pin located at the intersection of the top of the bank of the Snake River and an existing board fence; thence
South 6° 27' 38" West, a distance of 150.89 feet along an existing board fence to the **TRUE POINT OF BEGINNING**.

PARCEL IV:

f.B.

A parcel of land located in Lot 6 of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, and is more particularly described as follows:

BEGINNING at an iron pin marking the West Quarter corner of said Section 14; thence North 0° 20' 00" West, a distance of 1916.83 feet (formerly 1917.00 feet) along the Westerly Section line of said Section 14 to an iron pin located at the intersection of said Westerly Section line of Section 14 and the centerline of the Union Pacific Railroad; thence

South 52° 37' 26" East, a distance of 1220.00 feet along the centerline of the Union Pacific Railroad to a point; thence

North 0° 20' 00" West, a distance of 63.20 feet to an iron pin located on the Northerly right of way line of the Union Pacific Railroad, said point being the TRUE POINT OF BEGINNING; thence

North 52° 37' 26" West, a distance of 14.00 feet to an iron pin located at an angle point in an existing board fence; thence

North 6° 59' 36" East, a distance of 86.87 feet along the existing board fence to an iron pin; thence

South 0° 20' 00" East, a distance of 94.70 feet to the TRUE POINT OF BEGINNING.

Parcel V:

A tract of land in Owyhee County, Idaho, being a portion of the right of way of the UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (successor in interest by merger to UNION PACIFIC RAILROAD COMPANY, a Utah corporation, and to the OREGON SHORT LINE RAILROAD COMPANY), being that same tract of land heretofore acquired by the said OREGON SHORT LINE RAILROAD COMPANY by virtue of (i) that certain Quitclaim Deed dated July 13, 1922, from Owyhee County, a municipal corporation of the State of Idaho, the said instrument having been filed for record in the said Owyhee County on October 24, 1922, at Page 365 of Book 16 of Deeds, (ii) that certain Bargain and Sale Deed dated June 15, 1922, from GEM IRRIGATION DISTRICT, a municipal corporation of the State of Idaho, the said instrument having been filed for record in the said Owyhee County on October 5, 1922, at Page 333 of Book 16 of Deeds; and (iii) that certain Quitclaim Deed dated May 29, 1922, from CYRUS E. JOHNSON, a widower, the said instrument having been filed for record in the said Owyhee County on October 5, 1922, at Page 335 of Book 16 of Deeds; the said tract of land being more particularly described therein as follows:

"A strip of land one hundred (100) feet wide, being fifty (50) feet on each side of the center line of main track of the Homedale Branch Extension of the OREGON SHORT LINE RAILROAD as the same is now located over and across Lots 5 and 6, of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho. The location of said center line of main track being more particularly described as follows:

BEGINNING at a point in the West line of said Section 14, 1,885.1 feet, North of the West Quarter section corner thereof; thence

South 52° 50' East, 3,081 feet, to a point in the East and West center line of said Section 14, 228 feet, more or less, West of the center of said Section 14.

EXCEPTING THEREFROM:

A portion of Government Lot 6 of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, and is more particularly described as follows:

h.B.

COMMENCING at the Southwest corner of said Government Lot 6; thence
North 0° 32'36" West along the West boundary of said Government Lot 6 a distance
of 1977.98 feet to a point on the Northeasterly right of way of railroad; thence
South 52° 55'22" East along said Northerly right of way a distance of 68.00 feet to
the TRUE POINT OF BEGINNING; thence continuing
South 52° 55'22" East along said Northerly right of way a distance of 1104.98 feet;
thence
South 82° 04'38" West a distance of 71.06 feet to a point on the centerline of
railroad; thence
North 52° 55'22" West along said centerline a distance of 957.22 feet; thence
North 25° 39'23" West a distance of 109.70 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM

All mineral rights, including oil and gas as excepted and reserved to Union Pacific Railroad Company, a Delaware corporation in the Quitclaim Deed recorded May 16, 2000 as Instrument No. 232360, Owyhee County Records.

Parcel VI:

A tract of land in Owyhee County, Idaho, being a portion of the right of way of the UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (successor in interest by merger to UNION PACIFIC RAILROAD COMPANY, a Utah corporation, and to the OREGON SHORT LINE RAILROAD COMPANY), being that same tract of land heretofore acquired by the said OREGON SHORT LINE RAILROAD COMPANY by virtue of that certain Warranty Deed dated July 25, 1922, from OLIVER ALBERTSON, a bachelor, the said instrument having been filed for record in the said Owyhee County on October 5, 1922, at Page 331 of Book 16 of Deeds, the said tract of land being more particularly described therein as follows:

"A strip of land one hundred (100) feet wide, being fifty (50) feet on each side of the center line of main track of the Homedale Branch Extension of the OREGON SHORT LINE RAILROAD as the same is now located over and across the Northeast Quarter of the Southwest Quarter of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho. The location of said center line of main track being more particularly described as follows:

BEGINNING at a point in the East and West center line of said Section 14, 228 feet, more or less, West of the center of said Section; thence

South 52° 50' East, 298.5 feet to a point in the North and South center line of said Section 14, 175 feet, more or less, South of the center of said section.

EXCEPTING THEREFROM:

All mineral rights, including oil and gas as excepted and reserved to Union Pacific Railroad Company, a Delaware Company, in the Quitclaim Deed recorded May 16, 2000 as Instrument No. 232360, Owyhee County Records.

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

SEED MACKALL LLP
ATTN: J. Kalton
Post Office Box 2578
Santa Barbara, CA 93102

MAIL TAX STATEMENTS TO:

Raymond Barker, Jr.
1355 Santa Ysabel
Paso Robles, CA 93446

Instrument # 262889

MURPHY, OWYHEE, IDAHO

2007-10-26

02:56:29 No. of Pages: 5

Recorded for: ALLIANCE TITLE CO

CHARLOTTE SHERBURN

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: DEED, QUIT-CLAIM

Order No.:

Escrow No.:

APN:

SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUITCLAIM DEED

For valuable consideration, receipt of which is hereby acknowledged, RAYMOND BARKER, JR., a married man as his sole and separate property, as to his undivided 50% interest,

hereby REMISE(S), RELEASE(S) AND QUITCLAIM(S) to RAYMOND BARKER, JR., as Trustee of the Raymond Barker, Jr. Living Trust dated December 13, 2004, whose address is 1355 Santa Ysabel, Paso Robles, CA 93446, all of his right, title and interest in and to the following described premises, to-wit:

See legal description attached hereto as Exhibit A and made a part hereof.

Dated: March 28, 2005

Raymond C Barker Jr

Raymond Barker, Jr.

STATE OF CALIFORNIA

COUNTY OF SAN LUIS OBISPO

} SS.

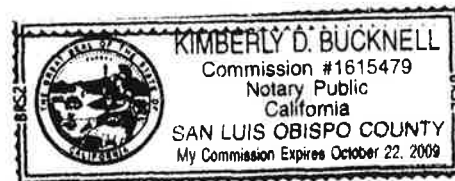
On Nov. 16, 2006 before me, Kimberly D. Bucknell, Notary Public, personally

appeared RAYMOND BARKER, JR., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

[Signature]



MAIL TAX STATEMENTS AS DIRECTED ABOVE

PO5582

PARCEL I:

Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, Section 14: That portion of Government Lots 5 and 6 lying Northeasterly of the right of way of the Union Pacific Railroad (formerly Oregon Shortline Railroad) as described in Book 16 of Deeds at Pages 333, 335 and 365, Owyhee County Records.

EXCEPTING THEREFROM the following 2 parcels:

BEGINNING at a point 1,855 feet North of the Southwest corner of Lot 6, Section 14, Township 3 North, Range 5 West, Boise Meridian, being the **REAL POINT OF BEGINNING**; thence

South 52° 37' East along the South boundary of the Union Pacific (Oregon Shortline) Railroad right of way 1187 feet; thence

North 30° 25' East to the North line of Lot 6; thence

In a Northwesterly direction along the North line of Lot 6 to the Northwest corner of Lot 6; thence

South along the West line of Lot 6 to the **REAL POINT OF BEGINNING**.

AND

A part of Lot 6 and 5, Section 14, Township 3 North, Range 5 West, Boise Meridian; more particularly described as follows:

COMMENCING at the Southwest corner of said Lot 6 (West Quarter corner); thence

North 0° 20' 00" West 1916.86 feet (formerly recorded as 1917 feet) along the West boundary of said Lot 6; thence

South 52° 38' 00" East (formerly recorded as South 52° 37' East) 1220.00 feet along the center line of the Marsing Branch of the Oregon Shortline Railroad; thence

North 30° 24' 00" East (formerly recorded as North 30° 25' East) 166.37 feet to the **POINT OF BEGINNING**; thence continuing

North 30° 24' 00" East 194.50 feet to a point of record as being on the Southwesterly bank of the Snake River; thence

South 53° 08' 20" East 107.64 feet along the approximate High Water line of the Snake River; thence

North 82° 09' 14" East 166.58 feet along the approximate High Water line of the Snake River; thence

South 30° 24' 00" West 260.95 feet; thence

North 65° 29' 40" West 239.04 feet to the **POINT OF BEGINNING**.

PARCEL II:

A part of Lot 6 and 5, Section 14, Township 3 North, Range 5 West, Boise Meridian; more particularly described as follows:

COMMENCING at the Southwest corner of said Lot 6 (West Quarter corner); thence

North 0° 20' 00" West 1916.86 feet (formerly recorded as 1917 feet) along the West boundary of said Lot 6; thence

South 52° 38' 00" East (formerly recorded as South 52° 37' East) 1220.00 feet along the center line of the Marsing Branch of the Oregon Shortline Railroad; thence

North 30° 24' 00" East (formerly recorded as North 30° 25' East) 166.37 feet to the **POINT OF BEGINNING**; thence continuing

DL
B.M.B.

North 30° 24' 00" East 194.50 feet to a point of record as being on the Southwesterly bank of the Snake River; thence
South 53° 08' 20" East 107.64 feet along the approximate High Water line of the Snake River; thence
North 82° 09' 14" East 166.58 feet along the approximate High Water line of the Snake River; thence
South 30° 24' 00" West 260.95 feet; thence
North 65° 29' 40" West 239.04 feet to the POINT OF BEGINNING.

PARCEL III:

A part of Lot 6 and 5, Section 14, Township 3 North, Range 5 West, Boise Meridian; more particularly described as follows:

COMMENCING at the Southwest corner of said Lot 6 (West Quarter corner); thence
North 0° 20' 00" West 1916.86 feet (formerly recorded as 1917 feet) along the West boundary of said Lot 6; thence
South 52° 38' 00" East (formerly recorded as South 52° 37' East) 1220.00 feet along the center line of the Marsing Branch of the Oregon Shortline Railroad; thence
North 30° 25' 00" East (formerly recorded as North 30° 25' East) 50.37 feet to the POINT OF BEGINNING; thence continuing
North 30° 25' 00" East 240.50 feet (formerly 310.5 feet) to a point of record as being on the Southwesterly bank of the Snake River; thence
North 66° 27' 24" West along the top of the bank of the Snake River 142.64 feet to a point; thence
South 0° 20' 00" East 252.58 feet to a point on the Northeasterly boundary of the said railroad right of way; thence
South 52° 37' 26" East 32.56 feet along said railroad right of way to the POINT OF BEGINNING.

EXCEPTING THEREFROM a parcel of land located in Lot 6 of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

BEGINNING at an iron pin marking the West Quarter corner of said Section 14; thence
North 0° 20' 00" West, a distance of 1916.83 feet (formerly 1917.00 feet) along the Westerly Section line of said Section 14 to an iron pin located at the intersection of said Westerly Section line of Section 14 and the centerline of the Union Pacific Railroad; thence
South 52° 37' 26" East, a distance of 1220.00 feet along the centerline of the Union Pacific Railroad to a point; thence
North 0° 20' 00" West, a distance of 157.90 feet to an iron pin located on an existing board fence, said point being the TRUE POINT OF BEGINNING; thence continuing
North 0° 20' 00" West, a distance of 157.88 feet to an iron pin located at the top of the bank of the Snake River; thence
South 66° 27' 24" East, a distance of 20.00 feet along the top of the bank of the Snake River to an iron pin located at the intersection of the top of the bank of the Snake River and an existing board fence; thence
South 6° 27' 38" West, a distance of 150.89 feet along an existing board fence to the TRUE POINT OF BEGINNING.

PARCEL IV:

First American Title
Schedule A

A parcel of land located in Lot 6 of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, and is more particularly described as follows:

BEGINNING at an iron pin marking the West Quarter corner of said Section 14; thence North 0° 20' 00" West, a distance of 1916.83 feet (formerly 1917.00 feet) along the Westerly Section line of said Section 14 to an iron pin located at the intersection of said Westerly Section line of Section 14 and the centerline of the Union Pacific Railroad; thence

South 52° 37' 26" East, a distance of 1220.00 feet along the centerline of the Union Pacific Railroad to a point; thence

North 0° 20' 00" West, a distance of 63.20 feet to an iron pin located on the Northerly right of way line of the Union Pacific Railroad, said point being the **TRUE POINT OF BEGINNING**; thence

North 52° 37' 26" West, a distance of 14.00 feet to an iron pin located at an angle point in an existing board fence; thence

North 6° 59' 36" East, a distance of 86.87 feet along the existing board fence to an iron pin; thence

South 0° 20' 00" East, a distance of 94.70 feet to the **TRUE POINT OF BEGINNING**.

Parcel V:

A tract of land in Owyhee County, Idaho, being a portion of the right of way of the **UNION PACIFIC RAILROAD COMPANY**, a Delaware corporation (successor in interest by merger to **UNION PACIFIC RAILROAD COMPANY**, a Utah corporation, and to the **OREGON SHORT LINE RAILROAD COMPANY**), being that same tract of land heretofore acquired by the said **OREGON SHORT LINE RAILROAD COMPANY** by virtue of (i) that certain Quitclaim Deed dated July 13, 1922, from Owyhee County, a municipal corporation of the State of Idaho, the said instrument having been filed for record in the said Owyhee County on October 24, 1922, at Page 365 of Book 16 of Deeds, (ii) that certain Bargain and Sale Deed dated June 15, 1922, from **GEM IRRIGATION DISTRICT**, a municipal corporation of the State of Idaho, the said instrument having been filed for record in the said Owyhee County on October 5, 1922, at Page 333 of Book 16 of Deeds; and (iii) that certain Quitclaim Deed dated May 29, 1922, from **CYRUS E. JOHNSON**, a widower, the said instrument having been filed for record in the said Owyhee County on October 5, 1922, at Page 335 of Book 16 of Deeds; the said tract of land being more particularly described therein as follows:

"A strip of land one hundred (100) feet wide, being fifty (50) feet on each side of the center line of main track of the Homedale Branch Extension of the **OREGON SHORT LINE RAILROAD** as the same is now located over and across Lots 5 and 6, of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho. The location of said center line of main track being more particularly described as follows:

BEGINNING at a point in the West line of said Section 14, 1,885.1 feet, North of the West Quarter section corner thereof; thence

South 52° 50' East, 3,081 feet, to a point in the East and West center line of said Section 14, 228 feet, more or less, West of the center of said Section 14.

EXCEPTING THEREFROM:

A portion of Government Lot 6 of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, and is more particularly described as follows:

First American Title
Schedule A

COMMENCING at the Southwest corner of said Government Lot 6; thence
North 0° 32'36" West along the West boundary of said Government Lot 6 a distance
of 1977.98 feet to a point on the Northeasterly right of way of railroad; thence
South 52° 55'22" East along said Northerly right of way a distance of 68.00 feet to
the TRUE POINT OF BEGINNING; thence continuing
South 52° 55'22" East along said Northerly right of way a distance of 1104.98 feet;
thence
South 82° 04'38" West a distance of 71.06 feet to a point on the centerline of
railroad; thence
North 52° 55'22" West along said centerline a distance of 957.22 feet; thence
North 25° 39'23" West a distance of 109.70 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM

All mineral rights, including oil and gas as excepted and reserved to Union Pacific Railroad Company, a Delaware corporation in the Quitclaim Deed recorded May 16, 2000 as Instrument No. 232360, Owyhee County Records.

Parcel VI:

A tract of land in Owyhee County, Idaho, being a portion of the right of way of the UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (successor in interest by merger to UNION PACIFIC RAILROAD COMPANY, a Utah corporation, and to the OREGON SHORT LINE RAILROAD COMPANY), being that same tract of land heretofore acquired by the said OREGON SHORT LINE RAILROAD COMPANY by virtue of that certain Warranty Deed dated July 25, 1922, from OLIVER ALBERTSON, a bachelor, the said instrument having been filed for record in the said Owyhee County on October 5, 1922, at Page 331 of Book 16 of Deeds, the said tract of land being more particularly described therein as follows:

"A strip of land one hundred (100) feet wide, being fifty (50) feet on each side of the center line of main track of the Homedale Branch Extension of the OREGON SHORT LINE RAILROAD as the same is now located over and across the Northeast Quarter of the Southwest Quarter of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho. The location of said center line of main track being more particularly described as follows:

BEGINNING at a point in the East and West center line of said Section 14, 228 feet, more or less, West of the center of said Section; thence
South 52° 50' East, 298.5 feet to a point in the North and South center line of said Section 14, 175 feet, more or less, South of the center of said section.

EXCEPTING THEREFROM:

All mineral rights, including oil and gas as excepted and reserved to Union Pacific Railroad Company, a Delaware Company, in the Quitclaim Deed recorded May 16, 2000 as Instrument No. 232360, Owyhee County Records.

QUITCLAIM DEED

FOR VALUE RECEIVED,
Charles J. Kritz, Jr and Diane B. Kritz, husband & wife,
50% interest

do(es) hereby convey, release, remise and forever quitclaim unto
Charles J. Kritz, Jr and Diane Kritz 2003 Trust
dated 7-14-2003 (50% interest)

whose current address is:

9015 Nacimiento Lake Dr. / Paso Robles, CA. 93446

the following described premises:

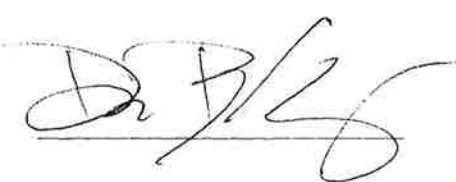
50% interest of Snake River R.V. Resort, LLC

particularly described as:

See legal description attached hereto as Exhibit "A"
and made a part here of.

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns
forever.

Dated:

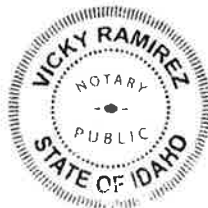
State of Idaho

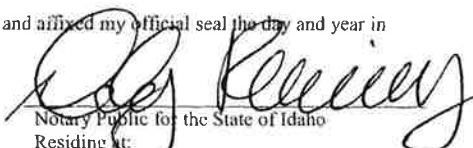
County of Owyhee

ss.

On this 24 day of Oct., in the year 2007, before me, Vicky Ramirez
Notary Public in and for said state, personally appeared Charles J. Kritz, Jr. and Diane B. Kritz
to me to be the person who executed the foregoing instrument, and acknowledged to me that he executed
the same.

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




Notary Public for the State of Idaho
Residing at:
Commission Expires:

RESIDING IN CALDWELL, IDAHO
MY COMMISSION EXPIRES ON 10/14/11

Instrument # 262890

MURPHY, OWYHEE, IDAHO

2007-10-26

03:00:42 No. of Pages: 5

Recorded for: SNAKE RIVER RV RESORT, LLC

CHARLOTTE SHERBURN

Fee: 15.00

Ex-Officio Recorder Deputy

Index to DEED, QUIT CLAIM

PO5582

PARCEL I:

Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, Section 14:
That portion of Government Lots 5 and 6 lying Northeasterly of the right of way of the
Union Pacific Railroad (formerly Oregon Shortline Railroad) as described in Book 16 of
Deeds at Pages 333, 335 and 365, Owyhee County Records.

EXCEPTING THEREFROM the following 2 parcels:

BEGINNING at a point 1,855 feet North of the Southwest corner of Lot 6, Section
14, Township 3 North, Range 5 West, Boise Meridian, being the **REAL POINT OF
BEGINNING**; thence

South 52° 37' East along the South boundary of the Union Pacific (Oregon
Shortline) Railroad right of way 1187 feet; thence

North 30° 25' East to the North line of Lot 6; thence

In a Northwesterly direction along the North line of Lot 6 to the Northwest corner
of Lot 6; thence

South along the West line of Lot 6 to the **REAL POINT OF BEGINNING**.

AND

A part of Lot 6 and 5, Section 14, Township 3 North, Range 5 West, Boise Meridian; more
particularly described as follows:

COMMENCING at the Southwest corner of said Lot 6 (West Quarter corner); thence

North 0° 20' 00" West 1916.86 feet (formerly recorded as 1917 feet) along the West
boundary of said Lot 6; thence

South 52° 38' 00" East (formerly recorded as South 52° 37' East) 1220.00 feet along
the center line of the Marsing Branch of the Oregon Shortline Railroad; thence

North 30° 24' 00" East (formerly recorded as North 30° 25' East) 166.37 feet to the
POINT OF BEGINNING; thence continuing

North 30° 24' 00" East 194.50 feet to a point of record as being on the
Southwesterly bank of the Snake River; thence

South 53° 08' 20" East 107.64 feet along the approximate High Water line of the
Snake River; thence

North 82° 09' 14" East 166.58 feet along the approximate High Water line of the
Snake River; thence

South 30° 24' 00" West 260.95 feet; thence

North 65° 29' 40" West 239.04 feet to the **POINT OF BEGINNING**.

PARCEL II:

A part of Lot 6 and 5, Section 14, Township 3 North, Range 5 West, Boise Meridian; more
particularly described as follows:

COMMENCING at the Southwest corner of said Lot 6 (West Quarter corner); thence

North 0° 20' 00" West 1916.86 feet (formerly recorded as 1917 feet) along the West
boundary of said Lot 6; thence

South 52° 38' 00" East (formerly recorded as South 52° 37' East) 1220.00 feet along
the center line of the Marsing Branch of the Oregon Shortline Railroad; thence

North 30° 24' 00" East (formerly recorded as North 30° 25' East) 166.37 feet to the
POINT OF BEGINNING; thence continuing

First American Title
Schedule A

DR
C.L.
B.M.B.

North 30° 24' 00" East 194.50 feet to a point of record as being on the Southwesterly bank of the Snake River; thence
South 53° 08' 20" East 107.64 feet along the approximate High Water line of the Snake River; thence
North 82° 09' 14" East 166.58 feet along the approximate High Water line of the Snake River; thence
South 30° 24' 00" West 260.95 feet; thence
North 65° 29' 40" West 239.04 feet to the POINT OF BEGINNING.

PARCEL III:

A part of Lot 6 and 5, Section 14, Township 3 North, Range 5 West, Boise Meridian; more particularly described as follows:

COMMENCING at the Southwest corner of said Lot 6 (West Quarter corner); thence

North 0° 20' 00" West 1916.86 feet (formerly recorded as 1917 feet) along the West boundary of said Lot 6; thence

South 52° 38' 00" East (formerly recorded as South 52° 37' East) 1220.00 feet along the center line of the Marsing Branch of the Oregon Shortline Railroad; thence

North 30° 25' 00" East (formerly recorded as North 30° 25' East) 50.37 feet to the POINT OF BEGINNING; thence continuing

North 30° 25' 00" East 240.50 feet (formerly 310.5 feet) to a point of record as being on the Southwesterly bank of the Snake River; thence

North 66° 27' 24" West along the top of the bank of the Snake River 142.64 feet to a point; thence

South 0° 20' 00" East 252.58 feet to a point on the Northeasterly boundary of the said railroad right of way; thence

South 52° 37' 26" East 32.56 feet along said railroad right of way to the POINT OF BEGINNING.

EXCEPTING THEREFROM a parcel of land located in Lot 6 of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

BEGINNING at an iron pin marking the West Quarter corner of said Section 14; thence

North 0° 20' 00" West, a distance of 1916.83 feet (formerly 1917.00 feet) along the Westerly Section line of said Section 14 to an iron pin located at the intersection of said Westerly Section line of Section 14 and the centerline of the Union Pacific Railroad; thence

South 52° 37' 26" East, a distance of 1220.00 feet along the centerline of the Union Pacific Railroad to a point; thence

North 0° 20' 00" West, a distance of 157.90 feet to an iron pin located on an existing board fence, said point being the TRUE POINT OF BEGINNING; thence continuing

North 0° 20' 00" West, a distance of 157.88 feet to an iron pin located at the top of the bank of the Snake River; thence

South 66° 27' 24" East, a distance of 20.00 feet along the top of the bank of the Snake River to an iron pin located at the intersection of the top of the bank of the Snake River and an existing board fence; thence

South 6° 27' 38" West, a distance of 150.89 feet along an existing board fence to the TRUE POINT OF BEGINNING.

PARCEL IV:

A parcel of land located in Lot 6 of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, and is more particularly described as follows:

BEGINNING at an iron pin marking the West Quarter corner of said Section 14; thence North 0° 20' 00" West, a distance of 1916.83 feet (formerly 1917.00 feet) along the Westerly Section line of said Section 14 to an iron pin located at the intersection of said Westerly Section line of Section 14 and the centerline of the Union Pacific Railroad; thence

South 52° 37' 26" East, a distance of 1220.00 feet along the centerline of the Union Pacific Railroad to a point; thence

North 0° 20' 00" West, a distance of 63.20 feet to an iron pin located on the Northerly right of way line of the Union Pacific Railroad, said point being the TRUE POINT OF BEGINNING; thence

North 52° 37' 26" West, a distance of 14.00 feet to an iron pin located at an angle point in an existing board fence; thence

North 6° 59' 36" East, a distance of 86.87 feet along the existing board fence to an iron pin; thence

South 0° 20' 00" East, a distance of 94.70 feet to the TRUE POINT OF BEGINNING.

Parcel V:

A tract of land in Owyhee County, Idaho, being a portion of the right of way of the UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (successor in interest by merger to UNION PACIFIC RAILROAD COMPANY, a Utah corporation, and to the OREGON SHORT LINE RAILROAD COMPANY), being that same tract of land heretofore acquired by the said OREGON SHORT LINE RAILROAD COMPANY by virtue of (i) that certain Quitclaim Deed dated July 13, 1922, from Owyhee County, a municipal corporation of the State of Idaho, the said instrument having been filed for record in the said Owyhee County on October 24, 1922, at Page 365 of Book 16 of Deeds, (ii) that certain Bargain and Sale Deed dated June 15, 1922, from GEM IRRIGATION DISTRICT, a municipal corporation of the State of Idaho, the said instrument having been filed for record in the said Owyhee County on October 5, 1922, at Page 333 of Book 16 of Deeds; and (iii) that certain Quitclaim Deed dated May 29, 1922, from CYRUS E. JOHNSON, a widower, the said instrument having been filed for record in the said Owyhee County on October 5, 1922, at Page 335 of Book 16 of Deeds; the said tract of land being more particularly described therein as follows:

"A strip of land one hundred (100) feet wide, being fifty (50) feet on each side of the center line of main track of the Homedale Branch Extension of the OREGON SHORT LINE RAILROAD as the same is now located over and across Lots 5 and 6, of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho. The location of said center line of main track being more particularly described as follows:

BEGINNING at a point in the West line of said Section 14, 1,885.1 feet, North of the West Quarter section corner thereof; thence

South 52° 50' East, 3,081 feet, to a point in the East and West center line of said Section 14, 228 feet, more or less, West of the center of said Section 14.

EXCEPTING THEREFROM:

A portion of Government Lot 6 of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, and is more particularly described as follows:

First American Title
Schedule A

COMMENCING at the Southwest corner of said Government Lot 8; thence
North 0° 32'36" West along the West boundary of said Government Lot 6 a distance
of 1977.98 feet to a point on the Northeasterly right of way of railroad; thence
South 52° 55'22" East along said Northerly right of way a distance of 68.00 feet to
the TRUE POINT OF BEGINNING; thence continuing
South 52° 55'22" East along said Northerly right of way a distance of 1104.98 feet;
thence
South 82° 04'38" West a distance of 71.06 feet to a point on the centerline of
railroad; thence
North 52° 55'22" West along said centerline a distance of 957.22 feet; thence
North 25° 39'23" West a distance of 109.70 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM

All mineral rights, including oil and gas as excepted and reserved to Union Pacific Railroad Company, a Delaware corporation in the Quitclaim Deed recorded May 16, 2000 as Instrument No. 232360, Owyhee County Records.

Parcel VI:

A tract of land in Owyhee County, Idaho, being a portion of the right of way of the UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (successor in interest by merger to UNION PACIFIC RAILROAD COMPANY, a Utah corporation, and to the OREGON SHORT LINE RAILROAD COMPANY), being that same tract of land heretofore acquired by the said OREGON SHORT LINE RAILROAD COMPANY by virtue of that certain Warranty Deed dated July 25, 1922, from OLIVER ALBERTSON, a bachelor, the said instrument having been filed for record in the said Owyhee County on October 5, 1922, at Page 331 of Book 16 of Deeds, the said tract of land being more particularly described therein as follows:

"A strip of land one hundred (100) feet wide, being fifty (50) feet on each side of the center line of main track of the Homedale Branch Extension of the OREGON SHORT LINE RAILROAD as the same is now located over and across the Northeast Quarter of the Southwest Quarter of Section 14, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho. The location of said center line of main track being more particularly described as follows:

BEGINNING at a point in the East and West center line of said Section 14, 228 feet, more or less, West of the center of said Section; thence

South 52° 50' East, 298.5 feet to a point in the North and South center line of said Section 14, 175 feet, more or less, South of the center of said section.

EXCEPTING THEREFROM:

All mineral rights, including oil and gas as excepted and reserved to Union Pacific Railroad Company, a Delaware Company, in the Quitclaim Deed recorded May 16, 2000 as Instrument No. 232360, Owyhee County Records.

MEMORANDUM

TO: Transfer No. 84153

FROM: Anna Kaiser

DATE: 2/17/2021

RE: Evaluation of Application

The transfer proposes adding two additional groundwater points of diversion (PODs) to water right 57-11731.

The site is located in Homedale, Idaho, approximately 1.5 miles south and 0.5 miles east of the intersection of US Hwy 95 (State Hwy 19) and Homedale Rd.

Contacts for the application are Raymond Barker, Raymond Barker Jr. Living Trust, 1355 Santa Ysabel, Paso Robles, CA, 93446, 805-391-3179, lubova@aol.com, and Charles J. and Diane Kritz, Charles J. Kriz Jr. and Diane Kritz 2003 Trust, 9015 Nacimiento Lake Dr., Paso Robles, CA, 93446, 805-610-7205, dianekritz33@gmail.com.

Legal Notice Not Required: Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

Summary of Information Submitted

Authority to File:

The Department has Raymond Barker Jr., Charles Kritz, and Diane Kritz on file as the current owners of water right 57-11713 as was licensed in 2019. Ownership of 57-11713 was changed to Raymond Barker Jr. Living Trust and Charles and Diane Kritz 2003 Trust prior to processing the transfer. Relevant chain of ownership documentation is enclosed with transfer application. The property involved in the transfer is currently owned by the applicants.

Water Right Validity:

Right presumed to be valid based on license issued within the past five year period. SRBA is not applicable to this right developed after 1987.

Injury to Other Water Rights:

Changes proposed through this transfer are not expected to injure surrounding water rights. Each new proposed wells will exist within a half-mile of the current well.

Enlargement of Use:

Enlargement should not occur. Transfer 84153 proposes no changes in volume, diversion rate, POU, or nature of use.

Local Public Interest:

No evidence suggests changes proposed through this transfer conflict with the local public interest.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Discussion

There was some question regarding the need for three points of diversion as it is likely the 0.15 cfs diversion rate could be achieved through 1-2 wells. The applicants have/are developing a two-lot RV park. Water right 57-11713 and permit 57-12012 both provide commercial and domestic water to the entire park. The park's water delivery system now contains two main wells- one on each lot, and a third well between the two main wells to be used only as backup for both main wells as is required for commercial RV parks. The applicants wish to describe all three wells within the RV park's water delivery system on water right 57-11713.

Kaiser, Anna

From: Kaiser, Anna
Sent: Tuesday, December 1, 2020 3:20 PM
To: 'lubova@aol.com'; 'dianekritz33@gmail.com'
Subject: Application for Transfer No.
Attachments: 84153.pdf

Good afternoon,

The Department of Water Resources (Department) received your attached transfer application proposing two additional points of diversion to water right no. 57-11713 on June 12, 2020. I am currently reviewing and processing your transfer.

The Department needs some additional information about your proposal. Please respond with a brief explanation of your need for the two additional points of diversion. Any information/explanation you can provide me will be helpful in processing your application.

If you have any questions, please call me at (208).334.2190.

Thank you,
Anna

Anna Kaiser | Water Resource Agent
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov