

Inouye, Allison

47-7636

From: Inouye, Allison
Sent: Thursday, July 11, 2019 1:28 PM
To: 'Paul Green'
Subject: RE: Water Right Ownership

Hi Paul – we spoke in January about the water rights on property owned by PRG Farms in Twin Falls County, Idaho. I apologize that it's taken me a while to get back to you. The title company sent me a copy of the revised warranty deed which clears up one of the issues I found. Currently, the situation is as follows:

1. You originally filed paperwork to update 3 water rights into the name of PRG Farms. 2 of those have been updated.
2. The third water right, number 47-7636, is still in the name of Canyon Springs LLC. Most of the right lies on land now owned by PRG Farms; however, a small portion of it (11.9 acres) lies on land owned by Twin Falls County. As we briefly discussed in January, the options you have include:
 - a. "Split the water right" - update the portion that is appurtenant to your property and leave the portion on County property alone. To do this, please complete this 1-page form and submit it with a \$100 filing fee to the IDWR Southern Region office. I already have a copy of the deed so you would not have to submit that again. <https://idwr.idaho.gov/files/forms/notice-of-change-of-water-right-ownership.pdf>
 - b. Work with Twin Falls County to see if they would deed the portion of the water right that overlies their property to PRG Farms. If they did this, you would probably then need to work with our department to file a transfer application to move that portion of the water right onto your property. Note that this would be an additional process and require a separate filing fee than just updating the ownership.

Feel free to contact me with any questions. It would be nice to get this cleared up so the water right reflects the current ownership.

Best,
Allison

Allison Inouye
Water Resource Agent
Southern Regional Office | Idaho Dept. of Water Resources
p (208) 736-3033 | f (208) 736-3037
Allison.Inouye@idwr.idaho.gov

From: Paul Green [mailto:prgfarms@gmail.com]
Sent: Wednesday, January 23, 2019 5:10 PM
To: Inouye, Allison <Allison.Inouye@idwr.idaho.gov>
Subject: Re: Water Right Ownership

I have not been able to get to number 2 yet. Thanks

On Wed, Jan 23, 2019 at 3:39 PM Inouye, Allison <Allison.Inouye@idwr.idaho.gov> wrote:

Thanks Paul. This will be fine regarding Item #1 below. I believe you said you would be contacting the title company and/or Twin Falls County regarding Item #2 – have you had any luck there?

Thanks,

Allison

From: Paul Green [mailto:prgfarms@gmail.com]
Sent: Wednesday, January 23, 2019 1:17 PM
To: Inouye, Allison <Allison.Inouye@idwr.idaho.gov>
Subject: Re: Water Right Ownership

Allison,

Let me know if there is anything else you need.

Thank you,

Paul Green

On Tue, Jan 15, 2019 at 12:15 PM Inouye, Allison <Allison.Inouye@idwr.idaho.gov> wrote:

Hi Paul,

I wanted to summarize what we discussed over the phone.

1. A signed note from you would be sufficient to remove the names of the attorney and representative from the water rights.
2. There are 2 issues that are preventing me from updating water right 47-7636 into the name of PRG Farms.
 - a. Part of the place of use is on land that may be owned by PRG Farms but it is not mentioned in the deed. It's possible this was just an error in the deed. It is tax parcel RP09S16E181301 and is also described as Township 9S Range 16E Section 18, Government Lot 13 below the canyon rim. To give you the portion of the water right that lies on that parcel, I would need a deed showing that PRG Farms owns it.
 - b. Part of the place of use is on land owned by Twin Falls County. It is 11.9 acres out of 139 acres total on the water right. Possible options:
 - i. Split off the piece of the water right on Twin Falls County property and update the rest of the water right into PRG Farms.
 - ii. Work with Twin Falls County to see if they would deed the portion of the water right that overlies their property to PRG Farms. If they did this, you would probably then need to work with our department to file a transfer application to move that portion of the water right onto your property in order for you to be able to use it. Note that this would be an additional process and require a separate filing fee than just updating the ownership.

c. Once you decide how you want to address these 2 issues, we can proceed with getting some or all of the water right into PRG Farms. Here is a link to the form:
<https://idwr.idaho.gov/files/forms/notice-of-change-of-water-right-ownership.pdf>

It sounded like you were planning to try to track down some of this information. Another option would be to work with a consultant or attorney. There are several firms in the area who work with water rights a lot and could probably provide some additional assistance.

Let me know how you'd like to proceed and feel free to call anytime if questions arise.

Best,

Allison

Allison Inouye

Water Resource Agent

Southern Regional Office | Idaho Dept. of Water Resources

[650 Addison Ave W Ste 500](#)

[Twin Falls ID 83301-5858](#)

p (208) 736-3033 | f (208) 736-3037

Allison.Inouye@idwr.idaho.gov

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/11/2019

Water Right 47-7636

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	EVAN ROBERTSON ROBERTSON & SLETTE PLLC 134 THIRD AVENUE EAST PO BOX 1906 TWIN FALLS, ID 83303-1906 (208) 734-0700
Current Owner	CANYON SPRINGS LLC C/O THOMAS ZIEGLER 113 ABBY RD HAILEY, ID 83333 (208) 788-4657
Original Owner	CRYSTAL SPRINGS RANCH LP C/O RUSSELL MILLARD 24725 230TH WAY SE MAPLE VALLEY, WA 98038 (206) 941-3000

Priority Date: 1/26/1981

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.780 CFS	
STOCKWATER	01/01	12/31	0.040 CFS	
	<u>Total Diversion</u>		2.820 CFS	

Source and Point(s) of Diversion

WASTE WATER	L15(NWNESE)	Sec. 18, Twp 09S, Rge 16E, TWIN FALLS County
WASTE WATER	L15(NWNESE)	Sec. 18, Twp 09S, Rge 16E, TWIN FALLS County
WASTE WATER	L15(NENESE)	Sec. 18, Twp 09S, Rge 16E, TWIN FALLS County

Place Of Use

IRRIGATION within TWIN FALLS County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	16E	17							25.0 L9			13.0 L10							38.0
09S	16E	18	8.4 L14	6.3 L13	8.1 L13	41.0 L14	9.1 L10	1.1 L3							7.0 L15				81.0
09S	16E	18	1.4 L17	1.6 L17			1.6 L20	8.1 L12											12.7

Lots 17 & 20 are owned by T.F. County

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/11/2019

09S	16E	18		7.3														7.3
				L20														

POU Total Acres: 139.0

STOCKWATER within TWIN FALLS County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	16E	17							X L9			X L10							
09S	16E	18	X L14	X L13	X L13	X L14	X L10	X L3							X L15				
09S	16E	18	X L17	X L17			X L20	X L12											
09S	16E	18		X L20															

Conditions of Approval:

1. Stockwater use is for 200 head.
2. R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. G16 This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
4. C18 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.
5. PROOF REPORT ALERT... Quarter-Quarters within the same section that have 2 or more govt lots being recommended will not report the second govt lot nor calculate the acreage correctly for that section. The total right acreage will be correct however. Quarter-Quarters with problems are Sec 18 NENE, NWNE, NENW, and NWNW.

Comments:

Dates and Other Information

Decreed Date: 8/26/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A



PioneerTitleCo.
GOING BEYOND

491 N. Main Street, Suite 102
Ketchum, ID 83340

**ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT**

TWIN FALLS COUNTY
RECORDED FOR:
PIONEER TITLE COMPANY OF TW
09:12:32 AM 02-06-2019
2019001615
NO. PAGES 5 FEE: \$15.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: CA
Electronically Recorded by Simplifile

File No. 643151 /JAS

This document is being recorded to correct the legal description in that Warranty Deed recorded April 12, 2018, as Instrument No. 2018005547.

CORRECTION WARRANTY DEED

For Value Received and as a part of an IRC 1031 Tax Deferred Exchange

Canyon Spring, LLC, an Idaho limited liability company

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

PRG Farms, L.P. a California Limited Partnership

hereinafter referred to as Grantee, whose current address is 7594 Conejo Ave. Selma, CA 93662

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

Together with any and all water rights appurtenant thereto including but not limited to the following water rights: Water Right No 47-4294. Water Right No. 47-7635, Water Right No. 47-7636

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

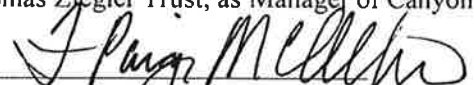
Dated: 2/4/19

Canyon Springs, LLC
By: Thomas Ziegler Trust

By: 
Thomas Ziegler, Trustee

State of Idaho, County of Blaine

This record was acknowledged before me on 2/4/19 by Thomas Ziegler, Trustee of the Thomas Ziegler Trust, as Manager of Canyon Springs, L.L.C., an Idaho limited liability company.


Signature of notary public
Commission Expires: 1/5/24

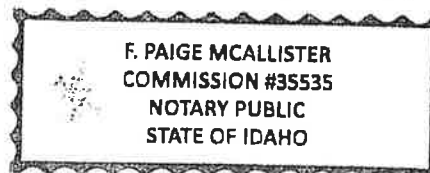


EXHIBIT A

PARCEL NO. 1

Township 9 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 12: Government Lot 8 and that part of Government Lot 7 and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying East of the following described line:

BEGINNING at a point on the South boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ which bears South 88°52'12" East a distance of 379.76 feet from the Southwest corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$;

THENCE North 15°33'41" East a distance of 954.11 feet;

THENCE South 80°53'55" East a distance of 63.94 feet;

THENCE North 17°27'10" East a distance of 806.89 feet to the approximate high water mark of the Snake River and the northerly boundary of said Lot 7.

AND

Township 9 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 7: Government Lot 10

AND ALSO

Township 9 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 17: All that part of Government Lots 9 and 10 lying North of and below the South rim of the Snake River Canyon.

AND

Township 9 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 18: Government Lot 12 and all that part of Government Lots 3, 5, 10, 14 and 15 lying North of and below the South rim of the Snake River Canyon.

PARCEL NO. 1-A

Township 9 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 18: That part of Government Lot 13 lying North of and below the South rim of the Snake River Canyon.

PARCEL NO. 2

Township 9 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 17: A parcel of land being a portion of Government Lots 6 and 7 and all of Government Lots 11 and 13 of said Section 17 and being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 17;

THENCE South 89°58'00" East along the South boundary of Section 17 for a distance of 1341.66 feet to the Southwest corner of Government Lot 7;

THENCE North 00°09'48" East along the West boundary of Government Lot 7 for a distance of 640.52 feet to a point on the Southerly rim of the Snake River Canyon and being the TRUE POINT OF BEGINNING;

THENCE continuing North 00°09'48" East along the West boundary of Government Lots 7 and 11 for a distance of 1999.48 feet to the Northwest corner of Government Lot 11;

THENCE South 89°58'00" East along the North boundary of Government Lot 11 for a distance of 350 feet, more or less, to the intersection with the meander line of the left bank of the Snake River;

THENCE Southeasterly along the meander line of the left bank of the Snake River for approximately 2700 feet to its intersection with the East boundary of Government Lot 6;

THENCE South 00°08'10" West along the East boundary of Government Lot 6 for a distance of 984.0 feet, more or less, to a point on the Southerly rim of the Snake River Canyon;

THENCE along the Southerly rim of the Snake River Canyon on the following courses:

South 71°04'14" West 16.98 feet;

South 85°13'14" West 106.32 feet;

South 63°39'51" West 83.94 feet;

South 86°30'19" West 390.08 feet;

North 89°46'16" West 298.12 feet;

North 85°22'44" West 244.14 feet;

North 86°04'43" West 213.42 feet;

North 81°27'57" West 221.65 feet;

North 83°05'28" West 444.66 feet;

North 69°05'39" West 436.29 feet;

North 73°38'32" West 283.68 feet to the intersection with the West boundary of Government Lot 7 and being the TRUE POINT OF BEGINNING.

PARCEL NO. 3

Township 9 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 17: A parcel of land located in Lot 8, more particularly described as follows:

COMMENCING at the Southwest corner of said Section 17;

THENCE South 89°58' East along the South line of Section 17 for a distance of 1115.00 feet to the REAL POINT OF BEGINNING;

THENCE North 0°10'37" East for a distance of 1315.50 feet to the North line of Lot 8;

THENCE North 81°07'10" East along the North line of Lot 8 for a distance of 229.52 feet;

THENCE South 0°10'37" West for a distance of 1351.07 feet to the South line of Section 17;

THENCE North 89°58' West along the South line of Section 17 for a distance of 226.68 feet to the REAL POINT OF BEGINNING.

EXCEPT that portion lying South of the rim of the Snake River Canyon.

PARCEL NO. 4

Township 9 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 17: A parcel of land located in Lot 8, more particularly described as follows:

COMMENCING at the Southwest corner of said Section 17;

THENCE South 89°58' East along the South line of Section 17, for a distance of 1003.50 feet to the REAL POINT OF BEGINNING;

THENCE North 0°10'37" East to the North line of Lot 8;

THENCE North 01°07'10" East along the North line of Lot 8 for a distance of 112.91 feet;

THENCE South 0°10'37" West for a distance of 1315.50 feet to the South line of Section 17;

THENCE North 89°58' West along the South line of Section 17 for a distance of 111.50 feet to the REAL POINT OF BEGINNING.

SUBJECT TO a 25 foot county road right-of-way along the Southerly boundary.

EXCEPT that portion lying South of the rim of the Snake River Canyon.

PARCEL NO. 5

Township 9 South, Range 15, East, Boise Meridian, Twin Falls County, Idaho

Section 11: That part of the SW¼SE¼ lying North and East of the West rim of Rock Creek Canyon and South rim of the Snake River Canyon.

PARCEL NO. 6

Township 9 South, Range 15, East Boise Meridian, Twin Falls County, Idaho

Section 14: SE¼ and SW¼NE¼

EXCEPT that part of said SE¼ and SW¼NE¼ lying West of the west rimrock of Cedar Creek Canyon.

AND EXCEPT

Township 9 South, Range 15, East, Boise Meridian, Twin Falls County, Idaho

Section 14: A parcel of land more particularly described as follows:

The South 160 feet of the East 525 feet of the SE¼SE¼

EXCEPT county road right of way.

AND INCLUDING an easement created in Warranty Deed from Rokan Partners, a California limited partnership, Rokan Corporation, a Delaware corporation, general partners, to Rokan Corporation, a Delaware corporation, recorded March 5, 1993, as Instrument No. 1993-003113, records of Twin Falls County, Idaho, for the purpose of ingress and egress over a strip of land 60 feet in width along an existing road and located in the SW¼SW¼ of Section 12, the SE¼SE¼ of Section 11, the NE¼NE¼ of Section 14, Township 9 South, Range 15 E., B.M., Twin Falls County, Idaho, said easement lying 30 feet on each side of the following described centerline:

BEGINNING at the corner common to Sections 11, 12, 13 and 14;

THENCE North 20°31'45" East 601.33 feet to a point on the centerline of a county road and the TRUE POINT OF BEGINNING OF SAID EASEMENT;

THENCE along said centerline the following courses and distances South 45°00'00" West 78.46 feet;

THENCE South 30°22'45" West 67.23 feet;

THENCE South 43°40'04" West 91.24 feet;

THENCE South 61°00'15" West 56.34 feet to the Westerly boundary of said SW¼SW¼ Section 12 and Easterly boundary of said SE¼SE¼ Section 14;

THENCE South 61°00'15" West 38.56 feet;
 THENCE South 51°48'52" West 226.46 feet;
 THENCE South 30°57'50" West 52.48 feet;
 THENCE South 61°37'51" West 113.65 feet;
 THENCE South 87°36'51" West 48.04 feet;
 THENCE South 58°21'19" West 101.02 feet;
 THENCE South 41°22'28" West 71.50 feet to the Southerly boundary of said SE¼SE¼ Section 11 and the Northerly
 boundary of said NE¼NE¼ Section 11;
 THENCE South 41°22'28" West 185.70 feet;
 THENCE South 46°43'27" West 211.52 feet;
 THENCE South 49°03'41" West 239.60 feet;
 THENCE South 44°25'22" West 550.64 feet to the Westerly boundary of said NE¼NE¼ Section 14;
 THENCE South 7°48'34" West 305.48 feet;
 THENCE South 38°12'31" West 320.00 feet to the Southerly boundary of said NW¼NE¼ Section 14 and the
 Southwesterly end of said easement.

AND

Township 9 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho
 Section 23: N½NE¼

EXCEPT that part of said N½NE¼ lying west of the west rimrock of Cedar Creek Canyon.

RESERVING an easement created in Warranty Deed from Roka Partners, a California limited partnership, Roka Corporation, a Delaware corporation, general partners, to Roka Corporation, a Delaware corporation, recorded March 5, 1993, as Instrument No. 1993-003113, records of Twin Falls County, Idaho, for penstock and access road described as:

A strip of land 300.00 feet in width located in the SW¼NE¼ and W½SE¼ of Section 14 and the NW¼NE¼ Section 23, Township 9 South, Range 15 E., B.M., Twin Falls County, Idaho, said strip of land lying 100 feet Westerly and 200 feet Easterly of the following described line:

BEGINNING at a point on the Northerly boundary of the SW¼NE¼ of said Section 14 which point bears South 89°36'05" West 254.37 feet from the Northeast corner thereof;
 THENCE South 38°13'16" West 467.86 feet to a point of curvature;
 THENCE Southwesterly 123.00 feet on the arc of a curve to the right with a radius of 200.00 feet, a central angle of 35°14'12" and a chord which bears South 55°50'22" West 121.07 feet to a point of tangency;
 THENCE South 73°27'29" West 356.69 feet to a point of curvature;
 THENCE Southwesterly 295.42 feet on the arc of a curve to the left with a radius of 225.00 feet a central angle of 75°13'39" and a chord which bears South 35°50'40" West 274.65 feet to a point of tangency;
 THENCE South 1°46'09" East 693.24 feet to a point of curvature;
 THENCE Southeasterly 316.35 feet on the arc of a curve to the left with a radius of 350.00 feet a central angle of 51°47'11" and a chord which bears South 27°39'45" East 305.69 feet to a point of tangency;
 THENCE South 53°33'20" East 401.63 feet to a point of curvature;
 THENCE Southeasterly 295.13 feet on the arc of a curve to the right with a radius of 375.00 feet, a central angle of 45°05'36" and a chord which bears South 31°00'32" East 287.58 feet to a point of tangency;
 THENCE South 8°27'44" East 600.55 feet to a point of curvature;
 THENCE Southwesterly 612.95 feet on the arc of a curve to the right with a radius of 954.93 feet, a central angle of 36°46'38" and a chord which bears South 9°55'35" West 602.49 feet to a point of tangency;
 THENCE South 28°18'55" West 211.58 feet to a point of curvature;
 THENCE Southerly 974.90 feet on the arc of a curve to the left with a radius of 818.51 feet, a central angle of 68°14'35" and a chord which bears South 5°48'23" East 918.29 feet to a point of tangency;
 THENCE South 39°55'52" East 4.26 feet to a point of curvature;
 THENCE Southerly 309.14 feet on the arc of a curve to the right with a radius of 450.00 feet, a central angle of 39°21'38" and a chord which bears South 20°14'51" East 303.09 feet to a point of tangency;
 THENCE South 0°34'03" East 48.88 feet to a point of curvature;
 THENCE Southerly 176.70 feet on the arc of a curve to the left with a radius of 225.00 feet, a central angle of 44°59'47" and a chord which bears South 23°03'57" East 172.19 feet to a point of tangency;
 THENCE South 45°33'54" East 12.20 feet to a point of curvature;
 THENCE Southerly 321.15 feet on the arc of a curve to the right with a radius of 275.00 feet, a central angle of 66°54'38" and a chord which bears South 12°06'35" East 303.21 feet to a point of tangency;
 THENCE South 21°20'42" West 27.27 feet to a point on the southerly boundary of said NW¼NE¼ Section 23, which bears North 89°45'45" West 242.84 feet from the Southeast corner thereof and the Southerly end of said 300 feet wide strip of land.

The sidelines shall be lengthened or shortened to intersect the northerly boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 14 and to intersect the Southerly boundary of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23, which boundaries shall constitute the Northerly and Southerly boundaries of the herein described land.

RESERVING an easement created in Warranty Deed from Rokan Partners, a California limited partnership, Rokan Corporation, a Delaware corporation, general partners, to Rokan Corporation, a Delaware corporation, recorded March 5, 1993, as Instrument No. 1993-003113, records of Twin Falls County, Idaho, for a power transmission line described as follows:

A strip of land 80 feet in width located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 14 and N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 23, Township 9 South, Range 15 E., B.M., Twin Falls County, Idaho, said strip of land lying 30.00 feet easterly and 50 feet westerly of the following described line:

BEGINNING at a point on the northerly boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ which bears South 89°36'05"

West 178.21 feet from the Northeast corner thereof;

THENCE South 19°31'57" West 382.94 feet;

THENCE South 2°26'27" East 502.69 feet;

THENCE South 72°15'19" East 250.65 feet;

THENCE South 0°44'09" West 985.02 feet;

THENCE South 33°50'35" East 397.95 feet;

THENCE South 5°25'49" West 2579.11 feet;

THENCE South 0°21'40" West 500.00 feet to a point on the southerly boundary of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23 which bears North 89°45'45" West 30.00 feet from the Southeast corner thereof and the South end of said 80 feet wide strip of land.

The sidelines shall be lengthened or shortened to intersect the northerly boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 14 and to intersect the southerly boundary of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 23, which boundaries shall constitute the northerly and southerly boundaries of the herein described land.

EXCEPT

Township 9 South, Range 15, East, Boise Meridian, Twin Falls County, Idaho
Section 14: SE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying east of the east rimrock of Cedar Creek Canyon.

AND EXCEPT Township 9 South, Range 15, East, Boise Meridian, Twin Falls County, Idaho Section 14: A parcel of land more particularly described as follows:

The South 160 feet of the East 525 feet of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ **Except** county road right of way;

Section 23: N $\frac{1}{2}$ NE $\frac{1}{4}$ lying east of the East rimrock of Cedar Creek Canyon.

RESERVING an easement created in Warranty Deed from Rokan Partners, a California limited partnership, Rokan Corporation, a Delaware corporation, general partners, to Rokan Corporation, a Delaware corporation, recorded March 5, 1993, as Instrument No. 1993-003113, records of Twin Falls County, Idaho, for a power transmission line described as follows:

A strip of land 80 feet in width located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 14 and N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 23, Township 9 South, Range 15 E., B.M., Twin Falls County, Idaho, said strip of land lying 30.00 feet Easterly and 50 feet westerly of the following described line:

BEGINNING at a point on the Northerly boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ which bears South 89°36'05"

West 178.21 feet from the Northeast corner thereof;

THENCE South 19°31'57" West 382.94 feet;

THENCE South 2°26'27" East 502.69 feet;

THENCE South 72°15'19" East 250.65 feet;

THENCE South 0°44'09" West 985.02 feet;

THENCE South 33°50'35" East 397.95 feet;

THENCE South 5°25'49" West 2579.11 feet;

THENCE South 0°21'40" West 500.00 feet to a point on the Southerly boundary of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23 which bears North 89°45'45" West 30.00 feet from the Southeast corner thereof and the South end of said 80 feet wide strip of land.

The sidelines shall be lengthened or shortened to intersect the northerly boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 14 and to intersect the southerly boundary of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 23, which boundaries shall constitute the northerly and southerly boundaries of the herein described land.