

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

Damiana Transfer

79004

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

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AUG 15 2013
Department of Water Resources
Eastern Region

Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #2b 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). Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☒ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b 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.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☒ ☐ #9 Other. Please describe: Deeds to New Place of Use and Pedigree of water rights

79004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79004

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant Randal G. and Sandra L. DamianaPhone (208) 588-3684Mailing Address P.O. Box 570, Mackey, ID 83251

Email _____

- ☐ 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 RepresentativeName of Representative Keith C. Wilson c/o Rocky Mountain Environmental Associates Inc. Phone (208) 524-2353 / Fax 524-1795Mailing address 482 Constitution Way, Ste 303, Idaho Falls, ID 83402 Email kwilson@rockymountainenvironmental.com☐ 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 no 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.



Signature of Applicant or Authorized Representative

Randal G. Damiana

Print Name and Title if applicable

8/6/13

Date



Signature of Applicant or Authorized Representative

Sandra L. Damiana

Print Name and Title if applicable

8/6/13

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 _____

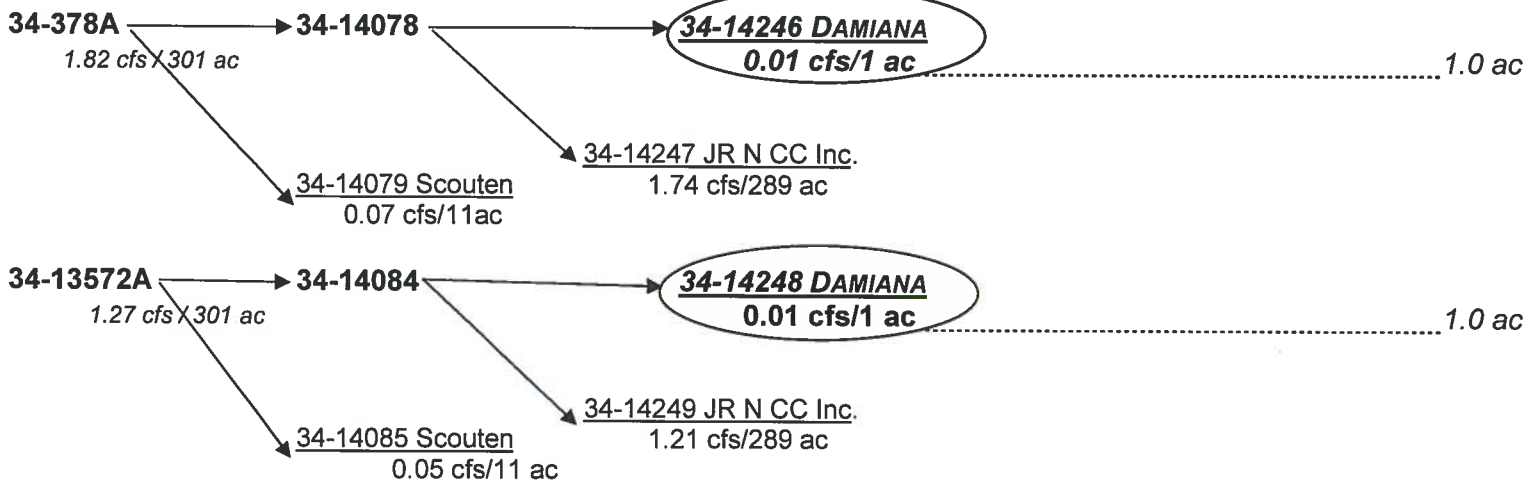
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attached additional pages if necessary and label it **Part 1A.2** Applicant proposes to transfer water rights 34-14246, 34-14248, 34-14250 & 34-14252 to a permissible place of use within the NWNE, SWNE, SENW & NWSE Sec 34, T07N, R24E. Right 34-14328 is appurtenant to portions of this proposed permissible place of use; therefore, this transfer proposed to modify the permissible place of use of 34-14328 to match the new permissible place of use. Changes to the boundaries of the permissible place of use will not increase the total number of acres irrigated or the total diversion rate. NOTE: Right 34-14328 for 0.11 cfs/10.8 ac or 0.01 cfs/acre. Big Lost River rights will be diverted through the Burnett & Harris-Vaught Ditches.

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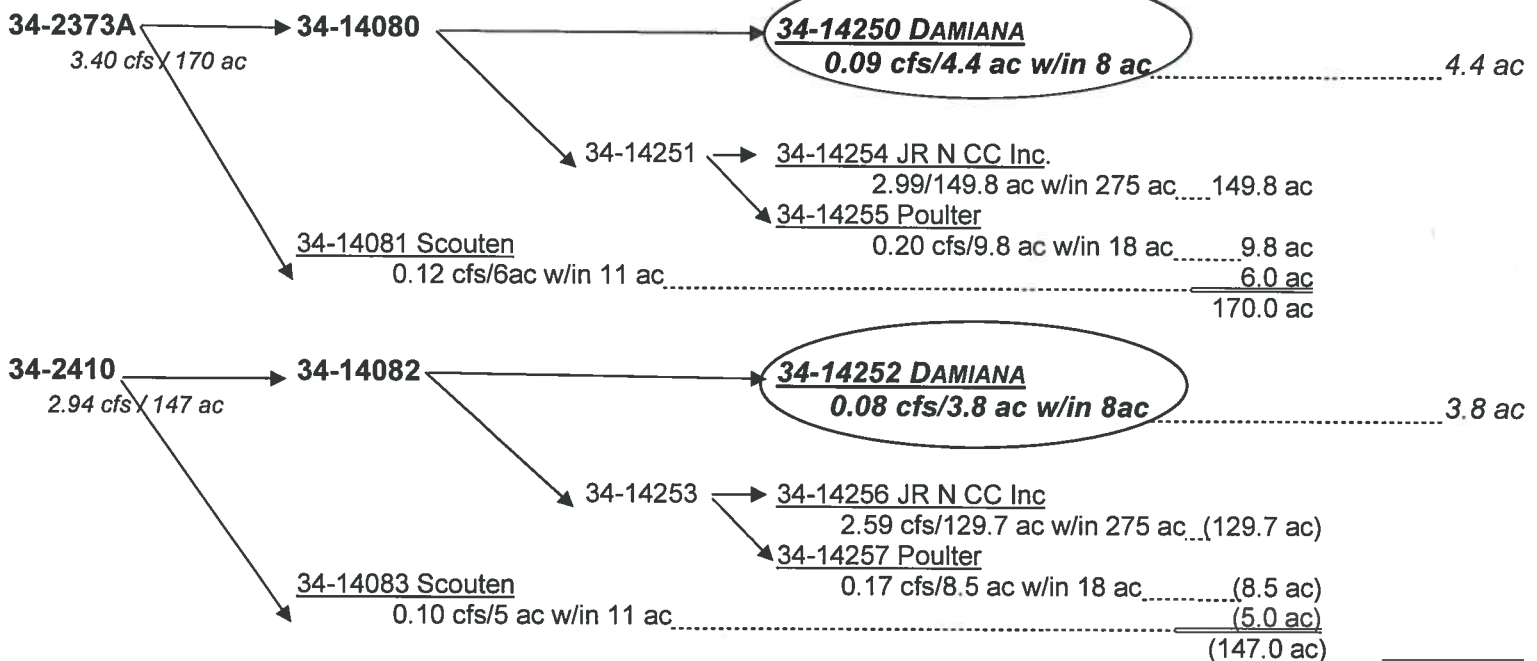
AUG 15 2013

Department of Water Resources
Eastern Region

79004

Pedigree Diagram:**Big Lost River:**

TOTAL OF DAMIANA'S SURFACE WATER RIGHTS = 0.01 cfs / 1.0 ac

Ground Water:

TOTAL OF DAMIANA'S GROUND WATER RIGHTS = 0.16 cfs / 8.0 ac

TOTAL OF DAMIANA'S WATER RIGHTS (GROUND WATER + BIG LOST RIVER) = 0.17 cfs / 8.0 ac & 28 af

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHT(S) 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					
☒ ☐	34-14246*	0.01 cfs	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-14248*	0.01 cfs	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-14250*	0.09 cfs	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	34-14252*	0.08 cfs	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	34-14328**	0.11 cfs	Irrigation	04/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
Total Authorized under rights		0.28	cfs and/or		ac-ft

* Water Rights 34-14246, 31-14248, 31-14250 & 34-14252 when combined are limited to 0.17 cfs & 8.0 acres

** 34-14328 is an associated Water Right limited to 0.11 cfs & 10.8 acres within an 14.1 acres permissible place of use

2. Total amount of water being transferred or changed 0.28 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion: Ground Water Diversion is an existing well

- ☐ 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 proposed 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		SE	NW	NW	34	7N	24E	Custer	Big Lost River	Burnett Ditch
No			SW	NE	34	7N	24E	Custer	Ground Water	

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

- ☐ 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	
7N	24E	34		1.8	14.0							2.2					0.03		18.03

Place of Use also includes the NW¼SE¼ for 0.03 acres.

Total Acres (for irrigation use): 18.03 acres

* 34-14246, 31-14248, 31-14250 & 34-14252 limited to 8.0 acres within 18.03 ac permissible place of use

Note: 34-14246 in combination with 34-14248 Limited to 0.01 cfs and 1.0 acres

** 34-14328 an associated right is limited to 10.8 acres within 18.03 acres permissible place of use

Note: 34-14328 @ 0.11 cfs for 10.8 ac results in a diversion rate = 0.0101 cfs/ac or 0.509 miners inches per acre

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: Ground water diversion system will consist of a well pump mainline to irrigation system. The Big Lost River water rights will be diverted through the Burnett Ditch and re-diverted through the Harris-Vaught ditch to a pump that connects to irrigation system to water the one (1) acre Place of Use. Mainlines will be accessible for a measuring device and a valve in the mainline or the electrical panel could be used as a lockable controlling works.

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? No ☒ **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. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: Acres will not be irrigated.

e. 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) of use: There are no other water right associated with these water rights at the original place of use. The new Place of Use has water right 34-14328 from ground water on a portion of the ground to be irrigated. This transfer is to establish a 18.03 acre permissible place of use for water rights 34-14246, 34-14248, 34-14250, 34-14252 and 34-14328.

f. 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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDEDWATER RIGHT NO. **34-14246**

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RANDAL G & SANDRA L DAMIANA PO BOX 570, MACKAY, ID 83251

Priority Date: 06/01/1887

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	0.01 CFS	
Total Diversion			0.01 CFS	

Location of Point(s) of Diversion:

BIG LOST RIVER	NWSESE	Sec. 04	Township 05N	Range 26E	BUTTE County
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Place of Use Legal Description: IRRIGATION BUTTE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	26E	9		SENE	1									

Total Acres: 1

Conditions of Approval:

1.		USE OF THIS RIGHT WITH RIGHT NOS. 34-14248, 34-14250 AND 34-14252 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.17 CFS. USE OF THIS RIGHT WITH RIGHT NO. 34-14248 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.01 CFS.
2.	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.
3.		USE OF THIS RIGHT WITH RIGHT NOS. 34-14248, 34-14250 AND 34-14252 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 8 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 34-14248 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1 ACRE IN A SINGLE IRRIGATION SEASON.
4.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5.	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.
6.		THE COMBINED DIVERSION RATE LIMIT DESCRIBED IN THIS RIGHT DOES NOT APPLY TO THE DELIVERY OF STORAGE WATER TO THE PLACE OF USE DESCRIBED IN THIS RIGHT BY THE BIG LOST RIVER IRRIGATION DISTRICT. WATER IS DELIVERED THROUGH ISLAND AND EASTSIDE CANALS.

Decreed Date: 12/14/2001
 Generic Max Volume per Acre: 3.5

Water District Number: 34
 Combined Acres Limit: 1

Generic Max Rate per Acre: 0.02
 Combined Rate Limit: 0.01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

A. DESCRIPTION OF RIGHT(S) AS RECORDED

WATER RIGHT NO. **34-14248**

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RANDAL G & SANDRA L DAMIANA PO BOX 570, MACKAY, ID 83251

Priority Date: 08/06/1987

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	0.01 CFS	
Total Diversion			0.01 CFS	

Location of Point(s) of Diversion:

BIG LOST RIVER	NWSESE	Sec. 04	Township 05N	Range 26E	BUTTE County
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Place of Use Legal Description: IRRIGATION BUTTE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	26E	9		SENE	1									

Total Acres: 1

Conditions of Approval:

1.		THE COMBINED DIVERSION RATE LIMIT DESCRIBED IN THIS RIGHT DOES NOT APPLY TO THE DELIVERY OF STORAGE WATER TO THE PLACE OF USE DESCRIBED IN THIS RIGHT BY THE BIG LOST RIVER IRRIGATION DISTRICT. WATER IS DELIVERED THROUGH ISLAND AND EASTSIDE CANALS.
2.		THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 34-00378A PURSUANT TO SECTION 42-1426, IDAHO CODE.
3.		USE OF THIS RIGHT WITH RIGHT NOS. 34-14246, 34-14250 AND 34-14252 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 8 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 34-14246 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1 ACRE IN A SINGLE IRRIGATION SEASON.
4.	C11	THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
5.	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.
7.		USE OF THIS RIGHT WITH RIGHT NOS. 34-14246, 34-14250 AND 34-14252 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.17 CFS. USE OF THIS RIGHT WITH RIGHT NO. 34-14246 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.01 CFS.

Decreed Date: 01/23/2002

Generic Max Volume per Acre: 3.5

Enlargement Statute Priority Date: 4/12/1994

Combined Acres Limit: 1

Generic Max Rate per Acre: 0.02

Combined Rate Limit: 0.01

79004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

WATER RIGHT NO. **34-14250**

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RANDAL G & SANDRA L DAMIANA PO BOX 570, MACKAY, ID 83251

Priority Date: 07/05/1960

Basis: Decreed

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>
IRRIGATION	04/01	10/31	0.09 CFS	15.3 AFA
Total Diversion			0.09 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNENE	Sec. 09	Township 05N	Range 26E	BUTTE County
GROUND WATER	NWNENW	Sec. 10	Township 05N	Range 26E	BUTTE County
GROUND WATER	NESW	Sec. 10	Township 05N	Range 26E	BUTTE County
GROUND WATER	NWSW	Sec. 10	Township 05N	Range 26E	BUTTE County
GROUND WATER	NENWSW	Sec. 10	Township 05N	Range 26E	BUTTE County
GROUND WATER	NWNWSW	Sec. 10	Township 05N	Range 26E	BUTTE County

IRRIGATION Use: Acre Limit: 4.4

Place of Use Legal Description: IRRIGATION BUTTE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	26E	9		SENE	3									
		10		SWSE	4		SESE	1						

Total Acres: 8 Acre Limit: 4.4

Conditions of Approval:

1.	WB4	The total instantaneous diversion of water from all points of diversion under Rights 34-14250 and 34-14252 shall not exceed 0.16 cfs, nor a total combined annual volume of 28 af.
2.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3.	T18	Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
4.	R04	Use of water under this water right will be regulated by the watermaster of State Water District No. 34, Big Lost River.
5.	104	If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

(Cont. Next Page)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED: 34-14250 (Cont.Pg2 of 2)**34-14250**

6.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7.	065	The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
8.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9.	R59	This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
11.	X27	This right is limited to the irrigation of 4.4 acres within the place of use described above in a single irrigation season.
12.	X35	Rights 34-14246, 34-14248, 34-14250 and 34-14252 when combined shall not exceed a total diversion rate of 0.17 cfs, a total annual maximum diversion volume of 28 af at the field headgate, and the irrigation of 8 acres.
13.		The combined diversion rate limit described in this right does not apply to the delivery of storage water to the place of use described in this right by the Big Lost River Irrigation District.
14.		Rights 34-14250 and 34-14252 when combined shall not exceed the irrigation of 8 acres.

Decreed Date: 07/15/2002

State or Federal: S

Owner Name Connector: And

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 8

Combined Volume Limit: 28

Combined Rate Limit: 0.16

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

A. DESCRIPTION OF RIGHT(S) AS RECORDED

WATER RIGHT NO. **34-14252**

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RANDAL G & SANDRA L DAMIANA PO BOX 570, MACKAY, ID 83251

Priority Date: 04/10/1961

Basis: Decreed

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>
IRRIGATION	04/01	10/31	0.08 CFS	13.2 AFA
Total Diversion			0.08 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNENE	Sec. 09	Township 05N	Range 26E	BUTTE County
GROUND WATER	NWNENW	Sec. 10	Township 05N	Range 26E	BUTTE County
GROUND WATER	NESW	Sec. 10	Township 05N	Range 26E	BUTTE County
GROUND WATER	NWSW	Sec. 10	Township 05N	Range 26E	BUTTE County
GROUND WATER	NENWSW	Sec. 10	Township 05N	Range 26E	BUTTE County
GROUND WATER	NWNWSW	Sec. 10	Township 05N	Range 26E	BUTTE County

IRRIGATION Use: Acre Limit: 3.8

Place of Use Legal Description: IRRIGATION BUTTE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	26E	9		SENE	3									
		10		SWSE	4		SESE	1						

Total Acres: 8 IRRIGATION Use: Acre Limit: 3.8

Conditions of Approval:

1.	R59	This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2.	WB4	The total instantaneous diversion of water from all points of diversion under Rights 34-14250 and 34-14252 shall not exceed 0.16 cfs, nor a total combined annual volume of 28 af.
3.	104	If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5.	T18	Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

A. DESCRIPTION OF RIGHT(S) AS RECORDED: 34-14252 (Cont. Pg 2 of 2)

34-14252

6.	X35	Rights 34-14246, 34-14248, 34-14250 and 34-14252 when combined shall not exceed a total diversion rate of 0.17 cfs, a total annual maximum diversion volume of 28 af at the field headgate, and the irrigation of 8 acres.
7.		The combined diversion rate limit described in this right does not apply to the delivery of storage water to the place of use described in this right by the Big Lost River Irrigation District.
8.	R04	Use of water under this water right will be regulated by the watermaster of State Water District No. 34, Big Lost River.
9.		Rights 34-14250 and 34-14252 when combined shall not exceed the irrigation of 8 acres.
10.	X27	This right is limited to the irrigation of 3.8 acres within the place of use described above in a single irrigation season.
11.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
12.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13.	065	The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
14.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Decreed Date: 01/25/2002

Owner Name Connector: And

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 8

Combined Volume Limit: 28

Combined Rate Limit: 0.16

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

A. DESCRIPTION OF RIGHT(S) AS RECORDEDWATER RIGHT NO. **34-14328**

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RANDAL G & SANDRA L DAMIANA PO BOX 570, MACKAY, ID 83251

Priority Date: 09/05/1961

Basis: Decreed

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>
IRRIGATION	04/01	10/31	0.11 CFS	37.8 AFA
Total Diversion			0.11 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 34	Township 07N	Range 24E	CUSTER County
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IRRIGATION Use: Acre Limit: 10.8

Place of Use Legal Description: IRRIGATION CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	24E	34		SWNE	11.9									
				SENE	2.2									

Total Acres: 14.1 IRRIGATION Use: Acre Limit: 10.8

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 10.8 acres within the authorized place of use in a single irrigation season.
2.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4.	212	Prior to diversion and use of water under Transfer approval 77758, the right holder shall install and maintain an acceptable measuring device at the authorized point of diversion, in accordance with Department specifications.
5.	R05	Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Decreed Date: 07/10/2002

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

APPLICATION FOR TRANSFER OF WATER RIGHT

Part 3

A. PLAT MAP (See Part 3A for 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.

B. CHANGES IN NATURE OF USE (Water Balance) N/A

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

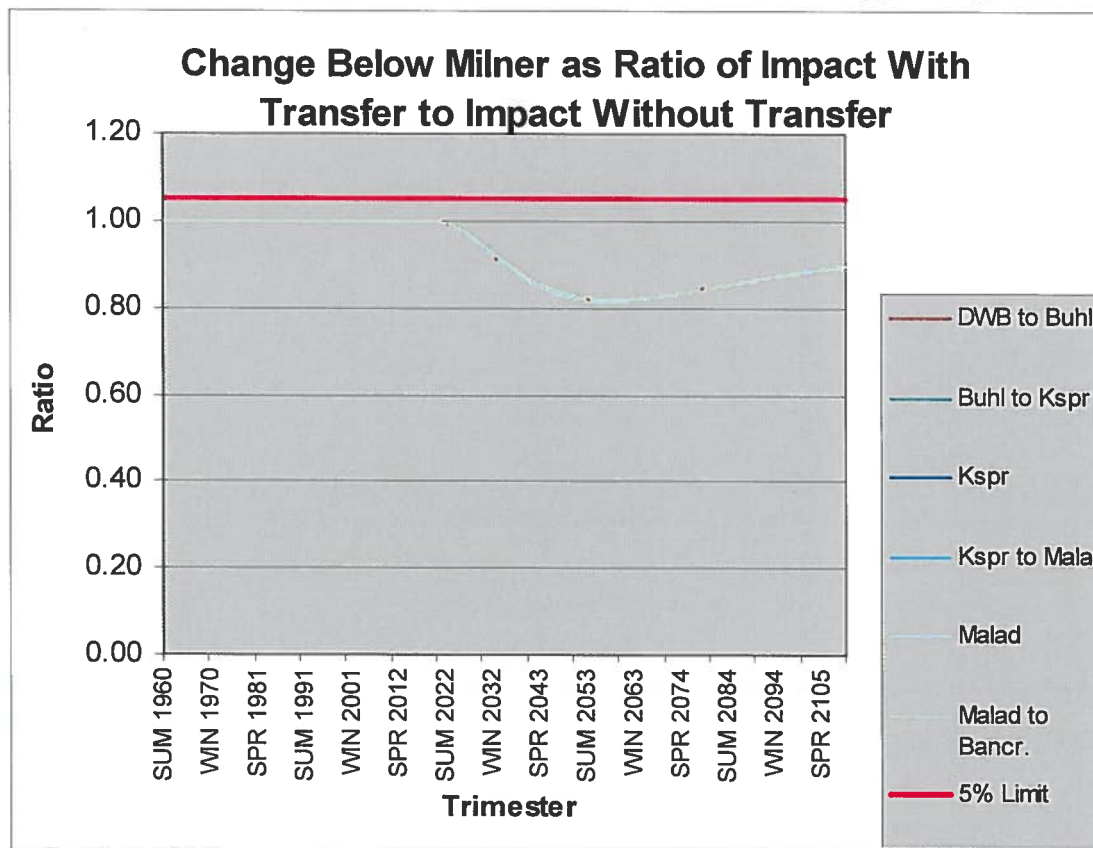
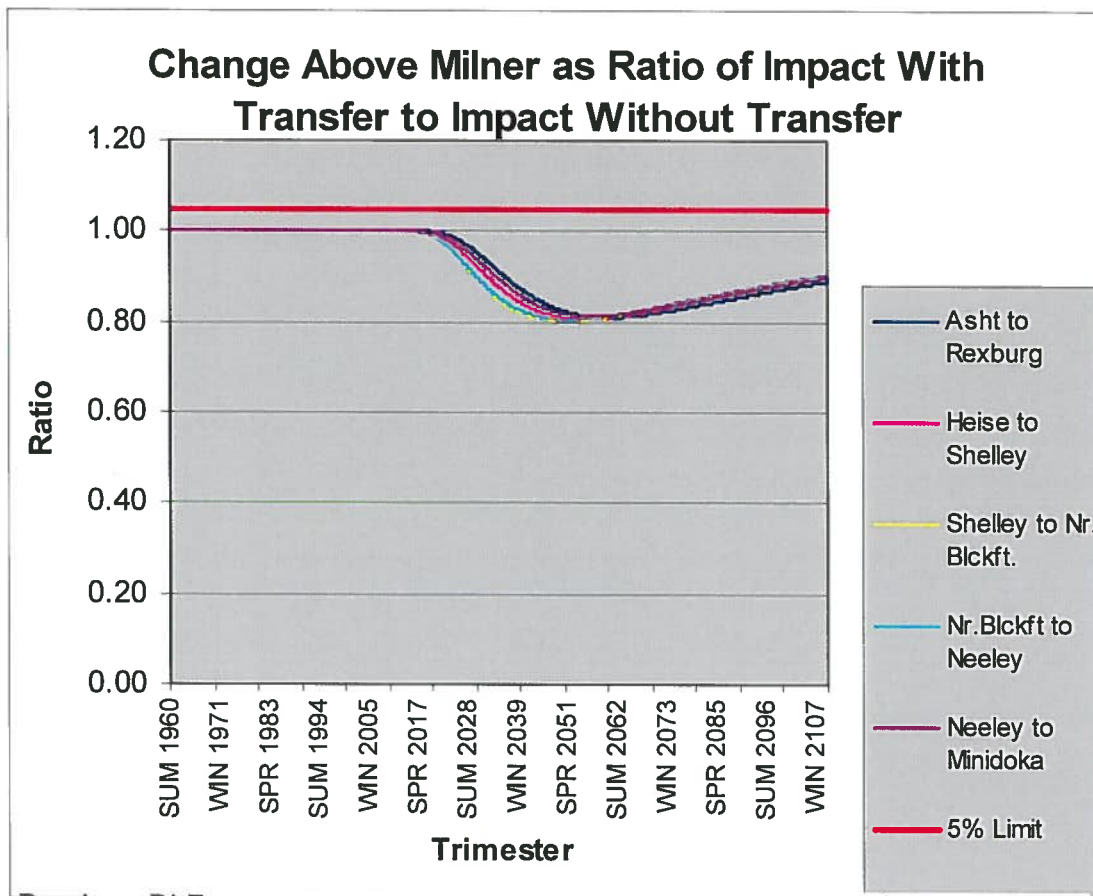
1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemental, 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 <u>SL</u>	Date <u>8/15/13</u>	Prelim. Check by _____	Date _____
Fee Paid <u>\$ 500</u>	Date <u>8/15/13</u>	Received by <u>SL</u>	Receipt # <u>E038995</u>
Add'l Fee Paid _____	Date _____	Received by _____	Receipt # _____

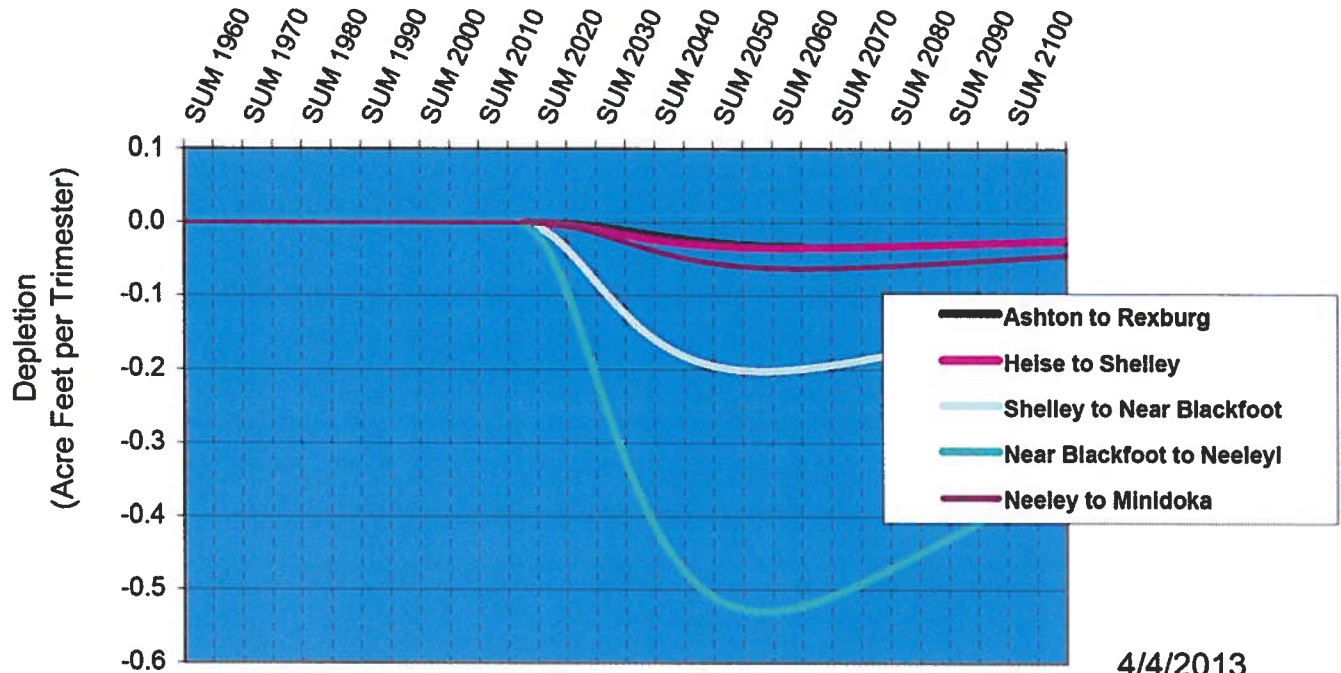
ENTER ST SIMULATI "UPDATE			
Data Entry			
YEAR	1960	TRANSFER NAME	
SEASON	SUMMER ▼	Damiana-BLR	
ENTER CELL LOCATIONS:			
	'TO' CELL	'FROM1' CELL	'FROM2' CELL
ROW	9	23	0
COLUMN	109	113	0
TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL With Transfer AF/TRIMESTER	
		Without Transfer AF/TRIMESTER	
SUM 1960	0	8	8
WIN 1960	0	0	0
SPR 1961	0	14	14
SUM 1961	0	14	14
WIN 1961	0	0	0
SPR 1962	0	14	14
SUM 1962	0	14	14
WIN 1962	0	0	0
SPR 2012	0	14	14
SUM 2012	0	14	14
WIN 2012	0	0	0
SPR 2013	14	0	14
SUM 2013	14	0	14
WIN 2013	0	0	0
SPR 2014	14	0	14
SUM 2014	14	0	14
WIN 2014	0	0	0
SPR 2109	14	0	14
SUM 2109	14	0	14
WIN 2109	0	0	0
SPR 2110	14	0	14



Change Ratio

period	Asht to Rex	Heise to Shelley	Shelley to Nr.Bckft.	Nr.Bckft to Neeley	Neeley to Minidoka	DWB to Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancr.	5% Limit
SPR 2013	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
SUM 2013	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
WIN 2013	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
SPR 2014	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
SUM 2014	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
WIN 2014	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
SPR 2015	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
SUM 2015	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
WIN 2015	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
SPR 2016	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
SUM 2016	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
WIN 2016	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
SPR 2017	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
SUM 2017	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
WIN 2017	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
SPR 2018	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
SUM 2018	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
WIN 2018	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%	1.05
SPR 2019	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	99.9%	1.05
SUM 2019	1.00	1.00	0.99	0.99	1.00	1.00	1.00	1.00	1.00	1.00	99.9%	1.05
WIN 2019	1.00	1.00	0.99	0.99	1.00	1.00	1.00	1.00	1.00	1.00	99.9%	1.05
SPR 2020	1.00	1.00	0.99	0.99	1.00	1.00	1.00	1.00	1.00	1.00	99.9%	1.05
SUM 2020	1.00	1.00	0.99	0.99	1.00	1.00	1.00	1.00	1.00	1.00	99.8%	1.05
WIN 2020	1.00	0.99	0.99	0.99	1.00	1.00	1.00	1.00	1.00	1.00	99.8%	1.05
SPR 2021	1.00	0.99	0.99	0.99	1.00	1.00	1.00	1.00	1.00	1.00	99.7%	1.05
SUM 2021	1.00	0.99	0.99	0.98	1.00	1.00	1.00	1.00	1.00	1.00	99.7%	1.05
WIN 2021	1.00	0.99	0.98	0.98	0.99	1.00	1.00	1.00	1.00	1.00	99.6%	1.05
SPR 2022	1.00	0.99	0.98	0.98	0.99	0.99	0.99	0.99	0.99	0.99	99.5%	1.05
SUM 2022	1.00	0.99	0.98	0.98	0.99	0.99	0.99	0.99	0.99	0.99	99.4%	1.05
WIN 2022	0.99	0.99	0.98	0.98	0.99	0.99	0.99	0.99	0.99	0.99	99.3%	1.05
SPR 2101	0.88	0.88	0.89	0.89	0.88	0.88	0.88	0.88	0.88	0.88	88.0%	1.05
SUM 2101	0.88	0.88	0.89	0.89	0.88	0.88	0.88	0.88	0.88	0.88	88.1%	1.05
WIN 2101	0.88	0.88	0.89	0.89	0.88	0.88	0.88	0.88	0.88	0.88	88.1%	1.05
SPR 2102	0.88	0.88	0.89	0.89	0.89	0.88	0.88	0.88	0.88	0.88	88.2%	1.05
SUM 2102	0.88	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	88.2%	1.05
WIN 2102	0.88	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	88.3%	1.05
SPR 2103	0.88	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	88.3%	1.05
SUM 2103	0.88	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	88.4%	1.05
WIN 2103	0.88	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	88.4%	1.05
SPR 2104	0.88	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	88.5%	1.05
SUM 2104	0.88	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	88.5%	1.05
WIN 2104	0.88	0.89	0.89	0.90	0.89	0.89	0.89	0.89	0.89	0.89	88.6%	1.05
SPR 2105	0.88	0.89	0.90	0.90	0.89	0.89	0.89	0.89	0.89	0.89	88.6%	1.05
SUM 2105	0.88	0.89	0.90	0.90	0.89	0.89	0.89	0.89	0.89	0.89	88.7%	1.05
WIN 2105	0.88	0.89	0.90	0.90	0.89	0.89	0.89	0.89	0.89	0.89	88.8%	1.05
SPR 2106	0.88	0.89	0.90	0.90	0.89	0.89	0.89	0.89	0.89	0.89	88.8%	1.05
SUM 2106	0.88	0.89	0.90	0.90	0.89	0.89	0.89	0.89	0.89	0.89	88.9%	1.05
WIN 2106	0.88	0.89	0.90	0.90	0.89	0.89	0.89	0.89	0.89	0.89	88.9%	1.05
SPR 2107	0.89	0.89	0.90	0.90	0.89	0.89	0.89	0.89	0.89	0.89	89.0%	1.05
SUM 2107	0.89	0.89	0.90	0.90	0.89	0.89	0.89	0.89	0.89	0.89	89.0%	1.05
WIN 2107	0.89	0.89	0.90	0.90	0.89	0.89	0.89	0.89	0.89	0.89	89.1%	1.05
SPR 2108	0.89	0.89	0.90	0.90	0.89	0.89	0.89	0.89	0.89	0.89	89.1%	1.05
SUM 2108	0.89	0.89	0.90	0.90	0.90	0.89	0.89	0.89	0.89	0.89	89.2%	1.05
WIN 2108	0.89	0.89	0.90	0.90	0.90	0.89	0.90	0.90	0.90	0.90	89.2%	1.05
SPR 2109	0.89	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	89.3%	1.05
SUM 2109	0.89	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	89.3%	1.05
WIN 2109	0.89	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	89.4%	1.05
SPR 2110	0.89	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	89.4%	1.05

Net Transfer Effect Above Milner (Total Effect With Transfer - Total Effect Without Transfer)

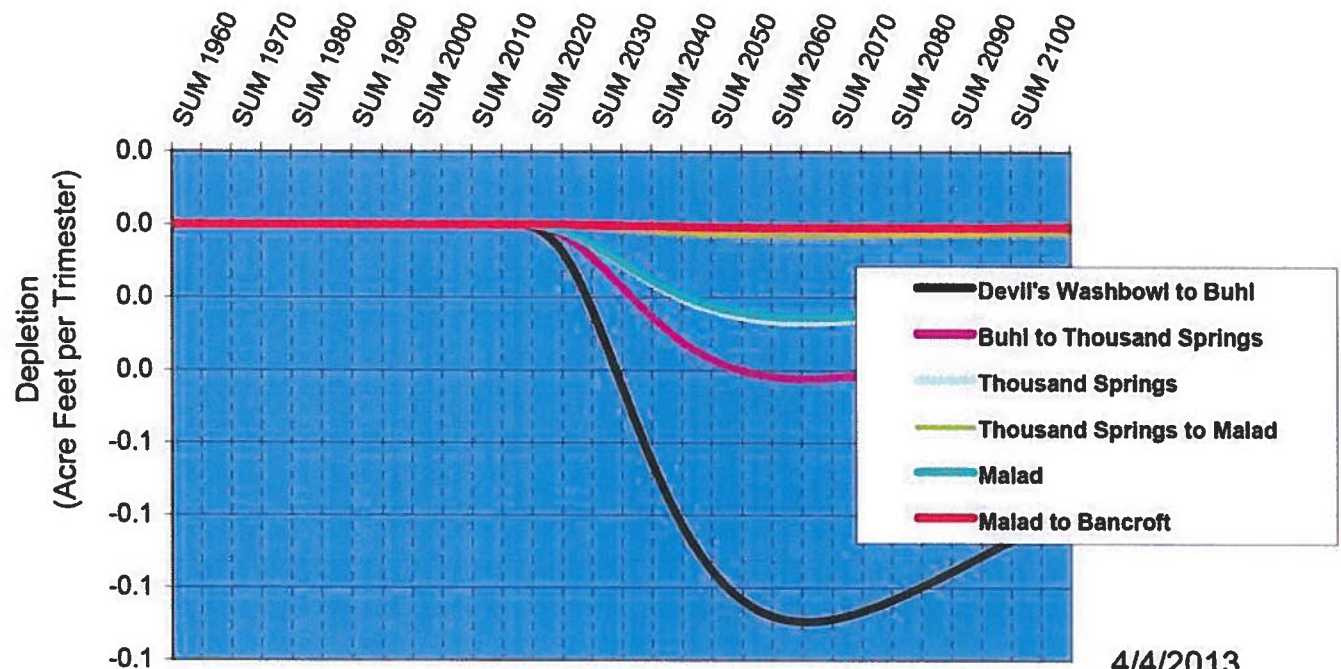


4/4/2013
Version 3.1

Customer Name: **Damiana-BLR**

Transfer No:

Net Transfer Effect Below Milner (Total Effect With Transfer - Total Effect Without Transfer)



4/4/2013
Version 3.1

Customer Name: **Damiana-BLR**

Transfer No:

Net Effects

period	Asht to Rex	Heise to Shelley	Shelley to Nr.Bickft.	Nr.Bickft to Neeley	Neeley to Minidoka	DWB to Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancr.
SPR 2013	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2013	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2013	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2014	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2014	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2014	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2015	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2015	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2015	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2016	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2016	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2016	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2017	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2017	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2017	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2019	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2019	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2019	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2020	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2022	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2022	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2023	0.0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2023	0.0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2023	0.0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	0.0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	0.0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	0.0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	0.0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	0.0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	0.0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	0.0	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	0.0	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	0.0	0.0	-0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2105	0.0	0.0	-0.1	-0.4	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
SUM 2105	0.0	0.0	-0.1	-0.4	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
WIN 2105	0.0	0.0	-0.1	-0.4	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
SPR 2106	0.0	0.0	-0.1	-0.4	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
SUM 2106	0.0	0.0	-0.1	-0.4	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
WIN 2106	0.0	0.0	-0.1	-0.4	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
SPR 2107	0.0	0.0	-0.1	-0.4	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
SUM 2107	0.0	0.0	-0.1	-0.4	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
WIN 2107	0.0	0.0	-0.1	-0.4	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
SPR 2108	0.0	0.0	-0.1	-0.4	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
SUM 2108	0.0	0.0	-0.1	-0.4	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
WIN 2108	0.0	0.0	-0.1	-0.4	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
SPR 2109	0.0	0.0	-0.1	-0.4	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
SUM 2109	0.0	0.0	-0.1	-0.4	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
WIN 2109	0.0	0.0	-0.1	-0.3	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
SPR 2110	0.0	0.0	-0.1	-0.3	0.0	-0.1	0.0	0.0	0.0	0.0	0.0

Mitigation Analysis

One-Way Analysis of Independent Transfers

Impact by Reach (AF/Trimester)

	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft to Neeley	Neeley to Minidoka	Dev. Wbl. to Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
Pre-SS	0.22	0.23	1.35	3.57	0.43	0.76	0.29	0.19	0.02	0.18	0.01
Post-SS	0.20	0.21	1.22	3.23	0.39	0.68	0.26	0.17	0.02	0.16	0.01
Pre-TS	0.22	0.23	1.35	3.57	0.43	0.76	0.29	0.19	0.02	0.18	0.01
Post-TS	0.20	0.21	1.22	3.23	0.39	0.68	0.26	0.17	0.02	0.16	0.01

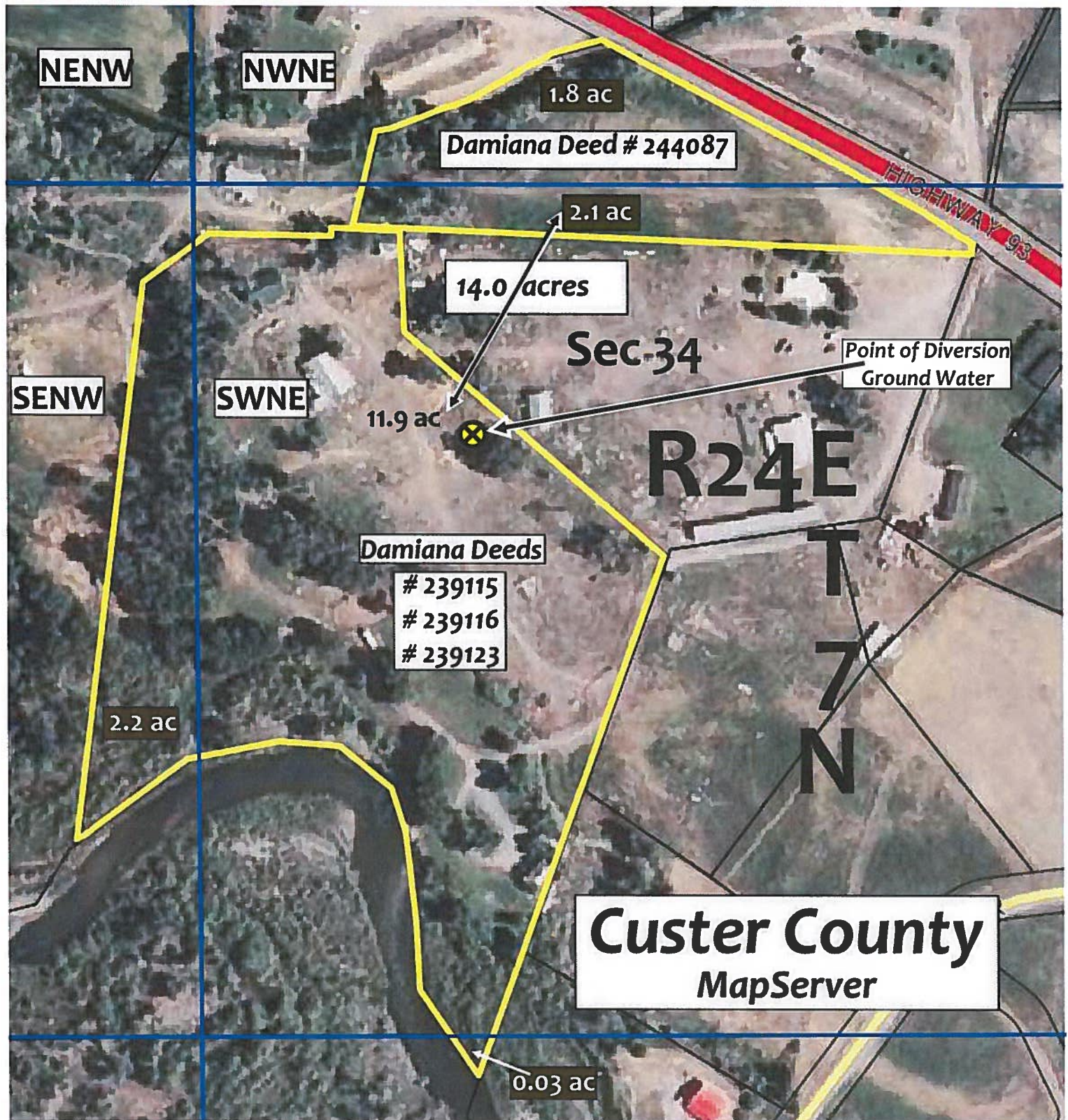
Steady State Analysis

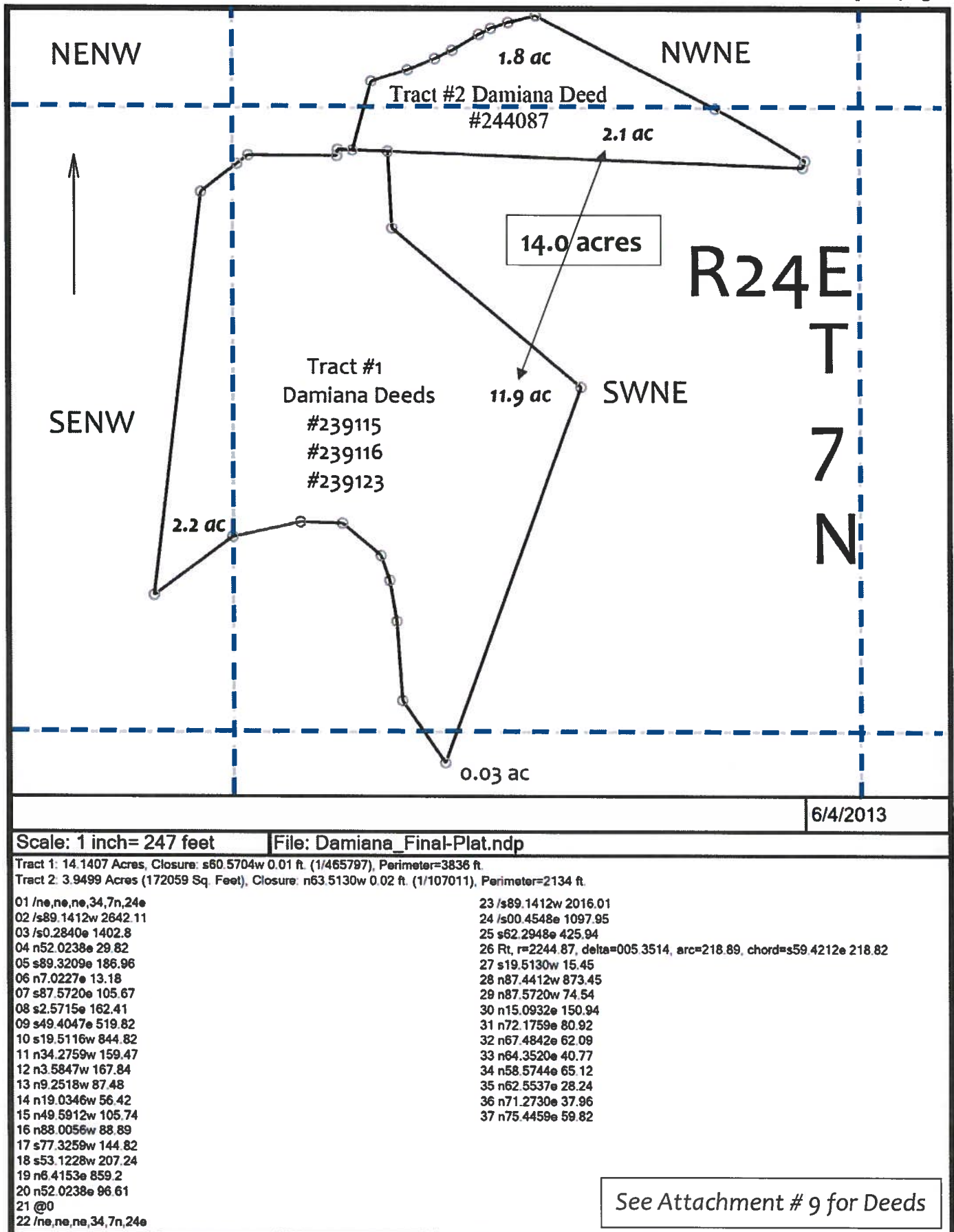
Mitigation Check 1 - >10% of Historical:	-10.9%	-10.2%	-9.7%	-9.6%	-10.2%	-10.2%	-10.2%	-10.2%	-10.2%	-10.2%	-10.5%
Mitigation Check 2: > 2 AF/T:	0.0	0.0	-0.1	-0.3	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total:	3.0%	3.2%	18.7%	49.4%	6.0%	10.4%	4.0%	2.6%	0.3%	2.4%	0.1%
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	-0.1	-0.3	0.0	-0.1	0.0	0.0	0.0	0.0	0.0

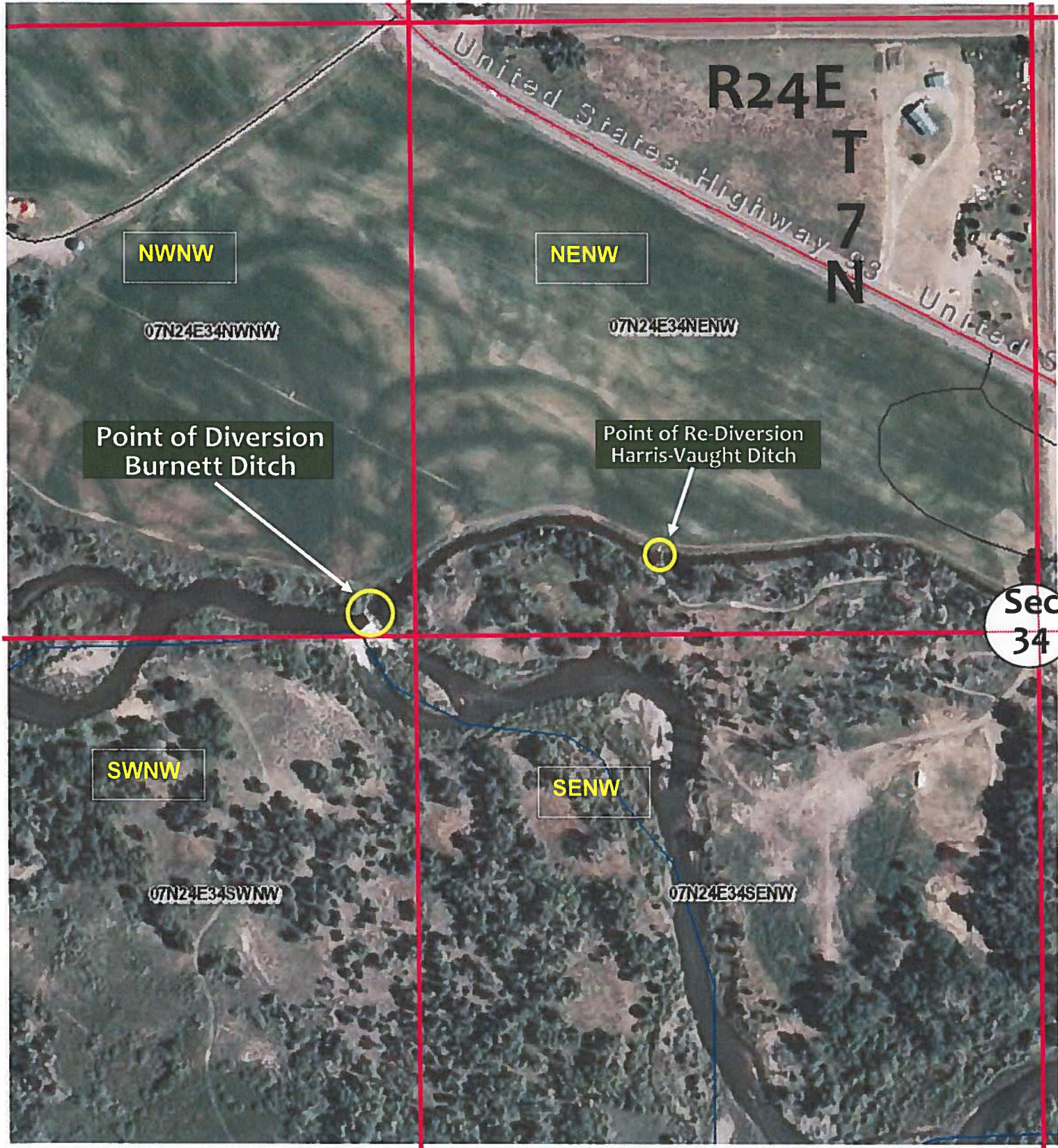
Transient State Analysis

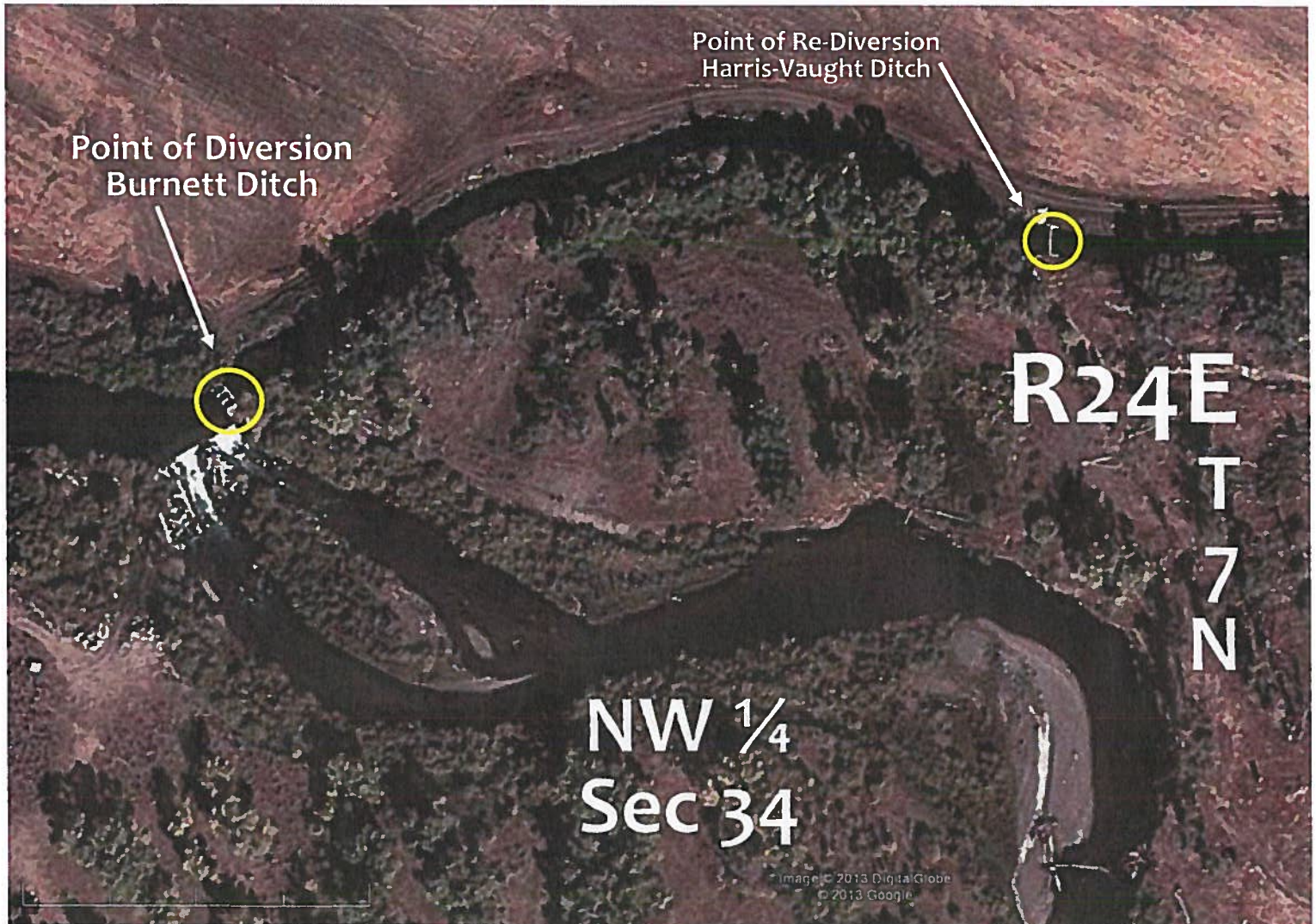
Mitigation Check 1 - >10% of Historical:	-10.9%	-10.2%	-9.7%	-9.6%	-10.2%	-10.2%	-10.2%	-10.2%	-10.2%	-10.2%	-10.5%
Mitigation Check 2: > 2.01 AF/T:	0.0	0.0	-0.1	-0.3	0.0	-0.1	0.0	0.0	0.0	0.0	0.0
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	-0.1	-0.3	0.0	-0.1	0.0	0.0	0.0	0.0	0.0

Based on this ESPA Analysis No Mitigation is required in either the Steady State Analysis or the Transient State Analysis







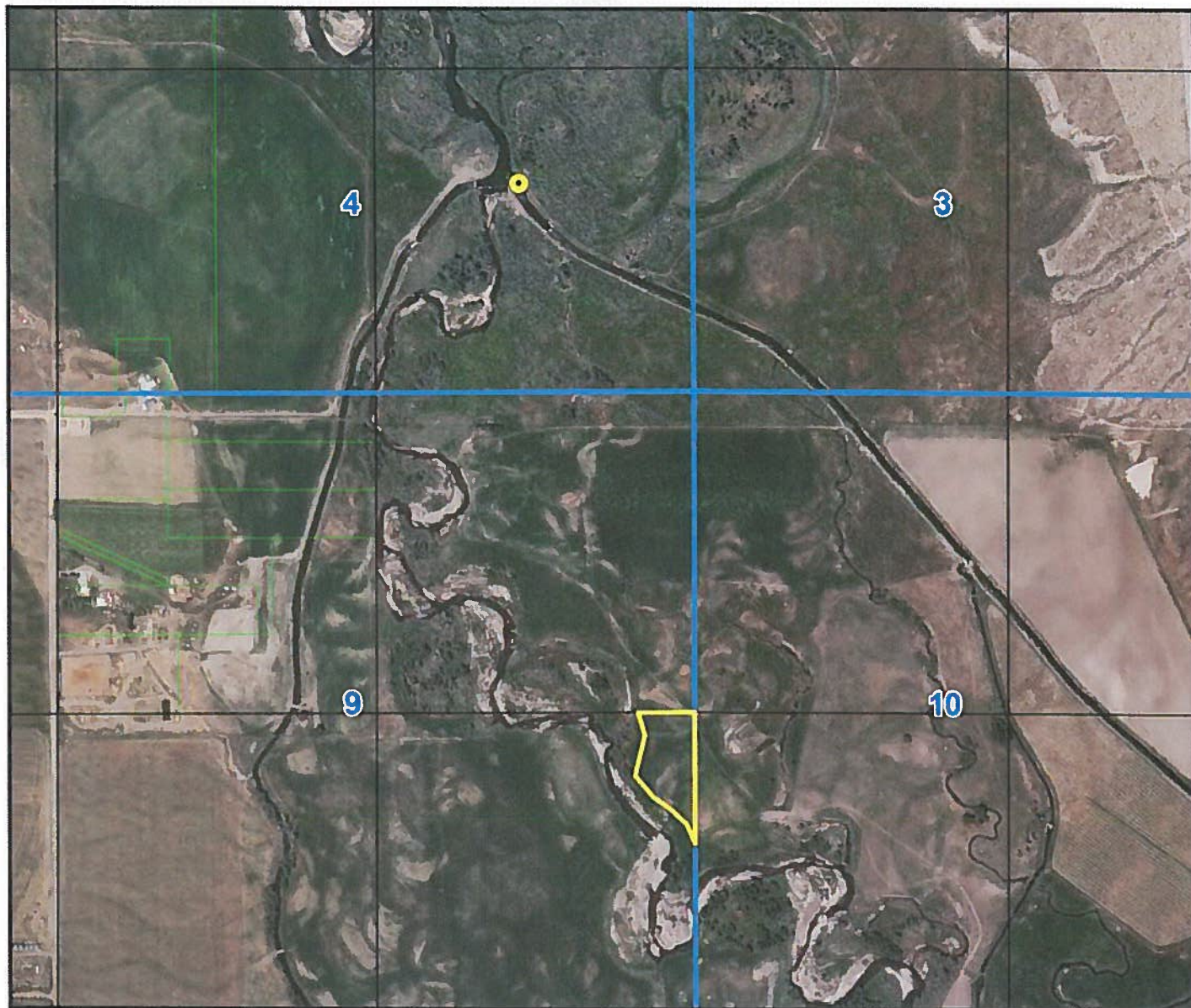


Water Rights: 34-14246 & 34-14248

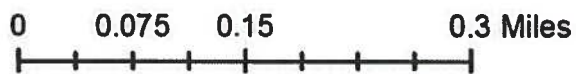
Source: Big Lost River

26E

05N

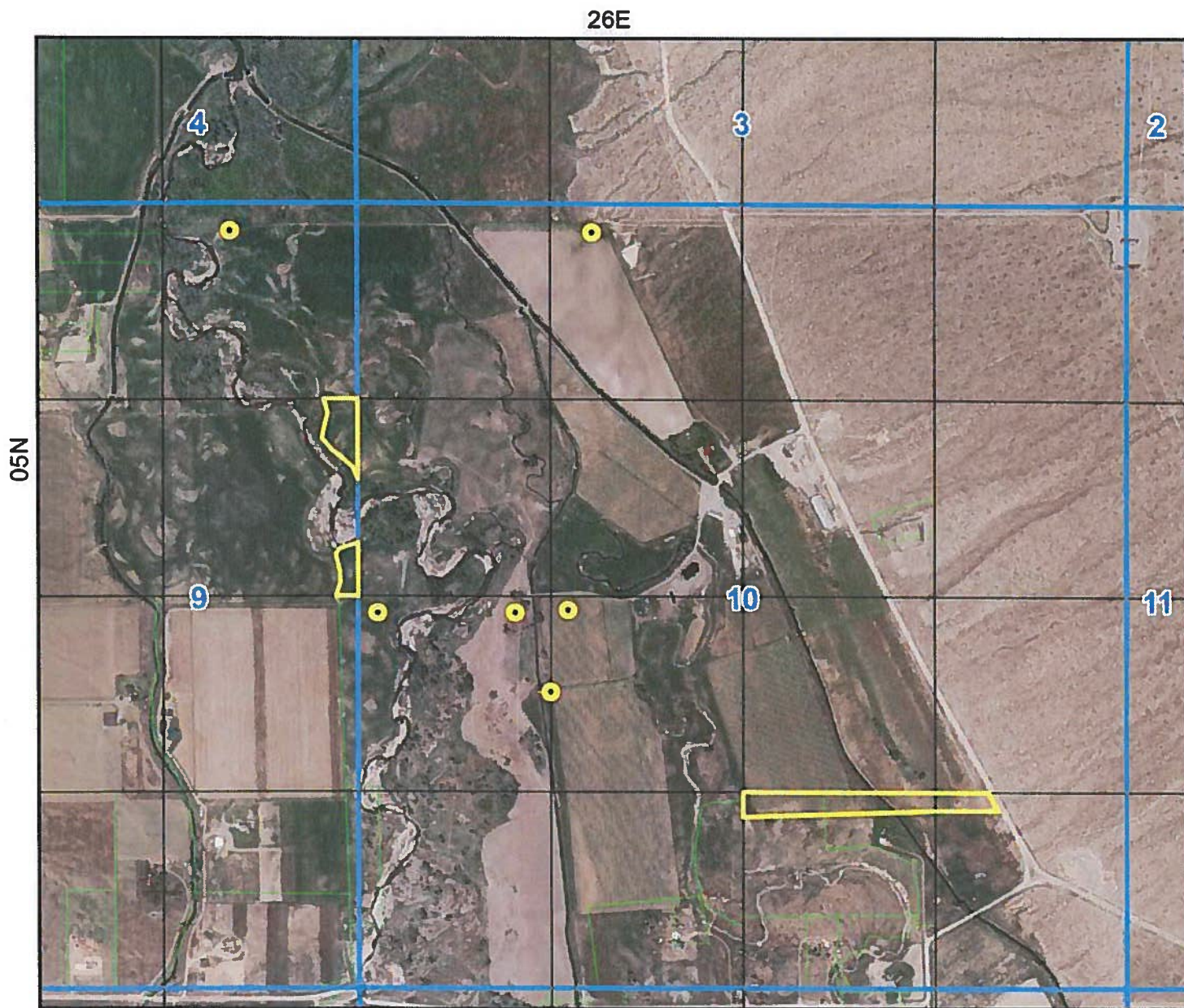


- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots



Water Rights: 34-14250 & 34-14252

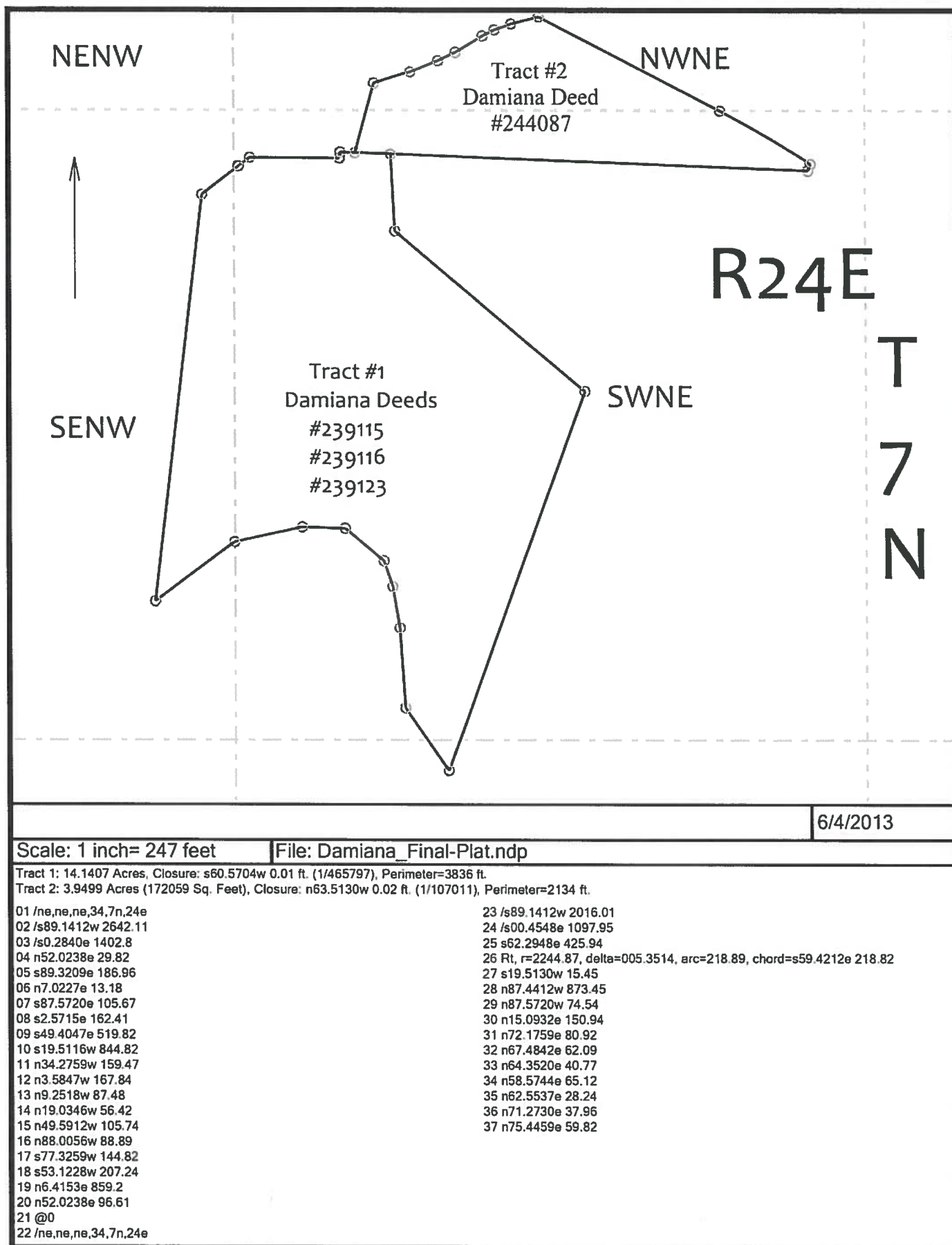
Source: Ground Water



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

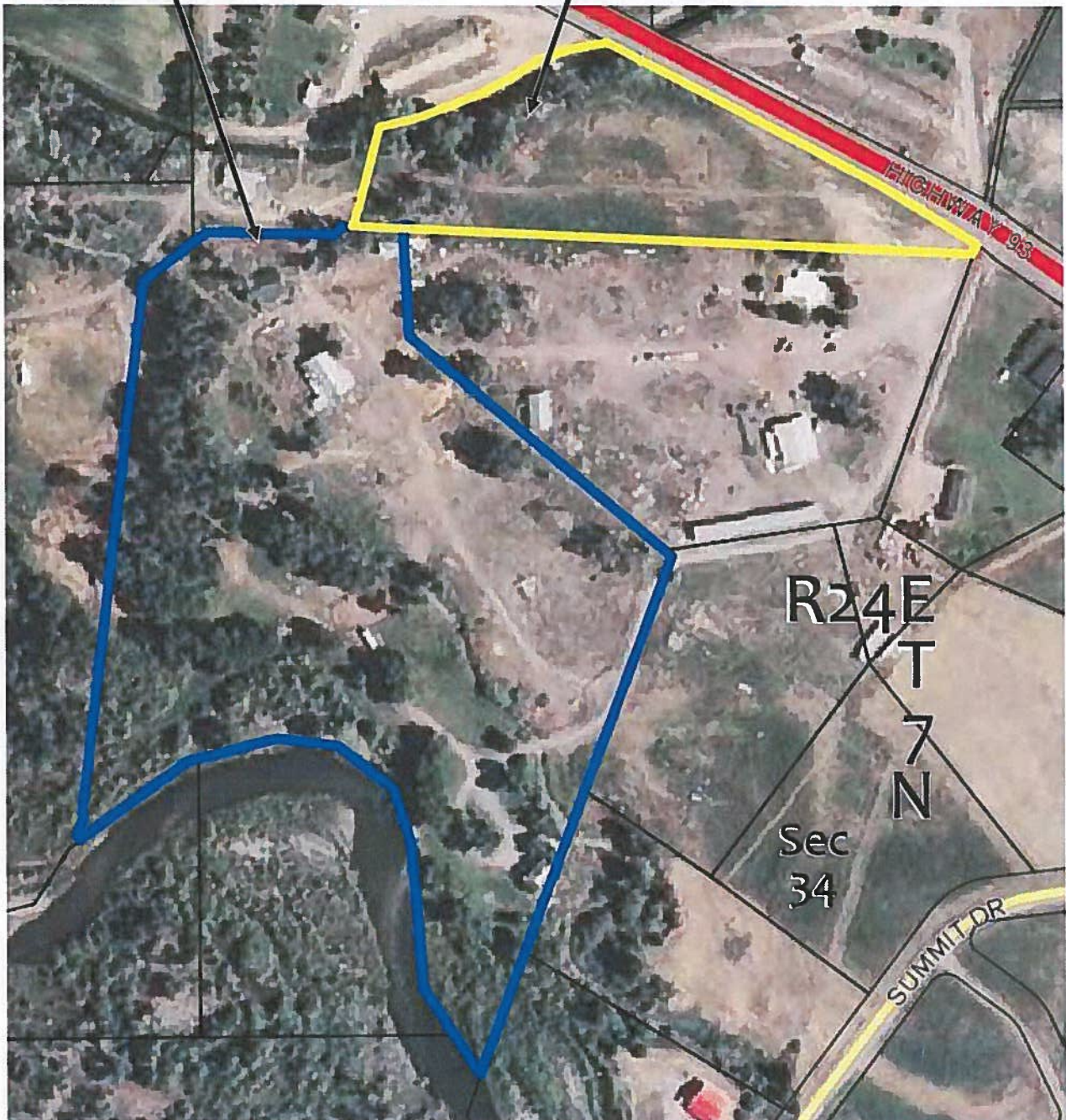
0 0.15 0.3 0.6 Miles





RP07N24E341232 Property Detail
Mailing Address:
DAMIANA, RANDAL G
PO BOX 570
MACKAY, ID 83251
Deeds (Last Deed Date: 07/03/2008)
239115
239116
239123
Legal Description:
TRACT 09-08 TRACT 09-09 SEC 34 T7N R24E

RP07N24E340700 Property Detail
Mailing Address:
DAMIANA, RANDAL G
PO BOX 570
MACKAY, ID 83251
Deeds (Last Deed Date: 05/13/2011)
244087
Legal Description:
TRACT 09-11 SEC 34 T7N R24E



239115

QUITCLAIM DEED

For Value Received

WILLIAM and STEPHANIE H. GREEN

Tract # 1
Pg 1 of 3

do hereby convey, release, remise and forever quit claim unto

RANDAL G. and SANDRA L. DAMIANA
P.O. Box 570
Mackay, ID. 83251

the following described premisses, to wit:

Part of the South 1/2 Section 34 Township 7 North Range 24 East B.M. Custer County, Idaho described as:
Commencing at the NE corner of Section 34 said point being marked by a 5/8" rebar and aluminum cap marked Custer County P.L.S. 4107; thence S 89°14'12" W 2642.11' feet to the North 1/4 corner of Section 34 from which the NW corner of Section 34 bears S 89°14'12" W 2642.11' feet and is marked by a 5/8" rebar and aluminum cap marked Custer County P.L.S. 4107; thence S 00°28'40" E 1402.80' feet along the West line of the East 1/2 of Section 34 to the POINT OF BEGINNING. Thence N 52°02'38" E 29.82' feet along a fence line to a 1/2" rebar and plastic cap marked PLS 5360; thence S 89°32'09" E 186.96' feet along said fence to a 1/2" rebar and plastic cap marked PLS 5360; thence N 07°02'27" E 13.18' feet along said fence to a 1/2" rebar marked PLS 5360; thence S 87°57'20" E 105.67' feet along said fence to a 1/2" rebar marked PLS 5360; thence S 02°57'15" E 162.41' feet along said fence to a 1/2" rebar marked PLS 5360; thence S 49°40'47" E 519.82' feet along said fence line extended to the Westerly line of Lands of Max & Charlotte Wall said point being marked with a 1/2" rebar marked PLS 5360; thence S 19°51'16" W 844.82' feet along the Westerly line of said lands and the Westerly line of McCaleb Estates Subdivision as recorded in Custer County as Instrument 202204 to the Bank of the Big Lost River; thence along said Bank the following (8) Eight Courses; thence (1) N 34°27'59" W 159.47' feet; thence (2) N 03°58'47" W 167.84' feet; thence (3) N 09°25'18" W 87.48' feet; thence (4) N 19°03'46" W 56.42' feet; thence (5) N 49°59'12" W 105.74' feet; thence (6) N 88°00'56" W 88.89' feet; thence (7) S 77°32'59" W 144.82' feet; thence (8) S 53°12'28" W 207.24' feet to a 1/2" rebar and plastic cap marked PLS 5360; thence N 06°41'53" E 859.20' feet to a 1/2" rebar and plastic cap marked PLS 5360; thence N 52°02'38" E 96.61' feet to the POINT OF BEGINNING. Parcel contains 14.14 Acres more or less and is subject and attached to the following described Ingress-Egress Easement

Part of the South 1/2 NE 1/4 Section 34 Township 7 North Range 24 East B.M. Custer County, Idaho described as:
Commencing at the NE corner of Section 34 which is marked with a 5/8" rebar and aluminum cap marked Custer County P.L.S. 4107; thence S 89°14'12" W 1470.53' feet along the Section line from which the NW corner of Section 34 bears S 89°14'12" W 3813.69' feet and is marked with a 5/8" rebar marked Custer County P.L.S. 4107; thence S 00°45'48" E 1401.19' feet to the POINT OF BEGINNING. Said point of beginning being on a curve on the Southerly Right of Way line of U.S. Highway No. 93 who's center bears S 32°33'58" W 2244.87' feet; thence Southeasterly 20.53' feet along a curve to the Right (Curve Data, Delta...00°31'26", Radius...2244.87' feet, Chord Bearing...S 57°10'19" E 20.53' feet) to the NW corner of the Lands of Harold C. Lambert; thence S 19°51'30" W 445.38' feet (of record 480') to the SW corner of said Lands; thence S 81°10'32" W 322.12' feet along the Northerly line of the Lands of Max & Charlotte Walls; thence S 19°51'16" W 391.20' feet to the SW corner of said Lands of Max & Charlotte Walls; thence N 55°36'53" W 20.66' feet on a Westerly extension of the South line of said Lands; thence N 19°51'16" E 397.87' feet; thence N 81°10'32" E 322.12' feet; thence N 19°51'30" E 438.13' feet to the POINT OF BEGINNING

together with their appurtenances

Dated: June 24 2008


William Green


Stephanie H. Green
STATE OF IDAHO, COUNTY OF Custer

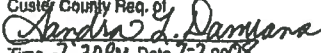
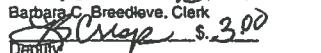
On this 24th day of June, 2008
before me a notary public in and for said State
personally appeared William Green & Stephanie H. Green

known to me to be the person whose name
subscribed to the within instrument, and
acknowledged to me that they executed
the same.


Notary Public
Residing at Mackay, Idaho
Commission Expires: 2-25-2009

RECORDING DATA

TERRI PRITCHETT
NOTARY PUBLIC
STATE OF IDAHO

239115
Custer County Reg. of

Time 2:30 PM Date 7-3-2008
Barbara C. Breedlove, Clerk
 s. 300
Deputy

QUITCLAIM DEED

239116

Tract # 1
Pg 2 of 3

For Value Received

MAX E. and CHARLOTTE J. WALL

do hereby convey, release, remise and forever quit claim unto

RANDAL G. and SANDRA L. DAMIANA
P.O. Box 570
Mackay, ID. 83251

the following described premisses, to wit:

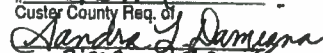
Part of the South 1/2 Section 34 Township 7 North Range 24 East B.M. Custer County, Idaho described as:
Commencing at the NE corner of Section 34 said point being marked by a 5/8" rebar and aluminum cap marked Custer County P.L.S. 4107; thence S 89°14'12" W 2642.11' feet to the North 1/4 corner of Section 34 from which the NW corner of Section 34 bears S 89°14'12" W 2642.11' feet and is marked by a 5/8" rebar and aluminum cap marked Custer County P.L.S. 4107; thence S 00°28'40" E 1402.80' feet along the West line of the East 1/2 of Section 34 to the POINT OF BEGINNING. Thence N 52°02'38" E 29.82' feet along a fence line to a 1/2" rebar and plastic cap marked PLS 5360; thence S 89°32'09" E 186.96' feet along said fence to a 1/2" rebar and plastic cap marked PLS 5360; thence N 07°02'27" E 13.18' feet along said fence to a 1/2" rebar marked PLS 5360; thence S 87°57'20" E 105.67' feet along said fence to a 1/2" rebar marked PLS 5360; thence S 02°57'15" E 162.41' feet along said fence to a 1/2" rebar marked PLS 5360; thence S 49°40'47" E 519.82' feet along said fence line extended to the Westerly line of Lands of Max & Charlotte Wall said point being marked with a 1/2" rebar marked PLS 5360; thence S 19°51'16" W 844.82' feet along the Westerly line of said lands and the Westerly line of McCaleb Estates Subdivision as recorded in Custer County as Instrument 202204 to the Bank of the Big Lost River; thence along said Bank the following (8) Eight Courses; thence (1) N 34°27'59" W 159.47' feet; thence (2) N 03°58'47" W 167.84' feet; thence (3) N 09°25'18" W 87.48' feet; thence (4) N 19°03'46" W 56.42' feet; thence (5) N 49°59'12" W 105.74' feet; thence (6) N 88°00'56" W 88.89' feet; thence (7) S 77°32'59" W 144.82' feet; thence (8) S 53°12'28" W 207.24' feet to a 1/2" rebar and plastic cap marked PLS 5360; thence N 06°41'53" E 859.20' feet to a 1/2" rebar and plastic cap marked PLS 5360; thence N 52°02'38" E 96.61' feet to the POINT OF BEGINNING. Parcel contains 14.14 Acres more or less and is subject and attached to the following described Ingress-Egress Easement

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together with their appurtenances

Dated: 6-24-2008


Max E. Wall

239116
Custer County Rec. of

Time 2:30 PM Date 6-30-08
Barbara C. Breedlove, Clerk
 \$3.00
Deputy


Charlotte J. Wall
STATE OF IDAHO, COUNTY OF Custer

RECORDING DATA

On this 24th day of June 2008
before me a notary public and for said State
personally appeared MAX E. WALL
& Charlotte J. Wall
known to me to be the person whose name
subscribed to the within instrument, and
acknowledged to me that they executed
the same

Notary Public
Residing at Mackay, Idaho
Commission Expires: 2-25-2009

TERRI PRITCHETT
NOTARY PUBLIC
STATE OF IDAHO

QUITCLAIM DEED

239123

Tract # 1
Pg 3 of 3

For Value Received

BETTY PEHRSON

do hereby convey, release, remise and forever quit claim unto

RANDAL G. and SANDRA L. DAMIANA
P.O. Box 570
Mackay, ID. 83251

the following described premisses, to wit:

Part of the South 1/4 Section 34 Township 7 North Range 24 East B.M. Custer County, Idaho described as:
Commencing at the NE corner of Section 34 said point being marked by a 5/8" rebar and aluminum cap marked Custer County P.L.S. 4107; thence S 89°14'12" W 2642.11' feet to the North 1/4 corner of Section 34 from which the NW corner of Section 34 bears S 89°14'12" W 2642.11' feet and is marked by a 5/8" rebar and aluminum cap marked Custer County P.L.S. 4107; thence S 00°28'40" E 1402.80' feet along the West line of the East 1/2 of Section 34 to the POINT OF BEGINNING. Thence N 52°02'38" E 29.82' feet along a fence line to a 1/2" rebar and plastic cap marked PLS 5360; thence S 89°32'09" E 186.96' feet along said fence to a 1/2" rebar and plastic cap marked PLS 5360; thence N 07°02'27" E 13.18' feet along said fence to a 1/2" rebar marked PLS 5360; thence S 87°57'20" E 105.67' feet along said fence to a 1/2" rebar marked PLS 5360; thence S 02°57'15" E 162.41' feet along said fence to a 1/2" rebar marked PLS 5360; thence S 49°40'47" E 519.82' feet along said fence line extended to the Westerly line of Lands of Max & Charlotte Wall said point being marked with a 1/2" rebar marked PLS 5360; thence S 19°51'16" W 844.82' feet along the Westerly line of said lands and the Westerly line of McCaleb Estates Subdivision as recorded in Custer County as Instrument 202204 to the Bank of the Big Lost River; thence along said Bank the following (8) Eight Courses; thence (1) N 34°27'59" W 159.47' feet; thence (2) N 03°58'47" W 167.84' feet; thence (3) N 09°25'18" W 87.48' feet; thence (4) N 19°03'46" W 56.42' feet; thence (5) N 49°59'12" W 105.74' feet; thence (6) N 88°00'56" W 88.89' feet; thence (7) S 77°32'59" W 144.82' feet; thence (8) S 53°12'28" W 207.24' feet to a 1/2" rebar and plastic cap marked PLS 5360; thence N 06°41'53" E 859.20' feet to a 1/2" rebar and plastic cap marked PLS 5360; thence N 52°02'38" E 96.61' feet to the POINT OF BEGINNING. Parcel contains 14.14 Acres more or less and is subject and attached to the following described Ingress-Egress Easement

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together with their appurtenances

Dated: June 24 2008

Betty Pehrson
Betty Pehrson

Custer County Reg. of
Sandra L. Damiani
Time 2:30 P.M. Date 7-3-2008
Barbara C. Breedlove, Clerk
B. Breedlove \$300
Deputy

STATE OF IDAHO, COUNTY OF Custer
On this 24th day of June, 2008
before me a notary public in and for said State
personally appeared

Betty Pehrson
known to me to be the person whose name
subscribed to the within instrument, and
acknowledged to me that she executed
the same

Terri Pritchett
Notary Public
Residing at Mackay, Idaho
Commission Expires: 2-25-2009

RECORDING DATA

TERRI PRITCHETT
NOTARY PUBLIC
STATE OF IDAHO

RECORDING REQUESTED BY

First American Title Company

AND WHEN RECORDED MAIL TO:First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

232077

Tract # 2
Pg 1 of 2

232077

Custer County Reg. of
First American Title
Time 11:41 AM Date 8/12/2005
Ethel M. Peck, Clerk
Wanda Barber \$6.00
Deputy

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 122673-B (Id)

Date: July 28, 2005

For Value Received, **Lyn McQuilliams, successor personal representative of the Estate of Howard McQuilliams and Heir of Monique McQuilliams**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Randal G. Damiana and Sandra L. Damiana, husband and wife**, hereinafter called the Grantee, whose current address is **4277 N. US Hwy 93, Mackay, Idaho 83251**, the following described premises, situated in **Custer County, Idaho**, to-wit:

COMMENCING AT THE E $\frac{1}{4}$ CORNER OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 24 E.B.M., CUSTER COUNTY, IDAHO, THENCE N. 89°47'54" W. 2254.82 FEET TO A POINT ON THE EAST BANK OF BIG LOST RIVER AND THE POINT OF BEGINNING; THENCE N. 19°52'04" E. 725.77 FEET TO THE SW CORNER OF THE GARY TETHEROW PROPERTY RECORDED IN RECORDS OF CUSTER COUNTY, IDAHO, AS INSTRUMENT NO. 160072; THENCE N. 57°30' W. 512 FEET ALONG SAID TETHEROW LAND; THENCE N. 12°53' W. 139 FEET ALONG SAID PROPERTY; THENCE N. 84°02' E. 923 FEET, MORE OR LESS, TO THE NE CORNER THEREOF; THENCE NORTHEASTERLY 37 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. 93; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE TO THE NORTH LINE OF THE SW $\frac{1}{4}$ NE $\frac{1}{4}$, SAID SECTION 34; THENCE WEST ON SAID NORTH LINE OF THE SW $\frac{1}{4}$ NE $\frac{1}{4}$ TO THE NW CORNER OF SAID SW $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE SOUTH ON THE WEST LINE OF SAID SW $\frac{1}{4}$ NE $\frac{1}{4}$ TO THE NORTH BANK OF SAID BIG LOST RIVER; THENCE IN A SOUTHEASTERLY DIRECTION MEANDERING SAID RIVER TO THE POINT OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

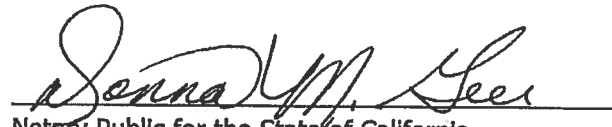
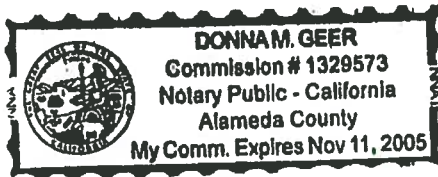
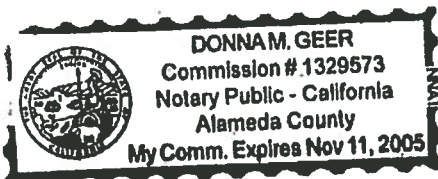
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

232077

Date: 07/28/2005

Warranty Deed
- continued

File No.: 122673-B (Id)

Tract # 2
Pg 2 of 2Lyn McQuilliams, successor personal
representative of the Estate of Howard
McQuilliams
Lyn McQuilliams
Lyn McQuilliamsSTATE OF California)
COUNTY OF Alameda)
SS.On this 8th day of August, 2005, before me, a Notary Public in and for said State, personally appeared **Lyn McQuilliams**, known or identified to me 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.
Notary Public for the State of California
Residing at: Fremont, CA
My Commission Expires: Nov. 11, 2005STATE OF California)
COUNTY OF Alameda)
SS.On this 8th day of August, 2005, before me, a Notary Public in and for said State, personally appeared **Lyn McQuilliams**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as successor personal representative of the **the Estate of Howard McQuilliams**, and acknowledged to me that he executed the same as such successor personal representative.
Notary Public of California
Residing at: Fremont, CA
Commission Expires: Nov. 11, 2005