

RECEIVED

MAR 15 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Page 1

Transfer No. 76333

Receipt No. 5029335

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

RECEIVED

MAR 22 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Applicant Information GEORGE M KELLEY
PO BOX 25
ALBION ID 83311
(208)673-5364

Will this transfer result in an ownership change? _____ Yes ☒ No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
45-4084	WR/Beneficial Use	0.54	108.0	27.0	57.0	GROUND WATER
45-4236	WR/Beneficial Use	0.60	120.0	30.0	57.0	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
45-4084	NO	YES	YES	NO	NO	NO
45-4236	NO	YES	YES	NO	NO	NO

Describe the reason for the proposed changes

Pursuant to agreement with the Department, current well has been capped (the Section 1 well). Water must now be diverted through Section 35 well. Applicant rotates crops throughout property needs water on other acres in off seasons.

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

N/A

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

N/A

5. Total Amounts Transferred

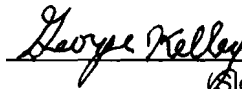
	Rate	Acre Limit	Total Acres	Volume
45-4084	0.54 cfs	27.0	1,350.6	108.0 af
45-4236	0.60 cfs	30.0	1,350.6	120.0 af
TOTAL	1.14 cfs	57.0	1,350.6	228.0 af

Transfer No. 76333

Receipt No. _____

**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.



(Signature of Applicant)

Transfer No. 76333

Receipt No. _____

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

Current Water Right No. 45-4084

Priority Date: April 01, 1958

Origin: Water Right

Basis: Decreed

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	0.54 CFS	108.0 AFA	
	Total Diversion	0.54 CFS	108.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER L3 (NWNENW) Sec. 1 Twp 12S Rge 24E CASSIA 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	
12S 24E 1					30.0	27.0											57.0
					L 3	L 4											

Total Acres: 57

Conditions/Remarks:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. 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.
3. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Page 4

Documentation of Ownership of the Current Place of Use

IDWR records

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

YES

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

water will be rotated throughout the PPU

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. 76333

Receipt No. _____

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

Current Water Right No. 45-4236

Priority Date: June 15, 1961

Origin: Water Right

Basis: Decreed

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	0.60 CFS	120.0 AFA	
	Total Diversion	0.60 CFS	120.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER L3 (NWNENW) Sec. 1 Twp 12S Rge 24E CASSIA 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	
12S 24E 1					30.0	27.0											57.0
					L 3	L 4											

Total Acres: 57

Conditions/Remarks:

1. 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. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 30 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Page 6

Documentation of Ownership of the Current Place of Use

IDWR records

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

YES

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

water will be rotated throughout the PPU

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. 76333

Receipt No. _____

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

Proposed Water Right No. 45-4084

Priority Date: April 01, 1958

Origin: Water Right

Basis: Decreed

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	0.54 CFS	108.0 AFA	
Total Diversion		0.54 CFS	108.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENE Sec. 35 Twp 11S Rge 24E CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 existing well

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	
11S 24E 25							35.0	9.7	29.0	40.0	40.0	40.0			6.9		200.6
11S 24E 26															40.0	40.0	80.0
11S 24E 35	40.0	39.0	40.0	40.0									40.0	40.0	40.0	40.0	319.0
11S 24E 36		18.0	29.0		40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	15.0	40.0	40.0	34.0	495.0
11S 25E 31											11.0						11.0
											L 4						
12S 24E 1					41.0	41.0											82.0
					L 3	L 4											
12S 24E 2	41.0	41.0			41.0			40.0									163.0
	L 1	L 2			L 3												

Total Acres: 1350.6

Transfer No. 76333

Receipt No. _____

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

Proposed Water Right No. 45-4236

Priority Date: June 15, 1961

Origin: Water Right

Basis: Decreed

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	0.60 CFS	120.0 AFA	
	Total Diversion		0.60 CFS	120.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENE Sec. 35 Twp 11S Rge 24E CASSIA County

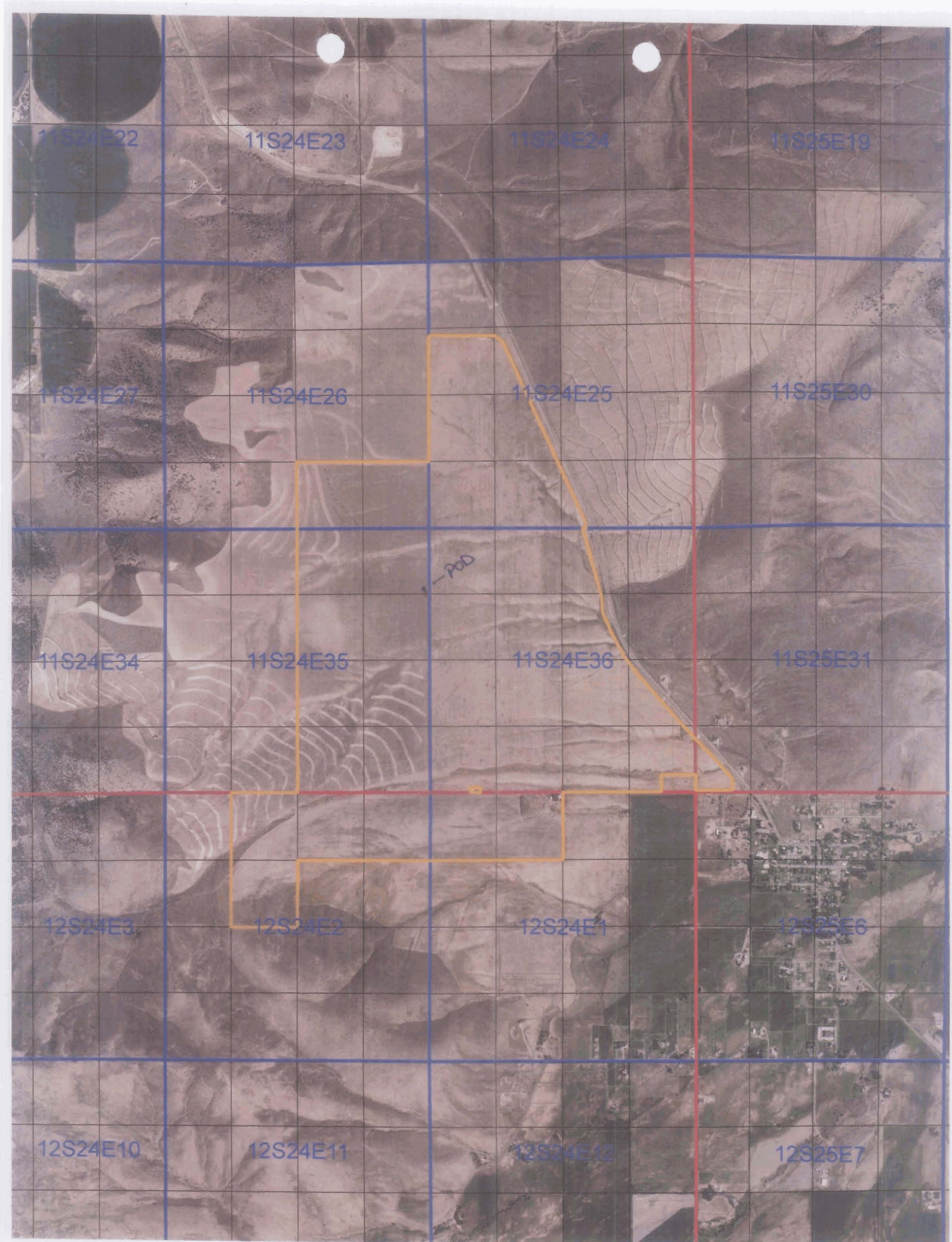
Describe the proposed diversion system

Point of Diversion # 1 existing well

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	
11S 24E 25							35.0	9.7	29.0	40.0	40.0	40.0			6.9		200.6
11S 24E 26															40.0	40.0	80.0
11S 24E 35	40.0	39.0	40.0	40.0									40.0	40.0	40.0	40.0	319.0
11S 24E 36		18.0	29.0		40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	15.0	40.0	40.0	34.0	495.0
11S 25E 31											11.0						11.0
12S 24E 1					41.0	41.0											82.0
12S 24E 2	41.0	41.0			L 3	L 4											163.0
	L 1	L 2			L 3			40.0									

Total Acres: 1350.6



March 12, 2010

Corey Skinner
Idaho Department of Water Resources, Southern Region
1342 Fillmore Street, Suite 200
Twin Falls, ID 83301

RE: Transfer No. 76333

Dear Mr. Skinner:

In am writing in reference to Transfer No. 76333, in the name of my father, George Kelley. I have reviewed the transfer application. I understand that, if approved, the transfer will create a permissible place of use that will include certain properties currently owned by me.

I consent to allowing this transfer to include my property. Furthermore, I understand and agree that, upon completion of the transfer, the water will remain in the name of my father, George Kelley.

Please let me know if you need anything further from me.

Sincerely,

A handwritten signature in black ink, appearing to read "George Bill Kelley", written over a horizontal line.

George "Bill" Kelley

WARRANTY DEED

THIS INDENTURE, made this 12 day of June, 2002, between **JACK L. HUNTER** and **BETTY JEAN HUNTER**, Co-Trustees of the Jack L. Hunter and Betty Jean Hunter Revocable Living Trust dated January 11, 1998, of P. O. Box 546 Albion, Idaho 83311, ("Grantor"), and **GEORGE BILL KELLEY** and **VIRGINIA KELLEY**, husband and wife, P.O. Box 575, Albion, Idaho 83311, ("Grantee").

WITNESSETH:

The Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, all of the following described real estate situated in the County of Cassia, State of Idaho, described on Exhibits A and B attached hereto.

SUBJECT TO: Accruing taxes, levies and assessments, Mortgage to D. L. Evans Bank recorded as Instrument No. 266579, easements and right-of-way of record. The Mortgage to D. L. Evans Bank relates only to the property on Exhibit B.

TOGETHER with all water rights and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said property as well in law as in equity of the Grantor.

1 TO HAVE AND TO HOLD, all and singular the above-mentioned and
2 described premises, together with appurtenances unto the Grantee and to the heirs and
3 assigns of Grantee forever.

4 The Grantor shall and will warrant and by these presents will forever defend
5 the said premises in the quiet and peaceable possession of the Grantee, and the heirs
6 and assigns of Grantee against all and every person and persons whomsoever lawfully
7 claiming the same, except as aforesaid, but only during the time owned by Grantor.
8

9 IN WITNESS WHEREOF, the Grantor has executed this Deed the day and
10 year first above written.
11

12 GRANTOR

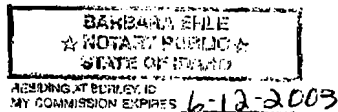
13 JACK L. HUNTER & BETTY JEAN HUNTER
14 REVOCABLE LIVING TRUST

15 Jack L. Hunter
16 Jack L. Hunter, Co-Trustee

17 Betty Jean Hunter
18 Betty Jean Hunter, Co-Trustee

19 STATE OF IDAHO)
20) ss.
21 County of Cassia)

22 On this 12 day of June, in the year of 2002, before me, the undersigned, a
23 Notary Public in and for said State, personally appeared JACK L. HUNTER and BETTY JEAN
24 HUNTER as Co-Trustees of the Jack L. Hunter and Betty Jean Hunter Revocable Living Trust,
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 as Co-Trustees.



Barbara Ehle
Notary Public for Idaho
Residing at Burley, Idaho
My Commission expires 6-12-2003

(Kelley\Hunter\WarrantyDeed.wpd)

WARRANTY DEED - 2

PARCEL NO. 1

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

Section 25: NE $\frac{1}{4}$ EXCEPT the East 380 feet; and that part of the South half lying East of State Highway No. 77

SAVE AND EXCEPT an easement for ingress and egress along the North 50 feet of that part of the South half lying East of State Highway No. 77.

Section 36: That part of the NE $\frac{1}{4}$ lying East of State Highway No. 77.

TOWNSHIP 11 SOUTH, RANGE 2, EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 30: Lots 3 and 4

Section 31: Lot 1

EXCEPTING THEREFROM that part of the NE $\frac{1}{4}$ of Section 36, Township 11 South, Range 24 East of the Boise Meridian, and that part of Lots 3 and 4 in Section 30 and Lot 1 in Section 31, Township 11 South, Range 25 East of the Boise Meridian, lying South and East of the following described line:

Beginning at the North quarter corner of Section 30 in Township 11 South, Range 25 East of the Boise Meridian; thence South 0°10'45" West for 1126.84 feet; thence South 47°17'27" West for 1504.98 feet; thence South 87°05'07" West for 89.31 feet; thence South 63°59'51" West for 1132.61 feet to a point on the North boundary of Lot 3 in said Section 30, which point shall be the True Point of Beginning; thence South 32°43'21" East for 721.46 feet; thence South 0°40'20" East for 821.69 feet; thence South 16°11'47" West for 458.01 feet; thence South 22°17'55" West for 1786.00 feet; thence South 60°44'11" West for 1096.62 feet; thence South 89°33'52" West for 591.64 feet to a point on the East boundary of State Highway No. 77.

PARCEL NO. 2:

TOWNSHIP 11 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 31: That part of Lot 4 lying South and West of State Highway No. 77, EXCEPT the following described tract:

Beginning at a point 722 feet East of the Southwest corner of the SW $\frac{1}{4}$ of said Section 31; thence North 372 feet; thence Southeast along Highway No. 77 for 462 feet; thence West 240 feet to the Point of Beginning.

PARCEL NO. 3:

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

Section 36: Beginning at the Southeast corner of said Section 36; thence West along the South boundary of said Section 36 for 450 feet; thence North to a point on the South right-of-way line of State Highway No. 77; thence southeasterly along said highway right-of-way to a point on the East boundary of said Section 36; thence South along said East boundary to the Point of Beginning.

EXCEPTING THEREFROM the ~~S¹SE¹SE¹SE¹~~ of Section 36.

PARCEL NO. 1:

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

Section 25: E $\frac{1}{4}$; SW $\frac{1}{4}$; and all that portion of the S $\frac{1}{2}$ NW $\frac{1}{4}$ lying West of Albion Highway No. 77.

EXCEPT all that portion deeded to the State of Idaho, and also to the County of Cassia, for highway purposes.

ALSO EXCEPT the NE $\frac{1}{4}$ and that part of the S $\frac{1}{2}$ lying East of State Highway No. 77

Section 36: All, EXCEPT the S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, and EXCEPT the following described tracts:

Tract No. 1:

Commencing at the Southwest corner of said Section 36, thence North 89°31'36" East along the South line of said Section 36 a distance of 802.58 feet to a point, said point being the Real Point of Beginning;
Thence North 00°28'24" West for a distance of 90.00 feet;
Thence North 89°31'36" East for a distance of 110.00 feet;
Thence South 00°28'24" East for a distance of 90.00 feet;
Thence South 89°31'36" West for a distance of 110.00 feet to the Real Point of Beginning.

Tract No. 2:

Part of the E $\frac{1}{2}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 36;
Thence West along the South boundary of said Section 36 for 450 feet;
Thence North to a point on the South right-of-way line of State Highway No. 77;
Thence Southeasterly along said highway right-of-way to a point on the East boundary of said Section 36;
Thence South along said East boundary to the Point of Beginning.

Tract No. 3:

That part of the NE $\frac{1}{4}$ of said Section 36 lying East of State Highway No. 77.

Tract No. 4:

All that portion deeded to the State of Idaho for highway purposes.

TOWNSHIP 11 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: SW¼SE¼ and the NW¼SE¼SE¼

Section 30: Lots 1 and 2, E¼NW¼, NW¼NW¼NE¼; SE¼SW¼ and NE¼SW¼

Section 31: E¼NW¼, NE¼SW¼, Lots 2 and 4,

EXCEPT that portion deeded to the State of Idaho for highway purposes.

ALSO EXCEPT that portion of Lot 4 lying South and West of State
Highway No. 77.

ALSO EXCEPTING the following described property from the said Sections 30 and 31 in Township 11 South, Range 25 East, Boise Meridian and from the said Section 36 in Township 11 South Range 24 East, Boise Meridian:

Part of the West ½ of Section 30; part of Lot 4, and part of the NW¼ of Section 31; all of Lot 3 and the NE¼SW¼ of Section 31, of Township 11 South, Range 25 East, Boise Meridian, and part of the East ½ of Section 36 of Township 11 South, Range 24 East, Boise Meridian, Cassia County, Idaho, more particularly described as follows:

Beginning at the North ¼ section corner of Section 31 of Township 11 South, Range 25 East of the Boise Meridian, said corner marked by a U.S. General Land Office pipe which shall be the Point of Beginning;
Thence South 0°06'51" West along the ¼ section line for 2685.05 feet to a point at the center ¼ section corner of Section 31;
Thence South 0°06'51" West along said ¼ section line for 1333.79 feet to a 5/8" rebar at the Southeast corner of the NE¼SW¼ of Section 31;
Thence North 89°56'38" West along the South line of the NE¼SW¼ for 1297.83 feet to a 5/8" rebar at the Southwest corner of the NE¼SW¼;
Thence South 0°21'03" West along the East line of Lot 4 for 1238.25 feet to a 5/8" rebar on the Easterly right-of-way of State Highway 77;
Thence North 41°01'02" West along said highway right-of-way for 1616.95 feet to a highway right-of-way marker at station 366+78.4;
Thence North 42°23'25" West along said highway right-of-way for 1722.54 feet to a highway right-of-way marker at station P.T. 349+55.5; Thence on a curve to the right along said highway right-of-way for 275.73 feet to a point, said curve having a central angle of 11°22'08" with a radius of 1389.60 feet and a long chord bearing of North 36°42'20" West for 275.28 feet from the previous point;
Thence North 31°01'31" West along said right-of-way for 1.14 feet to a highway right of way marker at station P.C. 346+70.9;
Thence North 31°01'31" West along said highway right-of-way for 719.20 feet to a highway right-of-way marker at station P.T. 339+52.5;

EXHIBIT B pg. 2
(Warranty Deed Hunter/Kelley)

Thence on a curve to the right along said highway right-of-way for 434.17 feet to a 5/8" rebar at station P.C. 334+91.0, said curve having a central angle of 36°55' with a radius of 673.85 feet and a long chord bearing of North 12°33'47" West for 426.70 feet from the previous point;
 Thence North 5°53'43" East along said highway right-of-way for 101.63 to a 1/4" rebar;
 Thence North 89°33'52" East for 591.64 feet to a 1/2" rebar;
 Thence North 60°44'11" East for 1096.62 feet to a 1/4" rebar;
 Thence North 22°17'55" East for 1786.00 feet to a 1/2" rebar;
 Thence North 16°11'47" East for 458.01 feet to a 1/4" rebar;
 Thence North 0°40'20" West for 821.69 feet to a 1/2" rebar;
 Thence North 32°43'21" West for 721.46 feet to a 1/4" rebar;
 Thence North 63°59'51" East for 1132.61 feet to a 1/2" rebar;
 Thence North 87°05'07" East for 89.31 feet to a 1/2" rebar;
 Thence North 47°17'27" East for 1504.98 feet to a 1/2" rebar on the 1/4 section line;
 Thence South 0°10'45" West along said 1/4 section line for 4175.37 feet to the Point of Beginning.

PARCEL NO. 2:

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

Section 25: The East 380 feet of the NE 1/4

PARCEL NO. 3:

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

Section 25: NE 1/4 EXCEPT the East 380 feet; and that part of the South 1/2 lying East of State Highway No. 77

Section 36: That part of the NE 1/4 lying East of State Highway No. 77

TOWNSHIP 11 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
 CASSIA COUNTY, IDAHO

Section 30: Lots 3 and 4

Section 31:

Lot 1

EXCEPTING THEREFROM that part of the NE¼ of Section 36, Township 11 South, Range 24 East of the Boise Meridian, and that part of Lots 3 and 4 in Section 30 and Lot 1 in Section 31, Township 11 South Range 25 East of the Boise Meridian, lying South and East of the following described line:

Beginning at the North ¼ corner of said Section 30; Thence South 0°10'45" West for 1126.84 feet; Thence South 47°17'27" West for 1504.98 feet; Thence South 87°05'07" West for 89.31 feet; Thence South 63°59'51" West for 1132.61 feet to a point on the North boundary of Lot 3 in said Section 30, which point shall be the True Point of Beginning; Thence South 32°43'21" East for 721.46 feet; Thence South 0°40'20" East for 821.69 feet; Thence South 16°11'47" West for 458.01 feet; Thence South 22°17'55" West for 1786.00 feet; Thence South 60°44'11" West for 1096.62 feet; Thence South 89°33'52" West for 591.64 feet to a point on the East boundary of State Highway No. 77.

202083
CASSIA COUNTY, IDAHO
DANIEL M. NOCKELLEY
RECORDER
FEE \$4.00 DEPUTY KM
JUN 12 PM 4 10
RECORDED AT REQUEST OF
LAND TITLE & ESCROW

316008

WARRANTY DEED

THIS INDENTURE, made this 18 day of Mar, 2007, between
DONALD C. KELLEY and PATTY LEE KELLEY, husband and wife, ("GRANTOR") and
GEORGE M. KELLEY and JOANN KELLEY, husband and wife, whose address is P.O. Box 25,
Albion, Idaho 83311, ("GRANTEE").

WITNESSETH:

The Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful
money of the United States of America, and other good and valuable consideration, to the
Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted,
bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto
the Grantee, and to the heirs and assigns of Grantee forever, all of the following described real
estate situated in the County of Cassia, State of Idaho, to-wit:

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

Section 35: S $\frac{1}{2}$ NE $\frac{1}{4}$ and the S $\frac{1}{2}$ NW $\frac{1}{4}$

SUBJECT TO: Accruing taxes, levies and assessments

TOGETHER with all and singular the tenements, hereditaments and
appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions,
remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest
in and to said property as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described
premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee
forever.

The Grantor shall and will warrant and by these presents will forever defend the said
premises in the quiet and peaceable possession of the Grantee, and the heirs and assigns of
Grantee against all and every person and persons whomsoever lawfully claiming the same,

316000

CASSIA COUNTY, IDAHO
LARRY A. WICKELSEN
RECORDER

PARSONS, SMITH & STONE, LLP
LAWYERS
BURLEY, IDAHO

FILED: 60 DEPUTY DM

MAY 21 PM 4 34

RECORDED AT THE REQUEST OF
Parsons & Smith

1 except as aforesaid.
2 IN WITNESS WHEREOF, the Grantors have executed this Deed the day
3 and year first above written.

Donald C. Kelley
DONALD C. KELLEY

Patty Lee Kelley
PATTY LEE KELLEY

STATE OF IDAHO)
County of Cassia) ss.

On this 16 day of May, in the year of 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared DONALD C. KELLEY, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

WILLIAM A. PARSONS
NOTARY PUBLIC
STATE OF IDAHO

William A. Parsons
Notary Public for Idaho
Residing at Burley
My Commission expires 7/20/2010

STATE OF IDAHO)
County of Cassia) ss.

On this 18 day of May, in the year of 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared PATTY LEE KELLEY, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

WILLIAM A. PARSONS
NOTARY PUBLIC
STATE OF IDAHO

William A. Parsons
Notary Public for Idaho
Residing at Burley
My Commission expires 7/20/2010

(Kelley\KelleyWD.wpd)

WARRANTY DEED

THIS INDENTURE, made this 27th day of March, 1984, between WARREN MILLER, Personal Representative of the ESTATE OF HENRIETTA KELLEY, and GEORGE M. KELLEY, Personal Representative of ESTATE OF GEORGE A. KELLEY, hereinafter called the "Grantor", and GEORGE M. KELLEY and JOANN KELLEY, husband and wife, whose address is Albion, Idaho, 83311, hereinafter called the "Grantee".

W I T N E S S E T H:

That the Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee, forever, all of the following described real estate situated in the County of Cassia, State of Idaho, to-wit:

TOWNSHIP 11 SOUTH, RANGE 24 EAST, BOISE MERIDIAN.

Section 26: S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 34: E $\frac{1}{2}$

Section 35: N $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$

TOWNSHIP 12 SOUTH, RANGE 24 EAST, BOISE MERIDIAN

Section 1: Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)

Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)

Section 2: Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)

Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)

Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)

Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)

1 S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

2 Section 3: Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)
3 Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
4 SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$

5 SUBJECT TO:

6 Accruing taxes, levies and assessments, easements
7 of record, if any, Mortgage to the Federal Land
8 Bank of Spokane, Exception in Warranty Deed
9 recorded September 7, 1945, as Instrument number
10 152323 in Book 50 of Deeds, on pages 334 and
11 335, records of Cassia County, Idaho, (S $\frac{1}{2}$ SE $\frac{1}{4}$ of
12 Section 26 and N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 35, Township
13 11 South, Range 24 East, Boise Meridian) and
14 Subject to an Oil and Gas Lease recorded as
15 instrument number 135119 on film 142 records
16 of Cassia County, Idaho, on May 20, 1981.

17 TOGETHER with all and singular the tenements, heredita-
18 ments and appurtenances thereunto belonging or in anywise apper-
19 taining, the reversion and reversions, remainder and remainders,
20 rents, issues and profits thereof, and all estate, right, title
21 and interest in and to the said property as well in law as in
22 equity of the Grantor.

23 TO HAVE AND TO HOLD, all and singular the above-men-
24 tioned and described premises, together with appurtenances unto
25 the Grantee and to the heirs and assigns of Grantee forever.

26 The Grantor shall and will warrant and by these presents
will forever defend the said premises in the quiet and peaceable
possession of the Grantee, and the heirs and assigns of the
Grantee against all and every person and persons whomsoever
lawfully claiming the same, except as aforesaid.

IN WITNESS WHEREOF, the Grantor has executed this Deed

PARSONS, SMITH, STONE & FLETCHER
LAWYERS
BURLEY, IDAHO

1 the day and year first above written.

2 ESTATE OF HENRIETTA KELLEY

3 BY Warren C. Miller
4 Personal Representative

5 ESTATE OF GEORGE A. KELLEY

6 BY George A. Kelley
Personal Representative

7 STATE OF IDAHO)
8 County of Minidoka) ss

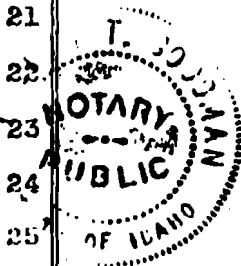
9 On this 2nd day of April, in the year of 1984, before
10 me, the undersigned, a Notary Public in and for said State,
11 personally appeared WARREN MILLER, known or identified to me to be
12 the person whose name is subscribed to the within instrument as
13 Personal Representative of the Estate of Henrietta Kelley, and
14 acknowledged to me that he executed the same as such Personal
15 Representative.

13 William T. Brodman
14 Notary Public for Idaho
15 Residing at Burley, Idaho

15 STATE OF IDAHO)
16 County of Cassia) ss

17 On this 27th day of March, in the year of 1984, before
18 me, the undersigned, a Notary Public in and for said State,
19 personally appeared GEORGE M. KELLEY, known or identified to me to
20 be the person whose name is subscribed to the within instrument as
21 Personal Representative of the Estate of George A. Kelley, and
22 acknowledged to me that he executed the same as such Personal
23 Representative.

21 William T. Brodman
22 Notary Public for Idaho
23 Residing at Burley, Idaho



RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM 1156
JUL 23 2 56 PM '84
CASSIA COUNTY, IDAHO
FRANK J. EARNES
REGISTERED
FEE \$100.00
2417016

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