

RECEIVED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 78224

OCT 19 2012

## MINIMUM REQUIREMENTS CHECKLIST

WATER RESOURCES  
WESTERN REGION

## 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/>.

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: \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 78224

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Name of Applicant(s) Richard A. Allison & Toni Jo Allison H&W Phone 208-888-6728  
Mailing address 1108 W. 4th St Meridian, Id 83642 Email RAllison@mindspring.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.

Richard A. Allison  
Signature of Applicant or Authorized Representative

\_\_\_\_\_  
Print Name and Title if applicable

9-21-12  
Date

Toni Jo Allison  
Signature of Applicant or Authorized Representative

\_\_\_\_\_  
Print Name and Title if applicable

9-21-12  
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 CHANGE OWNERSHIP
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**. Correct legal description for P.O.D. & POU.  
Since land reacquired in MAR 2009 and previous  
LEGAL INCORRECT

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<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------------------|---------------|---------------|--------------------|
| <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;">           All or Part<br/> <input checked="" type="checkbox"/> <input type="checkbox"/> </div> <div style="width: 60%;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 15%;"> <u>65-10607</u> </div> <div style="width: 10%;"> <u>.08</u> </div> <div style="width: 25%;"> <u>FOR FIRE PROTECTION</u> </div> <div style="width: 10%;"> <u>1-1</u> to <u>12-31</u> </div> <div style="width: 40%;"> <u>MIDDLE FORK</u><br/> <u>PAYETTE RIVER</u> </div> </div> </div> </div> |              |                       |               |               |                    |
| <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |              |                       |               | to            |                    |
| <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |              |                       |               | to            |                    |
| <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |              |                       |               | to            |                    |
| <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |              |                       |               | to            |                    |
| <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |              |                       |               | to            |                    |
| <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |              |                       |               | to            |                    |
| <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |              |                       |               | to            |                    |
| <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |              |                       |               | to            |                    |
| <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |              |                       |               | to            |                    |

Total authorized under rights .08 cfs and/or \_\_\_\_\_ ac-ft

2. Total amount of water proposed to be transferred or changed \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

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 # |
|-------|-----|---|----|----|-----|-----|-----|--------|---------------|---------------------|
|       |     |   | NE | NW | 13  | 10N | 4E  | Boise  | Middle Fork   |                     |
|       |     |   |    |    |     |     |     |        | PAYETTE RIVER |                     |
|       |     |   |    |    |     |     |     |        |               |                     |
|       |     |   |    |    |     |     |     |        |               |                     |
|       |     |   |    |    |     |     |     |        |               |                     |

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 |             |
| 10N | 4E  | 13  |      |    |    |    | FP   |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |

Total Acres (for irrigation use) \_\_\_\_\_

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: Pump line piping

- 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: NO

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

N/A

- 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) use:

NONE

- 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 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 @ <http://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 @ <http://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:

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per  $\frac{1}{4}$   $\frac{1}{4}$  tract.)

[illegible]

Total Acres (for irrigation use)

Page 5 of 7

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

**Current Water Right No.:** 65-10607

**Current Owner:** DAHRL E WOOD  
WILLIAM E WOOD

**Priority Date:** 8/18/1968

**Origin:** Water Right

**Status:** Active

**Basis:** Decreed

**Source**

MIDDLE FORK PAYETTE RIVER

**Tributary**

PAYETTE RIVER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>         |
|------------------------------|-------------------------------|
| FIRE PROTECTION              | 1/01 to 12/31                 |
|                              | <b><u>Total Diversion</u></b> |

| <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|-----------------------------|
| 0.08 CFS                     |                             |
| 0.08 CFS                     |                             |

**Location of Point(s) of Diversion**

MIDDLE FORK PAYETTE RIVER  
BOISE County

SE1/4NW1/4      Sec. 13,    Twp 10N,    Rge 04E B.M.

**Place of Use**

FIRE PROTECTION Within BOISE County

T10N R04E S13                      SENW

**Conditions of Approval:**

1.                      PROPERTY ALSO KNOWN AS 66 THUNDER ROAD PARCEL NO.  
RP095010000120A
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.

Decreed Date: 11/3/2000

Page 6 of 7

2000 NOV 03 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 65-10607

NAME AND ADDRESS: DAHRL E WOOD  
WILLIAM E WOOD  
1080 W 11TH ST  
MERIDIAN, ID 83642-2035

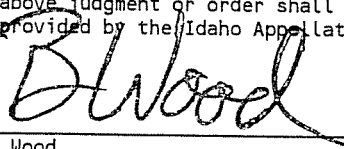
SOURCE: PAYETTE RIVER, MIDDLE FORK TRIBUTARY: PAYETTE RIVER  
QUANTITY: 0.08 CFS  
PRIORITY DATE: 08/18/1968  
POINT OF DIVERSION: T10N R04E S13 SENW Within Boise County  
PURPOSE AND  
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
Fire Protection 01-01 TO 12-31 0.08 CFS  
PLACE OF USE: Fire Protection Within Boise County  
T10N R04E S13 SENW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

  
Barry Wood  
Administrative District Judge  
Presiding Judge of the  
Snake River Basin Adjudication

↳ ownership change



ATTACHMENT 2a

# QUITCLAIM DEED

FOR VALUE RECEIVED: **Richard A. and Toni E. Allison**

GRANTOR, DOES HEREBY GRANT, BARGAIN, SELL AND CONVEY UNTO:

**Richard A. and Toni E. Allison**

GRANTEE, WHOSE CURRENT MAILING ADDRESS IS:

**1108 W. Fourth Street, Meridian, Idaho 83642-2106**

THE FOLLOWING DESCRIBED REAL PROPERTY LOCATED IN Boise COUNTY, STATE OF IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**See Attached, Exhibit "A"**

**Instrument # 225185**

IDAHO CITY, BOISE COUNTY, IDAHO

10-5-2009 03:04:24 No. of Pages: 2

Recorded for : ALS SURVEYORS

CONSTANCE SWEARINGEN

Fee: 6.00

Ex-Officio Recorder Deputy *Shirley Dye*

Index to: DEEDS

TOGETHER WITH THEIR APPURTENANCES,

*Richard A. Allison*  
SIGNATURE (RICHARD A. ALLISON)

*9-21-09*  
DATE

*Toni E. Allison*  
SIGNATURE (TONI E. ALLISON)

*9-21-09*  
DATE

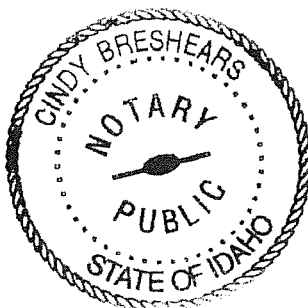
STATE OF IDAHO )

COUNTY OF Ada )

On this 21st day of September in the year 2009, before me a notary public in and for said State,

Personally appeared Richard A + Toni E. Allison Known or identified to me to be the person whose name s is subscribed to the within instrument, and acknowledged to me that they executed the same.

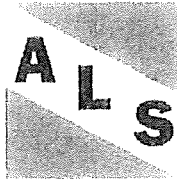
(Seal)



*Cindy Breshears*  
Notary Public of Idaho

Residing at MERIDIAN, IDAHO

My Commission expires 8-06-2010



Unlimited Boundaries, Inc. dba ALS  
**LAND SURVEYING & PLANNING**

1103 W. Main St.  
Middleton, Idaho 83644  
208-585-5858 (p) 208-585-9001 (f)

*Exhibit "A"*

**DESCRIPTION FOR  
ALLISON RESULTANT-PARCEL 1**

A parcel of land being a portion of Lot 10 and all of Lot 12 of the Recorders Plat of Lightning Creek Subdivision, Instrument Number 127581, Boise County Records, lying in the North half of Section 13, Township 10 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

BEGINNING at the Southwest corner of said Lot 12, marked by an iron pin;

Thence, along the Westerly boundary of said Lot 12, North  $21^{\circ}48'51''$  East, 224.25 feet to an iron pipe marking the Northwest corner of said Lot 12;

Thence, along the Northerly boundary of said Lot 12, South  $62^{\circ}44'45''$  East, 201.37 feet, (formerly South  $62^{\circ}37'17''$  East, 201.41'), to an iron pipe marking the Northeast corner of said Lot 12;

Thence, along the Easterly boundary of said Lot 12, South  $16^{\circ}19'11''$  West, 146.51 feet, (formerly South  $16^{\circ}20'24''$  West, 146.22'), to an iron pipe marking the corner common to said Lots 10 and 12;

Thence, along the Easterly boundary of said Lot 10, South  $02^{\circ}52'33''$  West, 44.23 feet, (formerly South  $02^{\circ}17'35''$  West, 44.93'), to an iron pin on the Easterly boundary of said Lot 10;

Thence, continuing along said Easterly boundary, South  $12^{\circ}42'27''$  East, 52.29 feet to an iron pin on the Easterly boundary of said lot 10;

Thence, departing said Easterly boundary, North  $84^{\circ}58'56''$  West, 252.70 feet to an iron pin on the Westerly boundary of said Lot 10;

Thence, along said Westerly boundary, North  $12^{\circ}17'00''$  East, 100.00 feet to the POINT OF BEGINNING;

The above described parcel of real property contains 1.40 Acres, more or less, and is subject to all easements or reservations of record, or appearing on the aforementioned parcel of real property.



# QUITCLAIM DEED

FOR VALUE RECEIVED: **Ardath and Elaine A. Powell**

GRANTOR, DOES HEREBY GRANT, BARGAIN, SELL AND CONVEY UNTO:

**Richard A. and Toni E. Allison**

GRANTEE, WHOSE CURRENT MAILING ADDRESS IS:

**1108 W. Fourth Street, Meridian, Idaho 83642-2106**

THE FOLLOWING DESCRIBED REAL PROPERTY LOCATED IN Boise COUNTY, STATE OF IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**See Attached, Exhibit "A"**

**Instrument # 225182**

IDAHO CITY, BOISE COUNTY, IDAHO  
10-5-2009 03:04:24 No. of Pages: 2

Recorded for : ALS SURVEYORS

CONSTANCE SWEARINGEN

Ex-Officio Recorder Deputy

Index to: DEEDS

Fee: 6.00

TOGETHER WITH THEIR APPURTENANCES,

Ardath Powell E.P. 9-22-09  
SIGNATURE (ARDATH POWELL) DATE

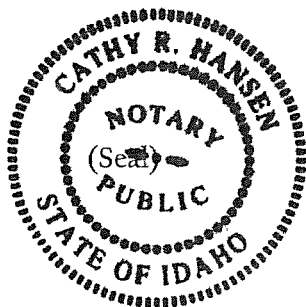
Elaine A. Powell 9-22-09  
SIGNATURE (ELAINE A. POWELL) DATE

STATE OF IDAHO )

COUNTY OF )

On this 22<sup>ND</sup> day of SEPT. in the year 2009, before me a notary public in and for said State,

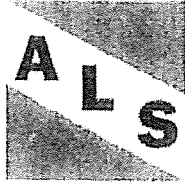
Personally appeared ARDATH POWELL  
ELAINE A. POWELL Known or identified to me to be the  
person whose names S is subscribed to the within instrument, and  
acknowledged to me that THEY executed the same.



Cathy R. Hansen  
Notary Public of Idaho

Residing at HORSERIDGE BEND, ID

My Commission expires 7/11/2014



Unlimited Boundaries, Inc. dba ALS  
LAND SURVEYING & PLANNING

1103 W. Main St.  
Middleton, Idaho 83644  
208-585-5858 (p) 208-585-9001 (f)

DESCRIPTION FOR  
POWELL TO ALLISON

A parcel of land being a portion of Lot 10 of the Recorders Plat of Lightning Creek Subdivision, Instrument Number 127581, Boise County Records, lying in the North half of Section 13, Township 10 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

BEGINNING at the Northwest corner of said Lot 10, marked by an iron pin;

Thence, along the Northerly boundary of said Lot 10, South  $83^{\circ}38'41''$  East, 222.54 feet to an iron pipe marking the Northeast corner of said Lot 10;

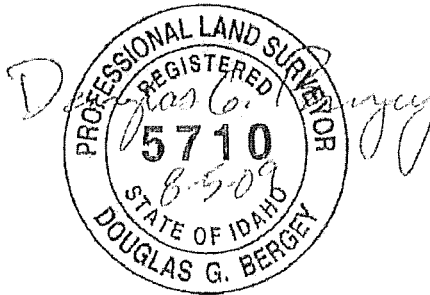
Thence, along the Easterly boundary of said Lot 10, South  $02^{\circ}52'33''$  West, 44.23 feet, (formerly South  $02^{\circ}17'35''$  West, 44.93'), to an iron pin;

Thence, continuing along said Easterly boundary, South  $12^{\circ}42'27''$  East, 52.29 feet to an iron pin;

Thence, departing said Easterly boundary, North  $84^{\circ}58'56''$  West, 252.70 feet to an iron pipe on the Westerly boundary of said Lot 10;

Thence, along said Westerly boundary, North  $12^{\circ}17'00''$  East, 100.00 feet to the POINT OF BEGINNING;

The above described parcel of real property contains 0.52 Acres, more or less, and is subject to all easements or reservations of record, or appearing on the aforementioned parcel of real property.





*Unlimited Boundaries, Inc. dba ALS*  
**LAND SURVEYING & PLANNING**

1103 W. Main St.  
Middleton, Idaho 83644  
208-585-5858 (p) 208-585-9001 (f)

**DESCRIPTION FOR  
POWELL RESULTANT-PARCEL 2**

A parcel of land being a portion of Lots 10 and 36 of the Recorders Plat of Lightning Creek Subdivision, Instrument Number 127581, Boise County Records, lying in the North half of Section 13, Township 10 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

BEGINNING at the Southwest corner of said Lot 10, marked by an iron pipe;

Thence, along the Westerly boundary of said Lot 10, North 00°40'13" West, 101.59 feet to an iron pipe;

Thence, departing said Westerly boundary, South 84°58'56" East, 252.70 feet to an iron pin on the Easterly boundary of said Lot 10;

Thence, along said Easterly boundary, South 12°42'27" East, 98.62 feet to an iron pin marking the corner common to said Lots 10 and 36;

Thence, along the Easterly boundary of said Lot 36, South 03°43'09" West, 88.32 feet, (formerly North 04°04'51" East, 88.32'), to a tee post;

Thence, continuing along said Easterly boundary, South 06°11'24" East, 11.85 feet to an iron pin;

Thence, departing said Easterly boundary, North 86°29'03" West, 268.29 feet to an iron pin on the Westerly boundary of said Lot 36;

Thence, along said Westerly boundary, North 00°00'00" West, 100.19 feet to the POINT OF BEGINNING;

The above described parcel of real property contains 1.21 Acres, more or less, and is subject to all easements or reservations of record, or appearing on the aforementioned parcel of real property.

