

Transfer No. 70444
Receipt No. S025572

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

1. Applicant Information THE ALTON & PAULA HUYSER TRUST UNDER TRUST AGREEMENT
DTD 4-1-2001

ALTON L HUYSER TTEE
PAULA J HUYSER TTEE
126 E HWY 26
SHOSHONE ID 83324
(208) 886-2777

RECEIVED
APR 12 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Will this transfer result in an ownership change? ~~X~~ Yes X No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
37-7268	WR/License	3.06	612.0		153.0	GROUND WATER
37-7454	WR/License	3.94	788.0		197.0	GROUND WATER
37-7602	WR/License	2.62	524.0		131.0	GROUND WATER
37-8679	WR/License	0.16	32.0		8.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right

Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-7268	NO	NO	YES	NO	NO	NO
37-7454	NO	NO	YES	NO	NO	NO
37-7602	NO	NO	YES	NO	NO	NO
37-8679	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

Changing place of use to more accurately describe historical use.

4. FOR CHANGES IN NATURE OF USE ONLY

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

NA

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

NA

5. Total Amounts Transferred

Rate	Acre Limit	Total Acres	Volume
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37-7268	3.06 cfs	153.0	489.0	612.0 af
37-7454	3.94 cfs	197.0	489.0	788.0 af
37-7602	2.62 cfs	131.0	489.0	524.0 af
37-8679	0.16 cfs	8.0	489.0	32.0 af
TOTAL	6.28 cfs	489.0	489.0	1,956.0 af

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

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.

Alton L. Hayser Alton Hayser Trustee

(Signature of Applicant)

(Title or Office)

Transfer No. 70444
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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 37-7268

Priority Date: August 23, 1973
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	3.06 CFS	612.0 AFA	
	Total Diversion	3.06 CFS	612.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWNE Sec. 30 Twp 06S Rge 19E LINCOLN County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 19E 30		39.0	32.0		39.0	10.0	4.0	29.0									153.0
					L 1	L 2	L 5	L 6									

Total Acres: 153

Conditions/Remarks:

1. The maximum diversion rate under this right and right No. 37-07454 shall not exceed 5.09 cfs.
2. This right when combined with all other rights shall provide no more than 4.0 afa per acre for irrigation of the lands above.
3. This water right is appurtenant to the described place of use.
4. This right is subject to all prior water rights and may be forfeited by five years of non-use.
5. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
6. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

Documentation of Ownership of the Current Place of Use

Tax Notice

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

NO

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

Changing place of use to more accurately describe historical use.

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

NO

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

Current Water Right No. 37-7454

Priority Date: September 08, 1975
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	3.94 CFS	788.0 AFA	
	Total Diversion	3.94 CFS	788.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENWNE Sec. 30 Twp 06S Rge 19E LINCOLN County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06S 19E 30	39.0					25.0				33.0				34.0	33.0		197.0
						L 2				L 7				L 12			

Total Acres: 197

Conditions/Remarks:

1. This right when combined with 37-7268 shall provide no more than 5.09 cfs nor more than 4.0 acre feet per acre per annum.
2. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non-use.
3. The right to the use of water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

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Documentation of Ownership of the Current Place of Use

Tax Notice

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

NO

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

Changing place of use to more accurately describe historical use.

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

NO

Transfer No. 70444
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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 37-7602

Priority Date: May 04, 1977
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	2.62 CFS	524.0 AFA	
	Total Diversion	2.62 CFS	524.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENWNE Sec. 30 Twp 06S Rge 19E LINCOLN County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	19E	19									30.0		35.0	36.0					101.0
											L 7		L 11	L 12					
06S	19E	30			6.0						11.0	7.0					6.0		30.0
											L 6								

Total Acres: 131

Conditions/Remarks:

1. This right when combined with Right No. 37-7268 and 37-7454 shall not exceed 6.2 cfs.
2. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non-use.
3. The right to the use of water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

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Documentation of Ownership of the Current Place of Use

Tax Notice

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

NO

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

Changing place of use to more accurately describe historical use.

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

NO

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

Current Water Right No. 37-8679

Priority Date: August 23, 1990
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.16 CFS	32.0 AFA	
	Total Diversion	0.16 CFS	32.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWNW Sec. 30 Twp 06S Rge 19E LINCOLN County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 19E 19									3.0				4.0				7.0
06S 19E 30					1.0				L 7				L 12				1.0
					L 1												

Total Acres: 8

Conditions/Remarks:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
5. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. The Director retains jurisdiction of the right and may change, add, or remove any requirement as determined to be appropriate.

7. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.

Use of this right with the rights listed below is limited to a total combined diversion rate of 6.28 cfs and shall not exceed 4.0 af per acre for the lands above. The combined rights include: 37-07268, 37-07454 and 37-07602.

Documentation of Ownership of the Current Place of Use

Warranty Deed

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

NO

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

Changing place of use to more accurately describe historical use.

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

NO

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

Proposed Water Right No. 37-7268

Priority Date: August 23, 1973

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	3.06 CFS	612.0 AFA	
	Total Diversion	3.06 CFS	612.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWNE Sec. 30 Twp 06S Rge 19E LINCOLN County

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	19E	19									32.0	31.0	18.0	36.0					117.0
											L 7	L 8	L 11	L 12					
06S	19E	30	32.0	39.0	40.0		39.0	32.0	4.0	40.0	40.0			33.0		40.0	33.0		372.0
							L 1	L 2	L 5	L 6	L 7			L 12					

Total Acres: 489

Transfer No. 70444
 Receipt No. S025572

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

Proposed Water Right No. 37-7454

Priority Date: September 08, 1975

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.94 CFS	788.0 AFA	
	Total Diversion		3.94 CFS	788.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENWNE Sec. 30 Twp 06S Rge 19E LINCOLN County

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	19E	19									32.0	31.0	18.0	36.0					117.0
06S	19E	30	32.0	39.0	40.0		39.0	32.0	4.0	40.0	40.0			33.0	40.0	33.0			372.0
							L 1	L 2	L 5	L 6	L 7			L 12					

Total Acres: 489

Transfer No. 70444
Receipt No. S025572

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

Proposed Water Right No. 37-7602

Priority Date: May 04, 1977

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	2.62 CFS	524.0 AFA	
	Total Diversion	2.62 CFS	524.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENWNE Sec. 30 Twp 06S Rge 19E LINCOLN County

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	19E	19									32.0	31.0	18.0	36.0					117.0
											L 7	L 8	L 11	L 12					
06S	19E	30	32.0	39.0	40.0		39.0	32.0	4.0	40.0	40.0			33.0	40.0	33.0			372.0
							L 1	L 2	L 5	L 6	L 7			L 12					

Total Acres: 489

Transfer No. 70444
 Receipt No. S025572

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

Proposed Water Right No. 37-8679

Priority Date: August 23, 1990

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.16 CFS	32.0 AFA	
	Total Diversion		0.16 CFS	32.0 AFA	

Source and Point(s) of Diversion:

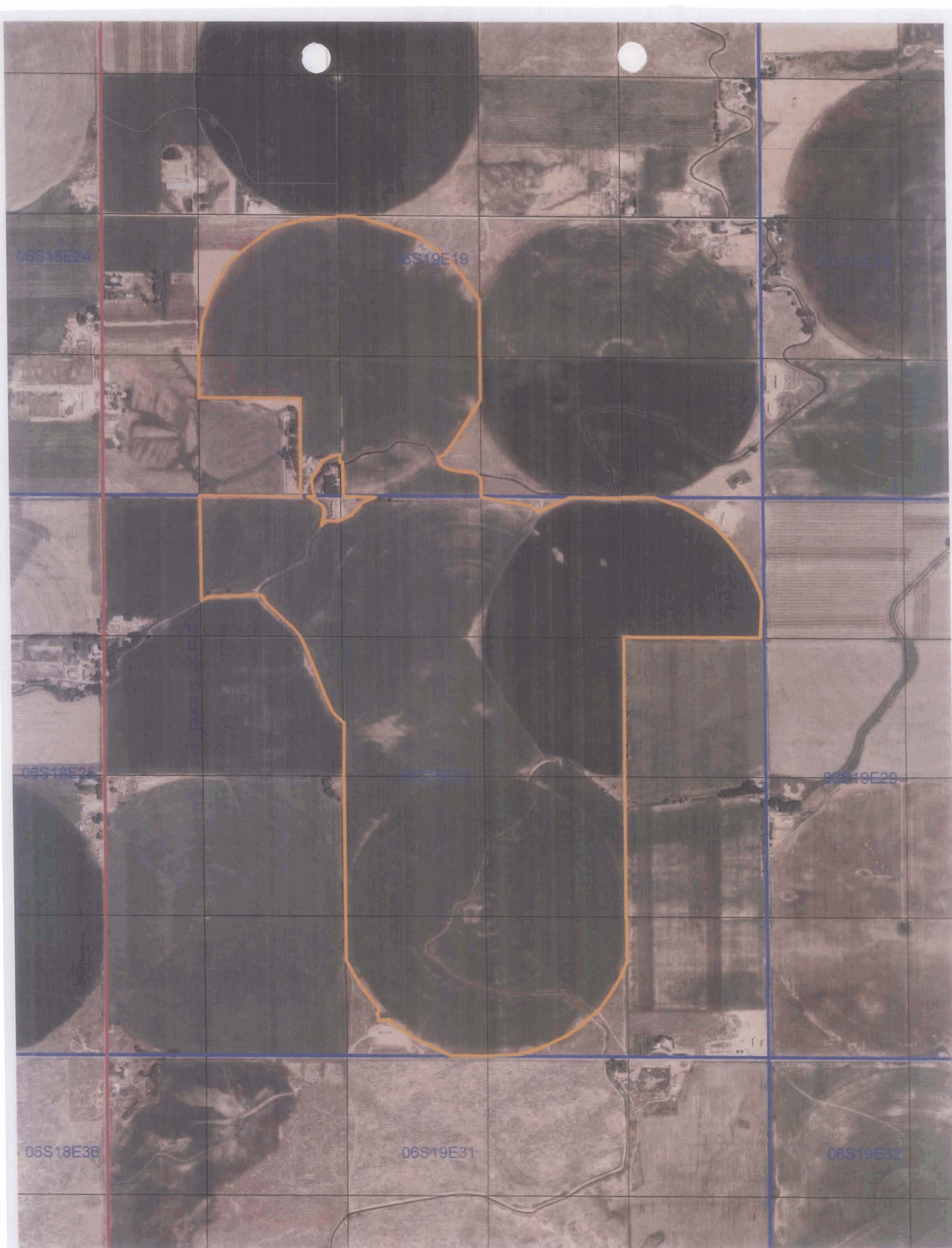
GROUND WATER NWNE Sec. 30 Twp 06S Rge 19E LINCOLN County

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	19E	19									32.0	31.0	18.0	36.0					117.0
06S	19E	30	32.0	39.0	40.0		39.0	32.0	4.0	40.0	40.0			33.0		40.0	33.0		372.0
							L 1	L 2	L 5	L 6	L 7			L 12					

Total Acres: 489



06S18E24

06S19E19

06S19E20

06S18E25

06S19E20

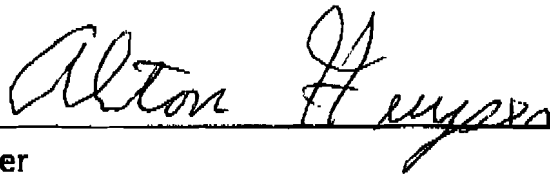
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06S18E36

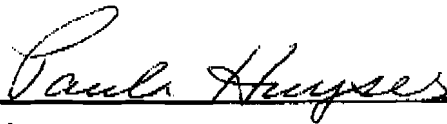
06S19E31

06S19E32

We Alton Huyser and Paula Huyser as owners of land located within a portion of Lot 8, Section 19, Township 06 South, Range 19 East of the Boise Meridian, Lincoln County, Idaho hereby agree to allow the Alton & Paula Huyser Trust to transfer their water rights to said land as proposed by amended transfer application # 70444 filed with the Idaho Department of Water Resources. We also acknowledge that the Alton & Paula Huyser Trust will retain ownership of their water rights upon transfer of the rights to our land.



Alton Huyser



Paula Huyser

WARRANTY DEED

#GL-09586

For Value Received

Roy E. Hubert and Nedra J. Hubert, husband and wife *PN AH*

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

Alton Huyser and Paula Huyser, husband and wife as community property with rights of survivorship**Address: 126 East Hwy 26, Shoshone, ID 83352**

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

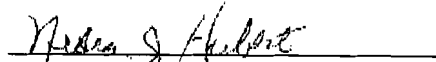
Sec Attached Schedule A**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 25.0 Shares of Capital Stock of the Big Wood Canal Company.****SUBJECT TO:****All reservations in patents or deeds in the chain of title.****Taxes subsequent to the year 2008, which are not yet due or payable.****Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.****Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.****Right of way for canals, laterals and waste ditches of Big Wood Canal Company.**

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

Dated: December 26, 2008



Roy E. Hubert


Nedra J. Hubert

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 26 day of **December, 2008**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Roy E. Hubert and Nedra J. Hubert**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Lisa Ritter
Notary Public
State of Idaho

Notary Public
Residing at: *Gooding, ID*
My Commission expires: *10/5/10*

CONTINUATION

SCHEDULE A

Order Number: GL-09586

TOWNSHIP 6 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 19: Part of Lot 8, described as follows:

Beginning at the Northeast corner of Lot 8 of Section 19 of Township 6 South, Range 19 East Boise Meridian, said corner marked by a 5/8" rebar which shall be THE POINT OF BEGINNING;

Thence South 00°00'32" West along the East line of Lot 8 of Section 19 for a distance of 1320.00 feet to a ½" rebar at the Southeast corner of Lot 8;

Thence North 89°52'01" West along the South line of Lot 8 of Section 19 for a distance of 1304.59 feet to a ½" rebar;

Thence along a non-tangent curve to the right for a distance of 1793.09 feet to a ½" rebar, said curve having a radius of 1323.74 feet and a central angle of 77°36'38" with a long chord bearing of North 38°49'33" East for a distance of 1659.11 feet;

Thence North 00°11'41" East for a distance of 25.33 feet to the North line of Lot 8;

Thence South 89°48'19" East along the North line of Lot 8 of Section 19 for a distance of 264.51 feet to THE POINT OF BEGINNING.

SUBJECT TO a county road right of way along the North side and subject to any other easements or rights of ways, existing or of record.

WARRANTY DEED

#L-33888

For Value Received

LOUIS LEON HUBSMITH and IRIS B. HUBSMITH, husband and wife

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

**ALTON L. HUYSER and PAULA J. HUYSER, Trustees of The Alton and Paula Huyser Trust
under Trust Agreement Dated April 1, 2001**

Address: 72 North Highway 75, Shoshone, ID 83352

LINCOLN

Hereinafter called the Grantee, the following described premises situated in ^ACounty, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO:

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

Taxes subsequent to the year 2005, which are not yet due or payable.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Power Line Easement given by Leo Knowles and Isabelle Knowles, husband and wife, to Idaho Power Company, a corporation, dated November 8, 1939, recorded September 18, 1941 as Instrument Number 81171, Lincoln County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across a portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, Township 6 South, Range 19 East Boise Meridian.

Power Line Easement given by Steven R. Shaw and Betty Lorain Shaw, his wife, to Idaho Power Company, a corporation, dated June 12, 1978, recorded December 7, 1978 as Instrument Number 136353 Lincoln County records, affecting a parcel of land located in Lot 12 of Section 19, Township 6 South, Range 19 East Boise Meridian.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Water Right no. 37-8679, 37-7602, 37-7454 and 37-7268

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

Dated: May 19, 2005

[Signature of Louis Leon Hubsmith]
LOUIS LEON HUBSMITH

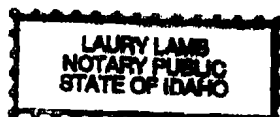
[Signature of Iris B. Hubsmith]
IRIS B. HUBSMITH

STATE OF IDAHO)

) ss.

COUNTY OF Jerome)

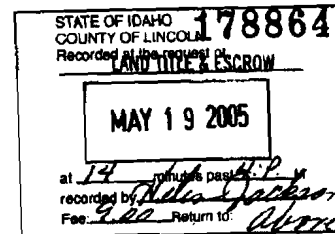
On this 19th day of May, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared **LOUIS LEON HUBSMITH and IRIS B. HUBSMITH**, known or identified to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



[Signature of Laurie Lamb]
Notary Public

Residing at: Jerome

My Commission expires: 4/2/2011



[Signature]
Big hand.

EXHIBIT "A"

LEGAL DESCRIPTION
FOR
ALTON HUYSER

Parcels of land located in Sections 19 and 30 of Township 6 South, Range 19 East, Boise Meridian, Lincoln County Idaho and being more particularly described as follows:

SECTION 19:

All of Government Lots 7, 11 and 12

EXCEPTING THEREFROM:

EXCEPTION #1-

A parcel of land located in Government Lot 11 of said Section 19 and being more particularly described as follows:

Commencing at the Southwest corner of said Section 19, from which the South One Quarter (S1/4) of said Section 19 bears S89°56'47"E-3541.26 feet, Thence S89°56'47"E along the South boundary of the SW1/4 of said Section 19 for a distance of 904.44 feet to the Southwest corner of Government Lot 11 of said Section 19 and being the **TRUE POINT OF BEGINNING**:

Thence N00°00'09"E along the West boundary of said Government Lot 11 for a distance of 918.00 feet;

Thence S89°56'47"E parallel with the South boundary of the SW1/4 of said Section 19 for a distance of 950.00 feet;

Thence S00°00'09"W parallel with the West boundary of said Government Lot 11 for a distance of 918.00 feet to a point on the South boundary of said Government Lot 11;

Thence N89°56'47"W along the South boundary of said Government Lot 11 for a distance of 950.00 feet to the **TRUE POINT OF BEGINNING**.

EXCEPTION #2-

All that part of Government Lot 11 that lies South and East of the Big Wood River Canal Company Lateral.

EXCEPTION #3-

A parcel of land located in Government Lot 12 of said Section 19 and being more particularly described as follows:

Commencing at the South One Quarter (S1/4) corner of said Section 19, from which the Southwest corner of said Section 19 bears N89°56'47"W-3541.26 feet, Thence N89°56'47"W along the South boundary of said Government Lot 12 for a distance of 1295.38 feet to the **TRUE POINT OF BEGINNING**:

Thence continuing N89°56'47"W along the South boundary of said Government Lot 12 for a distance of 23.03 feet to the Southwest corner of said Government Lot 12;

Thence N00°00'14"E along the West boundary of said Government Lot 12 for a distance of 321.13 feet to a point in the center of the Big Wood River Canal Company Lateral;

Thence S89°56'47"E along the center of the Big Wood Canal Company Lateral for a distance of 20.24 feet to a point in line with an existing fence;

Thence S00°29'38"E along the existing fence line for a distance of 321.14 feet to the **TRUE POINT OF BEGINNING**.

SUBJECT TO:

1- 25.0 foot wide county road easement along the most Southerly boundary of the before

CONTINUATION

EXHIBIT "A"

described parcel.

2- An easement to the Big Wood Canal Company for the use and maintenance of irrigation laterals lying within the boundaries of the before described parcel.

SECTION 30:

THE NE1/4NE1/4; W1/2E1/2; GOVERNMENT LOTS 1, 2, 6, 7 and 12.

SUBJECT TO:

1- A 25.0 foot wide county road easement along the North, most Eastern and most Southern boundaries of the before described parcel.



End of Exhibit "A"

QUITCLAIM DEED

For Value Received

Justin Starr Olsen and Erin Olsen, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

Alton L. Huyser and Paula J. Huyser, Co-Trustees of the Alton & Paula Huyser Trust
ADDRESS: PO Box 741, Shoshone, ID 83352

Hereinafter called the grantee, the following described premises, in Lincoln County, Idaho to-wit:

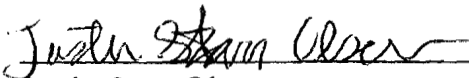
All right, title and interest in that portion of Water Right No. 37-7602 from the Idaho Department of Water Resources that was appurtenant to the following described real property:

TOWNSHIP 6 SOUTH, RANGE 19, EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

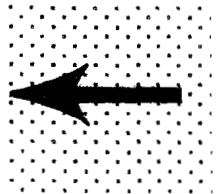
Section 19: The West 950 feet of the South 918 feet of Government Lot 11

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: April 29, 2009


Justin Starr Olsen

Erin Olsen



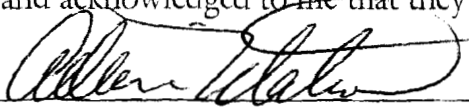
ADRIENNE WATROUS
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO)

) ss.

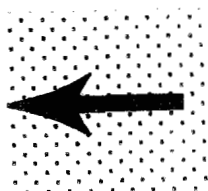
COUNTY OF Lincoln)

On this 23 day of November, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared Justin Starr Olsen and Erin Olsen, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public

Residing at: Gooding, ID

My Commission expires: 6/14/10



Department of Water Resources
Attn: Cindy Yetter
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301

RECEIVED
DEC 6 : 2009
DEPT. OF WATER RESOURCES
SOUTHERN REGION

December 3, 2009

Dear Cindy

Please find enclosed the original quitclaim deed pertaining to the Alton and Paula Huyser Trust water rights. As you indicated in the past, this quitclaim deed signified that Justin Starr Olsen would not have any legal right to any well permits. It has always been said that this property was sold as dry ground and with this document it should facilitate finalization of the adjudication of my water rights.

When you are finished with the original Quitclaim deed I would appreciate it if you could please mail it back to me.

If you have any questions or concerns please feel free to contact me at the address and phone number listed below.

Best Regards,

Alton Huyser

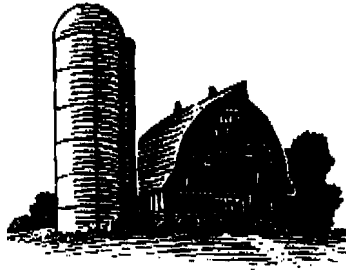
Big Wood Farms, LLC

P.O. Box 741

Shoshone, ID 83352

208-280-3777

FAX COVER SHEET



TO: Cindy Idaho Dept Water
FAX #: 208-736-3037

FROM: Alton

SUBJECT: Water Issue on
Alton Huyser Farm
208 - 280-3777

BIG WOOD FARMS
ALTON HUYSER
P.O. BOX 741
SHOSHONE, ID 83352
PHONE # (208)886-8662
FAX # (208)886-2526

Thomas P. Fenelon IV
Charlene P. Fenelon

244 Grangeville/Salmon Road
Grangeville, Idaho 83530
208-983-0579

Monday, January 28, 2008

To: Louis Leon Hubsmith

From: Thomas P. Fenelon, IV
Charlene P. Fenelon

Re: Sale of 783 East 370 South, Dietrich, Idaho 83324
To Star and Erin Olsen

This letter is to verify that the physical properties of 783 East 370 South, Dietrich, Idaho 83324, home and 20 acres, as sold to Star and Erin Olsen on August 1, 2006, were sold with no pretense of water shares being included with said property. At no time during the transaction of said property, including the time of closing with the Title Company, was there an assumption of water shares being transferred, as there were no water rights tied to the property prior to the sale. At no time did we, Thomas and Charlene Fenelon, sellers of said property, have water shares for the property to be transferred, and at no time was the possibility of shares discussed. Mr. and Mrs. Olsen were made aware from the beginning of the sale that it was the home and 20 *dry* acres included in the sale, with the possibility of *renting* water from another land owner in the area who may have enough shares to let on a year-to-year basis.

Should it become necessary in settling any misconception of the buyers right to water for the 20 acres having been included in the sale of said property, a copy of closing documents - including a copy of the purchase agreement - showing no alleged transfer of water shares will be supplied.

Sincerely,



Thomas P. Fenelon, IV