

Received 11/18/2011

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 11 2012

Department of Water Resources  
Eastern Region

## Notice of Change in Water Right Ownership

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

| Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 73-11840              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
| 73-32                 | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
| 73-10020B             | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Stephen G. Bauchman & Lyndella A. Bauchman

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Flying Joseph Ranch LLC

Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

c/ Joe Clark, 7213 Perimeter Road South

Mailing address

Seattle

WA

98108

City

State

ZIP

(206) 762-1171

jclark@aviationpartners.com

Telephone

Email

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

- ☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner. *Per Quit Claim Deed 243275*

5. Date you acquired the water rights and/or claims listed above: June 3, 2010

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

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
  - \$25 per *undivided* water right. *\$75. -*
  - \$100 per *split* water right.
  - No fee is required for pending adjudication claims.

FLYING JOSEPH RANCH, LLC

7. Signature: *[Signature]*  
 Signature of new owner/claimant

Managing Member

Title, if applicable

Date

*1/9/12*

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by *JB/SL*

Date

*1/13/12*  
*6/4/2010*

Receipt No.

*E037250*  
*E035869*

Receipt Amt.

*7500*  
*\$100. -*

Approved by

Processed by

Date

*Refund Request Sent Dec. 13, 2011.*

SUPPORT DATA

IN FILE # *73-32*



IDWD  
Order No. 3071005548

243274

# \_\_\_\_\_  
Custer County Reg. of

Alliance Title

Time 1:25 P.M. Date 11-1, 2010

Barbara C. Tierney, Clerk

Deputy

## WARRANTY DEED

For Value Received,

Challis Creek Cattle Company, LLC, an Idaho limited liability company

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Flying Joseph Ranch LLC, an Idaho limited liability company

GRANTEE(s), whose address is: 7299 Perimeter Rd South, Seattle, WA 98108

the following described real property, to-wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

TO HAVE AND TO HOLD the premises with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the current year's taxes and assessments, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 28 day of October, 2010.

Challis Creek Cattle Company, LLC, an Idaho limited liability company

By: Bauchman Family Trust dated September 27, 2010, Member

By: [Signature]  
Stephen G. Bauchman, Trustee

By: [Signature]  
Lyndella A. Bauchman, Trustee

STATE OF IDAHO )

COUNTY OF Lemhi )ss

On this 28<sup>TH</sup> day of OCTOBER, 2010, before me, Tina M. Christy-DeHoff, the undersigned Notary Public in and for said State, personally appeared Stephen G. Bauchman and Lyndella A. Bauchman, Trustees of the Bauchman Family Trust dated September 27, 2010, as the Member of Challis Creek Cattle Company, LLC, an Idaho limited liability company, known or identified to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same in such capacity.

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

[Signature]  
Notary Public for

Residing at: SALMON, ID

Commission Expires: 4/5/2016

TINA M. CHRISTY-DEHOFF

NOTARY PUBLIC

STATE OF IDAHO

LEGAL DESCRIPTION  
EXHIBIT 'A'

TOWNSHIP 13 NORTH, RANGE 22 EAST, BOISE MERIDIAN, CUSTER COUNTY,  
IDAHO;

SECTION 12: SE1/4SE1/4

SECTION 13: NE1/4NE1/4, SE1/4NE1/4, NE1/4SE1/4

TOWNSHIP 13 NORTH, RANGE 23 EAST, BOISE MERIDIAN, CUSTER COUNTY,  
IDAHO;

SECTION 7: LOT 4, SE1/4SW1/4

SECTION 18: LOT 3, NE1/4NW1/4

EXCEPTING THEREFROM THE FOLLOWING THREE PARCELS:

PARCEL ONE:

A PARCEL OF LAND LOCATED IN SECTION 13, TOWNSHIP 13 NORTH, RANGE 22 EAST, OF THE BOISE MERIDIAN, CUSTER COUNTY, IDAHO, FURTHER DESCRIBED AS:

BEGINNING AT THE EAST 1/4 CORNER OF SECTION 13, TOWNSHIP 13 NORTH, RANGE 22 EAST, OF THE BOISE MERIDIAN, AND RUNNING THENCE S. 249.36 FEET ALONG THE SECTION LINE; THENCE W. 561.72 FEET; THENCE N. 468.20 FEET; THENCE S. 74° 00' 58" E., 584.31 FEET TO THE SECTION LINE; THENCE S. 57.94 FEET TO THE POINT OF BEGINNING.

PARCEL TWO:

A PORTION OF THE SE1/4NE1/4 BEGINNING AT A POINT WHICH IS NORTH 57.94 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION, TOWNSHIP AND RANGE, WHICH POINT IS MARKED WITH AN IRON PIPE, AND RUNNING THENCE NORTH 586.15 FEET TO A POINT MARKED WITH A 1/2" REBAR; THENCE S. 88° 14' 22" W., 688.08 FEET TO A POINT MARKED WITH AN IRON PIPE; THENCE S. 17° 19' 20" E., 423.31 FEET TO A POINT MARKED WITH A 1/2" REBAR; THENCE S. 74° 00' 59" E., 584.31 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPTING THE EASTERLY 50 FEET WHICH IS TO BE RETAINED AS PERMANENT ROAD AND DITCH RIGHT OF WAY.

PARCEL THREE:

A PARCEL OF LAND LOCATED IN SECTION 18, TOWNSHIP 13 NORTH, RANGE 23 EAST, OF THE BOISE MERIDIAN, IN CUSTER COUNTY, IDAHO, FURTHER DESCRIBED AS:

BEGINNING AT THE WEST 1/4 CORNER OF SECTION 18, TOWNSHIP 13 NORTH, RANGE 23 EAST, OF THE BOISE MERIDIAN, AND RUNNING THENCE SOUTH 330.00 FEET ALONG THE SECTION LINE; THENCE E. 660.00 FEET; THENCE N. 00° 00' 06" E., 330.10 FEET; THENCE S. 89° 59' 30" W., 660.01 FEET TO THE POINT OF BEGINNING.

IDQD  
Order No. 3071005548

**QUITCLAIM DEED**

# 243275  
Custer County Rec. of  
*Alliance Title*  
Time *1:25 PM* Date *11-1-2010*

Barbara C. Tierney, Clerk

Deputy

For Value Received,

**Stephen G. Bauchman and Lyndella A. Bauchman, husband and wife**

hereby conveys, releases, remises and forever quit claims unto

**Flying Joseph Ranch LLC, an Idaho limited liability company**

whose address is : 7299 Perimeter Rd South, Seattle, WA 98108

the following premises, to wit:

**Water Right Nos. 73-32, 73-10020B and 73-11840, pertinent to the following described parcels of land:**

**SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE**

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Grantee and to its heirs and assigns forever.

Dated: 10/28/10

Challis Creek Cattle Company, LLC, an Idaho limited liability company

By: Bauchman Family Trust dated September 22, 2010, Member

By: *Stephen G. Bauchman*  
Stephen G. Bauchman, Trustee

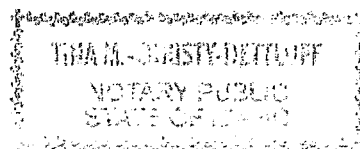
By: *Lyndella A. Bauchman*  
Lyndella A. Bauchman, Trustee

STATE OF IDAHO )  
COUNTY OF Lemhi ) ss

On this 28<sup>TH</sup> day of October, 2010, before me, Tina M. Christy-Dettloff, the undersigned Notary Public in and for said State, personally appeared Stephen G. Bauchman and Lyndella A. Bauchman, known or identified to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

Notary Public for  
Residing at: SALMON, ID  
Commission Expires: 7/5/2016



LEGAL DESCRIPTION  
EXHIBIT 'A'

TOWNSHIP 13 NORTH, RANGE 22 EAST, BOISE MERIDIAN, CUSTER COUNTY,  
IDAHO;

SECTION 12: SE1/4SE1/4

SECTION 13: NE1/4NE1/4, SE1/4NE1/4, NE1/4SE1/4

TOWNSHIP 13 NORTH, RANGE 23 EAST, BOISE MERIDIAN, CUSTER COUNTY,  
IDAHO;

SECTION 7: LOT 4, SE1/4SW1/4

SECTION 18: LOT 3, NE1/4NW1/4

EXCEPTING THEREFROM THE FOLLOWING THREE PARCELS:

PARCEL ONE:

A PARCEL OF LAND LOCATED IN SECTION 13, TOWNSHIP 13 NORTH, RANGE 22 EAST, OF THE BOISE MERIDIAN, CUSTER COUNTY, IDAHO, FURTHER DESCRIBED AS:

BEGINNING AT THE EAST 1/4 CORNER OF SECTION 13, TOWNSHIP 13 NORTH, RANGE 22 EAST, OF THE BOISE MERIDIAN, AND RUNNING THENCE S. 249.36 FEET ALONG THE SECTION LINE; THENCE W. 561.72 FEET; THENCE N. 468.20 FEET; THENCE S. 74° 00' 58" E., 584.31 FEET TO THE SECTION LINE; THENCE S. 57.94 FEET TO THE POINT OF BEGINNING.

PARCEL TWO:

A PORTION OF THE SE1/4NE1/4 BEGINNING AT A POINT WHICH IS NORTH 57.94 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION, TOWNSHIP 13 NORTH, RANGE 22 EAST, OF THE BOISE MERIDIAN, AND RUNNING THENCE NORTH 586.15 FEET TO A POINT MARKED WITH A 1/2" REBAR; THENCE S. 88° 14' 22" W., 688.08 FEET TO A POINT MARKED WITH AN IRON PIPE; THENCE S. 17° 19' 20" E., 423.31 FEET TO A POINT MARKED WITH A 1/2" REBAR; THENCE S. 74° 00' 59" E., 584.31 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPTING THE EASTERLY 50 FEET WHICH IS TO BE RETAINED AS PERMANENT ROAD AND DITCH RIGHT OF WAY.

PARCEL THREE:

A PARCEL OF LAND LOCATED IN SECTION 18, TOWNSHIP 13 NORTH, RANGE 23 EAST, OF THE BOISE MERIDIAN, IN CUSTER COUNTY, IDAHO, FURTHER DESCRIBED AS:

BEGINNING AT THE WEST 1/4 CORNER OF SECTION 18, TOWNSHIP 13 NORTH, RANGE 23 EAST, OF THE BOISE MERIDIAN, AND RUNNING THENCE SOUTH 330.00 FEET ALONG THE SECTION LINE; THENCE E. 660.00 FEET; THENCE N. 00° 00' 06" E., 330.10 FEET; THENCE S. 89° 59' 30" W., 660.01 FEET TO THE POINT OF BEGINNING.



IDWD  
Order No. 3071005548

243074

# \_\_\_\_\_  
Custer County Reg. of

Alliance Title

Time 1:25 P.M. Date 11-1, 2010

Barbara C. Tierney, Clerk

Deputy

Barbara C. Tierney 13<sup>00</sup>

## WARRANTY DEED

For Value Received,

Challis Creek Cattle Company, LLC, an Idaho limited liability company

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Flying Joseph Ranch LLC, an Idaho limited liability company

GRANTEE(s), whose address is: 7299 Perimeter Rd South, Seattle, WA 98108

the following described real property, to-wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

TO HAVE AND TO HOLD the premises with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the current year's taxes and assessments, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 28 day of October, 2010.

Challis Creek Cattle Company, LLC, an Idaho limited liability company

By: Bauchman Family Trust dated September 27, 2010, Member

By: [Signature]  
Stephen G. Bauchman, Trustee

By: [Signature]  
Lyndella A. Bauchman, Trustee

STATE OF IDAHO )

COUNTY OF LEMHI )ss

On this 28<sup>TH</sup> day of OCTOBER, 2010, before me, Tina M. Christy-DeHoff, the undersigned Notary Public in and for said State, personally appeared Stephen G. Bauchman and Lyndella A. Bauchman, Trustees of the Bauchman Family Trust dated September 27, 2010, as the Member of Challis Creek Cattle Company, LLC, an Idaho limited liability company, known or identified to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same in such capacity.

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

[Signature]  
Notary Public for

Residing at: SALMON, ID

Commission Expires: 4/5/2016

TINA M. CHRISTY-DEHOFF

NOTARY PUBLIC

STATE OF IDAHO



IDWD  
Order No. 3071005429

# 242595  
Custer County Reg. of AmeriTitle c/o  
Alliance Title  
Time 3:15 M Date 4/3, 2010  
Barbara C. Tierney, Clerk  
Christy Fatur \$6.00  
Deputy

## WARRANTY DEED

For Value Received,

**KEITH BRANN and SHERYL BRANN, husband and wife**

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

**Flying Joseph Ranch LLC, an Idaho Limited Liability Company**

GRANTEE(s), whose address is: **7299 Perimeter Rd So., Seattle, WA 98108**

the following described real property, to-wit:

**TOWNSHIP 13 NORTH, RANGE 23 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO;  
SECTION 18: SE1/4SW1/4.**

TO HAVE AND TO HOLD the premises with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the current year's taxes and assessments, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 27<sup>th</sup> day of MAY, 2010.

Keith Brann  
KEITH BRANN

Sheryl Brann  
SHERYL BRANN

State of \_\_\_\_\_ )

ss

County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2010 before me \_\_\_\_\_, a notary public in and for said State, personally appeared KEITH BRANN and SHERYL BRANN known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

\_\_\_\_\_  
Notary Public  
Residing at:  
Commission Expires:

242595

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT**STATE OF California )SS  
COUNTY OF Butte )

File No: ()

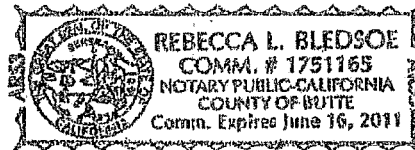
APN No:

On 5/27/10 before me, Rebecca L. Bledsoe, Notary Public, personally appeared  
Keith Brann & Sheryl Brann

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

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Rebecca L. Bledsoe

This area for official notarial seal.

**OPTIONAL SECTION  
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- ☐ INDIVIDUAL  
☐ CORPORATE OFFICER(S) TITLE(S)  
☐ PARTNER(S) ☐ LIMITED ☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER

SIGNER IS REPRESENTING:

Name of Person or Entity \_\_\_\_\_

Name of Person or Entity \_\_\_\_\_

**OPTIONAL SECTION**

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

**THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW**

TITLE OR TYPE OF DOCUMENT: \_\_\_\_\_

NUMBER OF PAGES \_\_\_\_\_ DATE OF DOCUMENT \_\_\_\_\_

SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_

**RECORDING REQUESTED BY:**

JEFFREY L. BURR & ASSOCIATES  
4455 S. Pecos Road  
Las Vegas, Nevada 89121

**WHEN RECORDED MAIL TO:**

Stephen and Lyndella Bauchman  
4075 W. Desert Inn Road  
Suite B  
Las Vegas, NV 89102

**MAIL TAX STATEMENTS TO:**

Stephen and Lyndella Bauchman  
4075 W. Desert Inn Road Suite B  
Las Vegas, NV 89102

0223384

Custer County Rec. of

Time 11:20 AM Date 8/27/01

Ethel M. Peck, Clerk

Deputy

Parcel Number(s):

**WARRANTY DEED**

Documentary transfer tax is none. No Consideration.

STEPHEN G. BAUCHMAN AND LYNDELLA BAUCHMAN, husband and wife

hereby CONVEY AND WARRANT TITLE to

CHALLIS CREEK CATTLE COMPANY, L.L.C., an Idaho Limited Liability  
Company

the following described real property in the County of Custer, State of  
Idaho:

SEE EXHIBIT "A" ATTACHED HERETO FOR THE COMPLETE LEGAL  
DESCRIPTION AND INCORPORATED AND MADE A PART HEREOF.

Dated: August 1, 2001

STEPHEN G. BAUCHMAN

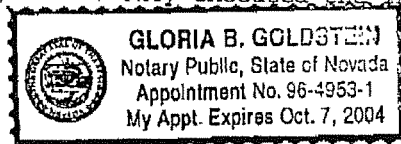
STATE OF NEVADA  
COUNTY OF CLARK

LYNDELLA BAUCHMAN

On August 1, 2001, personally appeared before me, a Notary Public, STEPHEN G. BAUCHMAN  
and LYNDELLA BAUCHMAN, personally known to me to be the persons whose names are  
subscribed to the above instrument who acknowledged that they executed the instrument.

Witness my hand and official seal.

Notary Public



**EXHIBIT "A"**

**LEGAL DESCRIPTION**

Township 13 North, Range 22 East, Boise Meridian, Custer County, Idaho.

Section 13: NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Excepting therefrom a portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$  beginning at a point which is North 57.94 feet from the East quarter corner of said Section, Township and Range, which point is marked with an iron pipe, and running thence North 586.15 feet to a point marked with a  $\frac{1}{2}$ " rebar, thence South 88°14'22" West, 688.08 feet to a point marked with an iron pipe, thence South 17°19'20" East, 423.31 feet to a point marked with a  $\frac{1}{2}$ " rebar, thence South 74°00'59" East, 584.31 feet to the point of beginning, less and excepting the Easterly 50 feet which is to be retained as permanent road and ditch right of way.

Township 13 North, Range 23 East, Boise Meridian, Custer County, Idaho.

Section 18: Lot 3, SE $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM a parcel of land located in Section 13, Township 13 North, Range 22 East of the Boise Meridian in Custer County, Idaho, further described as:

Beginning at the East  $\frac{1}{4}$  corner of Section 13, Township 13 North, Range 22 East of the Boise Baseline and Meridian and running thence South 249.36 feet along the Section line; thence West 561.72 feet; thence North 468.20 feet; thence South 74°00'58" East, 584.31 feet to the section line; thence South 57.94 feet to the POINT OF BEGINNING.

AND

A parcel of land located in Section 18, Township 13 North, Range 23 East of the Boise Baseline and Meridian in Custer County, Idaho, further described as:

Beginning at the West  $\frac{1}{4}$  corner of Section 18, Township 13 North, Range 23 East of the Boise Baseline and Meridian and running thence South 330.00 feet along the Section line; thence East 660.00 feet; thence North 00°00'06" East, 330.10 feet; thence South 89°59'30" West, 660.01 feet to the POINT OF BEGINNING.

## WARRANTY DEED

FOR VALUE RECEIVED, CHALLIS CREEK CATTLE COMPANY, L.L.C., An Idaho Limited Liability Company by, STEPHEN G. BAUCHMAN AND LYNDELLA A. BAUCHMAN, TRUSTEES OF THE BAUCHMAN FAMILY TRUST, DATED 9/27/00, Grantor, does Bargain, Sell and Convey unto KEITH BRANN and SHERYL BRANN, husband and wife, Grantees, whose current address is P.O. Box 353, Forest Ranch, California 95942, the following described premises, in Custer County, Idaho, to-wit:

Township 13 North, Range 23 East, Boise Meridian, Custer County, Idaho.

Section 18: SE 1/4 SW 1/4

Together with all appurtenances and particularly together with the groundwater irrigation water right for 16" (sixteen inches) of water from Idaho Department of Water Resources Water Right #A73-11840 and the further right to install a domestic pump in the well at the point of diversion of such right and use and maintain such pump and other facilities at their separate expense for the purpose of supplying water to a residence with reasonable incidental water uses. The parties acknowledge that such well and point of diversion are located on the property transferred above. The transfer, however, being SUBJECT to the following:

1. Grantor hereby reserves all right to the irrigation water held under water right #A73-11840, except for the portion described above being conveyed to Grantees, and Grantor will have an easement and the perpetual right to access the above described irrigation well for the purpose of maintenance, repair or replacement of all pump, pipe, electrical or other parts as well as access for all purposes reasonably connected to the perpetual maintenance, delivery and use of the irrigation water from the well for the service of all lands under Idaho Department of Water Resources Water Right #A73-11840, not conveyed by this deed. Electrical costs and maintenance of all jointly used facilities will be prorated between Grantor and Grantees based on the use by each. Unless otherwise agreed, each party will be responsible for metering its or their water.

Further, Grantor and Grantees acknowledge that they have previously agreed to a survey of the property being transferred and a survey of the course of the easement reserved by Grantor for access to the well and for the delivery system to the lands of Grantor. The described agreement is hereby confirmed and it is further agreed that the record of survey recorded by the surveyor after completion of the survey will be binding as to the location of the easement unless objected to by Grantor or Grantees, within thirty days after recording. None-the-less, the parties agree that the well is located generally in the northwest corner of the parcel conveyed and that the easement for the delivery system will follow the course of the existing system and will be of a width and nature to allow access for all reasonable uses and maintenance in perpetuity.

These understandings, conditions and reservations shall be binding upon successors in interest and the benefits and the burdens created shall run with the lands in perpetuity.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the

