

Transfer No. 77570

Receipt No. 5032196

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information JULINA L CURTIS And
 LOWELL B CURTIS
 1930 E 2200 N
 TWIN FALLS ID 83301
 (208) 358-1739

RECEIVED
OCT 26 2011
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

Will this transfer result in an ownership change? _____ Yes XX No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
47-200	WR/Decreed	23.50	135.0		520.0	COTTONWOOD CREEK, DEEP CRK
47-201	WR/Decreed	25.00	1,500.0		520.0	DEEP CREEK
47-17254	WR/License	0.26	126.3	37.5	512.0	GROUND WATER
47-17255	WR/License	0.85	412.7	122.5	512.0	GROUND WATER
47-17256	WR/License	0.45	219.5	58.0	512.0	GROUND WATER
47-17257	WR/License	1.44	702.5	187.0	512.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
47-200	NO	NO	YES	NO	NO	NO
47-201	NO	NO	YES	NO	NO	NO
47-17254	NO	NO	YES	NO	NO	NO
47-17255	NO	NO	YES	NO	NO	NO
47-17256	NO	NO	YES	NO	NO	NO
47-17257	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

Transfer changes the place of use of the rights to land currently under pivots and allows the installation of one new pivot. Also removes irrigated acres from land previously sold dry and now used for a gravel pit.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

N/A

B. Describe the effects on other water uses resulting from the proposed change

N/A

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
47-200	23.50 cfs	520.0	760.0	N/A
47-201	25.00 cfs	520.0	760.0	N/A
IRRIGATION TOTAL	48.50 cfs	520.0	760.0	N/A

	Rate	Acre Limit	Total Acres	Volume
47-200	N/A	N/A	986.8	135.0 af
47-201	N/A	N/A	986.8	1,500.0 af
IRRIGATION FROM STORAGE TOTAL	N/A	N/A	986.8	1635.00 af

47-17254	0.26 cfs	37.5	512.0	126.3 af
47-17255	0.85 cfs	122.5	512.0	412.7 af
47-17256	0.45 cfs	58.0	512.0	219.5 af
47-17257	1.44 cfs	187.0	512.0	702.5 af
TOTAL GW	3.00 cfs	405.0	512.0	1461.0 af

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Julina L. Curtis
(Signature of Applicant)

Lowell B. Curtis
(Signature of Applicant)

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

Current Water Right No. 47-200

Priority Date: July 27, 1906

Origin: Water Right

Basis: Decreed

Status: Active

Source: DEEP CREEK
COTTONWOOD CREEK

Tributary: SINKS
DEEP CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	23.50 CFS		
IRRIGATION STORAGE	01/01 12/31		135.0 AFA	
IRRIGATION FROM STORAGE	03/13 11/15		135.0 AFA	
Total Diversion		23.50 CFS	135.0 AFA	

Source and Point(s) of Diversion:

DEEP CREEK L1 (SENWNW) Sec. 18 Twp 13S Rge 16E TWIN FALLS County

COTTONWOOD CREEK L1 (SENWNW) Sec. 18 Twp 13S Rge 16E TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	15E	1									40.0	39.0	39.0	18.0					136.0
13S	15E	2												30.0	40.0	40.0	39.0	39.0	188.0
13S	15E	11	32.0	21.0		15.0	16.0												84.0
13S	15E	12					17.0	11.0	22.0	14.0		30.0	18.0						112.0

Total Acres: 520

PLACE OF USE: IRRIGATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	16E	18					X	X	X	X	X			X					
								L 1	L 2										

Conditions/Remarks:

1. Rights 47-200 and 47-201 when combined shall not exceed a total irrigation of 520 acres.
2. 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Water from Cottonwood Creek historically is tributary to Deep Creek. However, after construction of the Salmon River Canal Company system, water from Cottonwood Creek has entered a Salmon River Canal Company canal in the NWNWNW, S10, T14S, R16E. Cottonwood Creek water is conveyed through the canal and discharged into the Deep Creek channel in the SENESW, S34, T13S, R16E. Water from Cottonwood Creek and Deep Creek is diverted from the Deep Creek channel at Lower Deep Creek Dam, listed as the point of diversion for this right.
5. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Water described by this right is stored in, and diverted from, Deep Creek Lower Reservoir.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Page 5

Documentation of Ownership of the Current Place of Use

Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Irrigated acres will be changed to acres under all six pivots.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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

Current Water Right No. 47-201

Priority Date: August 09, 1906

Origin: Water Right

Basis: Decreed

Status: Active

Source: DEEP CREEK

Tributary: SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION STORAGE	01/01 12/31		1,500.0 AFA	
IRRIGATION	03/15 11/15	25.00 CFS		
IRRIGATION FROM STORAGE	01/01 12/31		1,500.0 AFA	
	Total Diversion	25.00 CFS	1,500.0 AFA	

Source and Point(s) of Diversion:

DEEP CREEK L1 (SENWNW) Sec. 18 Twp 13S Rge 16E TWIN FALLS
County

DEEP CREEK NESE Sec. 19 Twp 13S Rge 16E TWIN FALLS
County

PLACE OF USE: IRRIGATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	16E	19													X			X	
13S	16E	20									X	X	X						
13S	16E	29		X	X	X	X	X							X				

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	15E	1									40.0	39.0	39.0	18.0					136.0
13S	15E	2												30.0	40.0	40.0	39.0	39.0	188.0
13S	15E	11	32.0	21.0		15.0	16.0												84.0
13S	15E	12					17.0	11.0	22.0	14.0	30.0	18.0							112.0

Total Acres: 520

Conditions/Remarks:

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. 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. Storage water described by this right is stored in Deep Creek Upper Reservoir and rediverted further downstream at Deep Creek Lower Reservoir. Direct flow water described by this right is diverted from Deep Creek Lower Reservoir.
4. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Rights 47-200 and 47-201 when combined shall not exceed a total irrigation of 520 acres.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Irrigated acres will be changed to acres under all six pivots.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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

Current Water Right No. 47-17254

Priority Date: January 26, 1970

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/01 11/01	0.26 CFS	126.3 AFA	
Total Diversion		0.26 CFS	126.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSWNW Sec. 12 Twp 13S Rge 15E TWIN FALLS
County

GROUND WATER SWSWNW Sec. 12 Twp 13S Rge 15E TWIN FALLS
County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	15E	25						32.0	32.0			32.0	32.0						128.0
12S	15E	35													31.0	33.0	32.0	32.0	128.0
13S	15E	1					31.0	31.0	32.0	34.0									128.0
							L 3	L 4											
13S	15E	2	32.0	32.0	32.0	32.0													128.0
			L 1	L 2															

Total Acres: 512

Conditions/Remarks:

1. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
2. This right is a split from former right 47-7088 .
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. 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.
8. 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.
9. This right is limited to the irrigation of 37.5 acres within the place of use described above in a single irrigation season.
10. Rights 47-17254, 47-17255, 47-17256 and 47-17257 when combined shall not exceed a total diversion rate of 3.00 cfs, a total annual maximum diversion volume of 1461.0 af at the field headgate.
11. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
12. Right Nos. 47-17254, 72-17255, 47-17256 and 47-17257 are limited to the irrigation of a combined total of 405 acres in a single irrigation season.

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Some of the irrigated acres will be moved to new acres with the addition of a new pivot.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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

Current Water Right No. 47-17255

Priority Date: January 26, 1970

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/01 11/01	0.85 CFS	412.7 AFA	
Total Diversion		0.85 CFS	412.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSWNW	Sec. 12 Twp 13S	Rge 15E	TWIN FALLS County
--------------	--------	-----------------	---------	----------------------

GROUND WATER	SWSWNW	Sec. 12 Twp 13S	Rge 15E	TWIN FALLS County
--------------	--------	-----------------	---------	----------------------

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	15E	25						32.0	32.0			32.0	32.0						128.0
12S	15E	35													31.0	33.0	32.0	32.0	128.0
13S	15E	1					31.0	31.0	32.0	34.0									128.0
							L 3	L 4											
13S	15E	2	32.0	32.0	32.0	32.0													128.0
			L 1	L 2															

Total Acres: 512

Conditions/Remarks:

1. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
2. Right Nos. 47-17254, 47-17255, 47-17256 and 47-17257 are limited to the irrigation of a combined total of 405 acres in a single irrigation season.

3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. 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.
8. This right is limited to the irrigation of 122.5 acres within the place of use described above in a single irrigation season.
9. This right is a split from former right 47-7088 .
10. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
11. Rights 47-17254, 47-17255, 47-17256 and 47-17257 when combined shall not exceed a total diversion rate of 3.00 cfs, a total annual maximum diversion volume of 1461.0 af at the field headgate.
12. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Some of the irrigated acres will be moved to new acres with the addition of a new pivot.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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

Current Water Right No. 47-17256

Priority Date: June 28, 1957

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.45 CFS	219.5 AFA	

Total Diversion 0.45 CFS 219.5 AFA

Source and Point(s) of Diversion:

GROUND WATER	SWSWNW	Sec. 12 Twp 13S	Rge 15E	TWIN FALLS County
--------------	--------	-----------------	---------	----------------------

GROUND WATER	SWSWNW	Sec. 12 Twp 13S	Rge 15E	TWIN FALLS County
--------------	--------	-----------------	---------	----------------------

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 15E 25						32.0	32.0			32.0	32.0						128.0
12S 15E 35													31.0	33.0	32.0	32.0	128.0
13S 15E 1					31.0	31.0	32.0	34.0									128.0
13S 15E 2	32.0	32.0	32.0	32.0	L 3	L 4											128.0
	L 1	L 2															

Total Acres: 512

Conditions/Remarks:

1. 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.
2. 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. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. This right is a split from former right 47-2308 .
6. This right is limited to the irrigation of 58 acres within the place of use described above in a single irrigation season.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Rights 47-17254, 47-17255, 47-17256 and 47-17257 when combined shall not exceed a total diversion rate of 3.00 cfs, a total annual maximum diversion volume of 1461.0 af at the field headgate.
10. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
11. Right Nos. 47-17254, 47-17255, 47-17256 and 47-17257 are limited to the irrigation of a combined total of 405 acres in a single irrigation season.

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Some of the irrigated acres will be moved to new acres with the addition of a new pivot.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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

Current Water Right No. 47-17257

Priority Date: June 28, 1957

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.44 CFS	702.5 AFA	

Total Diversion 1.44 CFS 702.5 AFA

Source and Point(s) of Diversion:

GROUND WATER	SWSWNW	Sec. 12 Twp 13S	Rge 15E	TWIN FALLS County
--------------	--------	-----------------	---------	----------------------

GROUND WATER	SWSWNW	Sec. 12 Twp 13S	Rge 15E	TWIN FALLS County
--------------	--------	-----------------	---------	----------------------

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 15E 25						32.0	32.0			32.0	32.0						128.0
12S 15E 35													31.0	33.0	32.0	32.0	128.0
13S 15E 1					31.0	31.0	32.0	34.0									128.0
13S 15E 2	32.0	32.0	32.0	32.0	L 3	L 4											128.0
	L 1	L 2															

Total Acres: 512

Conditions/Remarks:

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. Right Nos. 47-17254, 47-17255, 47-17256 and 47-17257 are limited to the irrigation of a combined total of 405 acres in a single irrigation season.
6. This right is a split from former right 47-2308.
7. 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.
8. This right is limited to the irrigation of 187 acres within the place of use described above in a single irrigation season.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
10. Rights 47-17254, 47-17255, 47-17256 and 47-17257 when combined shall not exceed a total diversion rate of 3.00 cfs, a total annual maximum diversion volume of 1461.0 af at the field headgate.
11. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Some of the irrigated acres will be moved to new acres with the addition of a new pivot.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 47-200

Priority Date: July 27, 1906

Origin: Water Right

Basis: Decreed

Status: Active

Source: DEEP CREEK
COTTONWOOD CREEK

Tributary: SINKS
DEEP CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	23.50 CFS		
IRRIGATION STORAGE	01/01 12/31		135.0 AFA	
IRRIGATION FROM STORAGE	03/15 11/15		135.0 AFA	
Total Diversion		23.50 CFS	135.0 AFA	

Source and Point(s) of Diversion:

DEEP CREEK L1 (SENWNW) Sec. 18 Twp 13S Rge 16E TWIN FALLS
County

COTTONWOOD CREEK L1 (SENWNW) Sec. 18 Twp 13S Rge 16E TWIN FALLS
County

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	15E	26																	128.0
12S	15E	35																	128.0
13S	15E	1					30.0 L 3	32.0 L 4	34.0	33.0	31.0	33.0	28.0	26.0					247.0
13S	15E	2	32.0 L 1	32.0 L 2	31.0	32.0									32.0	33.0	33.0	32.0	257.0

Total Acres: 760

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
13S 16E 18					X	X	X	X	X			X					
						L 1	L 2										

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
12S 15E 26									32			32	32.0	32.0	32.0	32.0	192.0
12S 15E 35													32.0	32.0	32.0	32.0	128.0
13S 15E 1					30.0	32.0	34.0	33.0	31.0	33.0	28.0	26.0					247.0
					L 3	L 4											
13S 15E 2	32.0	32.0	31.0	32.0									32.0	33.0	33.0	32.0	257.0
	L 1	L 2															
13S 15E 11	29.0	7.8		15.0													51.8
13S 15E 12					17.0	11.0	22.0	14.0		29.0	18.0						111.0

Total Acres: 986.8

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 47-201

Priority Date: August 09, 1906

Origin: Water Right

Basis: Decreed

Status: Active

Source: DEEP CREEK
COTTONWOOD CREEK

Tributary: SINKS
DEEP CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION STORAGE	01/01 12/31		1,500.0 AFA	
IRRIGATION	03/15 11/15	25.00 CFS		
IRRIGATION FROM STORAGE	03/15 11/15		1,500.0 AFA	
	Total Diversion	25.00 CFS	1,500.0 AFA	

Source and Point(s) of Diversion:

DEEP CREEK L1 (SENWNW) Sec. 18 Twp 13S Rge 16E TWIN FALLS
County

COTTONWOOD CREEK L1 (SENWNW) Sec. 18 Twp 13S Rge 16E TWIN FALLS
County

Describe the proposed diversion system

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 16E 19													X			X	
13S 16E 20									X	X	X						
13S 16E 29		X	X	X	X	X							X				

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 15E 26													32.0	32.0	32.0	32.0	128.0
12S 15E 35													32.0	32.0	32.0	32.0	128.0
13S 15E 1					30.0 L 3	32.0 L 4	34.0	33.0	31.0	33.0	28.0	26.0					247.0
13S 15E 2	32.0 L 1	32.0 L 2	31.0	32.0									32.0	33.0	33.0	32.0	257.0

Total Acres: 760

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 15E 26									32				32.0	32.0	32.0	32.0	192.0
12S 15E 35													32.0	32.0	32.0	32.0	128.0
13S 15E 1					30.0 L 3	32.0 L 4	34.0	33.0	31.0	33.0	28.0	26.0					247.0
13S 15E 2	32.0 L 1	32.0 L 2	31.0	32.0									32.0	33.0	33.0	32.0	257.0
13S 15E 11	29.0	7.8		15.0													51.8
13S 15E 12					17.0	11.0	22.0	14.0		29.0	18.0						111.0

Total Acres: 986.8

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 47-17254

Priority Date: January 26, 1970

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/01 11/01	0.26 CFS	126.3 AFA	
Total Diversion		0.26 CFS	126.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSWNW	Sec. 12 Twp 13S	Rge 15E	TWIN FALLS County
--------------	--------	-----------------	---------	----------------------

GROUND WATER	SWSWNW	Sec. 12 Twp 13S	Rge 15E	TWIN FALLS County
--------------	--------	-----------------	---------	----------------------

Describe the proposed diversion system

Point of Diversion # 1 EXISTING WELL AND PUMP

Point of Diversion # 2 EXISTING WELL AND PUMP

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 15E 26													32.0	32.0	32.0	32.0	128.0
12S 15E 35													32.0	32.0	32.0	32.0	128.0
13S 15E 1					30.0	32.0	34.0	33.0									129.0
					L 3	L 4											
13S 15E 2	32.0	32.0	31.0	32.0													127.0
	L 1	L 2															

Total Acres: 512

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 47-17255

Priority Date: January 26, 1970

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/01 11/01	0.85 CFS	412.7 AFA	
Total Diversion		0.85 CFS	412.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSWNW	Sec. 12 Twp 13S	Rge 15E	TWIN FALLS County
--------------	--------	-----------------	---------	----------------------

GROUND WATER	SWSWNW	Sec. 12 Twp 13S	Rge 15E	TWIN FALLS County
--------------	--------	-----------------	---------	----------------------

Describe the proposed diversion system

Point of Diversion # 1 EXISTING WELL AND PUMP

Point of Diversion # 2 EXISTING WELL AND PUMP

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 15E 26													32.0	32.0	32.0	32.0	128.0
12S 15E 35													32.0	32.0	32.0	32.0	128.0
13S 15E 1					30.0 L 3	32.0 L 4	34.0	33.0									129.0
13S 15E 2	32.0 L 1	32.0 L 2	31.0	32.0													127.0

Total Acres: 512

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 47-17256

Priority Date: June 28, 1957

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.45 CFS	219.5 AFA	
Total Diversion		0.45 CFS	219.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSWNW	Sec. 12 Twp 13S	Rge 15E	TWIN FALLS County
--------------	--------	-----------------	---------	----------------------

GROUND WATER	SWSWNW	Sec. 12 Twp 13S	Rge 15E	TWIN FALLS County
--------------	--------	-----------------	---------	----------------------

Describe the proposed diversion system

Point of Diversion # 1 EXISTING WELL AND PUMP

Point of Diversion # 2 EXISTING WELL AND PUMP

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 15E 26													32.0	32.0	32.0	32.0	128.0
12S 15E 35													32.0	32.0	32.0	32.0	128.0
13S 15E 1					30.0 L 3	32.0 L 4	34.0	33.0									129.0
13S 15E 2	32.0 L 1	32.0 L 2	31.0	32.0													127.0

Total Acres: 512

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 47-17257

Priority Date: June 28, 1957

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.44 CFS	702.5 AFA	

Total Diversion 1.44 CFS 702.5 AFA

Source and Point(s) of Diversion:

GROUND WATER	SWSWNW	Sec. 12 Twp 13S	Rge 15E	TWIN FALLS County
--------------	--------	-----------------	---------	----------------------

GROUND WATER	SWSWNW	Sec. 12 Twp 13S	Rge 15E	TWIN FALLS County
--------------	--------	-----------------	---------	----------------------

Describe the proposed diversion system

Point of Diversion # 1 EXISTING WELL AND PUMP

Point of Diversion # 2 EXISTING WELL AND PUMP

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	15E	26													32.0	32.0	32.0	32.0	128.0
12S	15E	35													32.0	32.0	32.0	32.0	128.0
13S	15E	1					30.0	32.0	34.0	33.0									129.0
							L 3	L 4											
13S	15E	2	32.0	32.0	31.0	32.0													127.0
			L 1	L 2															

Total Acres: 512

27

26

25

30

34

35

36

31

3

2

6

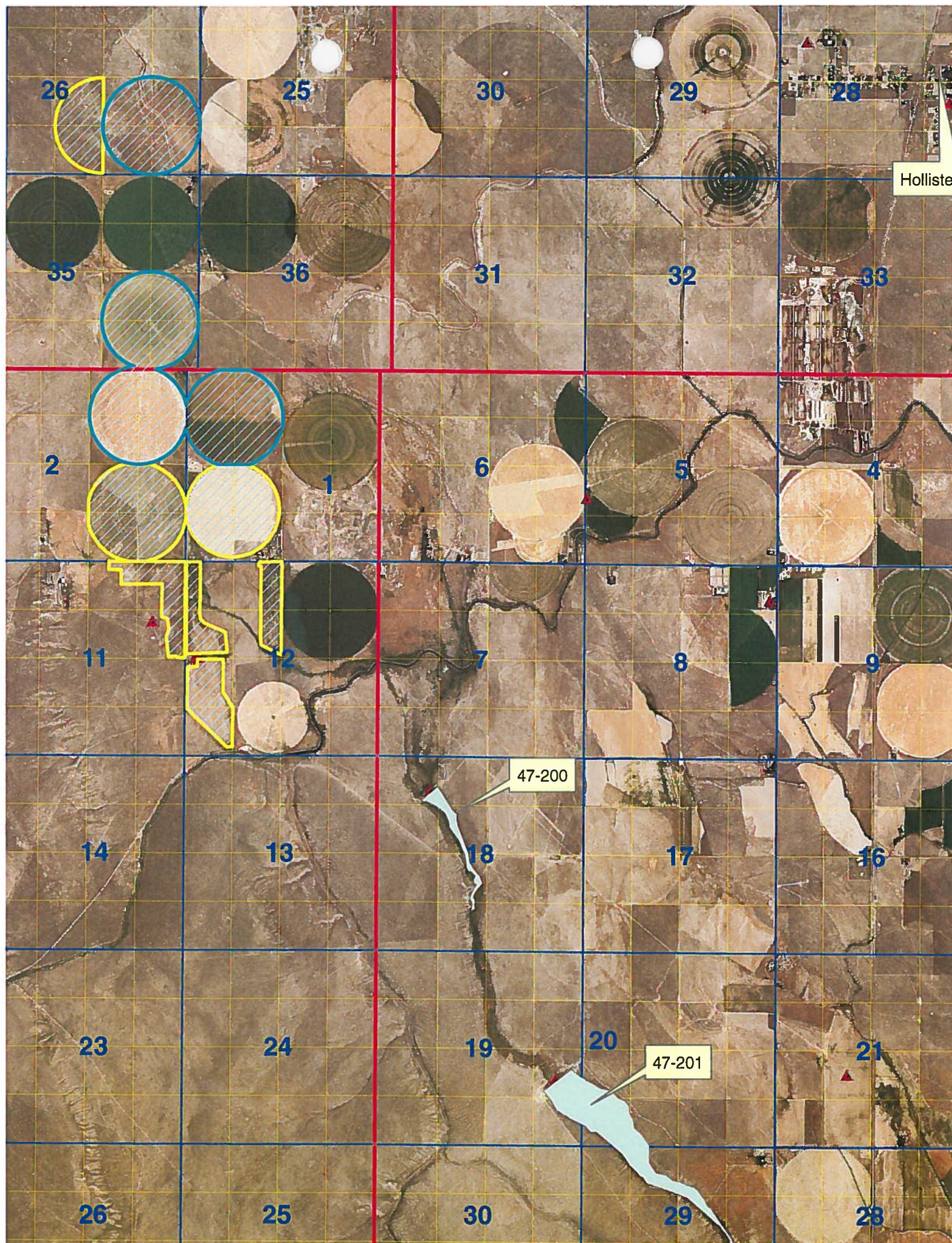
1

10

11

12

7



TWIN FALLS COUNTY
RECORDED FOR:
ALLIANCE TITLE
2:13 pm 01-20-2005
2005-001427
NO. PAGES: 3 FEE: \$9.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: COUNBAR

copy
RECEIVED
MAR 03 2005

Department of Water Resources
Southern Region

WARRANTY DEED

Order No.: AT-407043981

FOR VALUE RECEIVED

Tim W. Chadwick and Glenna T. Chadwick, Husband and Wife,

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Lowell B. Curtis and Julina L. Curtis, Husband and Wife,

whose current address is

97 N. Highway 33, Driggs, ID, 83422

the grantee(s), the following described premises, in Twin Falls County, Idaho, TO WIT:

See Attached Exhibit "A"

Together with 53.95 shares of Capital Stock in the Salmon River Canal Company

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: January 20, 2005

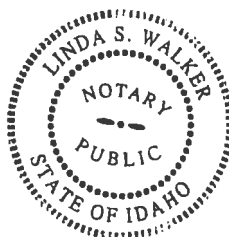
Tim W. Chadwick
Tim W. Chadwick

Glenna T. Chadwick
Glenna T. Chadwick

State of Idaho }
County of Twin Falls } ss

On this 20 day of January 2005, before me, a Notary Public in and for said state, personally appeared Tim W. Chadwick and Glenna Chadwick 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 same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Linda S. Walker
Notary Public for the State of Idaho
Residing at: Twin Falls
-Commission Expires: 10/30/07



Schedule "A"

Copy

Parcel 1

South half of the Northwest quarter and the Southwest quarter of Section 15, Township 12 South, Range 15 East of the Boise Meridian, Twin Falls County, Idaho

Parcel 2

South half of the Northeast quarter and the Southeast quarter of Section 15, Township 12 South, Range 15 East of the Boise Meridian, Twin Falls County, Idaho.

Parcel 3

North half of the Northeast quarter and the North half of the Northwest quarter of Section 22, Township 12 South, Range 15 East of the Boise Meridian, Twin Falls County, Idaho.

Parcel 4

Northwest quarter of the Southeast quarter and the South half of the Southeast quarter of Section 22, Township 12 South, Range 15 East of the Boise Meridian, Twin Falls County, Idaho.

Parcel 5

East half of the Southwest quarter and the Southeast quarter of Section 26, Township 12 South, Range 15 East of the Boise Meridian, Twin Falls County, Idaho.

Parcel 6

Southwest quarter of Section 1, Township 13 South, Range 15 East of the Boise Meridian, Twin Falls County, Idaho.

EXCEPT:

A parcel of land located in the Southwest quarter of Section 1, Township 13 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho and more particularly described as follows:

COMMENCING at the South quarter corner of said Section 1,
THENCE South 89°39'00" West along the South boundary of the Southwest quarter of Section 1 for a distance of 374.00 feet to the TRUE POINT OF BEGINNING;
THENCE continuing South 89°39'00" West along the South boundary of the Southwest quarter of Section 1 for a distance of 950.00 feet;
THENCE North 00°10'50" West for a distance of 588.00 feet;
THENCE South 89°13'03" East for a distance of 983.77 feet;
THENCE South 03°12'15" West for a distance of 569.65 feet to the TRUE POINT OF BEGINNING.

Parcel 7

Southeast quarter of Section 2, Township 13 South, Range 15 East of the Boise Meridian, Twin Falls County, Idaho.

Parcel 8

Southeast quarter of the Southwest quarter of Section 2, Township 13 South, Range 15 East of the Boise Meridian, Twin Falls County, Idaho.

Parcel 9

East half of the Northeast quarter and Northwest quarter of the Northeast quarter of Section 11, Township 13 South, Range 15 East of the Boise meridian, Twin Falls County, Idaho.

SC AC

C. J. M.

Parcel 10

Northeast quarter of the Northwest quarter of Section 11, Township 13 South, Range 15 East of the Boise Meridian, Twin Falls County, Idaho.

Parcel 11

West half of the Northwest quarter of Section 12, Township 13 South, Range 15 East of the Boise Meridian, Twin Falls County, Idaho.

Parcel 12

East half of the Northwest quarter of Section 12, Township 13 South, Range 15 East of the Boise Meridian, Twin Falls County, Idaho.

Parcel 13

West half of the Southwest quarter of Section 12, Township 13 South, Range 15 East of the Boise Meridian, Twin Falls County, Idaho.

CC HA

WARRANTY DEED

Order No.: AT-4070900497TM

FOR VALUE RECEIVED

Lowell B. Curtis and Julina L. Curtis, Husband and Wife,

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Twin Falls Highway District, a political subdivision of the State of Idaho,

whose current address is

the grantee(s), the following described premises, in Twin Falls County, Idaho, TO WIT:

Township 12 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 25: W $\frac{1}{2}$ NW $\frac{1}{4}$

Subject to road right of way along the North and West boundaries
Reserving unto Grantor any and all water rights appurtenant to the property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: January 4, 2010

Lowell B. Curtis
Lowell B. Curtis

Julina L. Curtis
Julina L. Curtis

State of Idaho)
County of Twin Falls)

On this 5 day of January, 2010, before me, a Notary Public in and for said state, personally appeared Lowell B. Curtis and Julina L. Curtis, 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 same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Linda S. Walker
Notary Public for the State of Idaho
Residing at: Kimberly, ID
Commission Expires: 10/30/13

COPY

Pivot Old
Canal water
transfer

Well water

2006-019029

No. Pages: 5

Fee: \$ 15.00

KRISTINA GLASCOCK

County Clerk

Deputy: CRYLAK

PIVOT EASEMENT AND FIRST RIGHT OF REFUSAL

FOR GOOD AND VALUABLE CONSIDERATION; receipt of which is hereby acknowledged by JERRY R. "J.R." ROBINSON and KELSIE ROBINSON, husband and wife whose address is 2032 E 2200 N, Twin Falls, Idaho 83301, hereinafter as "Grantors" hereby grant unto LOWELL CURTIS and JULINA CURTIS, husband and wife, whose address is 2040 E 2200 N, Twin Falls, Idaho 83301, as "Grantees" an easement for access to allow operation of a pivot irrigation system on the Grantors' real property for a distance of 375' from the Northwest corner of Grantees' real property described as follows (the burdened property), to wit:

A parcel of land located in the SW ¼ of Section 1, Township 13 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho and more particularly described as follows:

COMMENCING at the South one quarter of said Section 1;
THENCE South 89° 39' 00" West along the South boundary of the SW ¼ of Section 1 for a distance of 374.00 feet to the TRUE POINT OF BEGINNING;
THENCE continuing South 89° 39' 00" West along the South boundary of SW ¼ of Section 1 for a distance of 950.00 feet;
THENCE North 00° 10' 50" West for a distance of 588.00 feet;
THENCE South 89° 13' 03" East for a distance of 983.77 feet;
THENCE South 03° 12' 15" West for a distance of 569.65 feet to the TRUE POINT OF BEGINNING.

The property benefited by the easement is described as follows, to wit:

SW ¼ of Section 1, Township 13 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

EXCEPTING Therefrom:

A parcel of land located in the SW ¼ of Section 1, Township 13 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho and more particularly described as follows:

COMMENCING at the South one quarter of said Section 1;
THENCE South 89° 39' 00" West along the South boundary of the SW ¼ of Section 1 for a distance of 374.00 feet to the TRUE POINT OF BEGINNING;
THENCE continuing South 89° 39' 00" West along the South boundary of SW ¼ of Section 1 for a distance of 950.00 feet;

THENCE North 00° 10' 50" West for a distance of 588.00 feet;
THENCE South 89° 13' 03" East for a distance of 983.77 feet;
THENCE South 03° 12' 15" West for a distance of 569.65 feet to the TRUE
POINT OF BEGINNING.

As additional consideration for the grant of the pivot easement, Grantees shall allow Grantors' to utilize the irrigation water from the pivot as it crosses Grantors' land during the normal course of operation.

Grantees further agree that they will be responsible for any overspray on the Twin Falls County Highway District or upon Grantors' personal residence and agree to regulate the pivot end gun to avoid any overspray.

Grantees agree to pay all of the cost of repair, maintenance and operation of the irrigation pivot upon the property burdened by the easement.

The easement granted herein shall be binding upon Grantors' successors and assigns and shall be deemed to be a covenant running with the land appurtenant to and for the express benefit of the property owned by Grantees as described herein.

Grantors further grant unto Grantees the First Right of Refusal to purchase Grantors' real property as described above.

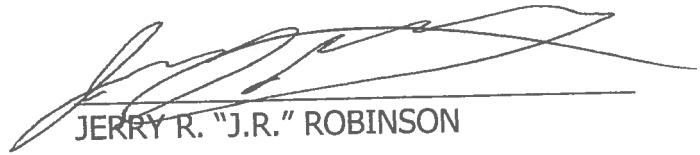
The first right of refusal exercise price shall be an amount equal to any bona fide third-party offer received by Grantors and shall be subject to the same terms and conditions of any offer the Grantors received.

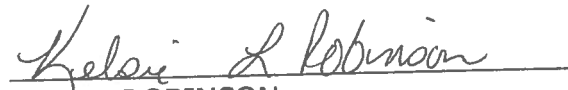
Upon receipt of any bona fide written offer, Grantors shall give Grantees written notice of said offer including all terms and conditions. Grantees shall have thirty (30) business days to exercise their right of first refusal in writing and an additional thirty (30) days to close on the above-described real property.

In the event Grantees permanently remove the pivot irrigation systems, both the Pivot Easement and First Right of Refusal shall be deemed to have lapsed.

IN WITNESS WHEREOF, the undersigned has executed this Pivot Easement and First Right of Refusal on the 16 day of May, 2006.

"GRANTORS"

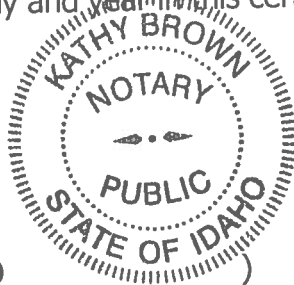

JERRY R. "J.R." ROBINSON

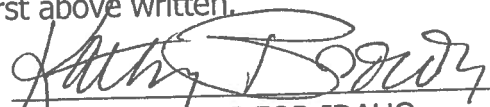

KELSIE ROBINSON

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 31 day July, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared JERRY R. "J.R." ROBINSON known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

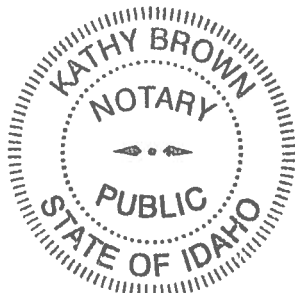


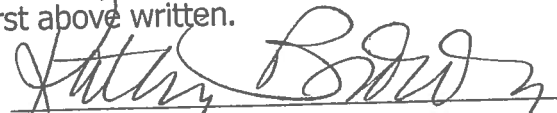

NOTARY PUBLIC FOR IDAHO
Residence: Twin Falls, ID
My Commission Expires: 5-15-08

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 31 day July, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared KELSIE ROBINSON, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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




NOTARY PUBLIC FOR IDAHO
Residence: Twin Falls, ID
My Commission Expires: 5-15-08

ACKNOWLEDGMENT AND CONSENT

THE UNDERSIGNED as the Grantees of the Pivot Easement and First Right of Refusal acknowledges that they have read the foregoing Pivot Easement and First Right of Refusal and consent to be bound by the terms and conditions thereof.

DATED the 16 day of May, 2006.

"GRANTEES"

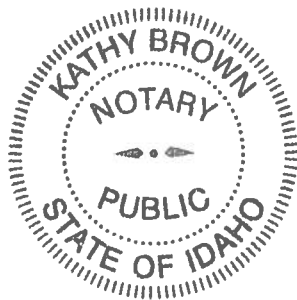
Lowell Curtis
LOWELL CURTIS

Julina Curtis
JULINA CURTIS

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 16 day of May, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared LOWELL CURTIS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



Kathy Brown
NOTARY PUBLIC FOR IDAHO
Residence: Twin Falls, ID
My Commission Expires: 5-15-08

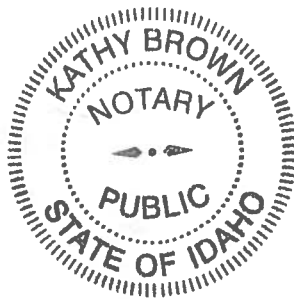
STATE OF IDAHO

)
) ss.
)

County of Twin Falls

On this 16 day May, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared JULINA CURTIS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



Kathy Brown

NOTARY PUBLIC FOR IDAHO

Residence: Twin Falls, ID

My Commission Expires: 5-15-08