

Transfer No. 74310
RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OCT 12 2007

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**WATER RESOURCES
WESTERN REGIONName of Applicant Letha Irrigation & Water Co., Inc. Phone 208-343-3395Post Office address 400 Coston Street, Boise ID 83712**A. PURPOSE OF TRANSFER**1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use☒ Change nature of use ☒ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Retire 23.0 acres from irrigation on right 65-78 and change the nature of use of the associated water to aesthetic storage to mitigate the evaporative consumptive use resulting from the construction of three ponds proposed on an application for permit in the name of J & G Development. Total pond surface area is estimated at 25.0 acres. Two of the 25.0 acres are located within Reed Ditch Company's (RDC) service area and are included on a separate transfer application in the name of RDC.

Applicant also wishes to correct the company service area boundary to include all of the NESE and SENE tracts and a larger portion of the SWNE tract in T6N R3W S1. Irrigation company records indicate that this area has historically been irrigated with company water and that there are shares associated with the property.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>65-78</u>	<u>10/27/1884</u>	<u>4.0 cfs</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
		<u>62.7 afa</u>	<u>Aesthetic Storage</u>	<u>1/1</u> to <u>12/31</u>
		<u>0.92 cfs</u>	<u>Diversion to Storage</u>	<u>3/15</u> to <u>11/15</u>
		<u>0.92 cfs</u>	<u>Aesthetic</u>	<u>3/15</u> to <u>11/15</u>

2. Total amount of water being transferred 4.92 cubic feet per second and/or 62.7 acre-feet per annum.3. Source of water Payette River tributary to Snake River

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NW	NW	8	6N	2W	Gem	Existing Diversion on Seven-Mile Slough

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	2W	6										A,AS Lt 9	A,AS Lt 10	A,AS					
	3W	1			A,AS	A,AS									A,AS	A			
See attached service area boundary map for irrigation POU																			

Total Acres 100 remaining acres
irrigation within applicant's service area

PART 1**6. General Information:**

- a. Description of diversion system Existing diversion on Seven-Mile Slough to ponds via gravity ditch, pumping station at ponds to pressurized irrigation system.

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
_____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

23.0 acres will be removed from irrigation and converted to pond area.

- d. Remarks:

LIWC has a total of eleven decreed rights in the SRBA. This application affects right 65-78, which will serve as mitigation for the construction of approximately 23.0 acres of aesthetic pond area proposed for development within Woods Ranch Subdivision. An application for permit has been submitted by J & G Development, Inc. (shareholder) for construction of the ponds. The ponds will intercept and fill with shallow ground water that is tributary to the Payette River system. The intent of this transfer proposal is to provide mitigation for potential effects to existing water rights due to the evaporative losses resulting from the ponds. Current company records indicate that the J & G Development, Inc. own shares of company water delivered through the Woods, Seitz, and Maxfield ditches. In total, approximately 310.0 inches of LIWC water is provided to the Woods Ranch Subdivision property. A crop of alfalfa has been grown on the property in the past according the previous property owner and farmer, Will Maki. Based on Emmett ET data from the Kimberly U of I Research Center web site <http://www.kimberly.uidaho.edu/ETIdaho>, alfalfa has an annual consumptive use of 2.726 af/acre. Therefore, historic annual consumptive use for 23.0 acres of alfalfa is 62.7 af. Based on the 1:1 ratio, the consumptive volume associated with 23.0 acres of alfalfa is equivalent to the consumptive volume (evaporative losses) associated with 23.0 acres of ponds. As decreed in the SRBA, right 65-78 has an irrigation diversion rate of 4.92 cfs limited to 123.0 acres. This transfer application proposes that the total diversion rate remains 4.92 cfs, with 4.0 cfs for irrigation and .92 cfs for diversion to storage and flow through aesthetic use. The 62.7 af consumptive volume associated with the previously irrigated pond area will be converted to aesthetic storage use. Irrigation will be reduced and limited to 100.0 acres.

Explanatory material contained in the SRBA recommendation states that right 65-82 is also diverted out of the same diversion as 65-78, which is incorrect. As indicated on the SRBA shape files and the USGS topo map, there are two separate diversions in the NWNW S8; one for Seitz ditch used for right 65-82 and one for the Woods ditch used for right 65-78 (see attached map). As part of this transfer process, we would like this explanatory material removed.

Although the NESE, SWNE, and SENE tracts are listed on the company water rights as part of their irrigation POU, the company's decreed service area boundary map only partially covers each tract. The company wishes to include the entire NESE and SENE tracts and a larger portion of the SWNE tract as part of their service area since these areas have historically been irrigated with company water and have associated shares. See the attached service area boundary maps for identification of the specific areas.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

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

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED (See Attached SRBA Decree)

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☒ Other Notarized statements from landowners

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above Application for permit filed by J & G Development, Inc. for aesthetic storage, ten other associated LIWC rights used for irrigation within the LIWC service area (65-76, 65-77, 65-79, 65-80, 65-81, 65-82, 65-84, 65-85, 65-2030, and 65-10337).

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED (Irrigation to be converted to ponds)

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .92 cfs for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Existing point proposed for change

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NW	NW	8	6N	2W	Gem	Woods ditch

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	2W	6										3.3 Lt 9	5.5 Lt 10	3.5					12.3
	3W	1			.9	.6									9.2				10.7

Total Acres 23.0

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount Remaining Right for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

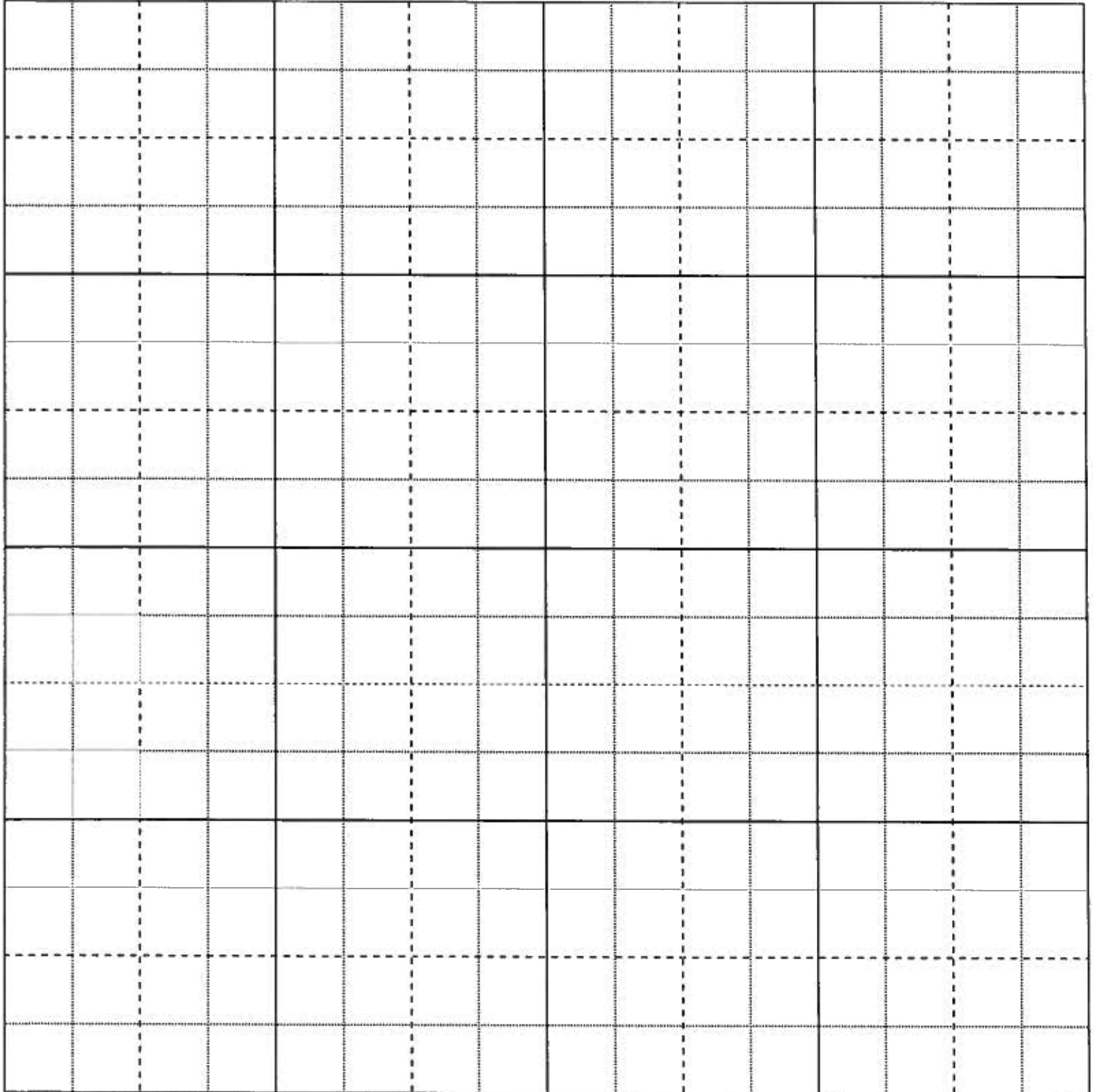
Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

(See Attached Maps)

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



Scale: 2 inches equal 1 mile. Draw plan in ink.

PART 3

3. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
	<u>Aesthetic Storage</u>	<u>62.7 af</u>	<u>24/7</u>	<u>1/1</u> to <u>12/31</u>
			<u>Existing Delivery</u>	
	<u>Diversion to Storage & Aesthetic</u>	<u>.92 cfs</u>	<u>Schedule</u>	<u>3/15</u> to <u>11/15</u>

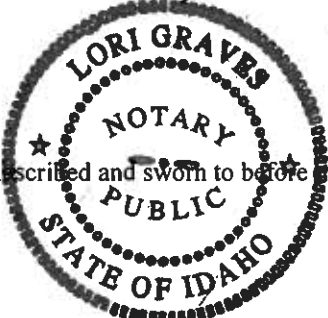
Quantity and quality of return flows and location of discharge: No change in quantity. Transferred portion will discharge into ponds located within the company service area to provide mitigation for consumptive use of shallow ground water in ponds. Quality of return flow may improve due to reduced overland flow to drains and reduced sediment load.

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

Transferred water will be utilized as mitigation to offset evaporative losses from ground water fed ponds. As historic irrigation consumption of the pond foot-print area is similar in magnitude to the anticipated consumption of the proposed use, the effects on other water users should be negligible.

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.


Marcia H. Herr Pres- Letha Irrigation and Water Co. Inc.
 (Signature of Applicant)
 Subscribed and sworn to before me this 10th day of October, 20 07
Loi Granger
 (Notary Public)

My commission expires 6/18/2010

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 3 attachments
 Received by DB Date 10-12-07 Protest filed by _____
 Prelim. Check by KW Fee \$250-
 Receipted by DB/W035899 Date 10-12-07
 Published in MESSENGER INDEX Copies of protest forwarded by _____
 Pub. Dates OCTOBER 6 & 13, 2010 Hearing held by _____ Date _____
 Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial
 _____ received _____ by _____

Copy of transfer sent to lien holder _____

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 65-00078

NAME AND ADDRESS: LETHA IRRIGATION & WATER CO IN
400 COSTON ST
BOISE, ID 83712

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 4.92 CFS

A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THIS RIGHT.^^^ USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 109.38 CFS. COMBINED RIGHT NOS.: 65-00077, 65-00076, 65-00079, 65-00080, 65-00081, 65-00082, 65-00084, 65-00085, 65-02030 & 65-10337.^^^

PRIORITY DATE: 10/27/1884

POINT OF DIVERSION: T06N R02W S08 NWNW Within Gem County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	4.92 CFS

PLACE OF USE: THIS RIGHT IS LIMITED TO THE IRRIGATION OF 123 ACRES WITHIN THE PLACE OF USE BOUNDARY DESCRIBED FOR THE LETHA IRRIGATION AND WATER CO.^^^

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

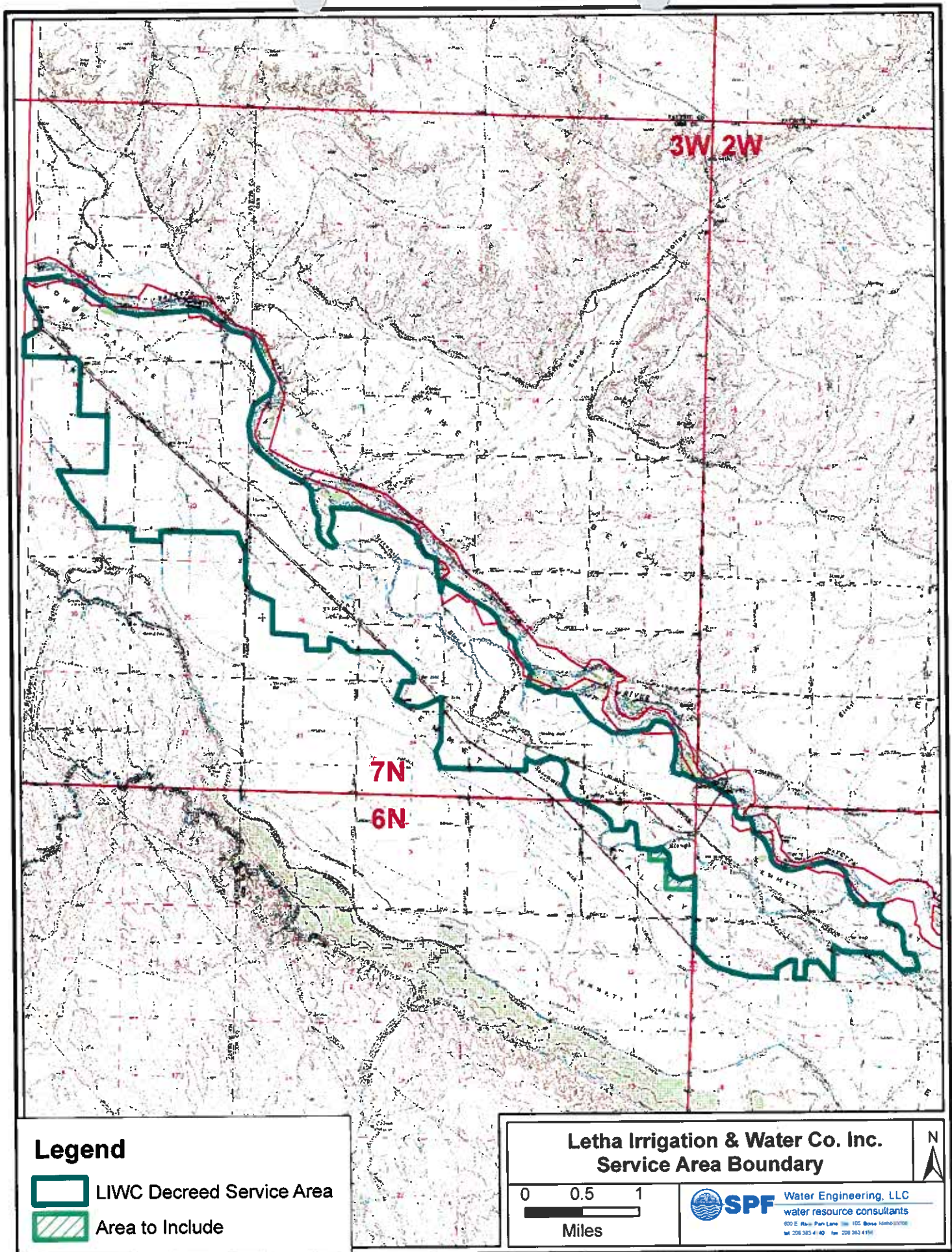
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

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


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

Attachment 1



To Whom It May Concern:

J & G Development, Inc. either owns or has the option to own the pond property that the Letha Irrigation & Water Company, Inc. and Reed Ditch Company transfers seek to mitigate. We have requested transfer applications be submitted on our behalf to mitigate an application for permit we filed with Idaho Department of Water Resources August 20, 2007 for ground water storage in three proposed ponds.

Larry A. Mendenhall, Vice Pres.
Signature

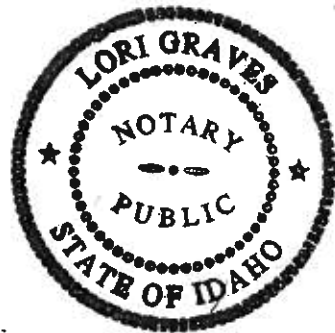
Sept. 19, 2007
Date

Subscribed and sworn to before me this 19th day of Sept, 2007.

Lori Graves

(Notary Public)

My commission expires 6/18/2010



Attachment 3

After Recording
Return to:

Alliance Title & Escrow Corp.
Attn: Marilyn Knighton
1022 S. Washington Avenue
Emmett, ID 83617-3533

Instrument # 252862

EMMETT, GEM, IDAHO

2006-06-30 04:05:00 No. of Pages: 5

Recorded for : ALLIANCE TITLE & ESCROW

SUSAN K. HOWARD

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

FOR RECORDING INFORMATION**WARRANTY DEED**

FOR VALUE RECEIVED, William August Maki, a married person who acquired title as an unmarried person in and to a portion; and William A. Maki and Shanan L. Maki, husband and wife, as to an undivided one-half (1/2) interest, and Shawn M. Bean, an unmarried person, as to an undivided one-quarter (1/4) interest, and Jackie A. Maki, an unmarried person, as to an undivided one-quarter (1/4) interest, in and to a portion, collectively, as "Grantor," does hereby grant, bargain, sell and convey unto J & G Development, Inc., an Idaho corporation, as "Grantee," whose current address is 9175 W. State Street, Boise, Idaho 83714, the premises located in Gem County, Idaho, more specifically described on Exhibit A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and Grantee's heirs and assigns forever. Said Grantor does hereby covenant to and with said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject as more particularly set forth on Exhibit B attached hereto and incorporated herein by reference, and those made, suffered or done by the Grantee; and subject to reservations, restrictions, dedications, easements, rights of way and agreements (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor shall warrant and defend the same from all lawful claims whatsoever.

Dated: June 30, 2006.

William August Maki
William August Maki

William A. Maki
William A. Maki

Shanan L. Maki & Jackie Maki
Shanan L. Maki
Attorney in Fact

Shawn M. Bean
Shawn M. Bean

Jackie A. Maki
Jackie A. Maki

STATE OF IDAHO)
County of Yem) ss.

On this 30 day of June, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared William August Maki, known or identified to me to be the person who signed the within and foregoing document, 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 first above written.



Marilyn Knighton
Notary Public for Idaho
Residing at Emmett
My commission expires: 4-4-2011

STATE OF IDAHO)
County of Yem) ss.

On this 30 day of June, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared William A. Maki, known or identified to me to be the person who signed the within and foregoing document, 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 first above written.

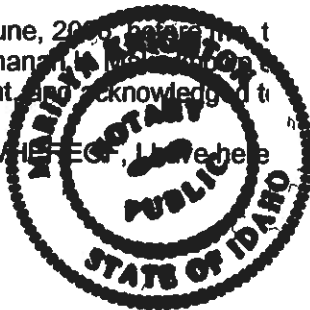


Marilyn Knighton
Notary Public for Idaho
Residing at Emmett
My commission expires: 4-4-2011

STATE OF IDAHO)
County of Yem) ss.

On this 30 day of June, 2006, before me, a Notary Public, personally appeared Shanahan L. Maki, known or identified to me to be the person who signed the within and foregoing document, 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 first above written.



STATE OF IDAHO }
COUNTY OF Yem } ss.

On this 30 day of June in the year 2006, before me, a Notary Public, personally appeared Jackie A Maki, L

known to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Shanan L. Maki and acknowledged to me that She subscribed the name of Shanan L Maki thereto as principal, and (her) (his) own name attorney in fact.

Residing at Emmett
Comm. Expires 4-4-2011

Marilyn Knighton
Notary Public

STATE OF IDAHO)
County of Mer) ss.

On this 30 day of June, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Shawn M. Bean, known or identified to me to be the person who signed the within and foregoing document, 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 first above written.

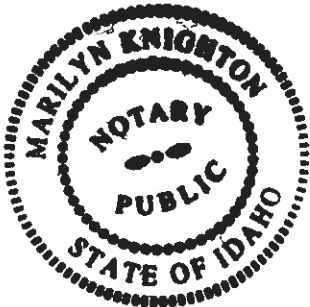


Marilyn Knighton
Notary Public for Idaho
Residing at Boise
My commission expires: 4-4-2011

STATE OF IDAHO)
County of Mer) ss.

On this 30 day of June, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Jackie A. Maki, known or identified to me to be the person who signed the within and foregoing document, and acknowledged to me that she executed the same.

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



Marilyn Knighton
Notary Public for Idaho
Residing at Boise
My commission expires: 4-4-2011

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

PHASE 1 LEGAL DESCRIPTION

A parcel of land located in a portion of Section 1, Township 6 North, Range 3 West and a portion of Sections 6 and 7, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho and more particularly described as follows:

BEGINNING at a point at the intersection of the northerly right-of-way line of State Highway 52 and the West line of the SW 1/4 of the SE 1/4 of said Section 1 from which a 5/8 inch iron rod marking the South 1/4 corner of said Section 1 bears S00°07'21"W 1350.64 feet;
 Thence along said West line N00°07'21"E a distance of 1305.05 feet;
 Thence leaving said West line N89°59'38"E a distance of 530.00 feet;
 Thence N00°07'21"E a distance of 410.00 feet;
 Thence N89°27'27"E a distance of 756.19 feet;
 Thence S13°16'48"E a distance of 1112.15 feet;
 Thence S53°27'03"E a distance of 572.91 feet;
 Thence S06°32'17"E a distance of 403.92 feet;
 Thence S48°57'12"E a distance of 196.35 feet;
 Thence S59°21'26"E a distance of 50.93 feet;
 Thence along a curve to the right, having a radius of 780.86 feet, a delta angle of 46°11'13", a length of 629.46 feet, and whose long chord bears S43°56'03"E a distance of 612.56 feet;
 Thence N72°49'14"E a distance of 98.84 feet;
 Thence along a curve to the right, having a radius of 630.00 feet, a delta angle of 51°05'17", a length of 561.74 feet, and whose long chord bears S81°23'33"E a distance of 543.32 feet;
 Thence bearing S55°50'54"E a distance of 226.75 feet;
 Thence along a curve to the right, having a radius of 55.00 feet, a delta angle of 124°54'43", a length of 119.91 feet, and whose long chord bears S50°20'12"E a distance of 97.53 feet;
 Thence S62°36'54"E a distance of 316.16 feet;
 Thence S07°48'03"E a distance of 173.15 feet;
 Thence N88°21'20"W a distance of 258.81 feet;
 Thence S01°39'01"W a distance of 219.10 feet;
 Thence N88°20'59"W a distance of 978.29 feet;
 Thence N00°24'15"E a distance of 99.02 feet to a 5/8 inch iron rod marking the southeast corner of aforementioned Section 1;
 Thence along the South line of said Section 1 S89°48'16"W a distance of 1343.80 feet to a point on the intersection of the northerly right-of-way line of State Highway 52 and the South line of the SW 1/4 of the SE 1/4 of said Section 1 from which aforementioned 5/8 inch iron rod marking the South 1/4 corner bears S89°48'16"W a distance of 1283.93 feet;

Thence along said northerly right-of-way line N43°34'41"W a distance of 1858.34 feet to the POINT OF BEGINNING.

Said parcel contains 5,772,067 sq. ft. or 132.50 acres more or less and is subject to any and all rights-of-ways and/or easements of record or implied.

EXHIBIT B
PERMITTED EXCEPTIONS

1. Taxes, including any assessments collected therewith, for the year 2006 which are a lien not yet payable.
2. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.
Recorded: December 29, 1916.
Official Records: Book 1 of Patents at Page 415.
3. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.
Recorded: May 9, 1902.
Official Records: Book 1 of Patents at Page 154.
4. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: State of Idaho.
Purpose: Public Highway.
Recorded: October 20, 1931.
Book 21 of Deeds. Purpose: Public Highway.
Page 81, of Official Records.
5. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Tract to the northwest owned by Clines.
Purpose: ingress/egress.
Recorded: March 27, 1997.
Instrument No.: 194144, of Official Records.
6. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: United States of America.
Purpose: Public Utilities.
Recorded: October 22, 1947.
Book 31 of Deeds.
Instrument No.: 57908, of Official Records.
7. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Charles Stevens and Pauline Stevens, husband and wife.
Purpose: ingress/egress and utility easement.
Recorded: June 15, 2004.
Instrument No.: 237195, of Official Records.
8. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Shane VonWald and Julie VonWald, husband and wife.
Purpose: 18 foot wide ingress and egress easement.
Recorded: June 19, 2006.
Instrument No.: 252484, of Official Records.

To Whom It May Concern:

William, Shanan, and Jackie Maki and Shawn Bean own a portion of the pond property that the Letha Irrigation & Water Company, Inc. (LIWC) transfer seeks to mitigate. We have ditch shares with LIWC and have authorized a transfer application be submitted on behalf of J & G Development, Inc. to mitigate an application for permit J & G Development, Inc. filed with Idaho Department of Water Resources August 20, 2007 for ground water storage in three proposed ponds. J & G Development have a real estate purchase and sales agreement with us.

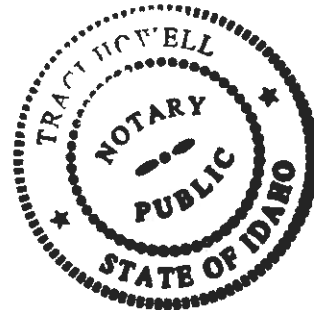
Jackie Maki
Signature

8-28-07
Date

Subscribed and sworn to before me this 28th day of August, 2007.

Traci Howell
(Notary Public)

My commission expires 12-19-09



Attachment 3f

400 032

INSTRUMENT NO. 237195
PAGES 1 OF 4

Instrument # **237195**
EMMETT, IDAHO
2004-06-15 03:09:00 No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE CO
SUSAN K. HOWARD Fee: 12.00
Ex-Officio Recorder Deputy Judy Entman
Index to: WARRANTY DEED

WARRANTY DEED

Grantors, CHARLES STEVENS and PAULINE STEVENS, husband and wife, of 1400 Morehouse Road, Emmett, ID 83617, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey an undivided one-half (1/2) interest unto WILLIAM A. MAKI and SHANAN L. MAKI, husband and wife, whose current address is P.O. Box 686, Lake Fork, ID 83635, and an undivided one-fourth (1/4) interest unto SHAWN M. BEAN and an undivided one-fourth (1/4) interest unto JACKIE A. MAKI, whose current address is 26600 Gail Lane, Middleton, ID 83644, as Grantees, and to Grantees' heirs and assigns forever, all of the following described real estate located in Gem County, Idaho:

See Exhibit A which is attached hereto and incorporated herein by reference as if set out in full.

TOGETHER with all improvements and appurtenances thereto.

Subject to such rights of way, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises.

Grantors, for Grantors and for Grantors' heirs and assigns do hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the Grantees and Grantees' heirs and assigns forever against the lawful claims of all persons.

In construing this deed and where the context so requires, the singular includes the plural and the masculine, feminine and the neuter.

IN WITNESS WHEREOF, Grantors have hereunto subscribed their name to this instrument this 11th day of June, 2004.

Charles Stevens
CHARLES STEVENS

Pauline Stevens
PAULINE STEVENS

STATE OF IDAHO)
County of Gem) ss.

On this 11th day of June, 2004, before me, the undersigned, a Notary Public for Said State, personally appeared CHARLES STEVENS and PAULINE STEVENS, known to me to be the persons whose names are subscribed to the within 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 certificate first above written.



Kathi Blamires
Notary Public for Idaho
Residing at Emmett, ID
My Commission Expires 5-4-10

Attachment 39

Exhibit "A"

INSTRU. NO. 237195
PAGES 2 OF 4

Real property in the County of Gem, State of Idaho, described as follows:

Tract I:

The Northeast quarter of the Southeast quarter, the Southeast quarter of the Northeast quarter and a portion of the Southwest quarter of the Northeast quarter and a portion of Government Lot 2 all in Section 1, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho, described as follows:

Beginning at the Southeast corner of the Northeast quarter of the Southeast quarter of Section 1, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
South 89°53'58" West, 1314.74 feet along the South line of said Northeast quarter of the Southeast quarter to the Southwest corner thereof marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
North 00°09'39" East, 1325.67 feet along the West line of said Northeast quarter of the Southeast quarter to the Northwest corner thereof marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
South 89°59'38" West, 785.63 feet along the South line of said Southwest quarter of the Northeast quarter to a point 530.00 feet East of the Southwest corner thereof marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
North 00°07'21" East, 410.00 feet, parallel to the West line of said Southwest quarter of the Northeast quarter to the South bank of the Seven Mile Slough marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
North 89°17'13" West, 246.87 feet along said South bank to a set 1/2" iron pin with plastic cap PLS 6552; thence
North 77°52'18" West, 289.48 feet along said South bank to the West line of the Southwest quarter of the Northeast quarter; thence
North 00°07'21" East, 2151.63 feet along said West line and the West line of said Government Lot 2 to the Southerly right of way line of Idaho Blvd marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
South 88°58'26" East, 101.59 feet to the beginning of a tangent 161.11 foot radius curve to the right and marked by a state highway right of way monument; thence
Southeasterly along the arc of said curve and said right of way through a central angle of 45°06'01" a distance of 126.82 feet; thence
South 43°52'25" East, 1,084.24 feet along said right of way to the beginning of a tangent 1,462.69 foot radius curve to the left marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
Southeasterly along the arc of said curve and said right of way through a central angle of 17°11'54" a distance of 439.05 feet to a point on the East line of said Government Lot 2 marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
South 00°09'39" West, 194.20 feet along said East line to the Southeast corner of said Government Lot 2, marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
South 89°39'53" East, 380.26 feet along the North line of said Southeast quarter of the Northeast quarter to the Southerly right of way of Idaho Blvd, marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
South 62°43'26" East, 12.79 feet to the beginning of a tangent 346.09 foot radius curve to the left and marked by a state highway right of way monument; thence
Southeasterly along the arc of said curve and said right of way through a central angle of 27°16'50" a distance of 164.79 feet to a state highway right of way monument; thence tangent to said curve
North 89°59'44" East, 699.60 feet along said right of way to the beginning of a tangent 148.31 foot radius curve to the left marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
Northeasterly along the arc of said curve and said right of way through a central angle of 26°40'01" a distance of 69.03 feet to a point on the East line of said Southeast quarter of the Northeast quarter marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
South 00°11'58" West, 2,623.98 feet along said East line and the East line of the Northeast quarter of the Southeast quarter to the Point of Beginning.

First American Title

Attachment 3h

Together with an ingress, egress and utility easement lying 70.00 feet East of the following described line:

Commencing at the Southwest corner of Section 6, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho marked by a 5/8" iron pin marked RMB 878; thence South 00°24'15" West, 99.00 feet, along the West line of the Northwest quarter of said Section 7, to the True Point of Beginning; thence retracing North 00°24'15" East, 99.00 feet to the Southwest corner of said Section 6; thence North 00°11'58" East, 1393.50 feet along the West line of Government Lots 9 and 10 of said Section 6 to the point of terminus of this easement.

Except that portion of Government Lot 2 of Section 1, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho, described as follows:

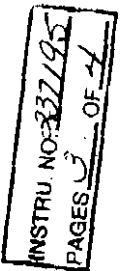
Commencing at the Northwest corner of Government Lot 2 of Section 6, Township 6 North, Range 3 West, Boise Meridian marked by a found 5/8" iron pin; thence South 00°07'21" West, 52.79 feet to a point on the South line of the right of way of Idaho Blvd. marked by a found 1/2" iron pin; thence South 88°58'26" East, 101.59 feet along said right of way to the beginning of a tangent 161.09 foot radius curve to the right and marked by a found brass capped right of way monument; thence Southeasterly along the arc of said curve and said right of way line through a central angle of 45°06'01" a distance of 126.80 feet; thence tangent to said curve South 43°52'25" East, 100.74 feet along said right of way line to the True Point of Beginning marked by a set 1/2" iron pin with plastic cap PLS 6552; thence continuing South 43°52'25" East, 649.17 feet along said right of way to a point referred to hereinafter as Point "A"; thence continuing South 43°52'25" East, 334.33 feet along said right of way to the beginning of a tangent 1462.69 foot radius curve to the left marked by a found 5/8" iron pin with plastic cap PLS 6552; thence Southeasterly along the arc of said curve and said right of way through a central angle of 10°52'54" a distance of 277.79 feet to a set 1/2" iron pin with plastic cap PLS 6552; thence along the bank of an irrigation ditch the following courses and distances:
 South 35°14'41" West, 25.32 feet to a set 1/2" iron pin with plastic cap PLS 6552;
 North 64°00'27" West, 637.97 feet to a set 1/2" iron pin with plastic cap PLS 6552;
 North 35°52'57" West, 218.99 feet to a set 1/2" iron pin with plastic cap PLS 6552;
 North 20°07'40" West, 288.79 feet to a set 1/2" iron pin with plastic cap PLS 6552;
 North 28°56'25" West, 74.60 feet to a set 1/2" iron pin with plastic cap PLS 6552;
 North 18°54'35" West, 123.70 feet to the True Point of Beginning.

TRACT II:

The Southeast quarter of the Southwest quarter, Government Lot 9, Government Lot 10 and a portion of the Northeast quarter of the Southwest quarter of Section 6 and a portion of the Northwest quarter of Section 7 all in Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho described as follows:

Beginning at the Southwest corner of Section 6, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho marked by a 5/8" iron pin marked RMB 878; thence North 00°11'58" East, 2647.01 feet along the West line of said Section 6 to the Northwest corner of Government Lot 9 of said Section 6 marked by a set 5/8" iron pin with plastic cap PLS 6552; thence South 88°14'28" East, 1610.05 feet along the North line of said Government Lot 9 and the North line of the Northeast quarter of the Southwest quarter of said Section 6 to the Southwesterly right of way of Vanderdasson Road marked by a set 1/2" iron pin with plastic cap PLS 6552; thence South 50°25'43" East, 201.40 feet along said right of way to a set 1/2" iron pin with plastic cap PLS 6552; thence South 54°07'54" East, 34.77 feet along said right of way to the beginning of a tangent 185.00 foot radius curve to the left marked by a set 1/2" iron pin with plastic cap PLS 6552; thence Southeasterly along the arc of said curve and said right of way through a central angle of 35°13'58" a distance of 113.76 feet to a point on the Southwesterly right of way of the Idaho Northern and Pacific Railroad said point being on the arc of a non-tangent 5,685.72 foot radius curve to the left and marked

First American Title



Attachment 3i

by a set 1/2" iron pin with plastic cap PLS 6552, a radial bearing to said point bears South 39°45'13" West; thence

Southeasterly along the arc of said curve through a central angle of 07°20'27" a distance of 728.47 feet to a set 1/2" iron pin with plastic cap PLS 6552; thence tangent to said curve

South 57°35'14" East, 44.60 feet to a point 60.00 feet West of the East line of said Northeast quarter of the Southwest quarter and marked by a set 1/2" iron pin with plastic cap PLS 6552; thence

South 00°30'28" East, 52.92 feet, parallel to and 60.00 feet West of said East line to a point on the Northerly bank of the Seven Mile Slough marked by a set 1/2" iron pin with plastic cap PLS 6552; thence

South 39°36'39" East, 95.13 feet along said Northerly bank to a point on the East line of said Northeast quarter of the Southwest quarter marked by a set 1/2" iron pin with plastic cap PLS 6552; thence

South 00°30'28" East, 1910.05 feet along the East line of said Southwest quarter to the Southeast corner thereof marked by a 5/8" iron pin with plastic cap RMB 878; thence

South 00°12'27" West, 99.00 feet along the East line of the Northwest quarter of Section 7, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho to a set 1/2" iron pin with plastic cap PLS 6552; thence

North 88°21'40" West, 1317.92 feet to a set 1/2" iron pin with plastic cap PLS 6552; thence

North 88°20'59" West, 1295.79 feet to a point on the West line of said Northwest quarter marked by a set 1/2" iron pin with plastic cap PLS 6552; thence

North 00°24'15" East, 99.00 feet along said West line to the Point of Beginning.

Reserving unto the grantors their heirs and assigns an ingress, egress and utility easement lying 70.00 feet East of the following described line:

Commencing at the Southwest corner of Section 6, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho, marked by a 5/8" iron pin marked RMB 878; thence

South 00°24'15" West, 99.00 feet along the West line of the Northwest quarter of said Section 7 to the True Point of Beginning; thence retracing

North 00°24'15" East, 99.00 feet to the Southwest corner of said Section 6; thence North 00°11'58" East, 1393.50 feet along the West line of Government Lots 9 and 10 of said Section 6 to the point of terminus of this easement.

EXCEPT a portion of the Southeast quarter of the Southwest quarter of Section 6 and a portion of the Northeast quarter of the Northwest quarter of Section 7 all in Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho described as follows:

Commencing at the Northeast corner of the Northeast quarter of the Northwest quarter of Section 7, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho; thence

South 00°12'27" West, 99.00 feet along the East line of said Northeast quarter of the Northwest quarter of Section 7; thence

North 88°21'40" West, 641.71 feet, parallel to the North line of said Northeast quarter of the Northwest quarter to the True Point of Beginning; thence continuing

North 88°21'40" West, 466.69 feet; thence

North 01°38'20" East, 466.69 feet; thence

South 88°21'40" East, 466.69 feet; thence

South 01°38'20" West, 466.69 feet to the True Point of Beginning.

INSTRU. NO. 237195
PAGES 4 OF 4

Tax Parcel Number: RP-00319401 and ~~RP-00319900~~ and RP-00382301

WARRANTY DEED

For Value Received KEITH RAGAINS AND RAMONA RAGAINS,
HUSBAND AND WIFE

the Grantors, do hereby grant, bargain, sell and convey unto
WILLIAM AUGUST MAKI, AN UNMARRIED MAN
whose address is: P.O. BOX 686 LAKEFORK, IDAHO 83635
the grantee, the following described premises, to-wit:

TOWNSHIP 6 NORTH, RANGE 3 WEST, B.M., GEM COUNTY, IDAHO
SECTION 1: NW1/4SE1/4; SE1/4SE1/4;
AND SW1/4SE1/4 NORTH OF HIGHWAY 52
EXCEPT ROADS, DITCHES.

TOGETHER WITH ANY AND ALL WATER RIGHTS APPERTAINING THERETO.

THIS DEED IS BEING MADE PURSUANT TO THE TERMS AND PROVISIONS OF
THAT UNRECORDED CONTRACT BETWEEN W.W. RAGAINS AS SELLER TO KEITH
RAGAINS AND RAMONA RAGAINS, SELLER AGREES TO KEEP SAID CONTRACT
CURRENT.

TO HAVE AND TO HOLD the premises with their 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 1992 taxes and
assessments and that they will warrant and defend the same from
all lawful claims whatsoever.

Dated: 5-7-92

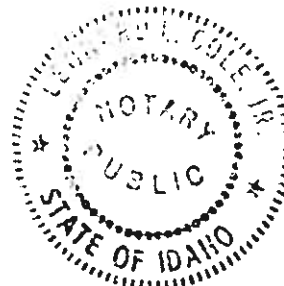
Keith Ragains
KEITH RAGAINS

Ramona Ragains
RAMONA RAGAINS

State of Idaho)
County of Valley) ss

On the 7 day of MAY, 1992 before me, Leonard L. Dale Jr.,
a notary public in and for said State,
personally appeared
Keith Ragains & Ramona Ragains
known to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed the
same.

Leonard L. Dale Jr.
Notary Public
CASCADÉ, Idaho
Commission Expires: 1-13-95



Attachment 3K

172986

Gem County, IDAHO) ss.
Recorded at request of
Security Title Co.

Time 10:50 AM

Date July 15, 1992

Instr. No. 172986

Recorded as a Deed

Thelma E. Kolodziej, Clerk
Ex-officio Recorder

Dr. Judy Stephens
Deputy

Fees \$ 3.00

Attachment 3L

Instrument # 253847

EMMETT, GEM, IDAHO

2006-08-10

04:00:00 No. of Pages: 4

Recorded for: ALLIANCE TITLE & ESCROW

SUSAN K. HOWARD

Fee: 12.00

Ex-Officio Recorder Deputy *Judith Evans*
Index to: POWER OF ATTORNEY

SPECIAL POWER OF ATTORNEY

SALE OF REAL PROPERTY

KNOW ALL MEN by these presents: that I, the undersigned, have made, constituted and appointed, and by these presents do make, constitute and appoint:

JACKIE MAKI

my true and lawful attorney for and in my name, place and stead, and for my/our use and benefit as follows:

to Grant, Bargain, Sell, convey, Exchange, lease or dispose of all interest of which I now possess, or have any right, title, claim, interest, equity or demand of any kind whatsoever in that certain real property located at: Bare Land, Gem County, Idaho.
More particularly described as:

SEE ATTACHED LEGAL DESCRIPTION

and to sign, seal, execute, encumber, deliver and acknowledge such instruments in writing of whatever kind and nature as may be necessary or proper.

Giving and granting unto said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the above stated premises, as fully to all intents and purposes as the signer might or could do if personally present, and hereby ratifying and confirming all that said attorney shall lawfully do or cause to be done in the above stated premises by virtue of these presents.

It being further agreed that Alliance Title & Escrow Corp. and/or any other insurance company relying hereon and any lender taking a security interest in the subject property may rely upon the authority herein granted.

The undersigned hereby further agree to indemnify and hold said attorney harmless from any claim, loss or liability relating to all lawful acts which such attorney shall lawfully do pursuant to this instrument.

IN WITNESS WHEREOF, I have signed this instrument this 11th day of November 2005

William August Maki

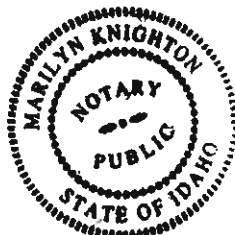
State of Idaho

County of Idaho

On this 11 day of November 2005, before me, a Notary Public in and for said state, personally appeared William August Maki

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.



Marilyn Knighton
Notary Public for the State of Idaho
Residing at: Idaho
Commission Expires: 4-4-2011

Attachment 3m

Exhibit "A"

Real property in the County of Gem, State of Idaho, described as follows:

Tract I:

The Northeast quarter of the Southeast quarter, the Southeast quarter of the Northeast quarter and a portion of the Southwest quarter of the Northeast quarter and a portion of Government Lot 2 all in Section 1, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho, described as follows:

Beginning at the Southeast corner of the Northeast quarter of the Southeast quarter of Section 1, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
South 89°53'58" West, 1314.74 feet along the South line of said Northeast quarter of the Southeast quarter to the Southwest corner thereof marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
North 00°09'39" East, 1325.67 feet along the West line of said Northeast quarter of the Southeast quarter to the Northwest corner thereof marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
South 89°59'38" West, 785.63 feet along the South line of said Southwest quarter of the Northeast quarter to a point 530.00 feet East of the Southwest corner thereof marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
North 00°07'21" East, 410.00 feet, parallel to the West line of said Southwest quarter of the Northeast quarter to the South bank of the Seven Mile Slough marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
North 89°17'13" West, 246.87 feet along said South bank to a set 1/2" iron pin with plastic cap PLS 6552; thence
North 77°52'18" West, 289.48 feet along said South bank to the West line of the Southwest quarter of the Northeast quarter; thence
North 00°07'21" East, 2151.63 feet along said West line and the West line of said Government Lot 2 to the Southerly right of way line of Idaho Blvd marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
South 88°58'26" East, 101.59 feet to the beginning of a tangent 161.11 foot radius curve to the right and marked by a state highway right of way monument; thence
Southeasterly along the arc of said curve and said right of way through a central angle of 45°06'01" a distance of 126.82 feet; thence
South 43°52'25" East, 1,084.24 feet along said right of way to the beginning of a tangent 1,462.69 foot radius curve to the left marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
Southeasterly along the arc of said curve and said right of way through a central angle of 17°11'54" a distance of 439.05 feet to a point on the East line of said Government Lot 2 marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
South 00°09'39" West, 194.20 feet along said East line to the Southeast corner of said Government Lot 2, marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
South 89°39'53" East, 380.26 feet along the North line of said Southeast quarter of the Northeast quarter to the Southerly right of way of Idaho Blvd, marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
South 62°43'26" East, 12.79 feet to the beginning of a tangent 346.09 foot radius curve to the left and marked by a state highway right of way monument; thence
Southeasterly along the arc of said curve and said right of way through a central angle of 27°16'50" a distance of 164.79 feet to a state highway right of way monument; thence tangent to said curve
North 89°59'44" East, 699.60 feet along said right of way to the beginning of a tangent 148.31 foot radius curve to the left marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
Northeasterly along the arc of said curve and said right of way through a central angle of 26°40'01" a distance of 69.03 feet to a point on the East line of said Southeast quarter of the Northeast quarter marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
South 00°11'58" West, 2,623.98 feet along said East line and the East line of the Northeast quarter of the Southeast quarter to the Point of Beginning.

Attachment 3n

Together with an ingress, egress and utility easement lying 70.00 feet East of the following described line:

Commencing at the Southwest corner of Section 6, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho marked by a 5/8" iron pin marked RMB 878; thence South 00°24'15" West, 99.00 feet, along the West line of the Northwest quarter of said Section 7, to the True Point of Beginning; thence retracing North 00°24'15" East, 99.00 feet to the Southwest corner of said Section 6; thence North 00°11'58" East, 1393.50 feet along the West line of Government Lots 9 and 10 of said Section 6 to the point of terminus of this easement.

Except that portion of Government Lot 2 of Section 1, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho, described as follows:

Commencing at the Northwest corner of Government Lot 2 of Section 6, Township 6 North, Range 3 West, Boise Meridian marked by a found 5/8" iron pin; thence South 00°07'21" West, 52.79 feet to a point on the South line of the right of way of Idaho Blvd. marked by a found 1/2" iron pin; thence South 88°58'26" East, 101.59 feet along said right of way to the beginning of a tangent 161.09 foot radius curve to the right and marked by a found brass capped right of way monument; thence Southeasterly along the arc of said curve and said right of way line through a central angle of 45°06'01" a distance of 126.80 feet; thence tangent to said curve South 43°52'25" East, 100.74 feet along said right of way line to the True Point of Beginning marked by a set 1/2" iron pin with plastic cap PLS 6552; thence continuing South 43°52'25" East, 649.17 feet along said right of way to a point referred to hereinafter as Point "A"; thence continuing South 43°52'25" East, 334.33 feet along said right of way to the beginning of a tangent 1462.69 foot radius curve to the left marked by a found 5/8" iron pin with plastic cap PLS 6552; thence Southeasterly along the arc of said curve and said right of way through a central angle of 10°52'54" a distance of 277.79 feet to a set 1/2" iron pin with plastic cap PLS 6552; thence along the bank of an irrigation ditch the following courses and distances:
South 35°14'41" West, 25.32 feet to a set 1/2" iron pin with plastic cap PLS 6552;
North 64°00'27" West, 637.97 feet to a set 1/2" iron pin with plastic cap PLS 6552;
North 35°52'57" West, 218.99 feet to a set 1/2" iron pin with plastic cap PLS 6552;
North 20°07'40" West, 288.79 feet to a set 1/2" iron pin with plastic cap PLS 6552;
North 28°56'25" West, 74.60 feet to a set 1/2" iron pin with plastic cap PLS 6552;
North 18°54'35" West, 123.70 feet to the True Point of Beginning.

TRACT II:

The Southeast quarter of the Southwest quarter, Government Lot 9, Government Lot 10 and a portion of the Northeast quarter of the Southwest quarter of Section 6 and a portion of the Northwest quarter of Section 7 all in Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho described as follows:

Beginning at the Southwest corner of Section 6, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho marked by a 5/8" iron pin marked RMB 878; thence North 00°11'58" East, 2647.01 feet along the West line of said Section 6 to the Northwest corner of Government Lot 9 of said Section 6 marked by a set 5/8" iron pin with plastic cap PLS 6552; thence South 88°14'28" East, 1610.05 feet along the North line of said Government Lot 9 and the North line of the Northeast quarter of the Southwest quarter of said Section 6 to the Southwesterly right of way of Vanderdasson Road marked by a set 1/2" iron pin with plastic cap PLS 6552; thence South 50°25'43" East, 201.40 feet along said right of way to a set 1/2" iron pin with plastic cap PLS 6552; thence South 54°07'54" East, 34.77 feet along said right of way to the beginning of a tangent 185.00 foot radius curve to the left marked by a set 1/2" iron pin with plastic cap PLS 6552; thence Southeasterly along the arc of said curve and said right of way through a central angle of 35°13'58" a distance of 113.76 feet to a point on the Southwesterly right of way of the Idaho Northern and Pacific Railroad said point being on the arc of a non-tangent 5,685.72 foot radius curve to the left and marked

by a set 1/2" iron pin with plastic cap PLS 6552, a radial bearing to said point bears South 39°45'13" West; thence
Southeasterly along the arc of said curve through a central angle of 07°20'27" a distance of 728.47 feet to a set 1/2" iron pin with plastic cap PLS 6552; thence tangent to said curve
South 57°35'14" East, 44.60 feet to a point 60.00 feet West of the East line of said Northeast quarter of the Southwest quarter and marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
South 00°30'28" East, 52.92 feet, parallel to and 60.00 feet West of said East line to a point on the Northerly bank of the Seven Mile Slough marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
South 39°36'39" East, 95.13 feet along said Northerly bank to a point on the East line of said Northeast quarter of the Southwest quarter marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
South 00°30'28" East, 1910.05 feet along the East line of said Southwest quarter to the Southeast corner thereof marked by a 5/8" iron pin with plastic cap RMB 878; thence
South 00°12'27" West, 99.00 feet along the East line of the Northwest quarter of Section 7, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho to a set 1/2" iron pin with plastic cap PLS 6552; thence
North 88°21'40" West, 1317.92 feet to a set 1/2" iron pin with plastic cap PLS 6552; thence
North 88°20'59" West, 1295.79 feet to a point on the West line of said Northwest quarter marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
North 00°24'15" East, 99.00 feet along said West line to the Point of Beginning.

Reserving unto the grantors their heirs and assigns an ingress, egress and utility easement lying 70.00 feet East of the following described line:

Commencing at the Southwest corner of Section 6, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho, marked by a 5/8" iron pin marked RMB 878; thence
South 00°24'15" West, 99.00 feet along the West line of the Northwest quarter of said Section 7 to the True Point of Beginning; thence retracing
North 00°24'15" East, 99.00 feet to the Southwest corner of said Section 6; thence North 00°11'58" East, 1393.50 feet along the West line of Government Lots 9 and 10 of said Section 6 to the point of terminus of this easement.

EXCEPT a portion of the Southeast quarter of the Southwest quarter of Section 6 and a portion of the Northeast quarter of the Northwest quarter of Section 7 all in Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho described as follows:

Commencing at the Northeast corner of the Northeast quarter of the Northwest quarter of Section 7, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho; thence
South 00°12'27" West, 99.00 feet along the East line of said Northeast quarter of the Northwest quarter of Section 7; thence
North 88°21'40" West, 641.71 feet, parallel to the North line of said Northeast quarter of the Northwest quarter to the True Point of Beginning; thence continuing
North 88°21'40" West, 466.69 feet; thence
North 01°38'20" East, 466.69 feet; thence
South 88°21'40" East, 466.69 feet; thence
South 01°38'20" West, 466.69 feet to the True Point of Beginning.

AND:

TOWNSHIP 6 NORTH, RANGE 3 WEST, B.M., GEM COUNTY, IDAHO
SECTION 1: NW 1/4 SE 1/4; SE 1/4 SE 1/4;
AND SW 1/4 SE 1/4 NORTH OF HIGHWAY 52.

INSTRU. NO. 252861
PAGES 1 OF 4

Instrument # 252861

EMMETT, GEM, IDAHO

2006-06-30

04:04:00 No. of Pages: 4

Recorded for : ALLIANCE TITLE & ESCROW

SUSAN K. HOWARD

Fee: 12.00

Ex-Officio Recorder Deputy
Index to: POWER OF ATTORNEY

Judy Evers

SPECIAL POWER OF ATTORNEY

SALE OF REAL PROPERTY

KNOW ALL MEN by these presents: that I, the undersigned, have made, constituted and appointed, and by these presents do make, constitute and appoint:

JACKIE MAKI

my true and lawful attorney for and in my name, place and stead, and for my use and benefit as follows:

to Grant, Bargain, Sell, convey, Exchange, lease or dispose of all interest of which I/we are now possessed, or have any right, title, claim, interest, equity or demand of any kind whatsoever in that certain real property located at: 1803 Vanderdasson Road, Emmett, Idaho
More particularly described as:

SEE ATTACHED LEGAL DESCRIPTION

and to sign, seal, execute, encumber, deliver and acknowledge such instruments in writing of whatever kind and nature as may be necessary or proper.

Giving and granting unto said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the above stated premises, as fully to all intents and purposes as the signer might or could do if personally present, and hereby ratifying and confirming all that said attorney shall lawfully do or cause to be done in the above stated premises by virtue of these presents.

It being further agreed that Alliance Title & Escrow Corp. and/or any other insurance company relying hereon and any lender taking a security interest in the subject property may rely upon the authority herein granted.

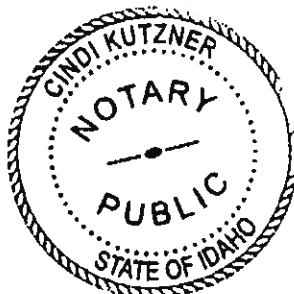
The undersigned hereby further agree to indemnify and hold said attorney harmless from any claim, loss or liability relating to all lawful acts which such attorney shall lawfully do pursuant to this instrument.

IN WITNESS WHEREOF, I have signed this instrument November 14, 2005.

Shanan L Maki
Shanan L. Maki

State of Idaho

County of Valley
On this 14 day of November 2005, before me, a Notary Public in and for said state, personally appeared Shanan L. Maki 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.



Cindi Kutzner
Notary Public for the State of Idaho
Residing at: McCall
Commission Expires:

My Commission Expires February 23, 2007

Attachment 3q

Exhibit "A"

Real property in the County of Gem, State of Idaho, described as follows:

Tract I:

The Northeast quarter of the Southeast quarter, the Southeast quarter of the Northeast quarter and a portion of the Southwest quarter of the Northeast quarter and a portion of Government Lot 2 all in Section 1, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho, described as follows:

Beginning at the Southeast corner of the Northeast quarter of the Southeast quarter of Section 1, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
South 89°53'58" West, 1314.74 feet along the South line of said Northeast quarter of the Southeast quarter to the Southwest corner thereof marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
North 00°09'39" East, 1325.67 feet along the West line of said Northeast quarter of the Southeast quarter to the Northwest corner thereof marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
South 89°59'38" West, 785.63 feet along the South line of said Southwest quarter of the Northeast quarter to a point 530.00 feet East of the Southwest corner thereof marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
North 00°07'21" East, 410.00 feet, parallel to the West line of said Southwest quarter of the Northeast quarter to the South bank of the Seven Mile Slough marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
North 89°17'13" West, 246.87 feet along said South bank to a set 1/2" iron pin with plastic cap PLS 6552; thence
North 77°52'18" West, 289.48 feet along said South bank to the West line of the Southwest quarter of the Northeast quarter; thence
North 00°07'21" East, 2151.63 feet along said West line and the West line of said Government Lot 2 to the Southerly right of way line of Idaho Blvd marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
South 88°58'26" East, 101.59 feet to the beginning of a tangent 161.11 foot radius curve to the right and marked by a state highway right of way monument; thence
Southeasterly along the arc of said curve and said right of way through a central angle of 45°06'01" a distance of 126.82 feet; thence
South 43°52'25" East, 1,084.24 feet along said right of way to the beginning of a tangent 1,462.69 foot radius curve to the left marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
Southeasterly along the arc of said curve and said right of way through a central angle of 17°11'54" a distance of 439.05 feet to a point on the East line of said Government Lot 2 marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
South 00°09'39" West, 194.20 feet along said East line to the Southeast corner of said Government Lot 2, marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
South 89°39'53" East, 380.26 feet along the North line of said Southeast quarter of the Northeast quarter to the Southerly right of way of Idaho Blvd, marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
South 62°43'26" East, 12.79 feet to the beginning of a tangent 346.09 foot radius curve to the left and marked by a state highway right of way monument; thence
Southeasterly along the arc of said curve and said right of way through a central angle of 27°16'50" a distance of 164.79 feet to a state highway right of way monument; thence tangent to said curve
North 89°59'44" East, 699.60 feet along said right of way to the beginning of a tangent 148.31 foot radius curve to the left marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
Northeasterly along the arc of said curve and said right of way through a central angle of 26°40'01" a distance of 69.03 feet to a point on the East line of said Southeast quarter of the Northeast quarter marked by a set 5/8" iron pin with plastic cap PLS 6552; thence
South 00°11'58" West, 2,623.98 feet along said East line and the East line of the Northeast quarter of the Southeast quarter to the Point of Beginning.

Together with an ingress, egress and utility easement lying 70.00 feet East of the following described line:

Commencing at the Southwest corner of Section 6, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho marked by a 5/8" Iron pin marked RMB 878; thence South 00°24'15" West, 99.00 feet, along the West line of the Northwest quarter of said Section 7, to the True Point of Beginning; thence retracing North 00°24'15" East, 99.00 feet to the Southwest corner of said Section 6; thence North 00°11'58" East, 1393.50 feet along the West line of Government Lots 9 and 10 of said Section 6 to the point of terminus of this easement.

Except that portion of Government Lot 2 of Section 1, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho, described as follows:

Commencing at the Northwest corner of Government Lot 2 of Section 6, Township 6 North, Range 3 West, Boise Meridian marked by a found 5/8" Iron pin; thence South 00°07'21" West, 52.79 feet to a point on the South line of the right of way of Idaho Blvd. marked by a found 1/2" Iron pin; thence South 88°58'26" East, 101.59 feet along said right of way to the beginning of a tangent 161.09 foot radius curve to the right and marked by a found brass capped right of way monument; thence Southeasterly along the arc of said curve and said right of way line through a central angle of 45°06'01" a distance of 126.80 feet; thence tangent to said curve South 43°52'25" East, 100.74 feet along said right of way line to the True Point of Beginning marked by a set 1/2" Iron pin with plastic cap PLS 6552; thence continuing South 43°52'25" East, 649.17 feet along said right of way to a point referred to hereinafter as Point "A"; thence continuing South 43°52'25" East, 334.33 feet along said right of way to the beginning of a tangent 1462.69 foot radius curve to the left marked by a found 5/8" Iron pin with plastic cap PLS 6552; thence Southeasterly along the arc of said curve and said right of way through a central angle of 10°52'54" a distance of 277.79 feet to a set 1/2" Iron pin with plastic cap PLS 6552; thence along the bank of an irrigation ditch the following courses and distances:
 South 35°14'41" West, 25.32 feet to a set 1/2" Iron pin with plastic cap PLS 6552;
 North 64°00'27" West, 637.97 feet to a set 1/2" Iron pin with plastic cap PLS 6552;
 North 35°52'57" West, 218.99 feet to a set 1/2" Iron pin with plastic cap PLS 6552;
 North 20°07'40" West, 288.79 feet to a set 1/2" Iron pin with plastic cap PLS 6552;
 North 28°56'25" West, 74.60 feet to a set 1/2" Iron pin with plastic cap PLS 6552;
 North 18°54'35" West, 123.70 feet to the True Point of Beginning.

TRACT II:

The Southeast quarter of the Southwest quarter, Government Lot 9, Government Lot 10 and a portion of the Northeast quarter of the Southwest quarter of Section 6 and a portion of the Northwest quarter of Section 7 all in Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho described as follows:

Beginning at the Southwest corner of Section 6, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho marked by a 5/8" iron pin marked RMB 878; thence North 00°11'58" East, 2647.01 feet along the West line of said Section 6 to the Northwest corner of Government Lot 9 of said Section 6 marked by a set 5/8" Iron pin with plastic cap PLS 6552; thence South 88°14'28" East, 1610.05 feet along the North line of said Government Lot 9 and the North line of the Northeast quarter of the Southwest quarter of said Section 6 to the Southwesterly right of way of Vanderdasson Road marked by a set 1/2" iron pin with plastic cap PLS 6552; thence South 50°25'43" East, 201.40 feet along said right of way to a set 1/2" Iron pin with plastic cap PLS 6552; thence South 54°07'54" East, 34.77 feet along said right of way to the beginning of a tangent 185.00 foot radius curve to the left marked by a set 1/2" Iron pin with plastic cap PLS 6552; thence Southeasterly along the arc of said curve and said right of way through a central angle of 35°13'58" a distance of 113.76 feet to a point on the Southwesterly right of way of the Idaho Northern and Pacific Railroad said point being on the arc of a non-tangent 5,685.72 foot radius curve to the left and marked

by a set 1/2" iron pin with plastic cap PLS 6552, a radial bearing to said point bears South 39°45'13" West; thence
Southeasterly along the arc of said curve through a central angle of 07°20'27" a distance of 728.47 feet to a set 1/2" iron pin with plastic cap PLS 6552; thence tangent to said curve
South 57°35'14" East, 44.60 feet to a point 60.00 feet West of the East line of said Northeast quarter of the Southwest quarter and marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
South 00°30'28" East, 52.92 feet, parallel to and 60.00 feet West of said East line to a point on the Northerly bank of the Seven Mile Slough marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
South 39°36'39" East, 95.13 feet along said Northerly bank to a point on the East line of said Northeast quarter of the Southwest quarter marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
South 00°30'28" East, 1910.05 feet along the East line of said Southwest quarter to the Southeast corner thereof marked by a 5/8" iron pin with plastic cap RMB 878; thence
South 00°12'27" West, 99.00 feet along the East line of the Northwest quarter of Section 7, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho to a set 1/2" iron pin with plastic cap PLS 6552; thence
North 88°21'40" West, 1317.92 feet to a set 1/2" iron pin with plastic cap PLS 6552; thence
North 88°20'59" West, 1295.79 feet to a point on the West line of said Northwest quarter marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
North 00°24'15" East, 99.00 feet along said West line to the Point of Beginning.

Reserving unto the grantors their heirs and assigns an Ingress, egress and utility easement lying 70.00 feet East of the following described line:

Commencing at the Southwest corner of Section 6, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho, marked by a 5/8" iron pin marked RMB 878; thence
South 00°24'15" West, 99.00 feet along the West line of the Northwest quarter of said Section 7 to the True Point of Beginning; thence retracing
North 00°24'15" East, 99.00 feet to the Southwest corner of said Section 6; thence North 00°11'58" East, 1393.50 feet along the West line of Government Lots 9 and 10 of said Section 6 to the point of terminus of this easement.

EXCEPT a portion of the Southeast quarter of the Southwest quarter of Section 6 and a portion of the Northeast quarter of the Northwest quarter of Section 7 all in Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho described as follows:

Commencing at the Northeast corner of the Northeast quarter of the Northwest quarter of Section 7, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho; thence
South 00°12'27" West, 99.00 feet along the East line of said Northeast quarter of the Northwest quarter of Section 7; thence
North 88°21'40" West, 641.71 feet, parallel to the North line of said Northeast quarter of the Northwest quarter to the True Point of Beginning; thence continuing
North 88°21'40" West, 466.69 feet; thence
North 01°38'20" East, 466.69 feet; thence
South 88°21'40" East, 466.69 feet; thence
South 01°38'20" West, 466.69 feet to the True Point of Beginning.

Attachment 3+

Instrument # 253846

EMMETT, GEM, IDAHO
2006-08-10 03:58:00 No. of Pages: 4
Recorded for : ALLIANCE TITLE & ESCROW
SUSAN K. HOWARD Fee: 12.00
Ex-Officio Recorder Deputy *[Signature]*
Index to: POWER OF ATTORNEY

SPECIAL POWER OF ATTORNEY

SALE OF REAL PROPERTY

KNOW ALL MEN by these presents: that I/we, the undersigned, have made, constituted and appointed, and by these presents do make, constitute and appoint:

JACKIE MAKI

my/our true and lawful attorney for and in my/our name, place and stead, and for my/our use and benefit as follows:

to Grant, Bargain, Sell, convey, Exchange, lease or dispose of all interest of which I/we are now possessed, or have any right, title, claim, interest, equity or demand of any kind whatsoever in that certain real property located at: 1803 Vanderdasson Road, Emmett, Idaho
More particularly described as:

SEE ATTACHED LEGAL DESCRIPTION

and to sign, seal, execute, encumber, deliver and acknowledge such instruments in writing of whatever kind and nature as may be necessary or proper.

Giving and granting unto said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the above stated premises, as fully to all intents and purposes as the signer might or could do if personally present, and hereby ratifying and confirming all that said attorney shall lawfully do or cause to be done in the above stated premises by virtue of these presents.

It being further agreed that Alliance Title & Escrow Corp. and/or any other insurance company relying hereon and any lender taking a security interest in the subject property may rely upon the authority herein granted.

The undersigned hereby further agree to indemnify and hold said attorney harmless from any claim, loss or liability relating to all lawful acts which such attorney shall lawfully do pursuant to this instrument.

IN WITNESS WHEREOF, I/we have signed this instrument this June 30, 2006.

[Signature]
Shawn M. Bean

State of Idaho

County of *Idaho* } ss

On this *30* day of *June*, 2006, before me, a Notary Public in and for said state, personally appeared *Shawn M. Bean*

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.



[Signature]
Notary Public for the State of Idaho
Residing at: *Emmett*
Commission Expires: *4-4-2011*

Attachment 3u

Exhibit "A"

Real property in the County of Gem, State of Idaho, described as follows:

Tract I:

The Northeast quarter of the Southeast quarter, the Southeast quarter of the Northeast quarter and a portion of the Southwest quarter of the Northeast quarter and a portion of Government Lot 2 all in Section 1, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho, described as follows:

Beginning at the Southeast corner of the Northeast quarter of the Southeast quarter of Section 1, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho marked by a set 5/8" iron pin with plastic cap PLS 6552; thence South 89°53'58" West, 1314.74 feet along the South line of said Northeast quarter of the Southeast quarter to the Southwest corner thereof marked by a set 5/8" iron pin with plastic cap PLS 6552; thence North 00°09'39" East, 1325.67 feet along the West line of said Northeast quarter of the Southeast quarter to the Northwest corner thereof marked by a set 5/8" iron pin with plastic cap PLS 6552; thence South 89°59'38" West, 785.63 feet along the South line of said Southwest quarter of the Northeast quarter to a point 530.00 feet East of the Southwest corner thereof marked by a set 1/2" iron pin with plastic cap PLS 6552; thence North 00°07'21" East, 410.00 feet, parallel to the West line of said Southwest quarter of the Northeast quarter to the South bank of the Seven Mile Slough marked by a set 1/2" iron pin with plastic cap PLS 6552; thence North 89°17'13" West, 246.87 feet along said South bank to a set 1/2" iron pin with plastic cap PLS 6552; thence North 77°52'18" West, 289.48 feet along said South bank to the West line of the Southwest quarter of the Northeast quarter; thence North 00°07'21" East, 2151.63 feet along said West line and the West line of said Government Lot 2 to the Southerly right of way line of Idaho Blvd marked by a set 1/2" iron pin with plastic cap PLS 6552; thence South 88°58'26" East, 101.59 feet to the beginning of a tangent 161.11 foot radius curve to the right and marked by a state highway right of way monument; thence Southeasterly along the arc of said curve and said right of way through a central angle of 45°06'01" a distance of 126.82 feet; thence South 43°52'25" East, 1,084.24 feet along said right of way to the beginning of a tangent 1,462.69 foot radius curve to the left marked by a set 5/8" iron pin with plastic cap PLS 6552; thence Southeasterly along the arc of said curve and said right of way through a central angle of 17°11'54" a distance of 439.05 feet to a point on the East line of said Government Lot 2 marked by a set 1/2" iron pin with plastic cap PLS 6552; thence South 00°09'39" West, 194.20 feet along said East line to the Southeast corner of said Government Lot 2, marked by a set 5/8" iron pin with plastic cap PLS 6552; thence South 89°39'53" East, 380.26 feet along the North line of said Southeast quarter of the Northeast quarter to the Southerly right of way of Idaho Blvd, marked by a set 1/2" iron pin with plastic cap PLS 6552; thence South 62°43'26" East, 12.79 feet to the beginning of a tangent 346.09 foot radius curve to the left and marked by a state highway right of way monument; thence Southeasterly along the arc of said curve and said right of way through a central angle of 27°16'50" a distance of 164.79 feet to a state highway right of way monument; thence tangent to said curve North 89°59'44" East, 699.60 feet along said right of way to the beginning of a tangent 148.31 foot radius curve to the left marked by a set 5/8" iron pin with plastic cap PLS 6552; thence Northeasterly along the arc of said curve and said right of way through a central angle of 26°40'01" a distance of 69.03 feet to a point on the East line of said Southeast quarter of the Northeast quarter marked by a set 5/8" iron pin with plastic cap PLS 6552; thence South 00°11'58" West, 2,623.98 feet along said East line and the East line of the Northeast quarter of the Southeast quarter to the Point of Beginning.

Attachment 3v

Together with an Ingress, egress and utility easement lying 70.00 feet East of the following described line:

Commencing at the Southwest corner of Section 6, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho marked by a 5/8" Iron pin marked RMB 878; thence South 00°24'15" West, 99.00 feet, along the West line of the Northwest quarter of said Section 7, to the True Point of Beginning; thence retracing North 00°24'15" East, 99.00 feet to the Southwest corner of said Section 6; thence North 00°11'58" East, 1393.50 feet along the West line of Government Lots 9 and 10 of said Section 6 to the point of terminus of this easement.

Except that portion of Government Lot 2 of Section 1, Township 6 North, Range 3 West, Boise Meridian, Gem County, Idaho, described as follows:

Commencing at the Northwest corner of Government Lot 2 of Section 6, Township 6 North, Range 3 West, Boise Meridian marked by a found 5/8" Iron pin; thence South 00°07'21" West, 52.79 feet to a point on the South line of the right of way of Idaho Blvd. marked by a found 1/2" iron pin; thence South 88°58'26" East, 101.59 feet along said right of way to the beginning of a tangent 161.09 foot radius curve to the right and marked by a found brass capped right of way monument; thence Southeasterly along the arc of said curve and said right of way line through a central angle of 45°06'01" a distance of 126.80 feet; thence tangent to said curve South 43°52'25" East, 100.74 feet along said right of way line to the True Point of Beginning marked by a set 1/2" Iron pin with plastic cap PLS 6552; thence continuing South 43°52'25" East, 649.17 feet along said right of way to a point referred to hereinafter as Point "A"; thence continuing South 43°52'25" East, 334.33 feet along said right of way to the beginning of a tangent 1462.69 foot radius curve to the left marked by a found 5/8" Iron pin with plastic cap PLS 6552; thence Southeasterly along the arc of said curve and said right of way through a central angle of 10°52'54" a distance of 277.79 feet to a set 1/2" Iron pin with plastic cap PLS 6552; thence along the bank of an Irrigation ditch the following courses and distances:
 South 35°14'41" West, 25.32 feet to a set 1/2" Iron pin with plastic cap PLS 6552;
 North 64°00'27" West, 637.97 feet to a set 1/2" Iron pin with plastic cap PLS 6552;
 North 35°52'57" West, 218.99 feet to a set 1/2" Iron pin with plastic cap PLS 6552;
 North 20°07'40" West, 288.79 feet to a set 1/2" Iron pin with plastic cap PLS 6552;
 North 28°56'25" West, 74.60 feet to a set 1/2" Iron pin with plastic cap PLS 6552;
 North 18°54'35" West, 123.70 feet to the True Point of Beginning.

TRACT II:

The Southeast quarter of the Southwest quarter, Government Lot 9, Government Lot 10 and a portion of the Northeast quarter of the Southwest quarter of Section 6 and a portion of the Northwest quarter of Section 7 all in Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho described as follows:

Beginning at the Southwest corner of Section 6, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho marked by a 5/8" Iron pin marked RMB 878; thence North 00°11'58" East, 2647.01 feet along the West line of said Section 6 to the Northwest corner of Government Lot 9 of said Section 6 marked by a set 5/8" Iron pin with plastic cap PLS 6552; thence South 88°14'28" East, 1610.05 feet along the North line of said Government Lot 9 and the North line of the Northeast quarter of the Southwest quarter of said Section 6 to the Southwesterly right of way of Vanderdasson Road marked by a set 1/2" Iron pin with plastic cap PLS 6552; thence South 50°25'43" East, 201.40 feet along said right of way to a set 1/2" Iron pin with plastic cap PLS 6552; thence South 54°07'54" East, 34.77 feet along said right of way to the beginning of a tangent 185.00 foot radius curve to the left marked by a set 1/2" Iron pin with plastic cap PLS 6552; thence Southeasterly along the arc of said curve and said right of way through a central angle of 35°13'58" a distance of 113.76 feet to a point on the Southwesterly right of way of the Idaho Northern and Pacific Railroad said point being on the arc of a non-tangent 5,685.72 foot radius curve to the left and marked

by a set 1/2" iron pin with plastic cap PLS 6552, a radial bearing to said point bears South 39°45'13" West; thence
 Southeasterly along the arc of said curve through a central angle of 07°20'27" a distance of 728.47 feet to a set 1/2" iron pin with plastic cap PLS 6552; thence tangent to said curve
 South 57°35'14" East, 44.60 feet to a point 60.00 feet West of the East line of said Northeast quarter of the Southwest quarter and marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
 South 00°30'28" East, 52.92 feet, parallel to and 60.00 feet West of said East line to a point on the Northerly bank of the Seven Mile Slough marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
 South 39°36'39" East, 95.13 feet along said Northerly bank to a point on the East line of said Northeast quarter of the Southwest quarter marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
 South 00°30'28" East, 1910.05 feet along the East line of said Southwest quarter to the Southeast corner thereof marked by a 5/8" iron pin with plastic cap RMB 878; thence
 South 00°12'27" West, 99.00 feet along the East line of the Northwest quarter of Section 7, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho to a set 1/2" iron pin with plastic cap PLS 6552; thence
 North 88°21'40" West, 1317.92 feet to a set 1/2" iron pin with plastic cap PLS 6552; thence
 North 88°20'59" West, 1295.79 feet to a point on the West line of said Northwest quarter marked by a set 1/2" iron pin with plastic cap PLS 6552; thence
 North 00°24'15" East, 99.00 feet along said West line to the Point of Beginning.

Reserving unto the grantors their heirs and assigns an Ingress, egress and utility easement lying 70.00 feet East of the following described line:

Commencing at the Southwest corner of Section 6, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho, marked by a 5/8" iron pin marked RMB 878; thence
 South 00°24'15" West, 99.00 feet along the West line of the Northwest quarter of said Section 7 to the True Point of Beginning; thence retracing
 North 00°24'15" East, 99.00 feet to the Southwest corner of said Section 6; thence North 00°11'58" East, 1393.50 feet along the West line of Government Lots 9 and 10 of said Section 6 to the point of terminus of this easement.

EXCEPT a portion of the Southeast quarter of the Southwest quarter of Section 6 and a portion of the Northeast quarter of the Northwest quarter of Section 7 all in Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho described as follows:

Commencing at the Northeast corner of the Northeast quarter of the Northwest quarter of Section 7, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho; thence
 South 00°12'27" West, 99.00 feet along the East line of said Northeast quarter of the Northwest quarter of Section 7; thence
 North 88°21'40" West, 641.71 feet, parallel to the North line of said Northeast quarter of the Northwest quarter to the True Point of Beginning; thence continuing
 North 88°21'40" West, 466.69 feet; thence
 North 01°38'20" East, 466.69 feet; thence
 South 88°21'40" East, 466.69 feet; thence
 South 01°38'20" West, 466.69 feet to the True Point of Beginning.