

DE ✓

RECEIVED
JUN 03 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
45-10174					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

ROBERT G WIDMIER
 3156 N 4750 E
 MURTAUGH, ID 83344

4. New Owner/Claimant(s)

DENNIS W & DIANA KOCH
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

3154 N 4750 E

City, State and ZIP Code

MURTAUGH, ID 83344

New Telephone Number

(208) 731-0953 Email: _____

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5. Date you acquired the property

4/2/2010

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Diana E Koch

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:Received by C. SKINNERDate 6/3/2010Received by C. SKINNERDate 6/3/2010

Processed by _____ AJ

Date _____

Receipt Amt. \$25.00Receipt No. 5031477

WR _____ Date _____

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JUN 04 2010

WARRANTY DEED

#2092

For Value Received

CARTER L. DILLMAN and LAUREL E. DILLMAN, husband and wife

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

DENNIS W. KOCH and DIANA E. KOCH, husband and wife as community property with right of survivorship

Address: 1006 S 1300 W, MURTAUGH, ID 83344

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

SEE ATTACHED EXHIBIT "A"

SUBJECT TO:

The first one-half of the 2009 taxes are paid, the balance is due and payable, but not delinquent until after June 20 of current year.

Taxes for 2010 and subsequent years, a lien, but not yet due or payable.

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

Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code.

Easement for Irrigation Ditch given by P E Dean and Mary T Dean to Murtaugh Canal Company, dated August 2, 1921, recorded August 3, 1921 as Instrument Number 138983, records of Twin Falls County, Idaho, granting an easement, right of way and privilege to construct, operate and maintain an irrigation ditch over, across, along the NE1/4 of Section 21, Township 11 South, Range 20 East Boise Meridian.

Easement by and between the State of Idaho, acting by and through the State Board of Land Commissioners and Harold Menser and Geneva Menser, husband and wife and Idaho Power Company, dated February 26, 1948, recorded March 26, 1948 as Instrument Number 380033, records of Twin Falls County, Idaho, granting a right of way, for a power line in a strip of land 6.0 feet wide in the South half of the SW1/4NE1/4 of Section 21, Township 11 South, Range 20 East Boise Meridian.

Power Line Easement given by Robert G. Widmier and Diane Widmier, his wife to Idaho Power Company, a corporation, dated March 20, 1979, recorded June 26, 1979 as Instrument Number 761739, Twin Falls County records, affecting a parcel of land in Section 21, Township 11 South, Range 20 East Boise Meridian, Twin Falls County, Idaho.

Terms and Conditions contained in Warranty Deed given by Peggy Kelly, a married woman dealing with her sole and separate property to Robert G. Widmier and Diane Widmier, husband and wife, dated December 1, 1976, recorded January 2, 2001 as Instrument Number 2001-000040, records of Twin Falls County, Idaho.

Subject to A 20.00 foot wide access and utility easement as disclosed in Warranty Deed given by Robert G. Widmier and Diane Widmier, husband and wife to Carter L. Dillman and Laurel E. Dillman, husband and wife, dated March 31, 2005, recorded April 1, 2005 as Instrument Number 2005-006745, records of Twin Falls County, Idaho.

An easement for the use and maintenance of an existing Domestic Well and appurtenances as disclosed in Warranty Deed given by Robert G. Widmier and Diane Widmier, husband and wife to Carter L. Dillman and Laurel E. Dillman, husband and wife, dated March 31, 2005, recorded April 1, 2005 as Instrument Number 2005-006745, records of Twin Falls County, Idaho.

An easement for the use and maintenance of existing buried domestic water lines as disclosed in Warranty Deed given by Robert G. Widmier and Diane Widmier, husband and wife to Carter L. Dillman and Laurel E. Dillman, husband and wife, dated March 31, 2005, recorded April 1, 2005 as Instrument Number 2005-006745, records of Twin Falls County, Idaho.

Easement to the Canal Company for the use and maintenance of the irrigation canals and laterals that lie within the boundaries of the before described parcels as disclosed in Warranty Deed given by Robert G. Widmier and Diane Widmier, husband and wife to Carter L. Dillman and Laurel E. Dillman, husband and wife, dated March 31, 2005, recorded April 1, 2005 as Instrument Number 2005-006745, records of Twin Falls County, Idaho.

Joint Well Operation, Maintenance and Use Agreement by and between Robert G. Widmier and Diane Widmier, husband and wife and Peggy Kelly, a single person and Carter L. Dillman and Laurel E. Dillman, husband and wife, dated December 9, 2004, recorded April 13, 2005 as Instrument Number 2005-007654, and recorded November 1, 2005 as Instrument Number 2005-024827, records of Twin Falls County, Idaho.

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

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

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: April 2, 2010

Carter L. Dillman
CARTER L. DILLMAN

Laurel E. Dillman
LAUREL E. DILLMAN

STATE OF IDAHO)
COUNTY OF TWIN FALLS) ss.

On this 5th day of April, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared CARTER L. DILLMAN and LAUREL E. DILLMAN, 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.

Sylvia Busman
Notary Public
Residing at: Twin Falls, ID
My Commission expires: 06/09/2010

SYLVIA BUSMAN
NOTARY PUBLIC
STATE OF IDAHO

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JUN 04 2010

LEGAL DESCRIPTION ATTACHED TO AND MADE A PART OF WARRANTY DEED,
DATED APRIL 2, 2010

Loan # 0119660645
Our Order # 2092
Borrower(s) DENNIS W. KOCH and DIANA E. KOCH

EXHIBIT "A"

PARCEL NO 1:

TOWNSHIP 11 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY,
IDAHO

Section 21: A parcel of land located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Commencing at the North One Quarter ($\frac{1}{4}$) corner of said Section 21, from which the center one
Quarter ($\frac{1}{4}$) corner of said Section 21 bears South 00°15'35" East - 2632.69 feet;
Thence South 00°15'35" East along the West boundary of the NE $\frac{1}{4}$ of said Section 21 for a
distance of 2604.50 feet;

BEGINNING;
Thence South 89°45'18" East for a distance of 600.20 feet to the TRUE POINT OF

Thence North 00°15'35" West for a distance of 200.00 feet;
Thence South 89°49'45" East for a distance of 230.60 feet;
Thence South 03°01'04" West for a distance of 201.14 feet;
Thence South 89°27'17" West for a distance of 161.94 feet;
Thence North 86°54'26" West for a distance of 57.26 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 2:

A 20.00 foot wide access easement for the purpose of ingress, egress, said easement being on,
over, under and across a 20.00 foot wide strip of land that is centered on the following described
line:

Commencing at the North One Quarter (N $\frac{1}{4}$) corner of said Section 21;
Thence South 00°15'35" East along the West boundary of the NE $\frac{1}{4}$ of said Section 21 for a
distance of 2427.82 feet to the TRUE POINT OF BEGINNING;
Thence South 79°18'02" East for a distance of 127.24 feet;
Thence South 67°13'03" East for a distance of 260.86 feet;
Thence South 71°36'58" East for a distance of 62.55 feet to the point of curvature of a non-
tangent curve left;
Thence Southeasterly along the arc of the curve left for a distance of 178.62 feet to a point on the
West boundary of the before described parcel and being the terminus point of said
easement, said arc having a radius of 454.06 feet and a chord bearing and distance of
South 82°45'16" East - 177.47 feet;

The sideline boundaries of the described easement shall be lengthened and/or shortened as
necessary to intersect the West boundary of the NE $\frac{1}{4}$ of Section 21 and the West
boundary of before described parcel.

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PARCEL NO. 3:

TOWNSHIP 11 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY,
IDAHO

Section 21: A parcel of land located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Commencing at the North One Quarter (N $\frac{1}{4}$) corner of said Section 21, from which the center one quarter (C $\frac{1}{4}$) corner of said Section 21 bears South 00°15'35" East - 2632.69 feet;
Thence South 00°15'35" East along the West boundary of the NE $\frac{1}{4}$ of said Section 21 for a distance of 2604.50 feet;
Thence South 89°45'18" East for a distance of 83.66 feet to a point in the center of the Milner Low Lift Canal and being the TRUE POINT OF BEGINNING;
Thence North 16°40'58" East along the center of the Milner Low Lift Canal for a distance of 97.64 feet;
Thence North 23°28'00" East along the center of the Milner Low Lift Canal for a distance of 30.05 feet to the point of curvature of a curve right;

AND

Thence Northeasterly along the center of the Milner Low Lift Canal and the arc of the curve right for a distance of 437.14 feet to the point of tangency, said arc having a radius of 501.15 feet and a chord bearing and distance of North 48°28'11" East 423.41 feet;
Thence North 73°26'38" East along the center of the Milner Low Lift Canal for a distance of 133.20 feet;
Thence North 73°29'52" East along the center of the Milner Low Lift Canal for a distance of 22.89 feet to the point of curvature of a non-tangent curve right;
Thence Northeasterly along the center of the Milner Low Lift Canal and on the arc of the curve right for a distance of 256.27 feet, said arc having a radius of 566.86 feet and a chord bearing and distance of North 86°26'56" East - 254.09 feet;
Thence leaving the center of the Milner Low Lift Canal on a bearing of South 03°01'04" West for a distance of 265.28 feet;
Thence North 89°49'45" West for a distance of 230.60 feet;
Thence South 00°15'35" East for a distance of 200.00 feet;
Thence North 89°45'18" West for a distance of 516.54 feet to the TRUE POINT OF

BEGINNING.

EXCEPT the following described parcel of land:

Commencing at a point on the West boundary of the NE $\frac{1}{4}$ of said Section 21, said point being located South 00°15'35" East - 2476.03 feet from the North one quarter (N $\frac{1}{4}$) corner of said Section 21;

BEGINNING;
Thence North 89°44'25" East for a distance of 289.71 feet to the TRUE POINT OF

Thence North 00°53'33" West for a distance of 6.25 feet;
Thence North 89°06'27" East for a distance of 6.25 feet;
Thence South 00°53'33" East for a distance of 6.25 feet;
Thence South 89°06'27" West for a distance of 6.25 feet to the TRUE POINT OF BEGINNING.

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PARCEL NO. 4:

One third interest in and to a Domestic Well and appurtenances, and the following described parcel of land:

Commencing at a point on the West boundary of the NE¼ of said Section, said point being located South 00°15'35" East - 2476.03 feet from the North one quarter (N¼) corner of said Section 21;

BEGINNING;
Thence North 89°44'25" East for a distance of 289.71 feet to the TRUE POINT OF

Thence North 00°53'33" West for a distance of 6.25 feet;
Thence North 89°06'27" East for a distance of 6.25 feet;
Thence South 00°53'33" East for a distance of 6.25 feet;
Thence South 89°06'27" West for a distance of 6.25 feet to the TRUE POINT OF BEGINNING.

AND

A 20.00 foot wide access and utility easement, said easement being on, over, under and across a strip of land that is encompassed by the following described boundary:

Commencing at a point on the West boundary of the NE¼ of said Section 21, said point being located South 00°15'35" East - 2417.63 feet from the North one quarter (N¼) corner of said Section 21 and being the TRUE POINT OF BEGINNING;

Thence South 79°18'02" East for a distance of 130.23 feet;
Thence South 67°13'03" East for a distance of 15.15 feet to a point on the Westerly boundary of the before described parcel;
Thence South 26°55'04" West along the Westerly boundary of the before described parcel for a distance of 20.05 feet;
Thence North 67°13'03" West for a distance of 11.58 feet;

Thence North 79°18'02" West for a distance of 124.24 feet to a point on the West boundary of the NE¼ of said Section 21;

Thence North 00°15'35" West along the West boundary of the NE¼ of said Section 21 for a distance of 20.37 feet to the TRUE POINT OF BEGINNING.

AND

A 5.00 foot wide building maintenance easement, said easement being encompassed by the following described boundary:

Commencing at a point on the West boundary of the NE¼ of said Section 21, said point being located South 00°15'35" East - 2604.50 feet;

BEGINNING;
Thence South 89°45'18" East for a distance of 177.39 feet to the TRUE POINT OF

Thence continuing South 89°45'18" East for a distance of 130.15 feet;
Thence South 00°14'42" West for a distance of 5.00 feet;
Thence North 89°45'18" West for a distance of 130.15 feet;
Thence North 00°14'42" East for a distance of 5.00 feet to the TRUE POINT OF BEGINNING.

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RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
260 Third Avenue North
Twin Falls, ID 83303

TWIN FALLS COUNTY
RECORDED FOR:
FIRST AMERICAN TITLE CO
4:31:12 pm 04-01-2005
2005-006745
NO. PAGES: 6 FEE: \$18.00
KRISTINA GLADCOCK
COUNTY CLERK
DEPUTY: CNICE

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **102494 (dd)**

Date: **March 31, 2005**

For Value Received, **Robert G. Widmier and Diane Widmier, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Carter L. Dillman and Laurel E. Dillman, husband and wife**, hereinafter called the Grantee, whose current address is **3154 North 4750 East, Murtaugh, ID 83344**, the following described premises, situated in **Twin Falls County, Idaho**, to-wit:

See Attached Exhibit A

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

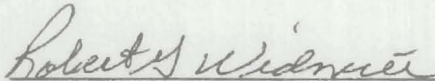
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

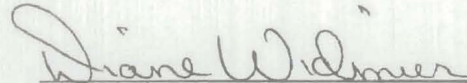
SCANNED
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Date: 03/31/2005

Warranty Deed
- continued

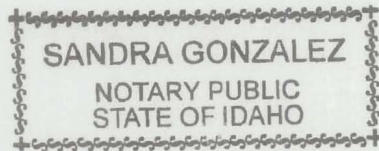
File No.: 102494 (dd)

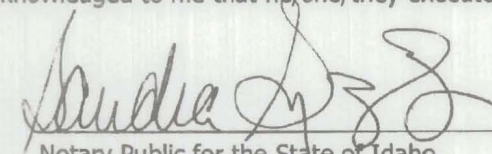

Robert G. Widmier


Diane Widmier

STATE OF Idaho)
COUNTY OF Twin Falls)
SS.

On this **31st day of March, 2005**, before me, a Notary Public in and for said State, personally appeared **Robert G. Widmier and Diane Widmier**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.




Notary Public for the State of Idaho
Residing at: ~~Jerome, Idaho~~ 
My Commission Expires: ~~1-13-06~~ 

Residing at: Twin Falls, Idaho
Commission Expires: 01-29-2009

"EXHIBIT A"

PARCEL 1:

TOWNSHIP 11 SOUTH, RANGE 20 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

SECTION 21: A PARCEL OF LAND LOCATED IN THE SW $\frac{1}{4}$ NE $\frac{1}{4}$, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH ONE QUARTER (N $\frac{1}{4}$) CORNER OF SAID SECTION 21, FROM WHICH THE CENTER ONE QUARTER (C $\frac{1}{4}$) CORNER OF SAID SECTION 21 BEARS S00°15'35"E-2632.69 FEET, THENCE S00°15'35"E ALONG THE WEST BOUNDARY OF THE NE $\frac{1}{4}$ OF SAID SECTION 21 FOR A DISTANCE OF 2604.50 FEET, THENCE S89°45'18"E FOR A DISTANCE OF 600.20 FEET TO THE TRUE POINT OF BEGINNING:

THENCE N00°15'35"W FOR A DISTANCE OF 200.00 FEET;
THENCE S89°49'45"E FOR A DISTANCE OF 230.60 FEET;
THENCE S03°01'04"W FOR A DISTANCE OF 201.14 FEET;
THENCE S89°27'17"W FOR A DISTANCE OF 161.94 FEET;
THENCE N86°54'26"W FOR A DISTANCE OF 57.26 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

A 20.00 FOOT WIDE ACCESS AND UTILITY EASEMENT FOR THE PURPOSE OF INGRESS, EGRESS AND UTILITIES, SAID EASEMENT BEING ON, OVER, UNDER AND ACROSS A 20.00 FOOT WIDE STRIP OF LAND THAT IS CENTERED ON THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTH ONE QUARTER (N $\frac{1}{4}$) CORNER OF SAID SECTION 21, THENCE S00°15'35"E ALONG THE WEST BOUNDARY OF THE NE $\frac{1}{4}$ OF SAID SECTION 21 FOR A DISTANCE OF 2427.82 FEET TO THE TRUE POINT OF BEGINNING:

THENCE S79°18'02"E FOR A DISTANCE OF 127.24 FEET;

THENCE S67°13'03"E FOR A DISTANCE OF 260.86 FEET;

THENCE S71°36'58" E FOR A DISTANCE OF 62.55 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE LEFT;

THENCE SOUTHEASTERLY ALONG THE ARC OF THE CURVE LEFT FOR A DISTANCE OF 178.62 FEET TO A POINT ON THE WEST BOUNDARY OF THE BEFORE DESCRIBED PARCEL AND BEING THE TERMINUS POINT OF SAID EASEMENT, SAID ARC HAVING A RADIUS OF 454.06 FEET AND A CHORD BEARING AND DISTANCE OF S82°45'16"E-177.47 FEET.

THE SIDELINE BOUNDARIES OF THE DESCRIBED EASEMENT SHALL BE LENGTHENED AND/OR SHORTENED AS NECESSARY TO INTERSECT THE WEST BOUNDARY OF THE NE $\frac{1}{4}$ OF SECTION 21 AND THE WEST BOUNDARY OF THE BEFORE DESCRIBED PARCEL.

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PARCEL 3:

TOWNSHIP 11 SOUTH, RANGE 20 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

SECTION 21: A PARCEL OF LAND LOCATED IN THE SW $\frac{1}{4}$ NE $\frac{1}{4}$, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH ONE QUARTER (N $\frac{1}{4}$) CORNER OF SAID SECTION 21, FROM WHICH THE CENTER ONE QUARTER (C $\frac{1}{4}$) CORNER OF SAID SECTION 21 BEARS S00°15'35"E-2632.69 FEET, THENCE S00°15'35"E ALONG THE WEST BOUNDARY OF THE NE $\frac{1}{4}$ OF SAID SECTION 21 FOR A DISTANCE OF 2604.50 FEET, THENCE S89°45'18"E FOR A DISTANCE OF 83.66 FEET TO A POINT IN THE CENTER OF THE MILNER LOW LIFT CANAL AND BEING THE TRUE POINT OF BEGINNING: THENCE N16°40'58"E ALONG THE CENTER OF THE MILNER LOW LIFT CANAL FOR A DISTANCE OF 97.64 FEET; THENCE N23°28'00"E ALONG THE CENTER OF THE MILNER LOW LIFT CANAL FOR A DISTANCE OF 30.05 FEET TO THE POINT OF CURVATURE OF A CURVE RIGHT; THENCE NORTHEASTERLY ALONG THE CENTER OF THE MILNER LOW LIFT CANAL AND THE ARC OF THE CURVE RIGHT FOR A DISTANCE OF 437.14 FEET TO THE POINT OF TANGENCY, SAID ARC HAVING A RADIUS OF 501.15 FEET AND A CHORD BEARING AND DISTANCE OF N48°28'11"E-423.41 FEET; THENCE N73°26'38"E ALONG THE CENTER OF THE MILNER LOW LIFT CANAL FOR A DISTANCE OF 133.20 FEET; THENCE N73°29'52"E ALONG THE CENTER OF THE MILNER LOW LIFT CANAL FOR A DISTANCE OF 22.89 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE RIGHT; THENCE NORTHEASTERLY ALONG THE CENTER OF THE MILNER LOW LIFT CANAL AND ON THE ARC OF THE CURVE RIGHT FOR A DISTANCE OF 256.27 FEET, SAID ARC HAVING A RADIUS OF 366.86 FEET AND A CHORD BEARING AND DISTANCE OF N86°26'56"E-254.09 FEET; THENCE LEAVING THE CENTER OF THE MILNER LOW LIFT CANAL ON A BEARING OF S03°01'04"W FOR A DISTANCE OF 265.28 FEET; THENCE N89°49'45"W FOR A DISTANCE OF 230.60 FEET; THENCE S00°15'35"E FOR A DISTANCE OF 200.00 FEET; THENCE N89°45'18"W FOR A DISTANCE OF 516.54 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT: THE FOLLOWING DESCRIBED PARCEL OF LAND:

COMMENCING AT A POINT ON THE WEST BOUNDARY OF THE NE $\frac{1}{4}$ OF SAID SECTION 21, SAID POINT BEING LOCATED S00°15'35"E-2476.03 FEET FROM THE NORTH ONE QUARTER (N $\frac{1}{4}$) CORNER OF SAID SECTION 21, THENCE N89°44'25"E FOR A DISTANCE OF 289.71 FEET TO THE TRUE POINT OF BEGINNING: THENCE N00°53'33"W FOR A DISTANCE OF 6.25 FEET;

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THENCE N89°06'27"E FOR A DISTANCE OF 6.25 FEET;
THENCE S00°53'33"E FOR A DISTANCE OF 6.25 FEET;
THENCE S89°06'27"W FOR A DISTANCE OF 6.25 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 4:

ONE THIRD INTEREST IN AND TO A DOMESTIC WELL AND APPURTENANCES, AND THE FOLLOWING DESCRIBED PARCEL OF LAND:

COMMENCING AT A POINT ON THE WEST BOUNDARY OF THE NE¼ OF SAID SECTION, SAID POINT BEING LOCATED S00°15'35"E-2476.03 FEET FROM THE NORTH ONE QUARTER (N¼) CORNER OF SAID SECTION 21, THENCE N89°44'25"E FOR A DISTANCE OF 289.71 FEET TO THE TRUE POINT OF BEGINNING:

THENCE N00°53'33"W FOR A DISTANCE OF 6.25 FEET;
THENCE N89°06'27"E FOR A DISTANCE OF 6.25 FEET;
THENCE S00°53'33"E FOR A DISTANCE OF 6.25 FEET;
THENCE S89°06'27"W FOR A DISTANCE OF 6.25 FEET TO THE TRUE POINT OF BEGINNING.

AND

A 20.00 FOOT WIDE ACCESS AND UTILITY EASEMENT, SAID EASEMENT BEING ON, OVER, UNDER AND ACROSS A STRIP OF LAND THAT IS ENCOMPASSED BY THE FOLLOWING DESCRIBED BOUNDARY:

COMMENCING AT A POINT ON THE WEST BOUNDARY OF THE NE¼ OF SAID SECTION 21, SAID POINT BEING LOCATED S00°15'35"E-2417.63 FEET FROM THE NORTH ONE QUARTER(N¼) CORNER OF SAID SECTION 21 AND BEING THE TRUE POINT OF BEGINNING:

THENCE S79°18'02"E FOR A DISTANCE OF 130.23 FEET;
THENCE S67°13'03"E FOR A DISTANCE OF 15.15 FEET TO A POINT ON THE WESTERLY BOUNDARY OF THE BEFORE DESCRIBED PARCEL.
THENCE S26°55'04"W ALONG THE WESTERLY BOUNDARY OF THE BEFORE DESCRIBED PARCEL FOR A DISTANCE OF 20.05 FEET;
THENCE N67°13'03"W FOR A DISTANCE OF 11.58 FEET;
THENCE N79°18'02"W FOR A DISTANCE OF 124.24 FEET TO A POINT ON THE WEST BOUNDARY OF THE NE¼ OF SAID SECTION 21;
THENCE N00°15'35"W ALONG THE WEST BOUNDARY OF THE NE¼ OF SAID SECTION 21 FOR A DISTANCE OF 20.37 FEET TO THE TRUE POINT OF BEGINNING.

AND

A 5.00 FOOT WIDE BUILDING MAINTENANCE EASEMENT, SAID EASEMENT BEING ENCOMPASSED BY THE FOLLOWING DESCRIBED BOUNDARY:

COMMENCING AT A POINT ON THE WEST BOUNDARY OF THE NE¼ OF SAID SECTION 21, SAID POINT BEING LOCATED S00°15'35"E-2604.50 FEET, THENCE S89°45'18"E FOR A DISTANCE OF 177.39 FEET TO THE TRUE POINT OF BEGINNING:
THENCE CONTINUING S89°45'18"E FOR A DISTANCE OF 130.15 FEET;

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THENCE S00°14'42"W FOR A DISTANCE OF 5.00 FEET;
THENCE N89°45'18"W FOR A DISTANCE OF 130.15 FEET;
THENCE N00°14'42"E FOR A DISTANCE OF 5.00 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO:

1. A 20.00 FOOT WIDE ACCESS AND UTILITY EASEMENT FOR THE PURPOSE OF INGRESS, EGRESS AND UTILITIES, SAID EASEMENT BEING ON, OVER, UNDER AND ACROSS A 20.00 FOOT WIDE STRIP OF LAND THAT IS CENTERED ON THE FOLLOWING DESCRIBED LINE:

AT THE NORTH ONE QUARTER (N¼) CORNER OF SAID SECTION 21, THENCE S00°15'35"E ALONG THE WEST BOUNDARY OF THE NE¼ OF SAID SECTION 21 FOR A DISTANCE OF 2427.82 FEET, THENCE S79°18'02"E FOR A DISTANCE OF 127.24 FEET, THENCE S67°13'03"E FOR A DISTANCE OF 13.37 FEET TO A POINT ON THE WEST BOUNDARY OF THE BEFORE DESCRIBED 5.29 ACRE PARCEL AND BEING THE TRUE POINT OF BEGINNING:

THENCE CONTINUING S67°13'03"E FOR A DISTANCE OF 247.50 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE LEFT;

THENCE SOUTHEASTERLY ALONG THE ARC OF THE CURVE LEFT FOR A DISTANCE OF 178.62 FEET TO A POINT ON THE EAST BOUNDARY OF THE BEFORE DESCRIBED 5.29 ACRE PARCEL AND BEING THE TERMINUS POINT OF SAID EASEMENT.

THE SIDE LINES OF THE DESCRIBED EASEMENT SHALL BE LENGTHENED AND/OR SHORTENED AS NECESSARY TO INTERSECT THE WESTERLY AND EASTERLY BOUNDARIES OF THE BEFORE DESCRIBED PARCEL.

2. AN EASEMENT FOR THE USE AND MAINTENANCE OF AN EXISTING DOMESTIC WELL AND APPURTENANCES. THE EASEMENT SHALL INCLUDE THE RIGHT OF INGRESS AND EGRESS AND BE OF SUFFICIENT WIDTH TO MAINTAIN THE WELL AND APPURTENANCES.

3. AN EASEMENT FOR THE USE AND MAINTENANCE OF EXISTING BURIED DOMESTIC WATER LINES. THE EASEMENT FOR THE EXISTING BURIED DOMESTIC WATER LINES SHALL COMMENCE AT THE WELL AND BE 15.0 FEET WIDE AND CENTERED ON THE EXISTING BURIED WATER LINES FROM THE WELL TO A POINT ON THE WEST BOUNDARY AND A POINT ON THE NORTH BOUNDARY OF THE BEFORE DESCRIBED PARCEL.

4. EASEMENT TO THE CANAL COMPANY FOR THE USE AND MAINTENANCE OF THE IRRIGATION CANALS AND LATERALS THAT LIE WITHIN THE BOUNDARIES OF THE BEFORE DESCRIBED PARCELS.

State of Idaho)
County of Twin Falls) ss.

I hereby certify the foregoing to be a full, true and correct copy of the original.

KRISTINA GLASCOCK
TWIN FALLS COUNTY CLERK

Liz Geiger 3-26-2010
DEPUTY CLERK DATE

SCANNED
JUN 04 2010