

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 09 2015

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Lone James Huelsman and Barbara Lynn Huelsman Phone 208 554 4321
Mailing address 3304 North 3400 West Moore Idaho 83255 Email jbhuel@yahoo.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Lone James Huelsman Lone James Huelsman 6-9-15
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date
Barbara L Huelsman Barbara L Huelsman 6-9-15
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Splitting water right

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

Splitting our portion of water right 34-2383 and moving it to our domestic well. We have ~2 acres. An ownership change was filed in 2013 that erroneously did not split the water right.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	34-2383	0.04	Irrigation	04/01 to 10/31	Ground Water
☐ ☒	34-14050	0.01	Irrigation	05/01 to 10/15	Big Lost River
☐ ☒	34-14052	0.04	Irrigation	05/01 to 10/15	Big Lost River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.05 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.05 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
No			SW	SW	16	05N	26E	Butte	Ground Water	
No			SW	SW	16	05N	26E	Butte	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	16											2						2
Total Acres (for irrigation use)																			2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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:

Two domestic pumps existing on property. Existing sprinkler and flood system.

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

n/a

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

n/a

- g. 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 leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

Not able to get enough water from the current point of diversion to sustain a crop on the full five acres. The water table has dropped and conveyance losses have increased. I have put water on the land most years, never missing more than four consecutive, but not enough to sustain the crop.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/29/2015

Water Right 34-2383

Owner Type **Name and Address**
Current Owner JUNE STEVENSON
3473 W 3450 N
MOORE, ID 83255
(208)690-0396

Priority Date: 8/29/1960

Basis: Decreed

Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	10/31	3.120 CFS	532.0 AF
	Total Diversion		3.120 CFS	532.0 AF

Source and Point(s) of Diversion

GROUND WATER NWNWNW Sec. 16, Twp 05N, Rge 26E, BUTTE County

Place Of Use

IRRIGATION within BUTTE 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	
05N	26E	16						38.0	39.0			39.0	36.0						152.0

POU Total Acres: 152.0

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NOS. 34-14050 AND 34-14052 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.57 CFS.
2. USE OF THIS RIGHT WITH RIGHT NOS. 34-14050 AND 34-14052 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 276.1 ACRES IN A SINGLE IRRIGATION SEASON.
3. 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.

Dates and Other Information

Decreed Date: 5/1/2002

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/29/2015

Owner Name Connector: And
Water District Number: 34
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.570		276.1
34-2383 ,34-14050 ,34-14052		

SubCase:

N/A

Water Supply Bank:

N/A

6/23/2015

80154

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/23/2015

LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.57 CFS.

Dates and Other Information

Decreed Date: 5/30/2001
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: And
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.410		
34-14050 ,34-14052		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.570		276.1
34-2383 ,34-14050 ,34-14052		

SubCase:

N/A

Water Supply Bank:

N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1.

Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the Part 2B form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 34-14050

1. amount 0.01 (cfs/ac-ft) for Irrigation purposes from 04/01 to 10/31
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

6/23/2015

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JUNE STEVENSON 3473 W 3450 N MOORE, ID 83255 (208)690-0396

Status: Active

Tributary SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	2.410 CFS	
	Total Diversion		2.410 CFS	

BIG LOST RIVER **SENWSE** **Sec. 14, Twp 06N, Rge 25E, BUTTE County**

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	26E	16						38.0	39.0			39.0	36.0						152.0
05N	26E	17	35.1	4.3	6.7	38.0									29.0			11.0	124.1

POU Total Acres: 276.1

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
3. 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.
4. WATER DELIVERED THROUGH 3 IN 1 DITCH.
5. USE OF THIS RIGHT WITH RIGHT NOS. 34-02383, 34-14048, AND 34-14050, IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 276.1 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/23/2015

6. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 34-14050 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.41 CFS.
USE OF THIS RIGHT WITH RIGHT NOS. 34-02383, 34-14048, AND 34-14050 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.57 CFS.

Dates and Other Information

Decreed Date: 5/30/2001
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: And
Water District Number: 34
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.410		
34-14050 ,34-14052		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.570		276.1
34-2383 ,34-14050 ,34-14052		

SubCase:

N/A

Water Supply Bank:

N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a.**
- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (**GIS**) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

[illegible]

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

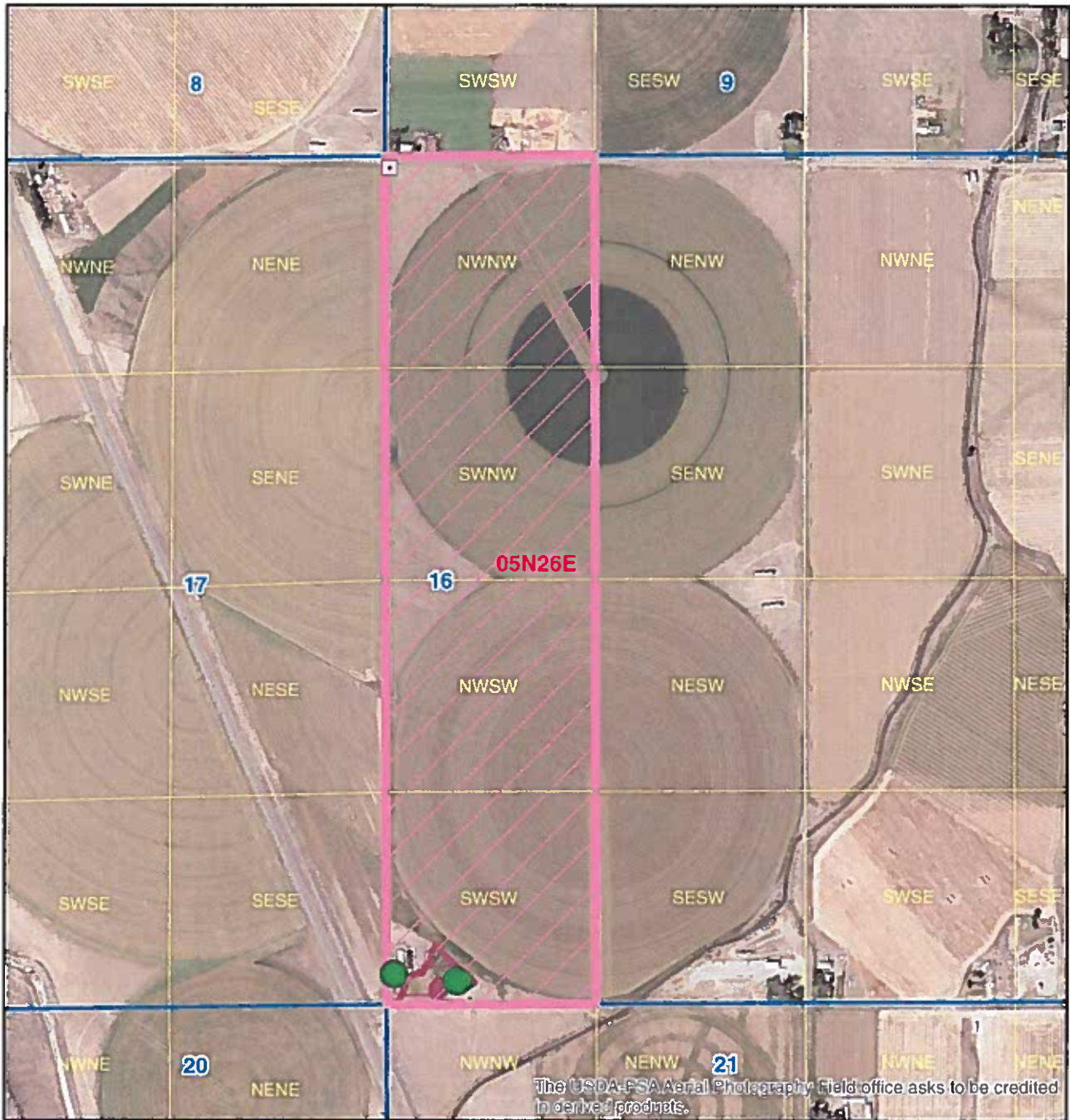
Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid 200.- Date 6/9/2015 Received by JB Receipt # E041121

Add'l fee paid \$75.- Date 6/25/2015 Received by JB Receipt # E041189

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

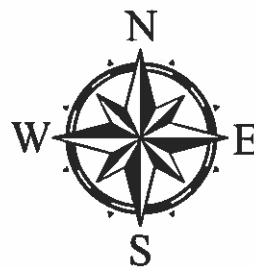
Huelsman Transfer Application



Legend

- Pre-Transfer POD
- Post-Transfer PODs
- Pre-Transfer POU
- Post-Transfer POU
- Township/Range
- Sections
- QQ

2013 Imagery
Map Prepared by Cooper Fritz



0 0.15 0.3 0.6 Miles

80154

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
34-1166-0K	Yes ☐	34-140500K	Yes ☐		Yes ☐
34-15-0K	Yes ☐	34-140520K	Yes ☐		Yes ☐
34-2317-0K	Yes ☐	34-23630K	Yes ☐		Yes ☐
34-2383-0K	Yes ☐		Yes ☐		Yes ☐
34-140480K	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Jim Nicksman

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): June C. Stevenson

Name of each new owner as listed on the conveyance document

New owner continued

Name connector

☐ and ☐ or ☐ and/or

3473 W 3450 N

Mailing address

Moore, ID

City

State

ZIP

208-690-0396

Telephone

duane 83644@yahoo.com

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ 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.

5. Date you acquired the water rights and/or claims listed above: _____

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature: June C Stevenson

Signature of new owner/claimant

Title, if applicable

Date

8-23-12

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

Date

Receipt No.

Receipt Amt.

Approved by

Processed by

Date

Form 42-248/42-1409(6) Rev 07/10

SUPPORT DATA

IN FILE #

80154

34-15

\$25.-
\$225.-
\$175.- for this app.

NO. 0048874
RECORDED

AFTER RECORDING RETURN TO:
JUNE STEVENSON
3473 W 3450 N
MOORE, ID 83255

AUG 29 2011

11:27 A.M.
BUTTE COUNTY RECORDER
[Signature]

QUITCLAIM DEED

GRANTOR:

LARRY W. STEVENS AND CARLA N. DESPAIN as Successor Trustees of THE WILLARD AND ETHEL STEVENS TRUST under Trust Agreement Dated October 1, 1991, and their Substitutes and successors as Trustees thereunder.

GRANTEE:

JUNE C. STEVENSON, a married woman.

GRANTEE ADDRESS:

3473 W 3450 N., MOORE, ID 83255

DESCRIPTION OF REAL PROPERTY CONVEYED BY THIS DEED:

Situated in the County of BUTTE, State of IDAHO

The real estate more particularly described on the attached legal description attached hereto as exhibit "A" and by this reference incorporated herein.

Subject to any encumbrances thereon.

FOR VALUE RECEIVED, the above name Grantor does hereby convey, release, remise, and forever QUITCLAIM unto the above named Grantee, the real property above described together with the appurtenances.

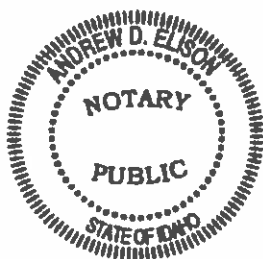
Dated: February 19, 2010

Larry W. Stevens - Trustee
LARRY W. STEVENS, Successor Trustee
Carla N. Despain - Trustee
CARLA N. DESPAIN, Successor Trustee

STATE OF IDAHO)

COUNTY OF CANYON) ss)

On this date of February 19, 2010, before me, a Notary Public in and for said State, personally appeared LARRY W. STEVENS and CARLA N. DESPAIN, Successor Trustees of THE WILLARD AND ETHEL STEVENS TRUST, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Andrew D. Elson
Notary Public for State of IDAHO
Residing at: CALDWELL, IDAHO
Comm. Expires: 7-14-2014

EXHIBIT "A"

Parcel 1:

Township 5 North, Range 26 East, Boise Meridian, Butte County, Idaho.

Section 8: S1/2, that portion lying East of the Union Pacific Railroad R-O-W.

EXCEPTING THEREFROM:

A parcel of land being described as a portion of the NE1/4 of the SE1/4 of Section 8, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, being described as follows:

Beginning at the NE Corner of the NE1/4 of the SE1/4 of said Section 8, thence Southerly along the East boundary of the SE1/4 of said Section 8, a distance of 511 feet, more or less; thence in a Northwesterly direction to a point on the North boundary of the SE1/4 which is Westerly 511 feet, more or less, from the NE Corner of the NE1/4 of the SE1/4 of said Section 8; thence Easterly along the North boundary of the NE1/4 of the SE1/4, a distance of 511 feet, more or less, to the point of beginning.

Parcel 2:

All that portion of the "Mackay Branch" right of way, now abandoned, of the Union Pacific Railroad Company, successor in interest to the Salmon River Railroad Company, situated in the S1/2 of Section 8, Township 5 North, Range 26 East, Boise Meridian, Butte County, Idaho, being that same tract or parcel of land heretofore acquired by the aforesaid railroad company by virtue of that certain instrument dated June 22, 1901, from Rhenz J. Weirath and Annie Weirath, husband and wife, said instrument having been filed for record in Blaine County, Idaho on July 13, 1901, at page 608 of Book 51, Record of Deeds said tract or parcel of land being bounded and described as follows:

A strip of land 100 feet wide being 50 feet in width on either side of the center line of the main track of Salmon River Railroad, said center line entering said South half of Section 8 at a point on South line 2677.9 feet East of the Southwest corner thereof and running thence in a direct line to a point on the North line thereof, 3554.2 feet West of Northeast corner of said half section.

Parcel 3:

A parcel of land generally described as being a portion of the E1/2W1/2 of Section 16, Township 5 North, Range 26 E.B.M., Butte County, Idaho, and a portion of the W1/2W1/2 of said Section 16, Township 5 North, Range 26 E.B.M.; said parcel of land being more particularly described as follows: Beginning at the N1/4 corner of said Section 16; thence S. 00°15'48" W. along the East boundary of the E1/2W1/2 of said Section 16, a distance of 4209.50 feet to the centerline of the Moore Canal; thence along the centerline of said canal the following 5 courses: (1) S. 67°35'25" W., 70.00 feet; (2) S. 12°34'51" W., 373.93 feet; (3) S. 43°10'18" W., 170.38 feet; (4) S. 59°47'08" W., 497.73 feet; (5) S. 63°33'36" W., 508.70 feet to the South boundary of the W1/2 of said Section 16. Thence N. 89°47'46" W. along the South boundary of the W1/2 of said Section 16, a distance of 222.20 feet to the SW corner of the E1/2W1/2 of said Section 16; thence N. 00°13'48" E. along the W. boundary of the E1/2W1/2 of said Section 16, a distance of 5252.87 feet; thence N. 89°19'18" W., a distance of 40.00 feet; thence N. 00°13'48" E. a distance of 40.00 feet to the North boundary of the W1/2 of said Section 16; thence S. 89°19'18" E. along the North boundary of the W1/2 of said Section 16, a distance of 1382.45 feet to the N1/4 corner of said Section 16, and the POINT OF BEGINNING.

Parcel 4:

Section 16, Township 5 North, Range 26 E.B.M., Butte County, Idaho. W1/2W1/2 being more particularly described as follows: Beginning at the NW corner of said Section 16, thence South 89°19'18" E. along the N. boundary of said Section 16, a distance of 1282.44 feet; thence South 00°13'48" West 40.00 feet; thence South 89°19'18" East 40.00 feet to the E. boundary of the W1/2W1/2 of said Section 16; thence S. 00°13'48" W. along the E. boundary of the W1/2W1/2 of said Section 16, a distance of 5252.87 feet to the S. boundary of Section 16; thence N. 89°47'48" W. along the S. boundary of said Section 16, a distance of 641.58 feet; thence N. 00°00'00" W. a distance of 24.09 feet; thence N. 46°34'10" W. a distance of 551.12 feet to a 1/2 inch diameter steel rod; thence S. 89°56'53" W. a distance of 276.18 feet to the W. boundary of said Section 16; thence N. 00°11'15" E. along the W. boundary of said Section 16, a distance of 4903.61 feet to the Point of Beginning.

Parcel 5:

Section 17, Township 6 North Range 26 E.B.M., Butte County, Idaho, the E1/2 lying E. of the railroad right-of-way, EXCEPTING therefrom: Commencing at the NE corner of said Section 17, from which the NE1/4 corner of said Section 17 bears S. 89°58'43" W. 2842.68 feet; thence from the NE corner of said Section 17, S. 89°58'43" W. along the N. boundary of the NE1/4 of said Section 17, a distance of 793.64 feet; thence S. 00°00'00" E. a distance of 23.21 feet to a half inch diameter steel rod on the southerly boundary of a county road right-of-way, as defined by an existing fence line, and the Point of Beginning; thence on or along an existing fence line the following twelve courses: S. 05°00'46" E. 45.59 feet; S. 57°27'18" W. 202.65 feet; S. 81°34'05" W. 200.57 feet; S. 46°57'14" W. 148.78 feet; S. 40°16'19" W. 67.95 feet; S. 36°03'41" W. 200.68 feet; S. 32°51'49" W. 135.89 feet; S. 25°04'57" W. 86.88 feet; S. 21°08'33" W. 206.91 feet; S. 13°38'21" W. 209.73 feet; S. 10°17'29" W. 257.78 feet; S. 73°10'41" W. 61.84 feet to the easterly boundary of the "Old" Union Pacific Railroad right-of-way; thence N. 22°55'37" W. along the easterly boundary of said railroad right-of-way, a distance of 1518.06 feet to a half inch diameter steel rod; thence leaving the easterly boundary of said railroad right-of-way, N. 77°56'27" E. a distance of 45.14 feet to a half inch diameter steel rod; thence N. 13°13'10" W. a distance of 63.38 feet to a half inch diameter steel rod on the southerly boundary of a county road right-of-way, (as defined by an existing fence line); thence along the southerly boundary of said county road right-of-way, along an existing fence line, the following two courses: S. 69°42'16" E. 983.42 feet; S. 89°53'07" E. 608.68 feet to the Point of Beginning.

FILE No. 5683LR

INSTRUMENT No. _____

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED LONE JAMES HUELSMAN aka L. JAMES HUELSMAN aka JIM L. HUELSMAN and BARBARA LYNN HUELSMAN aka BARBARA L. HUELSMAN aka BARBARA HUELSMAN, Husband and Wife, the Grantor, does hereby grant, bargain, sell and convey unto WILLARD H. and ETHEL P. STEVENS TRUST, the Grantee, whose current address is 10481 Highway 44, Middleton, ID 83644 the following described real estate situated in BUTTE County, State of Idaho, to-wit:

See attached EXHIBIT "A"

SUBJECT TO: all easements, rights of way, covenants, restrictions, patent reservations, applicable building and zoning ordinances and use regulations and restrictions and accruing taxes, of record.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and defend the same from all lawful claims whatsoever.

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

DATED: 3 May 2006

Lone James Huelsman
Lone James Huelsman

Barbara Lynn Huelsman
Barbara Lynn Huelsman

STATE OF IDAHO, County of BUTTE

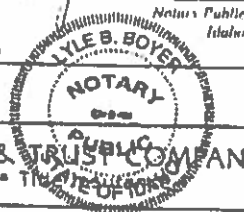
On this 3rd day of May, 2006
before me, Lyle B. Boyer,
Notary Public in and for the said State personally
appeared Lone James Huelsman and
Barbara Lynn Huelsman

Known to me to be the person(s) whose name(s) are
subscribed to the within instrument, and acknowl-
edges to me that they executed the same.

Lyle B. Boyer

Residing at Arco
Comm. Expires 6-5-2009

Notary Public
Idaho



THIS SPACE FOR COUNTY RECORDS USE ONLY.

NO. 0043077

RECORDED

MAY 03 2006

4:48 PM
BUTTE COUNTY RECORDER
Donna Hamlett

IDAHO TITLE & TRUST COMPANY
Escrows • Title • Insurance

P.O. Box 50367, Idaho Falls, ID 83405-0367 (208) 522-7885

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