

RECEIVED

MAY 10 2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 76542WATER RESOURCES
WESTERN REGION

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A

* Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application. Part 2B forms are available on the Department's website at: http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/PDFs_09/WaterRight_TransferApp_Part2B.pdf.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/wrt_default.htm.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☒ ☐ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: 63-3227 Split Analysis

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 76542

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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1WATER RESOURCES
WESTERN REGIONName of Applicant(s) Thomas J. and/or Jenine M. WilkePhone 208-337-5495Mailing address 6420 Johnstone Rd., Homedale, ID 83628Email tom@wilkefarms.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

- ☐ No Representative

Name of Representative Lori Graves, SPF Water EngineeringPhone 208-383-4140Mailing address 300 E. Mallard Dr., Ste. 350, Boise, ID 83706Email lgraves@spfwater.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.

OR

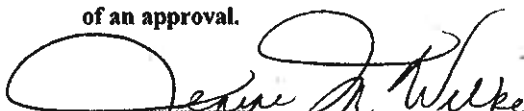
- ☒ Send original correspondence to the applicant and copies to the representative.

- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

JENINE M. WILKE
Print Name and Title if applicable

4/20/2010
Date


Signature of Applicant or Authorized Representative

OWNER
THOMAS J. WILKE
Print Name and Title if applicable

4/21/10
Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2. Change the water rights to reflect an integrated irrigation system.**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	63-2827	2.7/774	Irrigation	3/1 to 11/15	Ground Water
☒ ☐	63-2887	1.26/427.5	Irrigation	3/1 to 11/15	Ground Water
☒ ☐	63-2930	0.53/273.3	Irrigation	3/1 to 11/15	Ground Water
☐ ☒	63-3227	2.03/1,048	Irrigation	3/1 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 6.52 cfs and/or 2,522.8 ac-ft

2. Total amount of water proposed to be transferred or changed 6.52 cubic feet per second and/or 2,522.8 acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
No			SE	SW	29	3N	3W	Canyon	Ground Water	Well 1
No			NW	NE	32	3N	3W	Canyon	Ground Water	Well 2
No			SE	NW	32	3N	3W	Canyon	Ground Water	Well 3
No			NW	SW	32	3N	3W	Canyon	Ground Water	Well 4

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	3W										Lt 2	Lt 4							
		29									12	27.5	40	36		.5	25.5	1	142.5
															Lt12				
		30													1				1
		32	25	34	40	5	40	40	40	40	39.5	37			2	32.2			374.7

Total Acres (for irrigation use) 518.2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: Four existing wells, pumps, sprinkler & gravity irrigation.

Flowmeter and lockable controlling works will be installed upon Department request.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: _____

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: _____

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use: None

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe: _____

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

Current Water Right No.: 63-2827

Current Owner: SAXTON FRUIT FARMS INC

Priority Date: 7/27/1950

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/01 to 11/15	2.7 CFS	774 AF
	Total Diversion	2.7 CFS	774 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 29,	Twp 03N,	Rge 03W B.M.
CANYON County				
GROUND WATER	NW1/4NE1/4	Sec. 32,	Twp 03N,	Rge 03W B.M.
CANYON County				

Place of Use

IRRIGATION Within CANYON County

T03N R03W S29	SWSW	40.00	T03N R03W S29	SESW	22.00
T03N R03W S32	NWNE	30.00	T03N R03W S32	NENW	40.00
T03N R03W S32	Lot 2 NWNW	40.00			

Total Acres: 172

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. W59 Use of this right is combined with water from Wilder Irrigation District.
3. E56 The rights listed below are limited to the irrigation of a combined total of 431 acres in a single irrigation season. Combined Right Nos.: 63-2827, 63-2930, and 63-3227.

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

Current Water Right No.: 63-2887

Current Owner: WILLIAM M BARRUS
JENNIFER BARRUS

Priority Date: 12/4/1951

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/01 to 11/15	1.26 CFS	427.5 AF
	Total Diversion	1.26 CFS	427.5 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4NW1/4SW1/4 Sec. 32, Twp 03N, Rge 03W B.M.
CANYON County

Place of Use

IRRIGATION Within CANYON County

T03N R03W S32	SENW	20.00	T03N R03W S32	NESW	38.00
T03N R03W S32	NWSW	37.00			

Total Acres: 95

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. W59 Use of this right is combined with water from Wilder Irrigation District.

Decreed Date: 2/6/2009

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

Current Water Right No.: 63-2930

Current Owner: SAXTON FRUIT FARMS INC

Priority Date: 2/23/1953

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/01 to 11/15	0.53 CFS	273.3 AF
	Total Diversion	0.53 CFS	273.3 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NE1/4 Sec. 32, Twp 03N, Rge 03W B.M.
CANYON County

GROUND WATER SE1/4SW1/4 Sec. 29, Twp 03N, Rge 03W B.M.
CANYON County

Place of Use

IRRIGATION Within CANYON County

T03N R03W S29	SESW	16.00	T03N R03W S29	SWSE	5.00
T03N R03W S32	NWNE	10.00	T03N R03W S32	SWNW	40.00
T03N R03W S32	SENW	20.00			

Total Acres: 91

Conditions of Approval:

1. **W59** Use of this right is combined with water from Wilder Irrigation District.

2. **E56** The rights listed below are limited to the irrigation of a combined total of 431 acres in a single irrigation season. Combined Right Nos.: 63-2827, 63-2930, and 63-3227.

3. **C18** This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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

Current Water Right No.: 63-3227

Current Owner: SAXTON FRUIT FARMS INC

Priority Date: 3/21/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/01 to 11/15	2.07 CFS	1067.5 AF
	Total Diversion	2.07 CFS	1067.5 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4NW1/4 Sec. 32, Twp 03N, Rge 03W B.M.

CANYON County

Place of Use

IRRIGATION Within CANYON County

T03N R03W S29	Lot 2	NESW	12.00	T03N R03W S29	Lot 4	NWSW	23.00
T03N R03W S29		SWSW	40.00	T03N R03W S29		SESW	40.00
T03N R03W S29		SWSE	23.00	T03N R03W S32	Lot 2	NENE	23.00
T03N R03W S32		NWNE	40.00	T03N R03W S32		SWNE	40.00
T03N R03W S32		SENE	5.00	T03N R03W S32		NENW	40.00
T03N R03W S32		NWNW	40.00	T03N R03W S32		SWNW	40.00
T03N R03W S32		SENW	20.00	T03N R03W S32		NWSE	40.00

Total Acres: 426

Conditions of Approval:

1. W59 Use of this right is combined with water from Wilder Irrigation District.
2. E56 The rights listed below are limited to the irrigation of a combined total of 431 acres in a single irrigation season. Combined Right Nos.: 63-2827, 63 2930, and 63-3227.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 2/6/2009

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/> , Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☒ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/> , Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 63-3227

- [illegible]

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

[illegible]

Total Acres (for irrigation use)	418.2
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☒ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.: Applicant has 178 shares (acres) of Wilder Irrigation District water that will continue to be supplemented with ground water. Supplemented acres are identified in Attachments 7A & B and 8b.

FOR DEPARTMENT USE ONLY

Transfer contains 9 pages and 5 attachments.
Received by SB Date 5-10-10 Prelim. Check by kw Date 8/18/2010
Fee Paid 490.00 Date 5-10-10 Received by SB Receipt # WA38356
Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

ATTACHMENT 2a
OWNERSHIP DOCUMENTATION



Pioneer Title Co.

GOING BEYOND

5680 East Franklin Road, Suite 150 / Nampa, Idaho
83687 / (208) 465-6655

Recorded

2009 DEC 31 PM 4 10
WILLIAM M. BARRUS
CANYON CITY RECORDER
BY *William M. Barrus*

RECORDED

2009066313

200910800

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Saxton Fruit Farms, Inc., an Idaho corporation

a corporation duly organized and existing under the laws of the State of, grantor, does hereby Grant, Bargain, Sell and Convey unto

Thomas J Wilke and Jenine M Wilke, husband and wife

whose address is: 6420 Johnstone Rd Homedale, ID 83628 grantee,
the following described real estate, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision, restrictions, U.S. patent reservations, easements of record and easements visible upon the said premises.

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

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its officers on December 30, 2009.

Saxton Fruit Farms, Inc.

William M. Barrus

William M. Barrus, President

Jennifer Barrus

Jennifer Barrus, Secretary

State of IDAHO

ss.

County of CANYON

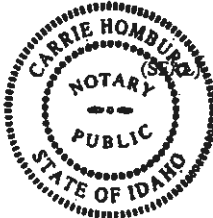
On this 30th day of December, 2009, before me, the undersigned, a Notary Public, in and for said State, personally appeared William Barrus and Jennifer Barrus known and/or identified to me on the basis of satisfactory evidence, to be the President and Secretary, respectively of the Corporation that executed the within instrument or the person who executed the instrument on behalf of said Corporation and acknowledged to me that such Corporation executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Carrie Homburg

Notary Public
Residing at:
Commission Expires:

Residing at: Melba, ID
Commission Expires: 3/10/15



Attachment 2a(1)

EXHIBIT A

PARCEL I:

Lots 2 and 4 of Section 29, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho AND that portion of the following lying Northerly and adjacent to Lots 2 and 4 above.

A tract of land situated in Lots 1 & 3 of Section 29, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, located between the Lake Lowell Reservoir boundary and the centerline of the County Road known as Lake Shore Drive and adjoining that parcel described in Inst. #465227 of the records of Canyon County. Said Tract is more particularly described as follows:

COMMENCING at the South Quarter corner of said Section 29, which is marked by a 2-inch diameter galvanized iron post with USBR brass cap and bears North 89° 41' 10" East 2,642.74 feet from the Southwest corner of said Section 29;
Thence North 00° 33' 50" East 1,327.81 feet on the East line of the Southwest Quarter of said Section 29 to a 5/8-inch diameter bar with aluminum cap marked LL 115, a point on the Lake Lowell Reservoir boundary;
Thence on said Lake Lowell Reservoir boundary and continuing North 00° 33' 50" East 1.43 feet on said East line of the Southwest Quarter to a concrete post with USBR brass cap marked LL 116, the Southeast corner of Lot 1 of said Section 29 and the REAL POINT OF BEGINNING;
Thence on the Southerly line of said Lot 1 and continuing on said Lake Lowell Reservoir boundary South 89° 40' 00" West 63.97 feet to a 5/8-inch diameter bar with aluminum cap marked LL 117;
Thence North 59° 53' 10" West 943.15 feet to a 5/8-inch diameter bar with aluminum cap marked LL 118;
Thence North 75° 03' 40" West 449.24 feet to a 5/8-inch diameter bar with aluminum cap marked LL 119, the corner common to Lots 1, 2, 3 & 4 of said Section 29;
Thence on the Southerly line of said Lot 3 and continuing on said Lake Lowell Reservoir boundary North 74° 31' 00" West 578.18 feet to a 5/8-inch diameter bar with aluminum cap marked LL 120;
Thence North 54° 27' 30" West 296.77 feet to a 5/8-inch diameter bar with aluminum cap marked LL 121;
Thence North 74° 13' 00" West 164.81 feet to a 5/8-inch diameter bar with aluminum cap marked LL 122;
Thence South 82° 30' 40" West 363.83 feet to a 2-inch diameter galvanized iron post with USBR brass cap marked LL 123, the Southwest corner of said Lot 3;
Thence leaving said Lake Lowell Reservoir boundary North 00° 36' 20" East 200.05 feet on the West line of said Section 29 to a 5/8-inch diameter bar with aluminum cap marked Sta. 510+90.89, a point on the centerline of Lake Shore Drive;
Thence on said centerline of Lake Shore Drive North 84° 28' 10" East 132.77 feet to a 5/8-inch diameter bar with aluminum cap marked PT 509+58.12, a point of curvature;
Thence Easterly on the arc of a circle 645 feet in radius curving to the right a distance of 375.50 feet, the chord of said arc running South 78° 51' 10" East 370.22 feet to a 5/8-inch diameter bar with aluminum cap marked PC 505+82.62, a point of tangency;
Thence South 62° 10' 30" East 423.06 feet to a 5/8-inch diameter bar with aluminum cap marked PT 501+59.56, a point of curvature;
Thence Easterly on the arc of a circle 1,950 feet in radius curving to the left a distance of 497.94 feet, the chord of said arc running South 69° 29' 25" East 496.58 feet to a 5/8-inch diameter bar with aluminum cap marked PC 496+61.62, a point of tangency;
Thence South 76° 48' 20" East 289.51 feet to a 5/8-inch diameter bar with aluminum cap marked PT 493+72.11, a point of curvature;

File No. 200910800

Thence Easterly on the arc of a circle 1,000 feet in radius curving to the right a distance of 166.34 feet, the chord of said arc running South 72° 02' 25" East 166.15 feet to a 5/8-inch diameter bar with aluminum cap marked PC 492+05.77, a point of tangency;

Thence South 67° 16' 30" East 888.46 feet to a 5/8-inch diameter bar with aluminum cap marked PT 483+17.31, a point of curvature;

Thence Southeasterly on the arc of a circle 890 feet in radius curving to the right a distance of 41.34 feet, the chord of said arc running South 65° 56' 40" East 41.34 feet to a 5/8-inch diameter bar with aluminum cap marked Sta. 482+75.97, a point on the East line of the Southwest Quarter of said Section 29;

Thence leaving said centerline of Lake Shore Drive South 00° 33' 50" West 205.34 feet on said East line of the Southwest Quarter to the POINT OF BEGINNING.

Said tract is shown as Parcel 39 on Record of Survey Inst. #992817. This description was written by LS 1002 from Field Surveys made in 1975 & 1983.

EXCEPTING THEREFROM

COMMENCING at the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 29, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho;

Thence running North 175 feet;

Thence Northwesterly along the road 400 feet;

Thence South 135 feet to the Canal Bank;

Thence Southeasterly 400 feet to the POINT OF BEGINNING.

PARCEL II:

A parcel of land beginning at a point on the South line of Section 29, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, a distance of 928.2 feet West of the Southeast corner of Section 29;

Thence North 10° 12' West a distance of 133.6 feet;

Thence North 66° 42' West a distance of 210 feet;

Thence North 53° 52' West a distance of 1,240 feet;

Thence North 41° 32' West a distance of 370 feet;

Thence North 53° 42' West a distance of 230 feet to the intersection with the West line of the Southeast Quarter of said Section 29;

Thence South along the West line of said Quarter Section to the Southwest corner thereof;

Thence East along the South line of said Quarter Section to the POINT OF BEGINNING.

AND

That portion of the following lying Northerly and adjacent to the above parcel.

A tract of land situated in the Southeast Quarter of Section 29, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, located between the Lake Lowell Reservoir boundary and the centerline of the County Road known as Lake Shore Drive and adjoining that parcel described in Inst. #424223 of the records of Canyon County. Said tract is more particularly described as follows:

COMMENCING at the South Quarter corner of said Section 29, marked by a 2-inch diameter galvanized iron post with USBR brass cap;

Thence North 89° 29' 20" East 1,325.06 feet on the South line of said Section 29 to a 2-inch diameter galvanized iron post with USBR brass cap marked LL 109, the Southeast corner of the Southwest

File No. 200910800

Quarter of the Southeast Quarter of said Section 29 and a point on the Lake Lowell Reservoir boundary;

Thence continuing North 89° 29' 20" East 289.36 feet on said South line of Section 29 and said Lake Lowell Reservoir boundary to a 2-inch diameter galvanized iron post with USBR brass cap marked LL 110, the REAL POINT OF BEGINNING;

Thence leaving said South line of Section 29 and continuing on said Lake Lowell Reservoir boundary North 09° 15' 50" West 64.54 feet to a 5/8-inch diameter bar with aluminum cap marked LL 111;

Thence North 65° 54' 00" West 167.17 feet to a 5/8-inch diameter bar with aluminum cap marked LL 112;

Thence North 53° 03' 30" West 1,261.64 feet to a 5/8-inch diameter bar with aluminum cap marked LL 113;

Thence North 40° 43' 20" West 370.25 feet to a 5/8-inch diameter bar with aluminum cap marked LL 114;

Thence North 52° 53' 10" West 236.26 feet to a 5/8-inch diameter bar with aluminum cap marked LL 115, a point on the West line of the Southeast Quarter of said Section 29;

Thence on said West line of the Southeast Quarter and continuing on said Lake Lowell Reservoir boundary North 00° 33' 50" East 1.43 feet to a concrete post with USBR brass cap marked LL 116, the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 29;

Thence leaving said Lake Lowell Reservoir boundary and continuing North 00° 33' 50" East 205.34 feet on said West line of the Southeast Quarter to a 5/8-inch diameter bar with aluminum cap marked Sta. 482+75.97, a point on a curve on the centerline of Lake Shore Drive;

Thence on said centerline of Lake Shore Drive Southeasterly on the arc of a circle 890 feet in radius curving to the right a distance of 343.93 feet, the chord of said arc running South 53° 32' 35" East 341.80 feet to a 5/8-inch diameter with aluminum cap marked PC 479+32.04, a point of tangency;

Thence South 42° 28' 20" East 351.27 feet to a 5/8-inch diameter bar with aluminum cap marked PT 475+80.77, a point of curvature;

Thence Southeasterly on the arc of a circle 1,100 feet in radius curving to the left a distance of 207.24 feet, the chord of said arc running South 47° 52' 10" East 206.93 feet to a 5/8-inch diameter bar with aluminum cap marked PC 473+73.53, a point of tangency;

Thence South 53° 16' 00" East 888.76 feet to a 5/8-inch diameter bar with aluminum cap marked PT 464+84.77, a point of curvature;

Thence Southeasterly on the arc of a circle 1,380 feet in radius curving to the right a distance of 395.34 feet, the chord of said arc running South 45° 03' 35" East 393.99 feet to a 5/8-inch diameter bar with aluminum cap marked PC 460+89.43, a point of tangency;

Thence South 36° 51' 10" East 134.99 feet to a 5/8-inch diameter bar with aluminum cap marked Sta. 459+54.44, a point on the South line of said Section 29;

Thence leaving said centerline of Lake Shore Drive South 89° 29' 20" West 138.42 feet on said South line of Section 29 to the POINT OF BEGINNING.

Said tract is shown as Parcel 38 on Record of Survey Inst. #992816. This description was written by LS 1002 from Field Surveys made in 1975 & 1983.

AND

COMMENCING at the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 29, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho;

Thence running North 175 feet;

Thence Northwesterly along the road 400 feet;

Thence South 135 feet to the Canal Bank;

Thence Southeasterly 400 feet to the POINT OF BEGINNING.

File No. 200910800

PARCEL III:

The Southwest Quarter of the Southwest Quarter of Section 29, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

PARCEL IV:

The Southeast Quarter of the Southwest Quarter of Section 29, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

PARCEL V:

Parcel 37 of Record of Survey, Instrument No. 992816, being a tract of land situated in Lot 1 of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, located between the Lake Lowell Reservoir boundary and the centerline of the county road known as Lake Shore Drive and adjoining that parcel described in Instrument No. 424223 of the records of Canyon County. Said tract is more particularly described as follows:

Commencing at the East quarter corner of said Section 32, marked by a 2-inch diameter galvanized iron post with USBR brass cap,
Thence North $00^{\circ} 34' 00''$ East 1326.72 feet on the East line of said Section 32 to a 2-inch diameter galvanized iron post with USBR brass cap marked LL 104, the Southeast corner of Lot 1 of said Section 32, a point on the Lake Lowell Reservoir Boundary and the REAL POINT OF BEGINNING;
Thence South $89^{\circ} 32' 00''$ West, 164.20 feet on the South line of said Lot 1 and said Lake Lowell Reservoir Boundary to a 5/8 inch diameter bar with aluminum cap marked LL 105, the Southwest corner of said Lot 1;
Thence on the Southwesterly line of said Lot 1 and said Lake Lowell Reservoir Boundary North $27^{\circ} 23' 20''$ West, 452.54 feet to a 5/8 inch diameter bar with aluminum cap marked LL 106;
Thence North $39^{\circ} 43' 40''$ West, 895.67 feet to a 5/8 inch diameter bar with aluminum cap marked LL 107;
Thence North $62^{\circ} 13' 30''$ West 408.26 feet to a 5/8 inch diameter bar with aluminum cap marked LL 108, a point on the West line of said Lot 1;
Thence North $00^{\circ} 46' 20''$ East 34.96 feet on said West line of Lot 1 and continuing on said Lake Lowell Reservoir Boundary to a 2-inch diameter galvanized iron post with USBR brass cap marked LL 109, the Northwest corner of said Lot 1;
Thence North $89^{\circ} 29' 20''$ East 289.36 feet on the North line of said Section 32 and continuing on said Lake Lowell Reservoir Boundary to a 2-inch diameter galvanized iron post with USBR brass cap marked LL 110;
Thence leaving said Lake Lowell Reservoir Boundary and continuing on said North line of Section 32 North $89^{\circ} 29' 20''$ East, 138.42 feet to a 5/8 inch diameter bar with aluminum cap marked Sta. 459+54.44 a point on the centerline of Lake Shore Drive;
Thence leaving said North line of Section 32 on a said centerline of Lake Shore Drive South $36^{\circ} 51' 10''$ East, 215.96 feet to a 5/8 inch diameter bar with aluminum cap marked PT 457+38.48, a point of curvature;
Thence Southeasterly on the arc of a circle 2700 feet in radius curving to the left a distance of 388.38 feet, the chord of said arc running South $40^{\circ} 58' 25''$ East, 388.04 feet to a 5/8 inch diameter bar with aluminum cap marked PC 453+50.10, a point of tangency;
Thence South $45^{\circ} 05' 40''$ East, 459.78 feet to a 5/8 inch diameter bar with aluminum cap marked PT 448+90.32, a point of curvature;

File No. 200910800

Thence Southeasterly on the arc of a circle 485 feet in radius curving to the right a distance of 319.74 feet, the chord of said arc running South 26° 12'30" East, 313.98 feet to a 5/8 inch diameter bar with aluminum cap marked PC 445+70.58, a point of tangency;

Thence South 07° 19'20" East, 232.96 feet to a 2-inch diameter galvanized iron post with USBR brass cap marked LL 103 Sta. 443+37.62, a point on the East line of said Section 32 and a point on said Lake Lowell Reservoir Boundary;

Thence leaving said centerline of Lake Shore Drive South 00° 34'00" West, 15.23 feet on said East line of Section 32 and said Lake Lowell Reservoir Boundary to the REAL POINT OF BEGINNING.

PARCEL VI:

Government Lot 2, Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

PARCEL VII:

The Northwest Quarter of the Northeast Quarter, Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

A part of the North Half of the Northwest Quarter of the Northeast Quarter of Section 32, Township 3 North, Range 3 West of the Boise Meridian, more particularly described to-wit:

Commencing at the Northwest corner of the North Half of the Northwest Quarter of the Northeast Quarter of Section 32, Township 3 North, Range 3 West of the Boise Meridian, and running thence South 0° 5' East 663 feet along the West line of the said North Half of the Northwest quarter of the Northeast Quarter to the Southwest corner of the said North Half of the Northwest Quarter of the Northeast Quarter;

Thence North 88° 53' East 60 feet along the South line of the said North Half of the Northwest Quarter of the Northeast Quarter to the INITIAL POINT;

Thence continue North 88° 53' East 986.4 feet along the said South line;

Thence North 61° 32' West 1122.8 feet to a point 60 feet East of the said West line;

Thence South 0° 5' East 554.4 feet parallel to the said West line to the INITIAL POINT.

PARCEL IX:

The Northeast Quarter of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter, the Southwest Quarter of the Northwest Quarter and the North Half of the Southeast Quarter of the Northwest Quarter, Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Re-Record to correct Parcel IX Legal description JW

INSTRUMENT NO. 2010012174

2009066313

RECORDED

2009 DEC 31 PM 4 10

WILLIAM H. HURST
CANYON CNTY RECORDER
Brown Brown

PIONEER-CALDWELL

REQUEST

TYPE Deed FEE 18.00



Pioneer Title Co.

GOING BEYOND

5680 East Franklin Road, Suite 150 / Nampa, Idaho
83687 / (208) 465-6655

200910800

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Saxton Fruit Farms, Inc., an Idaho corporation

a corporation duly organized and existing under the laws of the State of, grantor, does hereby Grant, Bargain, Sell and Convey unto

Thomas J Wilke and Jenine M Wilke, husband and wife

whose address is: 6420 Johnstone Rd Homedale, ID 83628, grantee,
the following described real estate, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision, restrictions, U.S. patent reservations, easements of record and easements visible upon the said premises.

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

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its officers on December 30, 2009.

Saxton Fruit Farms, Inc.

William M. Barrus
William M. Barrus, President

Jennifer Barrus
Jennifer Barrus, Secretary

RECORDED

2010 JAN 17 PM 4 25

WILLIAM H. HURST
CANYON CNTY RECORDER
Brown Brown

PIONEER-CALDWELL

REQUEST

TYPE Deed FEE 21.00

2010012174

State of IDAHO

ss.

County of CANYON

On this 30th day of December, 2009, before me, the undersigned, a Notary Public, in and for said State, personally appeared William Barrus and Jennifer Barrus known and/or identified to me on the basis of satisfactory evidence, to be the President and Secretary, respectively of the Corporation that executed the within instrument or the person

2a(7)

Thence Southeasterly on the arc of a circle 485 feet in radius curving to the right a distance of 319.74 feet, the chord of said arc running South 26° 12'30" East, 313.98 feet to a 5/8 inch diameter bar with aluminum cap marked PC 445+70.58, a point of tangency;

Thence South 07° 19'20" East, 232.96 feet to a 2-inch diameter galvanized iron post with USBR brass cap marked LL 103 Sta. 443+37.62, a point on the East line of said Section 32 and a point on said Lake Lowell Reservoir Boundary;

Thence leaving said centerline of Lake Shore Drive South 00° 34'00" West, 15.23 feet on said East line of Section 32 and said Lake Lowell Reservoir Boundary to the REAL POINT OF BEGINNING.

PARCEL VI:

Government Lot 2, Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

PARCEL VII:

The Northwest Quarter of the Northeast Quarter, Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

A part of the North Half of the Northwest Quarter of the Northeast Quarter of Section 32, Township 3 North, Range 3 West of the Boise Meridian, more particularly described to-wit:

Commencing at the Northwest corner of the North Half of the Northwest Quarter of the Northeast Quarter of Section 32, Township 3 North, Range 3 West of the Boise Meridian, and running thence South 0° 5' East 663 feet along the West line of the said North Half of the Northwest quarter of the Northeast Quarter to the Southwest corner of the said North Half of the Northwest Quarter of the Northeast Quarter;

Thence North 88° 53' East 60 feet along the South line of the said North Half of the Northwest Quarter of the Northeast Quarter to the INITIAL POINT;

Thence continue North 88° 53' East 986.4 feet along the said South line;

Thence North 61° 32' West 1122.8 feet to a point 60 feet East of the said West line;

Thence South 0° 5' East 554.4 feet parallel to the said West line to the INITIAL POINT.

PARCEL IX:

JS
~~The Northeast Quarter of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter, the Southwest Quarter of the Northwest Quarter and the North Half of the Southeast Quarter of the Northwest Quarter, Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.~~

PARCEL IX:

and
The Northeast Quarter of the Northwest Quarter ~~of~~ the Northwest Quarter *and* the Northwest Quarter, the Southwest Quarter of the Northwest Quarter and the North Half of the Southeast Quarter of the Northwest Quarter, Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

ju



Pioneer Title Co.

GOING BEYOND

5680 East Franklin Road, Suite 150 / Nampa, Idaho
83687 / (208) 465-6655

Doc 12.00

WILLIAM L. JONST
CANYON CNTY RECORDER
BY *Jane Barrus*

2009 DEC 31 PM 4 10

RECORDED

2009066314

200910800

WARRANTY DEED

For Value Received William M. Barrus and Jennifer M. Barrus, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

WJ, JR
Thomas J Wilke and Jenine M Wilke, husband and wife

is hereinafter referred to as Grantee, whose current address
is 6420 Johnstone Rd, Homedale, ID 83628

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, including irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 30, 2009

William M. Barrus
William M. Barrus,

Jennifer M. Barrus
Jennifer M. Barrus

2a(10)

State of IDAHO

SS.

County of CANYON

On this 30th day of December, 2009, before me, the undersigned, a Notary Public, in and for said State, personally appeared William M. Barrus & Jennifer M. Barrus known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Carrie Homburg

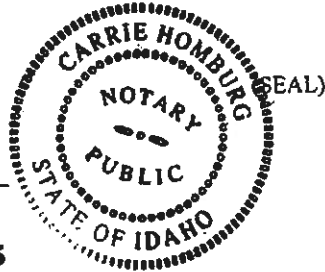
Notary Public

Residing at:

Commission Expires:

Residing at: Melba, ID

Commission Expires: 3/10/15



2a(11)

Exhibit "A"

Parcel X:

The South Half of the Southeast Quarter of the Northwest Quarter, and the North Half of the Southwest Quarter of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

A part of the Northwest Quarter of the Southwest Quarter of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

The INITIAL POINT being the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 32;

Thence North $0^{\circ} 07'$ West a distance of 457 feet along the West line of said Section 32 to a point in the Southerly right-of-way line of the Dempke Lateral;

Thence meandering along the said Southerly right-of-way line South $49^{\circ} 43'$ East a distance of 430.5 feet;

Thence South $63^{\circ} 45'$ East a distance of 375.1 feet to a point in the South line of the said Northwest Quarter of the Southwest Quarter;

Thence South $88^{\circ} 54'$ West a distance of 664 feet along the said South line to the INITIAL POINT.

ALSO EXCEPTING THEREFROM

A part of the Northeast Quarter of the Southwest Quarter of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, described as follows:

COMMENCING at the center Quarter corner of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, marked by a U.S. Reclamation Service brass cap, the INITIAL POINT;

Thence South $0^{\circ} 03' 47''$ East along the East line of the Southwest Quarter of said Section 32 a distance of 240 feet;

Thence South $89^{\circ} 03' 29''$ West a distance of 181.5 feet;

Thence North $0^{\circ} 03' 47''$ West a distance of 240 feet to the North line of the Southwest Quarter of said Section 32;

Thence North $89^{\circ} 03' 29''$ East along the North line of the Southwest Quarter of said Section 32 a distance of 181.5 feet to the INITIAL POINT.

PARCEL XI:

A part of the South Half of the Southwest Quarter of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, described as follows:

COMMENCING at the Northwest corner of the South Half of the Southwest Quarter of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho;

And running thence North $88^{\circ} 54'$ East a distance of 759 feet along the North line of the said South Half of the Southwest Quarter to a point in the Northerly line of the right-of-way of the Dempke Lateral, the INITIAL POINT;

Thence continue North $88^{\circ} 54'$ East a distance of 984.6 feet along the North line to a point in the Northerly right-of-way line of the said Dempke Lateral;

File No. 200910800

Thence South $82^{\circ} 54'$ West a distance of 698.5 feet along the said Northerly right-of-way line;
Thence North $76^{\circ} 58'$ West a distance of 299 feet along the said Northerly right-of-way line to the
INITIAL POINT.

PARCEL XII:

The East 28 feet of the West Half of the Southeast Quarter of the Southwest Quarter, Section 32,
Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

PARCEL XV:

That portion of the Southeast Quarter of the Northeast Quarter of Section 32, Township 3 North,
Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as
follows:

Commencing at the Northwest corner of said Southeast Quarter of the Northeast Quarter;
Thence South $0^{\circ} 08'$ East 663.0 feet along the West line of the said Southeast Quarter of the
Northeast Quarter;
Thence North $88^{\circ} 55''$ East 283.4 feet to a point in the centerline of a ditch;
Thence meandering along said centerline North $11^{\circ} 21'$ East 135.80 feet;
Thence North $3^{\circ} 58'$ East 200.6 feet;
Thence North $11^{\circ} 14'$ East 92.3 feet;
Thence North $27^{\circ} 21'$ East 273.3 feet to a point in the North line of the said Southeast Quarter of
the Northeast Quarter;
Thence South $88^{\circ} 55'$ West 469.1 feet along the said North line to the Initial Point.



Pioneer Title Co.

GOING BEYOND

5680 East Franklin Road, Suite 150 / Nampa, Idaho
83687 / (208) 465-6655

Deed Rec

WILLIAM M. BARRUS
CANYON CNTY RECORDER
Wm M Barrus

2009 DEC 31 PM 4 10

RECORDED

2009066315

200910800b

WARRANTY DEED

For Value Received Jennifer M. Barrus, a married woman as her sole & separate property
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Thomas J Wilke and Jenine M Wilke, husband & wife

JW, MW
is hereinafter referred to as Grantee, whose current address
is 6420 Johnstone Rd Homedale, ID 83628

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, including irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 30, 2009

Jennifer M Barrus
Jennifer M. Barrus

William M Barrus
William M Barrus, executes this Instrument
to comply with Chapter 10-Title 55, Idaho
Code, relating to Homesteads and not
joining in for any other purposes

State of IDAHO

ss.

County of CANYON

On this 30th day of December, 2009, before me, the undersigned, a Notary Public, in and for said State, personally appeared William M. Barrus and Jennifer M. Barrus known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Carrie Homburg

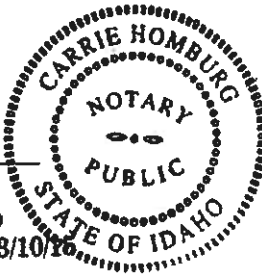
Notary Public

Residing at:

Commission Expires:

Residing at: Melba, ID

Commission Expires: 3/10/16



(SEAL)

File No. 200910800

PARCEL XHI:

A part of the NE¼ SW¼ of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, described as follows:

Commencing at the Center ¼ Corner of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, marked by a U.S. Reclamation Service brass cap, the INITIAL POINT;

Thence South 0°03'47" East along the East line of the SW¼ of said Section 32, a distance of 240.0 feet;

Thence South 89°03'29" West a distance of 181.5 feet;

Thence North 0°03'47" West a distance of 240.0 feet to the North line of the SW¼ of said Section 32;

Thence North 89°03'29" East along the North line of the SW¼ of said Section 32, a distance of 181.5 feet to the INITIAL POINT.

TOGETHER WITH an ingress-egress easement over and across Parcel 3 and the N¼ SW¼, Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho of Parcel 1, as contained in Warranty Deed recorded December 18, 1992 as Instrument No. 9228542, records of Canyon County, Idaho.

2a(16)

5



Pioneer Title Co.

GOING BEYOND

5680 East Franklin Road, Suite 150 / Nampa, Idaho
83687 / (208) 465-6655

Doc 12.00

WILLIAM L. HURST
CANYON CNTY RECORDER
RYAN B. BURTON

2009 DEC 31 PM 4 10

RECORDED

2009066316

200910800a

WARRANTY DEED

For Value Received Phyllis A. Saxton, as her sole & separate property

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

William Barrus and Jennifer Marie Barrus, Trustees of the Saxton Trust Two

, hereinafter referred to as Grantee, whose current address is 12497 Crabapple Ln, Caldwell, ID 83607

the following described premises, to-wit:

See attached Exhibit "A" which is made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, including irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 30, 2009

Phyllis A. Saxton
Phyllis A. Saxton

2a(17)

State of IDAHO

ss.

County of CANYON

On this 30th day of December, 2009, before me, the undersigned, a Notary Public, in and for said State, personally appeared Phyllis A. Saxton known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

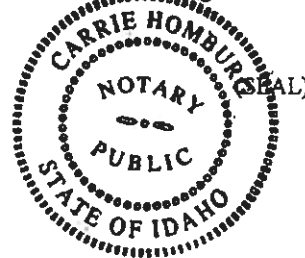
WITNESS MY HAND AND OFFICIAL SEAL

Carrie Homburg

Notary Public

Residing at:

Commission Expires:



Residing at: Melba, ID

Commission Expires: 3/10/15

Exhibit "A"

PARCEL VIII:

A part of the North Half of the Northwest Quarter of the Northeast Quarter of Section 32, Township 3 North, Range 3 West of the Boise Meridian, more particularly described to-wit:

Commencing at the Northwest corner of the North Half of the Northwest Quarter of the Northeast Quarter of Section 32, Township 3 North, Range 3 West of the Boise Meridian, and running thence South 0° 5' East 663 feet along the West line of the said North Half of the Northwest quarter of the Northeast Quarter to the Southwest corner of the said North Half of the Northwest Quarter of the Northeast Quarter;

Thence North 88° 53' East 60 feet along the South line of the said North Half of the Northwest Quarter of the Northeast Quarter to the INITIAL POINT;

Thence continue North 88° 53' East 986.4 feet along the said South line;

Thence North 61° 32' West 1122.8 feet to a point 60 feet East of the said West line;

Thence South 0° 5' East 554.4 feet parallel to the said West line to the INITIAL POINT.

EXCEPTING THEREFROM a parcel of land being apportion of the NW¼ NE¼ of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, being more particularly described as follows:

BEGINNING at a point on the South line of the N¼ NW¼ NE¼ of Section 32, Township 3 North, Range 3 West, Boise Meridian, being 237.86 feet East of the Southwest corner of said N¼ NW¼ NE¼ of Section 32, from which the North ¼ corner of said Section 32 bears North 19°52'28" West a distance of 699.14 feet;

Thence leaving said South line, North 00°00'41" East a distance of 175.68 feet;

Thence North 88°50'06" East a distance of 248.00 feet;

Thence South 00°00'41" West to a point on said South line a distance of 175.68 feet;

Thence along said South line South 88°50'06" West a distance of 248.00 feet to the POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO a 60' ingress, egress, and utilities easement located in the NW¼ NE¼ and the NE¼ NW¼ of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, being further described as follows:

BEGINNING at the North ¼ corner of Section 32, Township 3 North, Range 3 West, Boise Meridian;

Thence along the North line of the NW¼ NE¼ of said Section 32 North 88°48'48" East a distance of 30.01 feet;

Thence leaving said North line, South 15°58'28" East, to a point on a line being 60.00 feet East of and parallel with the West line of the NW¼ NE¼ of said Section 32, a distance of 108.94 feet;

Thence along said parallel line, South 00°00'41" West a distance of 325.93 feet;

Thence leaving said parallel line, South 53°32'34" East a distance of 221.05 feet;

Thence South 00°00'41" West a distance of 74.59 feet;

Thence North 53°32'34" West, to a point on said West line a distance of 295.63 feet;

Thence along said West line, North 00°00'41" East a distance of 347.78 feet;

Thence leaving said West line, North 15°58'28" West a distance of 108.87 feet;

Thence North 00°06'23" West to a point on the North line of the NE¼ NW¼ of said Section 32 a distance of 7.33 feet;

File No. 200910800

Thence along said North line, North $88^{\circ}59'52''$ East a distance of 30.00 feet to the POINT OF BEGINNING.

ALSO TOGETHER WITH a 60 foot wide easement located in the S $\frac{1}{2}$ of Section 29, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, being further described as follows:

BEGINNING at the South $\frac{1}{4}$ corner of said Section 29, Township 3 North, Range 3 West, Boise Meridian;

Thence leaving said South $\frac{1}{4}$ corner along the South line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 29, North $88^{\circ}59'52''$ West a distance of 30.00 feet;

Thence leaving said South line and along a line being 30.00 feet West of and parallel with the East line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 29, North $00^{\circ}06'23''$ West a distance of 1168.80 feet;

Thence leaving said parallel line, North $07^{\circ}46'51''$ East to a point on the Southerly right-of-way of Lakeshore Drive, herein derived as being 25.00 feet South of the monumented centerline and being prescriptive in nature, a distance of 334.18 feet;

Thence along said Southerly right-of-way along a non-tangent curve to the right from a tangent which bears South $63^{\circ}20'38''$ East with a radius of 865.00 feet and a central angle of $04^{\circ}15'29''$, an arc length of 64.29 feet with a chord bearing of South $61^{\circ}12'53''$ East, and a chord distance of 64.27 feet;

Thence leaving said Southerly right of way, South $07^{\circ}46'51''$ West to a point on a line being 30.00 feet East of and parallel with said East line a distance of 307.01 feet;

Thence along said parallel line, South $00^{\circ}06'23''$ East to a point on the South line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 29, a distance of 1163.63 feet;

Thence leaving said parallel line and along said South line, South $88^{\circ}48'48''$ West a distance of 30.01 feet to the POINT OF BEGINNING.



Pioneer Title Co.

GOING BEYOND

5680 East Franklin Road, Suite 150 / Nampa, Idaho
83687 / (208) 465-6655

Paid 12.00

RECORDED

2009 DEC 31 PM 4 10
WILLIAM M. BARRUS
CANYON COUNTY RECORDER
BYRONA BARRUS

RECORDED

2009066317

200910800a

WARRANTY DEED

For Value Received William M. Barrus and Jennifer M. Barrus, husband & wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

William Barrus and Jennifer Marie Barrus, Trustees of the Saxton Trust Two

, hereinafter referred to as Grantee, whose current address is 12497 Crabapple Ln., Caldwell, ID 83607
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, including irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 30, 2009

William M. Barrus

Jennifer M. Barrus

2a(21)

State of IDAHO

ss.

County of CANYON

On this 30th day of December, 2009, before me, the undersigned, a Notary Public, in and for said State, personally appeared William M. Barrus and Jennifer M. Barrus known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

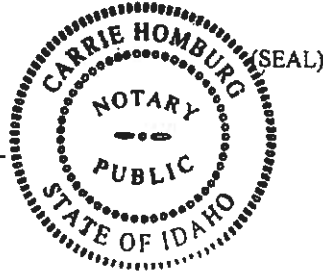
WITNESS MY HAND AND OFFICIAL SEAL

Carrie Homburg

Notary Public

Residing at:

Commission Expires: **Residing at: Melba, ID**
Commission Expires: 3/10/15



File No. 200910800

PARCEL XIV:

The Southwest Quarter of the Northeast Quarter and The North Half of the Southeast Quarter of Section 32, Township 3 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

EXCEPT THEREFROM the following described Tracts A and B

Tract A:

A portion of the Northwest Quarter of the Southeast Quarter of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at a found 5/8-inch iron pin marking the South Quarter corner of said Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho;

Thence North 89° 01' 03" East 661.27 feet along the South boundary of the said Southeast Quarter of Section 32 and along the centerline of Marsing Road to a set 1/2-inch iron pin;

Thence North 00° 03' 14" West 1,326.23 feet to a set 1/2-inch iron pin lying on the South boundary of the said Northwest Quarter of the Southeast Quarter of Section 32, said pin also marking the REAL POINT OF BEGINNING;

Thence continuing North 00° 03' 14" West 439.46 feet to a point lying on the centerline of the Dempke Lateral, said point being witnessed by a set 1/2-inch iron pin which bears South 00° 03' 14" East 30.90 feet;

Thence along the said centerline of the Dempke Lateral the following courses and distances:

North 76° 03' 34" East 648.66 feet to a point being witnessed by a set 1/2-inch iron pin which bears South 23° 05' 11" East 30.39 feet;

Thence North 57° 46' 03" East 37.32 feet to a point marking the intersection of the said centerline of the Dempke Lateral with the East boundary of the said Northwest Quarter of the Southeast Quarter of Section 32, said point being witnessed by a set 1/2-inch pin which bears South 00° 03' 03" East 35.45 feet;

Thence leaving the said centerline of the Dempke Lateral, South 00° 03' 03" East 603.91 feet along the said east boundary of the Northwest Quarter of the Southeast Quarter of Section 32 to a set 1/2-inch iron pin marking the Southeast One-Sixteenth corner of said Section 32;

Thence South 88° 59' 03" West 661.34 feet along the said South boundary of the Northwest Quarter of the Southeast Quarter of Section 32 to the POINT OF BEGINNING.

Tract B:

A portion of the Northeast Quarter of the Southeast Quarter of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at a found 5/8-inch iron pin marking the South Quarter corner of said Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho;

File No. 200910800

Thence North 89° 01' 03" East 1,322.54 feet along the South boundary of the said Southeast Quarter of Section 32 and along the centerline of Marsing Road to a found Brass Cap marking the East One-Sixteenth corner common to said Section 32 and Section 5;

Thence North 00° 03' 03" West 1,326.62 feet to a set 1/2-inch iron pin marking the Southeast One-Sixteenth corner of said Section 32, said pin also marking the REAL POINT OF BEGINNING;

Thence continuing North 00° 03' 03" West 603.91 feet along the West boundary of the said Northeast Quarter of the Southeast Quarter of Section 32 to a point lying on the centerline of the Dempke Lateral, said point being witnessed by a set 1/2-inch iron pin which bears South 00° 03' 03" East 35.45 feet;

Thence along the said centerline of the Dempke Lateral the following courses and distances, said courses and distances being witnessed by set 1/2-inch iron pins lying 30 feet South and East of the said centerline of the Dempke Lateral;

North 57° 46' 03" East 237.27 feet to a point;

Thence North 39° 12' 55" East 162.07 feet to a point;

Thence North 03° 24' 00" East 188.84 feet to a point;

Thence North 06° 06' 10" West 288.24 feet to a point lying on the North boundary of the said Northeast Quarter of the Southeast Quarter of Section 32, said point being witnessed by a set 1/2-inch pin which bears North 88° 55' 27" East 30.12 feet;

Thence leaving the said centerline of the Dempke Lateral, North 88° 55' 27" East 1,038.57 feet along the said North boundary of the Northeast Quarter of the Southeast Quarter of Section 32 to a found Brass Cap marking the East Quarter corner of said Section 32 and lying along the centerline of Lakeshore Road;

Thence South 00° 02' 35" East 1,327.19 feet along the East boundary of the said Northeast Quarter of the Southeast Quarter of Section 32 and along the said centerline of Lakeshore Road to a set 1/2-inch iron pin marking the South One-Sixteenth corner common to said Section 32 and Section 33;

Thence South 88° 59' 03" West 1,322.79 feet along the South boundary of the said Northeast Quarter of the Southeast Quarter of Section 32 to the POINT OF BEGINNING.



Pioneer Title Co.

GOING BEYOND

5680 East Franklin Road, Suite 150 / Nampa, Idaho
83687 / (208) 465-6655

Recd 1500

WILLIAM L. JUST
CANYON CITY RECORDER
Wm. L. Just

2009 DEC 31 PM 4 10

RECORDED

2009066318

200910800

WARRANTY DEED

For Value Received William Barrus and Jennifer Marie Barrus, Trustees of the Saxton Trust Two
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Thomas J. Wilke and Jenine M. Wilke, husband & wife

Julie

hereinafter referred to as Grantee, whose current address is
6420 Johnstone Rd Homedale, ID 83628

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, including irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 30, 2009

Saxton Trust Two

William L. Just
William Barrus, Trustee

Jennifer Marie Barrus
Jennifer Marie Barrus, Trustee

State of IDAHO

ss.

County of CANYON

On this 30th day of December, 2009, before me, the undersigned, a Notary Public, in and for said State, personally appeared William Barrus and Jennifer Marie Barrus, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument as Trustees of the Saxton Trust Two and acknowledged to me that he/she/they executed the same as such Trustees.

WITNESS MY HAND AND OFFICIAL SEAL



Notary Public

Residing at:

Residing at: Melba, ID

Commission Expires:

Commission Expires: 3/10/15



2a(26)

Exhibit "A"

PARCEL VIII:

A part of the North Half of the Northwest Quarter of the Northeast Quarter of Section 32, Township 3 North, Range 3 West of the Boise Meridian, more particularly described to-wit:

Commencing at the Northwest corner of the North Half of the Northwest Quarter of the Northeast Quarter of Section 32, Township 3 North, Range 3 West of the Boise Meridian, and running thence South 0° 5' East 663 feet along the West line of the said North Half of the Northwest quarter of the Northeast Quarter to the Southwest corner of the said North Half of the Northwest Quarter of the Northeast Quarter;

Thence North 88° 53' East 60 feet along the South line of the said North Half of the Northwest Quarter of the Northeast Quarter to the INITIAL POINT;

Thence continue North 88° 53' East 986.4 feet along the said South line;

Thence North 61° 32' West 1122.8 feet to a point 60 feet East of the said West line;

Thence South 0° 5' East 554.4 feet parallel to the said West line to the INITIAL POINT.

EXCEPTING THEREFROM a parcel of land being apportion of the NW¼ NE¼ of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, being more particularly described as follows:

BEGINNING at a point on the South line of the N¼ NW¼ NE¼ of Section 32, Township 3 North, Range 3 West, Boise Meridian, being 237.86 feet East of the Southwest corner of said N¼ NW¼ NE¼ of Section 32, from which the North ¼ corner of said Section 32 bears North 19°52'28" West a distance of 699.14 feet;

Thence leaving said South line, North 00°00'41" East a distance of 175.68 feet;

Thence North 88°50'06" East a distance of 248.00 feet;

Thence South 00°00'41" West to a point on said South line a distance of 175.68 feet;

Thence along said South line South 88°50'06" West a distance of 248.00 feet to the POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO a 60' ingress, egress, and utilities easement located in the NW¼ NE¼ and the NE¼ NW¼ of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, being further described as follows:

BEGINNING at the North ¼ corner of Section 32, Township 3 North, Range 3 West, Boise Meridian; Thence along the North line of the NW¼ NE¼ of said Section 32 North 88°48'48" East a distance of 30.01 feet;

Thence leaving said North line, South 15°58'28" East, to a point on a line being 60.00 feet East of and parallel with the West line of the NW¼ NE¼ of said Section 32, a distance of 108.94 feet;

Thence along said parallel line, South 00°00'41" West a distance of 325.93 feet;

Thence leaving said parallel line, South 53°32'34" East a distance of 221.05 feet;

Thence South 00°00'41" West a distance of 74.59 feet;

Thence North 53°32'34" West, to a point on said West line a distance of 295.63 feet;

Thence along said West line, North 00°00'41" East a distance of 347.78 feet;

Thence leaving said West line, North 15°58'28" West a distance of 108.87 feet;

Thence North 00°06'23" West to a point on the North line of the NE¼ NW¼ of said Section 32 a distance of 7.33 feet;

File No. 200910800

Thence along said North line, North 88°59'52" East a distance of 30.00 feet to the POINT OF BEGINNING.

ALSO TOGETHER WITH a 60 foot wide easement located in the S½ of Section 29, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, being further described as follows:

BEGINNING at the South ¼ corner of said Section 29, Township 3 North, Range 3 West, Boise Meridian;

Thence leaving said South ¼ corner along the South line of the SE¼ SW¼ of said Section 29, North 88°59'52" West a distance of 30.00 feet;

Thence leaving said South line and along a line being 30.00 feet West of and parallel with the East line of the SE¼ SW¼ of said Section 29, North 00°06'23" West a distance of 1168.80 feet;

Thence leaving said parallel line, North 07°46'51" East to a point on the Southerly right-of-way of Lakeshore Drive, herein derived as being 25.00 feet South of the monumented centerline and being prescriptive in nature, a distance of 334.18 feet;

Thence along said Southerly right-of-way along a non-tangent curve to the right from a tangent which bears South 63°20'38" East with a radius of 865.00 feet and a central angle of 04°15'29", an arc length of 64.29 feet with a chord bearing of South 61°12'53" East, and a chord distance of 64.27 feet;

Thence leaving said Southerly right of way, South 07°46'51" West to a point on a line being 30.00 feet East of and parallel with said East line a distance of 307.01 feet;

Thence along said parallel line, South 00°06'23" East to a point on the South line of the SW¼ SE¼ of said Section 29, a distance of 1163.63 feet;

Thence leaving said parallel line and along said South line, South 88°48'48" West a distance of 30.01 feet to the POINT OF BEGINNING.

PARCEL XIV:

The Southwest Quarter of the Northeast Quarter and The North Half of the Southeast Quarter of Section 32, Township 3 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

EXCEPT THEREFROM the following described Tracts A and B

Tract A:

A portion of the Northwest Quarter of the Southeast Quarter of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at a found 5/8-inch iron pin marking the South Quarter corner of said Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho;

Thence North 89° 01' 03" East 661.27 feet along the South boundary of the said Southeast Quarter of Section 32 and along the centerline of Marsing Road to a set 1/2-inch iron pin;

Thence North 00° 03' 14" West 1,326.23 feet to a set 1/2-inch iron pin lying on the South boundary of the said Northwest Quarter of the Southeast Quarter of Section 32, said pin also marking the REAL POINT OF BEGINNING;

Thence continuing North 00° 03' 14" West 439.46 feet to a point lying on the centerline of the Dempke Lateral, said point being witnessed by a set 1/2-inch iron pin which bears South 00° 03' 14" East 30.90 feet;

Thence along the said centerline of the Dempke Lateral the following courses and distances:
North 76° 03' 34" East 648.66 feet to a point being witnessed by a set 1/2-inch iron pin which bears South 23° 05' 11" East 30.39 feet;

File No. 200910800

Thence North 57° 46' 03" East 37.32 feet to a point marking the intersection of the said centerline of the Dempke Lateral with the East boundary of the said Northwest Quarter of the Southeast Quarter of Section 32, said point being witnessed by a set 1/2-inch pin which bears South 00° 03' 03" East 35.45 feet;

Thence leaving the said centerline of the Dempke Lateral, South 00° 03' 03" East 603.91 feet along the said east boundary of the Northwest Quarter of the Southeast Quarter of Section 32 to a set 1/2-inch iron pin marking the Southeast One-Sixteenth corner of said Section 32;

Thence South 88° 59' 03" West 661.34 feet along the said South boundary of the Northwest Quarter of the Southeast Quarter of Section 32 to the POINT OF BEGINNING.

Tract B:

A portion of the Northeast Quarter of the Southeast Quarter of Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at a found 5/8-inch iron pin marking the South Quarter corner of said Section 32, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho;

Thence North 89° 01' 03" East 1,322.54 feet along the South boundary of the said Southeast Quarter of Section 32 and along the centerline of Marsing Road to a found Brass Cap marking the East One-Sixteenth corner common to said Section 32 and Section 5;

Thence North 00° 03' 03" West 1,326.62 feet to a set 1/2-inch iron pin marking the Southeast One-Sixteenth corner of said Section 32, said pin also marking the REAL POINT OF BEGINNING;

Thence continuing North 00° 03' 03" West 603.91 feet along the West boundary of the said Northeast Quarter of the Southeast Quarter of Section 32 to a point lying on the centerline of the Dempke Lateral, said point being witnessed by a set 1/2-inch iron pin which bears South 00° 03' 03" East 35.45 feet;

Thence along the said centerline of the Dempke Lateral the following courses and distances, said courses and distances being witnessed by set 1/2-inch iron pins lying 30 feet South and East of the said centerline of the Dempke Lateral;

North 57° 46' 03" East 237.27 feet to a point;

Thence North 39° 12' 55" East 162.07 feet to a point;

Thence North 03° 24' 00" East 188.84 feet to a point;

Thence North 06° 06' 10" West 288.24 feet to a point lying on the North boundary of the said Northeast Quarter of the Southeast Quarter of Section 32, said point being witnessed by a set 1/2-inch pin which bears North 88° 55' 27" East 30.12 feet;

Thence leaving the said centerline of the Dempke Lateral, North 88° 55' 27" East 1,038.57 feet along the said North boundary of the Northeast Quarter of the Southeast Quarter of Section 32 to a found Brass Cap marking the East Quarter corner of said Section 32 and lying along the centerline of Lakeshore Road;

Thence South 00° 02' 35" East 1,327.19 feet along the East boundary of the said Northeast Quarter of the Southeast Quarter of Section 32 and along the said centerline of Lakeshore Road to a set 1/2-inch iron pin marking the South One-Sixteenth corner common to said Section 32 and Section 33;

Thence South 88° 59' 03" West 1,322.79 feet along the South boundary of the said Northeast Quarter of the Southeast Quarter of Section 32 to the POINT OF BEGINNING.

ATTACHMENT 6
MORTGAGE HOLDER ACKNOWLEDGEMENT



April 29, 2010

SPF Water Engineering, LLC
Attn: Lori Graves
600 E. River Park Lane, Suite 105
Boise, ID 83706-6551

RE: Application for Transfer of Water Rights for Tom and Jenine Wilke

Dear Lori,

Northwest Farm Credit Services, FLCA is aware of the application for Transfer of Water Rights for Tom and Jenine Wilke's property near Lake Lowell involving ground water right nos. 63-2827, 63-2887, 63-2930 and 63-3227. We understand that the purpose of the transfer application is to reflect an integrated irrigation system and permissible place of use on all the water rights for irrigation flexibility.

Northwest Farm Credit Services, FLCA currently has a mortgage on the property where the transfer of water rights will occur.

We approve of the transfer that is being proposed on this property.

Sincerely

R. L. Fisher
Manager/AVP
Community Lending

STATE OF OREGON)
)ss.
County of Malheur)

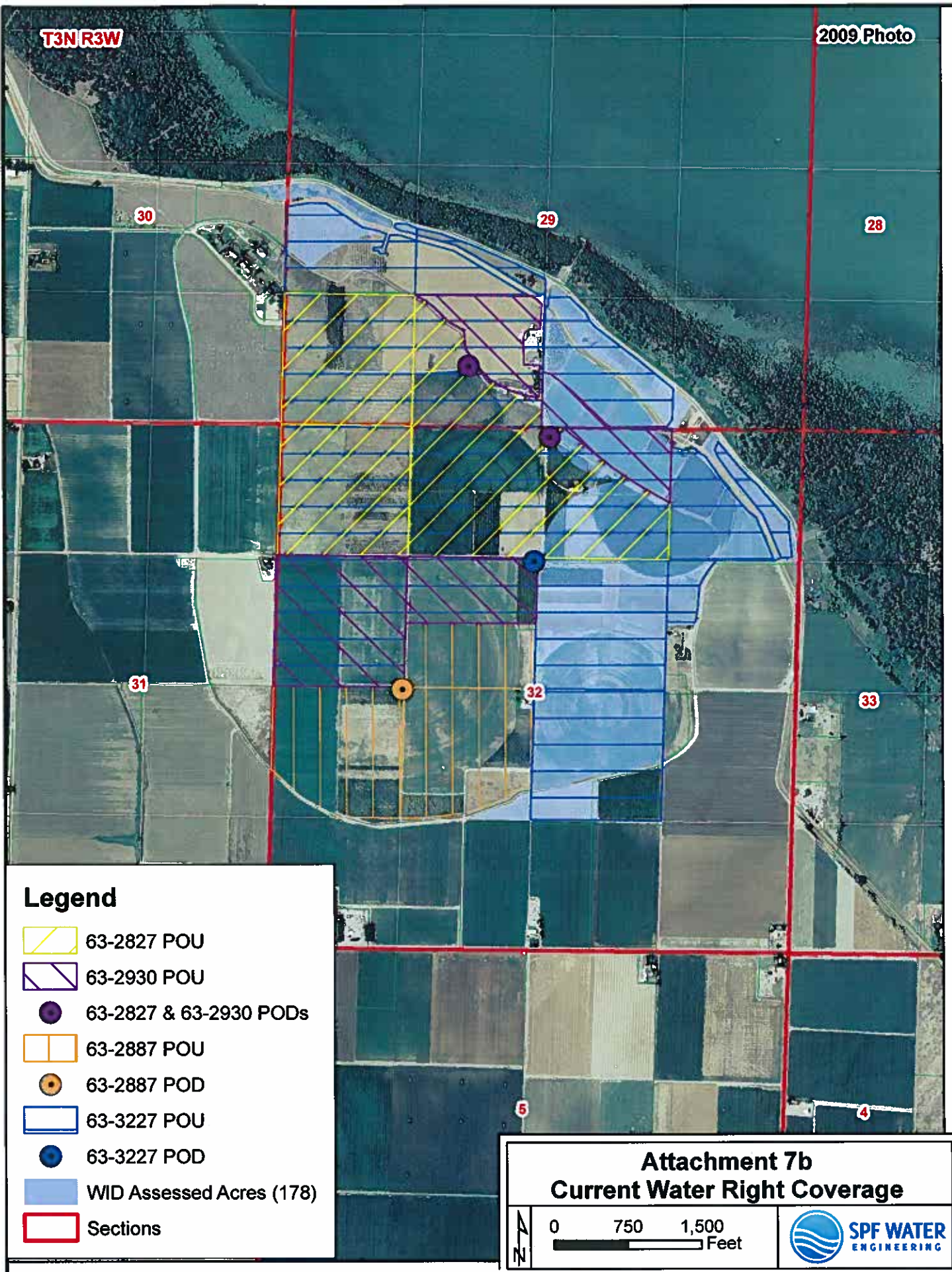
On this 29th day of April, 2010 before me personally appeared R.L. Fisher, known to me to be the authorized agent of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same as its free act and deed; and on oath stated that he was authorized to execute said instrument.



Notary Public for the State of Oregon
Residing at Ontario, Oregon
My commission expires 10-10-2011

T3N R3W

2009 Photo



Legend

-  63-2827 POU
-  63-2930 POU
-  63-2827 & 63-2930 PODs
-  63-2887 POU
-  63-2887 POD
-  63-3227 POU
-  63-3227 POD
-  WID Assessed Acres (178)
-  Sections

Attachment 7b Current Water Right Coverage

0 750 1,500
Feet



7b

Attachment 8b1
Table 1 - Current Irrigation Coverage

	63-2827	63-2887	63-2930	63-3227	Total GW Acres	SW Assessed Acres (pre-2010)
Sec 29						
NESW				12	12	8
NWSW				23	23	16.6
SWSW	40			40	40	
SESW	22		16	40	40	37.46
SWSE			5	23	28	19.57
Sec 32						
NENE				23	23	13.9
NWNE	30		10	40	40	11.7
SWNE				40	40	
SENE				5	5	
NENW	40			40	40	
NWNW	40			40	40	
SWNW			40	40	40	39.86
SENW		20	20	20	40	
NESW		38			38	30.92
NWSW		37			37	
NWSE				32.2	32.2	
Totals	*172	95	*91	*418.2	518.2	178.01

*Rights 63-2827, 63-2930 & 63-3227 limited to 423.2 acres irrigation when combined (accounts for 63-3227 7.8-acre split)

Table 2 - Proposed Irrigation Coverage

	63-2827	63-2887	63-2930	63-3227	Total GW Acres	SW Assessed Acres (as of 2010)
Sec 29						
NESW					12	
NWSW					27.5	12
SWSW					40	
SESW					36	
NWSE					0.5	0.5
SWSE					25.5	25.5
SESE					1	1
Sec 30						
NESE					1	1
Sec 32						
NENE					25	25
NWNE					34	33
SWNE					40	40
SENE					5	5
NENW					40	
NWNW					40	
SWNW					40	
SENW					40	
NESW					39.5	2
NWSW					37	
NESE					2	
NWSE					32.2	**33
Totals	172	95	91	418.2	*518.2	178

*Propose a 518.2-acre permissible place of use for each water right.

**Applicants are assessed an extra 0.8 acre in the NWSE, S32 based on Canyon County property tax records.

Attachment 8b11

Lori Graves

ATTACHMENT 8b2

From: DIANE PAULSEN [pdpaulsen@hotmail.com]

Sent: Monday, April 12, 2010 3:30 PM

To: Lori Graves

Subject: wilke water rights

April 12, 2010

To Whom It May Concern:

At the April board meeting of the Wilder Irrigation District, the board approved the redistribution of water rights of Thomas Wilke as provided in exhibits 7-A, 7-B and 8-B as submitted by SPF Engineers.

If we can be of any further assistance in this matter, please contact us at Wilder Irrigation District, 459-3421.

Thank you.

Sincerely,

Diane Paulsen
Secretary-Treasurer

Hotmail is redefining busy with tools for the New Busy. Get more from your inbox. [See how.](#)

4/13/2010

8b(2)

Attachment 9

63-3227 SPLIT ANALYSIS

lg 4/10/2010

After Transfer

ACRES	% OF RT	CFS	ACRE-FT	OWNERSHIP
7.8	2%	0.040	19.50	Western Farms
418.2	98%	2.030	1,048.00	Tom Wilke
426.0	100%	2.070	1,067.5	TOTAL

WATER RIGHT ELEMENTS

CFS	2.07
ACRES	426.0
ACRE-FEET	1,067.5
CFS/ACRE	0.0049
AF/ACRE	2.506

Wilke Portion

2.03
418.2
1,048.0