

RECEIVED

NOV 09 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED: APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Moo View Cow Palace Phone 208-312-1595
Mailing address 474 E. 550 S. Burley, ID 83318

2. Source of water supply Lunch Cr., Dayley Cr., Antelope Cr. which is a tributary of Sinks

3. Location of point of diversion is Township 12S Range 24E Sec. , in the ¼, ¼, ¼, Govt. Lot , B.M., Cassia County; additional points of diversion, if any:
Antelope Cr. SENW-Sec07 ; Dayley Cr. NESE-Sec07 ; Lunch Cr. SESE-Sec05 all T12S, R24E

4. Water will be used for the following purposes:

Amount 0.05 cfs for Stockwater purposes from 11/15 to 3/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity being appropriated is (a) 0.05 and/or (b)
cubic feet per second acre-feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source: Surface stream diversion
into pipelines outside standard irrigation season to seepage pond. Excess runoff
diverted along ditch to overflow area.

b. Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity acre-feet.

c. Proposed well diameter is inches; proposed depth of well is feet

d. Is groundwater with a temperature of greater than 85° degrees being sought?

e. If well is already drilled, when? ; Drilling firm ;
Well was drilled for (well owner) ; Driller Permit No.

7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW.

b. Stockwatering; list number and kind of livestock. 300 range cattle

c. Municipal; show name of municipality.

d. Domestic; show number of households.

e. Other; describe fully.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	24E	31	S			S									S	S	S	S	Stock
		32	S	S	S	S	S	S	S	S		S	S		S	S			Stock
		33					S	S	S	S									
12S	23E	12	S	S	S	S					S				S	S			
	24E	5					S	S	S	S	S	S							
		6	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
		7						S	S										

Total number of acres to be irrigated S

10. Describe any other water rights used for the same purposes as described above. Surface streams diverted for stockwater 3/15-11/15 (ref. 45-690, 45-691, 45-14182)

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: This application seeks to authorize off-season diversion of surface water streams to provide incidental stockwater provided by surface streams through grazing areas.

13. MAP OF PROPOSED PROJECT REQUIRED – Attach an 8 ½ "x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Signature of Applicant (include title, if applicable.)

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Received by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____



STATEMENT OF PARTNERSHIP AUTHORITY

(Instructions on back of application)

FILED EFFECTIVE

2006 APR 27 AM 8:47

SECRETARY OF STATE
STATE OF IDAHO

The undersigned partnership hereby files a statement of partnership authority, and submits the following information to the Secretary of State pursuant to Idaho Code § 53-3-303.

1. The name of the partnership is: Moo View Cow Palace
2. The street address of its chief executive office is: 474 East 550 South, Burley, Idaho 83318
3. The street address of one (1) office in Idaho: 474 East 550 South, Burley, Idaho 83318
4. The names and mailing addresses of all partners (attached sheets may be added):

Name	Address
<u>Cloyd R. Searle</u>	<u>474 East 550 South, Burley, Idaho 83318</u>
<u>Kent R. Searle</u>	<u>476 East 600 South, Burley, Idaho 83318</u>
<u>(see attached page for more)</u>	

OR the name and address of the registered agent in Idaho is:

5. The names of the partners authorized to execute an instrument transferring real property held in the name of the partnership:

At least three(3) of these must	execute to transfer:
<u>Cloyd R. Searle</u>	<u>Craig E. Searle</u> <u>Kelly C. Searle</u>
<u>Kent R. Searle</u>	<u>Clifford L. Searle</u>

6. Signature of at least 2 partners:

- 1)
Typed Name Cloyd R. Searle
- 2)
Typed Name Kent R. Searle
- 3)
Typed Name Craig E. Searle

Secretary of State use only

g:\corp\forms\partnership\auth p65 Revised 01/2001

IDAHO SECRETARY OF STATE *kw*
04/27/2006 05:00
CK: 1518 CT: 124811 BN: 951641
1 @ 100.00 = 100.00 PARTN AUT # 2

K 354

Statement of Partnership Authority (added page) for Moo View Cow Palace:

Item #4: Additional names and mailing addresses of partners:

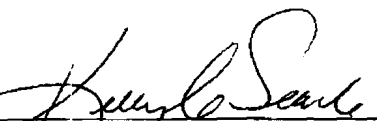
Name	Address
Craig E. Searle	522 East 600 South, Burley, Idaho 83318
Clifford L. Searle	500 East 500 South, Burley, Idaho 83318
Kelly C. Searle	739 South 50 West, Burley, Idaho 83318

Statement of Authority or Limitations: (Idaho Code 53-3-303(a)(2))

In order to contract for any debt or liability exceeding the value of Five Hundred Thousand Dollars (\$500,000.00), at least three of any of the partners named herein this Statement of Partnership Authority must execute the instrument evidencing said debt or liability for it to be deemed to be an authorized debt or liability of the partnership. For any debt or liability of an amount less than Five Hundred Thousand Dollars (\$500,000.00), any one or more of the partners as named herein is authorized to execute the instrument evidencing indebtedness on behalf of the entirety of the partnership.

Item #6. Remaining Signatures of Partners:

4) 
Typed Name Clifford L. Searle

5) 
Typed Name Kelly C. Searle

WARRANTY DEED

#40230

For Value Received

309377

**ORIN B. WOODBURY, also known as ORIN WOODBURY and
LINDA WOODBURY, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**MOO VIEW COW PALACE, an Idaho Partnership
Address: 474 East 500 South, Burley, ID 83318**

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' FOR LEGAL DESCRIPTION

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho Department of Water Resources water right numbers 45-690, 45-691, 45,7004, 45,7186A, and 45-7186B.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2006 and subsequent years.

Assessments of the Southwest Irrigation District and the rights and powers of said District as by law provided.

Mineral Reservation contained in Idaho Deed from The Union Central Life Insurance Company, a corporation, to Leland R. Woodbury, dated June 4, 1940 and recorded September 2, 1941 as Instrument No. 139843 in Book 47 of Deeds, Page 53, records of Cassia County, Idaho, which reads as follows: "Excepting and reserving, however, from these presents an undivided one-half interest in all oil, gas and other minerals beneath the surface of above described land, with the rights of ingress and egress at all times for the purpose of mining, drilling and exploring said land for oil, gas and other minerals, and removing the same therefrom, and any and all rights and privileges necessary, incident to, or convenient for the economical operation of said land for such purpose." (Lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 12 South, Range 24 East of the Boise Meridian)
NOTICE OF INTENT TO PRESERVE MINERAL RIGHTS, dated December 30, 2002 and recorded January 13, 2003 as Instrument No. 285878, records of Cassia County, Idaho.
NOTICE OF INTENT TO PRESERVE MINERAL RIGHTS, dated March 4, 2003 and recorded March 11, 2003 as Instrument No. 287187, records of Cassia County, Idaho.

Right of Way contained in Warranty Deed executed by Leland Woodbury and Myrlene Woodbury, husband and wife, to Verl A. Woodbury and Hilda T. Woodbury, husband and wife, dated December 21, 1987 and recorded April 2, 1990 as Instrument No. 206878 on Film No. 215, records of Cassia County, Idaho, which reads as follows: "LESS a 25.0 foot wide county road right-of-way along the East side." (Parcel No. 3)

Right of Way as contained in Warranty Deed from Myrlene S. Woodbury, a widow, and Myrlene S. Woodbury, as Personal Representative of the Estate of Leland R. Woodbury, deceased, to Orin Woodbury and Linda Woodbury, husband and wife, dated September 2, 1993 and recorded September 23, 1993 as Instrument No. 226773 on Film No. 248, records of Cassia County, Idaho, which reads as follows: "Subject to a 25 foot wide county road right of way along the East side."

RECORDED AT THE REQUEST OF
LAND TITLE & ESROW
2003 JUN 29 PM 1 13
FEE 2450
CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
ORDER
DEPUTY
309377

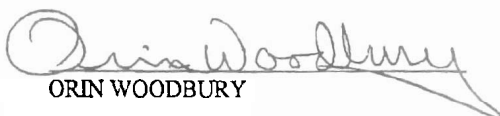
Terms and conditions contained in Agreement Regarding Potato Cellar and Consent By Key Bank by and between Orin Woodbury and wife and Moo-View Cow Palace, an Idaho general partnership, consisting of Cloyd R. Searle and Gwendolyn F. Searle, husband and wife; Kent R. Searle and Marilyn Searle, husband and wife; Craig E. Searle and Beverly J. Searle, husband and wife; Clifford L. Searle and Terri Louise Searle, husband and wife; and Kelly C. Searle and Shawna Searle, husband and wife; dated September 10, 1993 and recorded July 7, 1999 as Instrument No. 263804, records of Cassia County, Idaho. (Parcel No. 4)

Terms and conditions contained in Agreement Regarding Interest of D. L. Evans Bank In Certain Real Property by and between Moo-View Cow Palace, an Idaho general partnership consisting of: The Cloyd R. Searle Family Trust dated November 29, 1994, Cloyd R. Searle and Gwendolyn F. Searle, Trustees; The Kent R. Searle Family Trust dated August 23, 1994, Kent R. Searle and Marilyn Searle, Trustees; The Craig E. Searle Family Trust dated January 18, 1995, Craig E. Searle and Beverly J. Searle, Trustees; The Clifford L. Searle Family Trust dated January 2, 1998, Clifford L. Searle and Terri Louise Searle, Trustees; and, The Kelly C. Searle Family Trust dated April 28, 1994, Kelly C. Searle and Shawna Searle, Husband and wife, referred to as "Moo-View, which formerly consisted of the following individuals as partners: Cloyd R. Searle and Gwendolyn F. Searle, husband and wife; Kent R. Searle and Marilyn Searle, Husband and wife; Craig E. Searle and Beverly J. Searle, husband and wife; Clifford L. Searle and Terri Louise Searle, husband and wife; and Kelly C. Searle and Shawna Searle, husband and wife, and D. L. Evans Bank, dated September 15, 1997 and recorded June 25, 2001 as Instrument No. 275750, records of Cassia County, Idaho. (Parcel No. 4)

Terms and conditions contained in Resolution 2005-09-3 of the Cassia County Planning and Zoning Commission granting a Permit for a Confined Animal Feeding Operation, dated September 15, 2005 and recorded September 19, 2005 as Instrument No. 304184, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

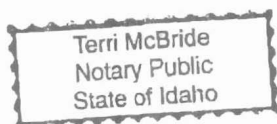
Dated: March 9, 2006


ORIN WOODBURY


LINDA WOODBURY

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 9th day of March, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared ORIN WOODBURY and LINDA WOODBURY, 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: Boyer
My Commission expires: 5-5-08

Exhibit "A"

PARCEL NO. 1:

TOWNSHIP 12 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: E $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: SE $\frac{1}{4}$, SAVE AND EXCEPT the following described tracts:

Tract No. 1:

Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 31, said point marked by a 5/8 inch rebar which shall be the Point of Beginning;
Thence North 88°28' West (Basis of Bearing) along section line for 249.27 feet to a 1/2 inch rebar;
Thence North 1°08'38" East for 358.25 feet to a 1/2 inch rebar;
Thence South 87°31'42" East for 249.76 feet to a P.K. nail on section line;
Thence South 1°12'48" West along said section line for 354.16 feet to the Point of Beginning.

Tract No. 2:

Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 31, said corner marked by a 5/8" rebar; Thence North 1°12'48" East along section line for 354.16 feet to a P.K. nail; Thence North 87°31'42" West for 119.08 feet to a 1/2" rebar which shall be the Point of Beginning;
Thence North 87°31'42" West for a distance of 130.68 feet to a 1/4" rebar;
Thence North 01°12'48" East for a distance of 400.00 feet to a point;
Thence South 87°31'42" East for a distance of 3.09 feet to a 1/4" rebar;
Thence South 87°31'42" East for a distance of 246.67 feet to a 1/2" rebar on section line;
Thence South 01°12'48" West along section line for a distance of 321.69 feet to a 1/4" rebar;
Thence North 87°31'42" West for a distance of 119.08 feet to a 1/4" rebar;
Thence South 01°12'48" West for a distance of 78.31 feet to the Point of Beginning.

-Continued-

Section 32: W $\frac{1}{2}$ SW $\frac{1}{4}$ and part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 32, which point shall be the Point of Beginning;
Thence East along the Section line for 100 feet;
Thence South 100 feet;
Thence West 100 feet;
Thence North along the Section line for 100 feet to the True Point of Beginning.

Section 33: NE $\frac{1}{4}$, S $\frac{1}{4}$, EXCEPT the following described tracts:

Tract No. 1:

Part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northeast corner of Section 33, said corner marked by a 1 $\frac{1}{2}$ inch iron pipe with cap; Thence South 00°00'00" East along the East line of Section 33 for a distance of 201.24 feet to the Point of Beginning;
Thence South 00°00'00" East along the East line of Section 33 for a distance of 249.95 feet;
Thence South 87°17'42" West for a distance of 18.85 feet to a $\frac{1}{2}$ inch rebar;
Thence South 87°17'42" West for a distance of 569.30 feet to a $\frac{1}{2}$ inch rebar;
Thence North 07°07'09" East for a distance of 270.98 feet to a $\frac{1}{2}$ inch rebar;
Thence North 89°05'16" East for a distance of 532.28 feet to a $\frac{1}{2}$ inch rebar;
Thence North 89°05'16" East for a distance of 21.70 feet to the Point of Beginning.

Tract No. 2:

Part of the NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northeast section corner of said Section 33 said corner marked by an U.S.R.S. iron pipe which shall be the Point of Beginning;
Thence South 00°25'06" West (S 00°00'00" East rec.) along the East section line for a distance of 201.24 feet;
Thence South 89°30'22" West (S 89°05'16" West rec.) for a distance of 21.70 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°30'22" West (S 89°05'16" West rec.) for a distance of 532.28 feet to a $\frac{1}{2}$ inch rebar;
Thence South 07°32'16" West (S 07°07'09" West rec.) for a distance of 270.98 feet to a $\frac{1}{2}$ inch rebar;
Thence North 87°42'47" East (N 87°17'42" East rec.) for a distance of 569.30 feet to a $\frac{1}{2}$ inch rebar;
Thence North 87°42'47" East (N 87°17'42" East rec.) for a distance of 18.85 feet to the East section line;
Thence South 00°25'06" West along said line for a distance of 648.81 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°40'25" West for a distance of 1520.24 feet to a $\frac{1}{2}$ inch rebar;
Thence North 00°25'06" East for a distance of 1075.00 feet to a $\frac{1}{2}$ inch rebar;

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Thence North 00°25'06" East for a distance of 25.00 feet to the North section line;
Thence North 89°40'25" East along said line for a distance of 1520.24 feet to the
Point of Beginning.

Tract No. 3:

Part of the NW¼SW¼, more particularly described as follows:

Beginning at the West ¼ section corner of said Section 33 said corner marked by
a 5/8 inch rebar with a 3 inch aluminum cap which shall be the Point of
Beginning;
Thence North 89°56'46" East along the North line of the NW¼SW¼ for a distance of
695.69 feet to a ½ inch rebar;
Thence South 00°06'36" West for a distance of 313.07 feet to a ½ inch rebar;
Thence South 89°56'46" West for a distance of 670.69 feet to a ½ inch rebar;
Thence South 89°56'46" West for a distance of 25.00 feet to the West line of the
NW¼SW¼;
Thence North 00°06'36" East along said line for a distance of 313.07 feet to the Point
of Beginning.

TOWNSHIP 12 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 4: W½NW¼

Section 5: E¼NE¼, SE¼, SW¼SW¼, NE¼SW¼, W½NW¼, NW¼SW¼, Lots 2 & 3,
SE¼NW¼, SW¼NE¼ SAVE AND EXCEPT a part of the NW¼NW¼
described as follows:

Beginning at the Northwest section corner of said Section 5 said corner marked by a 5/8
inch rebar with a 3 inch aluminum cap; Thence South 89°15'37" East along the
North section line for a distance of 328.27 feet to a ½ inch rebar which shall be
the Point of Beginning.
Thence South 89°15'37" East continuing along said line for a distance of 425.77 feet;
Thence South 00°44'23" West for a distance of 4.88 feet to a ½ inch rebar;
Thence South 49°43'57" West for a distance of 603.01 feet to a ½ inch rebar;
Thence North 04°55'16" East for a distance of 401.62 feet to the Point of Beginning.

Section 6: All

Section 7: N¼, N¼SW¼, SE¼

Section 8: NE¼, NW¼NW¼, SW¼SW¼

-Continued-

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Continuation

PARCEL NO. 2:

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: E $\frac{1}{2}$ NE $\frac{1}{4}$

Section 32: N $\frac{1}{2}$ SE $\frac{1}{4}$ and N $\frac{1}{2}$, SAVE AND EXCEPT a part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the North west corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 32, which shall be the True Point of Beginning;

Thence East along the section line for 100 feet;

Thence South 100 feet;

Thence West 100 feet;

Thence North along the section line for 100 feet to the True Point of Beginning.

Section 33: NW $\frac{1}{4}$

PARCEL NO. 3:

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 31, said point marked by a 5/8 inch rebar which shall be the Point of Beginning;

Thence North 88°28' West (Basis of Bearing) along section line for 249.27 feet to a $\frac{1}{2}$ inch rebar;

Thence North 1°08'38" East for 358.25 feet to a $\frac{1}{2}$ inch rebar;

Thence South 87°31'42" East for 249.76 feet to a P.K. nail on Section line;

Thence South 1°12'48" West along said Section line for 354.16 feet to the Point of Beginning.

-Continued-

PARCEL NO. 4:
AN UNDIVIDED ONE-HALF INTEREST IN AND TO THE FOLLOWING:

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 31, said corner marked by a 5/8" rebar; Thence North 1°12'48" East along section line for 354.16 feet to a P.K. nail; Thence North 87°31'42" West for 119.08 feet to a 1/2" rebar which shall be the Point of Beginning;
Thence North 87°31'42" West for a distance of 130.68 feet to a 1/2" rebar;
Thence North 01°12'48" East for a distance of 400.00 feet to a point;
Thence South 87°31'42" East for a distance of 3.09 feet to a 1/2" rebar;
Thence South 87°31'42" East for a distance of 246.67 feet to a 1/2" rebar on section line;
Thence South 01°12'48" West along section line for a distance of 321.69 feet to a 1/2" rebar;
Thence North 87°31'42" West for a distance of 119.08 feet to a 1/2" rebar;
Thence South 01°12'48" West for a distance of 78.31 feet to the Point of Beginning.

PARCEL NO. 5:

An Irrigation Mainline Easement for the benefit of the above described parcels more particularly described as follows:

Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5 of Township 12 South, Range 24 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the Northwest section corner of Section 5 of T.12 S., R.24 E., B.M., said corner marked by a 3/4" rebar with a 3" aluminum cap; Thence South 89 degrees 15 minutes 37 seconds East along the north section line for a distance of 328.27 feet to a 1/2" rebar; Thence South 04 degrees 55 minutes 16 seconds West for a distance of 117.92 feet to the Point of Beginning;

THENCE South 39 degrees 55 minutes 17 seconds East for a distance of 199.95 feet;

THENCE South 49 degrees 43 minutes 57 seconds West for a distance of 10.00 feet;

THENCE North 39 degrees 55 minutes 17 seconds West for a distance of 189.95 feet;

THENCE North 04 degrees 55 minutes 16 seconds East for a distance of 14.18 feet to the Point of Beginning.

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Continuation

Reserving unto the Grantors, their successors and assigns, a non exclusive 25' access easement for the benefit of the following described parcel:

TOWNSHIP 12 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 5: A part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ more particularly described as follows:

Beginning at the Northwest section corner of said Section 5 said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap; Thence South 89°15'37" East along the North section line for a distance of 328.27 feet to a 1/2 inch rebar which shall be the Point of Beginning.

Thence South 89°15'37" East continuing along said line for a distance of 425.77 feet;
Thence South 00°44'23" West for a distance of 4.88 feet to a 1/2 inch rebar;
Thence South 49°43'57" West for a distance of 603.01 feet to a 1/2 inch rebar;
Thence North 04°55'16" East for a distance of 401.62 feet to the Point of Beginning.

Said 25' access easement is more particularly described as follows:

Part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32 of Township 11 South, Range 24 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the Southwest section corner of Section 32 of T.11 S., R.24 E., B.M., said corner marked by a 5/8" rebar with a 3" aluminum cap which shall be the Point of Beginning;

THENCE North 01 degrees 17 minutes 23 seconds East along the west section line for a distance of 25.00 feet;

THENCE South 89 degrees 15 minutes 37 seconds East for a distance of 753.80 feet;

THENCE South 00 degrees 44 minutes 23 seconds West for a distance of 25.00 feet to the south section line;

THENCE North 89 degrees 15 minutes 37 seconds West along said line for a distance of 425.77 feet to a 1/2" rebar;

THENCE North 89 degrees 15 minutes 37 seconds West continuing along said line for a distance of 328.27 feet to the Point of Beginning.