

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 08 2010

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1WATER RESOURCES
WESTERN REGIONName of Applicant Gary StillwellPhone (208) 371-3182Post Office address 6021 Willow Creek Rd., Eagle, Idaho 83616-2001

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use☐ Change nature of use ☐ Change period of use ☐ Other _____2. Describe the reason for the proposed changes Applicant has purchased a portion of water right number 63-31216 and proposes moving the water right to applicant's land for irrigation purposes.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-32829¹</u>	<u>09/14/1989</u>	<u>0.12 cfs / 27.0 ac-ft</u>	<u>Irrigation</u>	<u>March 15</u> to <u>November 15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.12 cubic feet per second and/or 27.0 acre-feet per annum.3. Source of water Ground Water tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NE	NE	29	5N	1E	Ada	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	1E	29	6.0																6.0

Total Acres 6.0¹ A portion of water right 63-31216

PART 1

6. General Information:

Description of diversion system Existing well has a 8" diameter and is 293 feet deep.

- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Six (6) acres of the original place of use will no longer be irrigated with this water right.

- c. Remarks:
The proposed point of diversion is within the Basin 63 area of groundwater concern. The well is cased and screened to appropriate water from 283-293 feet (Well Driller's Report attached). An Application for Transfer has been filed by Pat Thacker for the balance of water right 63-32829.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And the said application is hereby _____, subject to the following conditions:

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

for the Director

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED See attached "Water Right Report"

1. Right as evidenced by:

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

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

☐ Tax Notice☒ Warranty Deed☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

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

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

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

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

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use:

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

Total Acres _____

9. Describe any other water rights used for the same purpose as described above None

Conditions of Approval:

1. X36 Rights 63-31213, 63-31214 and 63-31215 are also diverted through the point of diversion described above.
2. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 and is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PART 2

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

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total Acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

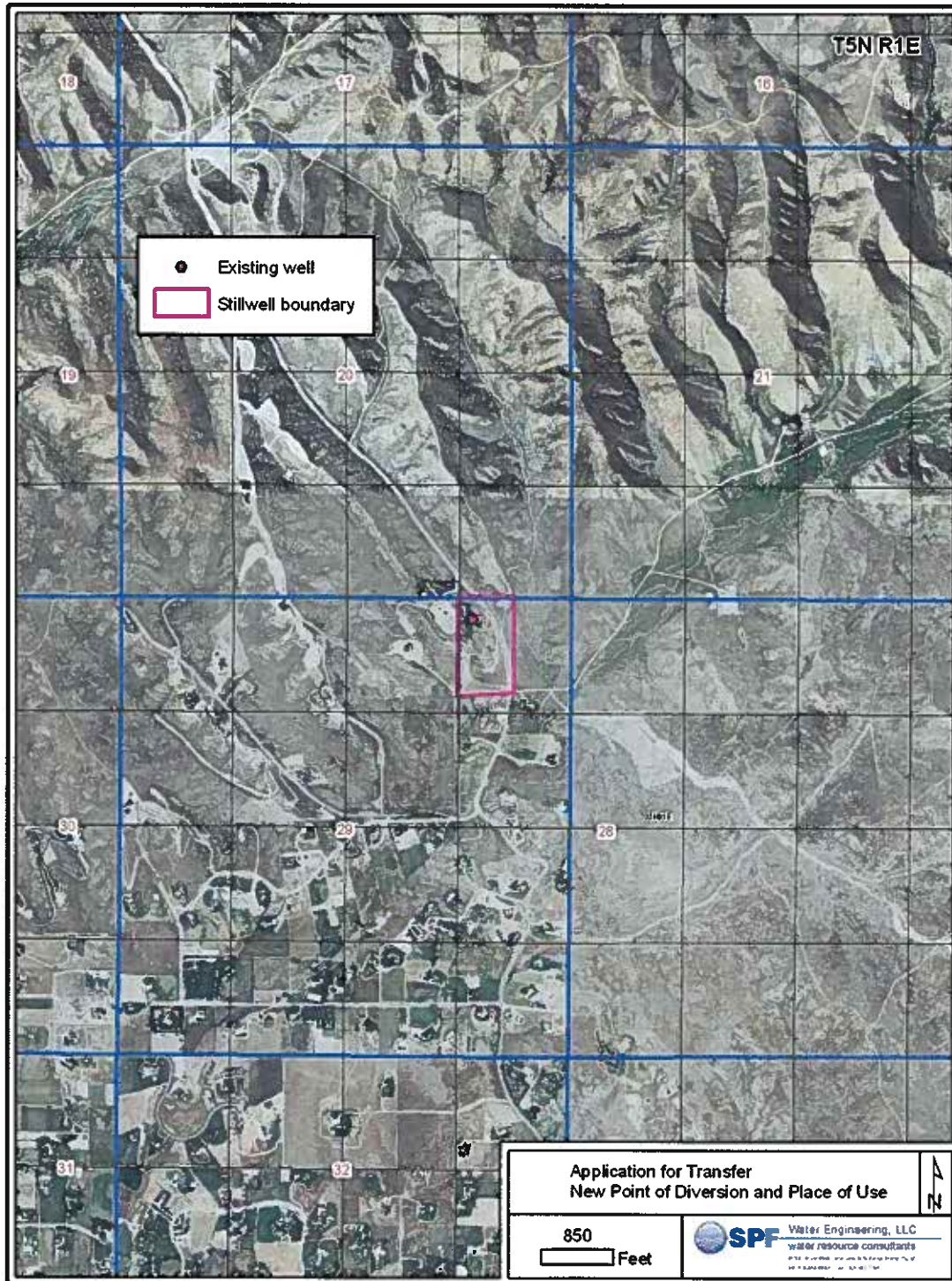
Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



PART 3

B. CHANGES IN NATURE OF USE

1.	<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

Quantity and quality of return flows and location of discharge: _____

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

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.

Dany Stillwell
(Signature of Applicant)

Subscribed and sworn to before me this 14TH day of July, 20 08

Bryanne Brown
(Notary Public)

My commission expires 5/16/2008

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 4 attachments

Received by SB Date 1.8.10 Protest filed by _____

Prelim. Check by SC Fee \$100.00

Received by SB Date 1.8.10

Published in IDAHO STATESMAN DB Copies of protest forwarded by _____

Pub. Dates APRIL 15 & 22, 2010 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

062097

Office Use Only		
Inspected by _____		
Twp. _____	Rge. _____	Sec. _____
1/4 _____	1/4 _____	1/4 _____
Lat. : : _____	Long. : : _____	

1. DRILLING PERMIT NO. D-000 1252
Other IDWR No. 63-97-W-0644-000

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
40	—	280'	2HR

Water Temp. 65° Bottom hole temp. _____
Water Quality test or comments: _____

2. OWNER:

Name GARY STILLWELL
Address 6021 N. WILLOWCREEK Rd.
City EAGLE State ID Zip 83616

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N		Twp. <u>5</u>		North ☒ or South ☐
E		Rge. <u>1</u>		East ☒ or West ☐
S		Sec. <u>29</u>		1/4 <u>NE</u> 1/4 <u>NE</u> 1/4
W		Gov't Lot _____		County <u>AOA</u> 10 acres 160 acres
		Lat. : : _____		Long. : : _____
		Address of Well Site <u>6021 N. WILLOWCREEK Rd.</u>		City <u>EAGLE</u>

(Give at least name of road - Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
BENTONITE	0	36	850/lbs	OVERBORE

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) _____Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8"	2'	283'	25	STEEL	☒	☐	☐	☐
5"	278'	283'	29	STEEL	☐	☒	☐	☐
					☐	☐	☐	☐

Length of Headpipe 5 FT Length of Tailpipe N/A

9. PERFORATIONS/SCREENS

☐ Perforations Method _____
☒ Screens Screen Type STAINLESS

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
283'	293'	1/10	—	5"	ST. STEEL	☐	☒
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

212 ft. below ground Artesian pressure _____ lb.

Depth flow encountered _____ ft. Describe access port or control devices: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
10"	0	2	TOP SOIL		X
	2	15	TAN CLAY		X
	15	30	BROWN CLAY		X
	30	38	SANDY CLAY		X
8"	38	50	BROWN CLAY		X
	50	56	SANDY CLAY		X
	56	62	BROWN CLAY		X
	62	68	SAND		X
	68	90	SANDY CLAY		X
	90	118	TAN CLAY		X
	118	126	SAND		X
	126	158	BROWN CLAY		X
	158	165	SAND		X
	165	178	TAN CLAY		X
	178	190	SAND		X
	190	205	TAN CLAY		X
	205	213	SAND		X
	213	239	TAN SANDY CLAY		X
	239	245	SAND		X
	245	251	BROWN SANDY CLAY		X
	251	265	BLUE CLAY		X
	265	272	SAND	X	
	272	275	TAN CLAY		X
	275	282	SAND	X	
	282	283	TAN CLAY		X
	283	293	SAND	X	

RECEIVED
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OCT 24 1997WATER RESOURCES
WESTERN REGION

Department of Water Resources

Completed Depth 293 FT. (Measurable)Date: Started 9-22-97 Completed 9-26-97

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name COGNATE Well Drilling Firm No. 409Firm Official Daryl E. Coon Date 9-30-97and Indy Clark Date 9-30-97

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

Attachment A

Order No.: C059399

CORPORATION WARRANTY DEED

For Value Received: **JADE EAGLE, INC..**

A Corporation duly organized and existing under the laws of the State of IDAHO hereby Grant, Bargain, Sell and Convey unto **RIDGELINE VISTAS, LLC., AN IDAHO LIMITED LIABILITY COMPANY,**

Whose current address is: 533 E RIVERSIDE DR., STE 110, EAGLE, ID 83616

The following described real estate, to wit:

SEE ATTACHED LEGAL DESCRIPTION MARKED EXHIBIT "A", WHICH BY THIS REFERENCE BECOMES A PART THEREOF AND CONSISTS OF TWO (2) PAGES.

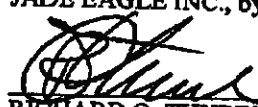
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever.

The Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that it is free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, including irrigation and utility easements, (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. In constraining this Deed and where the context so requires, the singular includes the plural, and the masculine, includes the feminine and neuter.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed.

Dated: 10/28/05

JADE EAGLE INC., by:


RICHARD O. THURBER, It's PRESIDENT

STATE OF IDAHO

COUNTY OF ADA

ON THIS ____ DAY OF OCTOBER IN THE YEAR 2005, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY APPEARED, RICHARD O. THURBER KNOWN TO ME TO BE THE PRESIDENT OF THE CORPORATION THAT EXECUTED THIS INSTRUMENT AND THE PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID CORPORATION, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

DIANNA L. STORK
RESIDING AT: MERIDIAN
MY COMMISSION EXPIRES ON: 01/23/08

Attachment B
3 pgs

EXHIBIT "A"**PARCEL 1:**

Part of the Southeast Quarter of the Section 6 and the Southwest Quarter of Section 5 and the Southwest Quarter of the Southeast Quarter of Section 5, Township 5 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho, described as follows:

COMMENCING at a brass cap monument marking the Southwest corner of Section 6, Township 5 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho, and running thence North 89°32'55" East 2606.07 feet, said point being the South Quarter corner of said Section 6; thence North 0°02'05" West 660.18 feet to the POINT OF BEGINNING; thence North 0°02'05" West 538.36 feet to a point of curve with a radius of 60.00 feet, a central angle of 180°00'00" and a chord that bears North 00°02'05" West 120.00 feet; thence to the left along said curve 188.49 feet; thence North 89°38'18" East 1320.00 feet to a brass cap marking the Southeast One-Sixteenth (1/16) corner of said section; thence North 89°35'50" East 1323.33 feet to a brass cap marking the South One-Sixteenth (1/16) corner of said section; thence North 89°58'32" East 2644.82 feet; thence North 89°56'52" East 1323.59 feet thence South 0°08'58" East 1319.92 feet; thence South 89°57'54" West 1324.20 feet to the South Quarter corner of said Section 5; thence South 89°45'55" West 2648.40 feet to the Southwest corner of said Section 5; thence South 89°51'00" West 1981.32 feet; thence North 0°03'14" West 660.58 feet; thence South 89°48'56" West 660.21 feet to the POINT OF BEGINNING.

Being Lot 14, High Plains Estates, of Record of Survey, recorded April 21, 2004, as Instrument No. 200421334, records of Canyon County, Idaho.

PARCEL 2:

A 60-foot wide right-of-way to be used for ingress-egress and utilities lying in the Southeast Quarter of Section 1, Township 5 North, Range 3 West of the Boise Meridian, the South half of Section 6, Township 5 North, Range 2 West of the Boise Meridian and the North half of Section 7, Township 5 North, Range 2 West of the Boise Meridian described as follows:

Beginning at a brass cap monument marking the Southeast 1/16 corner of Section 1 Township 5 North, Range 3 West of the Boise Meridian and running thence North 89°53'06" East 1316.24 feet to a brass cap monument marking the South 1/16 corner of said Section 1; thence North 89°51'15" East 1286.78 feet to a brass cap monument marking the Southwest 1/16 corner of Section 6, Township 5 North, Range 2 West of the Boise Meridian; thence North 89°41'07" East 1319.08 feet to a brass cap monument marking the center South 1/16 corner of said Section 6; said point being a point of curve with a radius of 60.00 feet, a central angle of 255°44'17" and a chord that bears South 37°35'11" West 95.05 feet; thence to the right along said curve 267.81 feet to a point of reverse curve with a radius of 20.00 feet, a central angle of 75°31'21" and a chord that bears North 52°33'13" West 24.49 feet; thence to the left along said curve 26.36 feet; thence South 89°41'07" West 1160.53 feet to a point of curve with a radius of 50.00 feet, a central angle of 90°24'59" and a chord that bears South 44°28'37" West 70.97 feet; thence to the left along said curve 78.90 feet; thence South 0°43'52" East 1101.47 feet to a point of curve with a radius of 50.00 feet, a central angle of 89°43'13" and a chord that bears South 45°35'29" East 70.54 feet; thence to the left along said curve 78.30 feet; thence North 89°32'55" East 1224.01 feet; thence North 89°51'00" East 2641.63 feet; thence South 0°09'00" East 60.00 feet to a 5/8" iron rod with yellow plastic cap marked P.L.S. 7323 marking the Southeast corner of said Section 6; thence South

Exhibit "A"

Legal Description

B2

89°51'00" West 2641.75 feet to a 5/8" iron rod with yellow plastic cap marked P.L.S. 7323 marking the South Quarter corner of said Section 6; thence South 89°32'55" West 587.02 feet to a point of curve with a radius of 50.00 feet, a central angle of 101°35'06" and a chord that bears South 38°45'22" West 77.49 feet; thence to the left along said curve 88.65 feet; thence South 12°02'11" East 194.45 feet; thence South 2°50'01" East 185.61 feet; thence South 10°07'32" East 211.90 feet to a point of curve with a radius of 60.00 feet, a central angle of 255°31'21" and a chord that bears North 62°21'52" West 94.87 feet; thence to the right along said curve 267.58 feet to a point of reverse curve with a radius of 20.00 feet, a central angle of 75°31'21" and a chord that bears North 27°38'08" East 24.49 feet; thence to the left along said curve 26.36 feet; thence North 10°07'32" West 138.27 feet; thence North 2°50'01" West 184.60 feet; thence North 12°02'11" West 222.42 feet to a point of curve with a radius of 50.00 feet, a central angle of 78°24'54" and a chord that bears North 51°14'38" West 63.21 feet; thence to the left along said curve 68.43 feet; thence South 89°32'55" West 1746.08 feet to a point of curve with a radius of 50.00 feet, a central angle of 89°35'08" and a chord that bears South 44°45'21" West 70.45 feet; thence to the left along said curve 78.18 feet; thence South 0°02'13" East 485.13 feet to a point of curve with a radius of 20.00 feet, a central angle of 75°31'21" and a chord that bears South 37°47'54" East 24.49 feet; thence to the left along said curve 26.36 feet to a point of reverse curve with a radius of 60.00 feet, a central angle of 255°31'21" and a chord that bears South 52°12'06" West 94.87 feet; thence to the right along said curve 267.58 feet; thence North 0°02'13" West 611.80 feet to a brass cap monument marking the Southwest corner of said Section 6; thence North 89°55'43" West 658.93 feet to a point of curve with a radius of 60.00 feet, a central angle of 243°01'43" and a chord that bears North 31°31'17" East 102.30 feet; thence to the right along said curve 254.50 feet to a point of reverse curve with a radius of 50.00 feet, a central angle of 62°57'52" and a chord that bears South 58°26'48" East 52.22 feet; thence to the left along said curve 54.95 feet; thence North 89°42'46" East 1782.95 feet to a point of curve with a radius of 50.00 feet, a central angle of 90°16'46" and a chord that bears North 44°24'31" East 70.88 feet; thence to the left along said curve 78.78 feet; thence North 0°43'52" West 1102.09 feet to a point of curve with a radius of 50.00 feet, a central angle of 89°24'52" and a chord that bears North 45°26'18" West 70.35 feet; thence to the left along said curve 78.03 feet; thence South 89°51'15" West 1208.02 feet; thence South 89°53'06" West 1316.31 feet; thence North 0°02'31" East 60.00 feet to the point of beginning.

Exhibit "A"
Legal Description

B3

RECORDED

2009 DEC 31 PM 2 20

WILLIAM H. HURST
CANYON CITY RECORDER
BY Jma B. Young

REQUEST ad & flag re. Inc
TYPE Prod FEE Prod

QUITCLAIM DEED

FOR VALUE RECEIVED, RIDGELINE VISTAS, LLC, an Idaho limited liability company, does hereby convey, release, remise and forever quit claim unto JADE EAGLE, INC., an Idaho corporation whose address is 660 E. Franklin Road, #140, Meridian, Idaho, 83642, all right, title, and interest now owned or hereafter acquired in and to water rights exceeding 107 acres appurtenant to the following described premises located in Canyon County, State of Idaho, more particularly described as follows, to-wit:

See Exhibit "A" attached hereto

This Quitclaim Deed shall have no effect upon, or convey any portion of, water right nos. 63-31214 and 63-32851. RIDGELINE VISTAS, LLC hereby withholds and retains said water rights in their entirety, and said water rights are reserved and wholly exempt from this transaction.

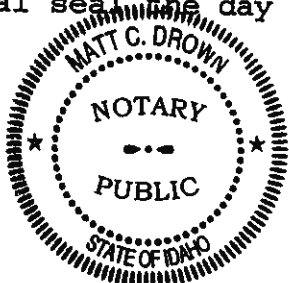
DATED: 12-29-09

Joyce Muhlenholtz

STATE OF IDAHO)
) ss.
County of Ada)

On this 29th day of December, in the year 2009, before me,
Matt C. Drown, a Notary Public for the State of
Idaho, personally appeared Joyce Stukuholtz, known
or identified to me to be the Manager/Member of the Limited
Liability Company whose name is subscribed to the within and
foregoing instrument, and acknowledged to me that he executed the
same.

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



Notary Public for the State of Idaho
Residing in Ada County, Idaho
My Commission Expires: 4/20/2015

Attachment C
3 pgs

EXHIBIT "A"

PARCEL 1:

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COMMENCING at a brass cap monument marking the Southwest corner of Section 6, Township 5 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho, and running thence North 89°32'55" East 2606.07 feet, said point being the South Quarter corner of said Section 6; thence North 0°02'05" West 660.18 feet to the POINT OF BEGINNING; thence North 0°02'05" West 538.36 feet to a point of curve with a radius of 60.00 feet, a central angle of 180°00'00" and a chord that bears North 00°02'05" West 120.00 feet; thence to the left along said curve 188.49 feet; thence North 89°38'18" East 1320.00 feet to a brass cap marking the Southeast One-Sixteenth (1/16) corner of said section; thence North 89°35'50" East 1323.33 feet to a brass cap marking the South One-Sixteenth (1/16) corner of said section; thence North 89°58'32" East 2644.82 feet; thence North 89°58'52" East 1323.59 feet thence South 0°08'58" East 1319.92 feet; thence South 89°57'54" West 1324.20 feet to the South Quarter corner of said Section 5; thence South 89°45'55" West 2648.40 feet to the Southwest corner of said Section 5; thence South 89°51'00" West 1981.32 feet; thence North 0°03'14" West 660.58 feet; thence South 89°48'58" West 660.21 feet to the POINT OF BEGINNING.

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PARCEL 2:

A 60-foot wide right-of-way to be used for ingress-egress and utilities lying in the Southeast Quarter of Section 1, Township 5 North, Range 3 West of the Boise Meridian, the South half of Section 6, Township 5 North, Range 2 West of the Boise Meridian and the North half of Section 7, Township 5 North, Range 2 West of the Boise Meridian described as follows:

Beginning at a brass cap monument marking the Southeast 1/16 corner of Section 1 Township 5 North, Range 3 West of the Boise Meridian and running thence North 89°53'08" East 1316.24 feet to a brass cap monument marking the South 1/16 corner of said Section 1; thence North 89°51'15" East 1286.78 feet to a brass cap monument marking the Southwest 1/16 corner of Section 6, Township 5 North, Range 2 West of the Boise Meridian; thence North 89°41'07" East 1319.08 feet to a brass cap monument marking the center South 1/16 corner of said Section 6; said point being a point of curve with a radius of 60.00 feet, a central angle of 255°44'17" and a chord that bears South 37°35'11" West 95.05 feet; thence to the right along said curve 267.81 feet to a point of reverse curve with a radius of 20.00 feet, a central angle of 75°31'21" and a chord that bears North 62°33'13" West 24.49 feet; thence to the left along said curve 26.36 feet; thence South 89°41'07" West 1160.63 feet to a point of curve with a radius of 50.00 feet, a central angle of 90°24'59" and a chord that bears South 44°28'37" West 70.97 feet; thence to the left along said curve 78.90 feet; thence South 0°43'52" East 1101.47 feet to a point of curve with a radius of 50.00 feet, a central angle of 89°43'13" and a chord that bears South 45°35'29" East 70.54 feet; thence to the left along said curve 78.30 feet; thence North 89°32'55" East 1224.01 feet; thence North 89°51'00" East 2641.63 feet; thence South 0°09'00" East 60.00 feet to a 5/8" iron rod with yellow plastic cap marked P.L.S. 7323 marking the Southeast corner of said Section 6; thence South

Exhibit "A"

Legal Description

C2

89°51'00" West 2641.75 feet to a 5/8" iron rod with yellow plastic cap marked P.L.S. 7323 marking the South Quarter corner of said Section 6; thence South 89°32'55" West 587.02 feet to a point of curve with a radius of 50.00 feet, a central angle of 101°35'06" and a chord that bears South 38°45'22" West 77.49 feet; thence to the left along said curve 88.66 feet; thence South 12°02'11" East 194.45 feet; thence South 2°50'01" East 185.61 feet; thence South 10°07'32" East 211.90 feet to a point of curve with a radius of 60.00 feet, a central angle of 255°31'21" and a chord that bears North 62°21'52" West 94.87 feet; thence to the right along said curve 287.58 feet to a point of reverse curve with a radius of 20.00 feet, a central angle of 75°31'21" and a chord that bears North 27°38'08" East 24.49 feet; thence to the left along said curve 26.36 feet; thence North 10°07'32" West 136.27 feet; thence North 2°50'01" West 184.60 feet; thence North 12°02'11" West 222.42 feet to a point of curve with a radius of 50.00 feet, a central angle of 78°24'54" and a chord that bears North 51°14'38" West 63.21 feet; thence to the left along said curve 68.43 feet; thence South 89°32'55" West 1746.06 feet to a point of curve with a radius of 50.00 feet, a central angle of 89°35'08" and a chord that bears South 44°45'21" West 70.45 feet; thence to the left along said curve 78.18 feet; thence South 0°02'13" East 485.13 feet to a point of curve with a radius of 20.00 feet, a central angle of 75°31'21" and a chord that bears South 37°47'54" East 24.49 feet; thence to the left along said curve 26.36 feet to a point of reverse curve with a radius of 60.00 feet, a central angle of 255°31'21" and a chord that bears South 52°12'06" West 94.87 feet; thence to the right along said curve 267.58 feet; thence North 0°02'13" West 611.80 feet to a brass cap monument marking the Southwest corner of said Section 6; thence North 89°55'43" West 668.93 feet to a point of curve with a radius of 60.00 feet, a central angle of 243°01'43" and a chord that bears North 31°31'17" East 102.30 feet; thence to the right along said curve 254.60 feet to a point of reverse curve with a radius of 50.00 feet, a central angle of 62°57'52" and a chord that bears South 56°26'48" East 52.22 feet; thence to the left along said curve 54.95 feet; thence North 89°42'48" East 1782.95 feet to a point of curve with a radius of 50.00 feet, a central angle of 90°16'46" and a chord that bears North 44°24'31" East 70.88 feet; thence to the left along said curve 78.76 feet; thence North 0°43'52" West 1102.09 feet to a point of curve with a radius of 50.00 feet, a central angle of 89°24'52" and a chord that bears North 48°26'18" West 70.35 feet; thence to the left along said curve 78.03 feet; thence South 89°51'15" West 1208.02 feet; thence South 89°53'08" West 1316.31 feet; thence North 0°02'31" East 60.00 feet to the point of beginning.

Exhibit "A"
Legal Description

SPECIAL WARRANTY DEED FOR WATER RIGHT

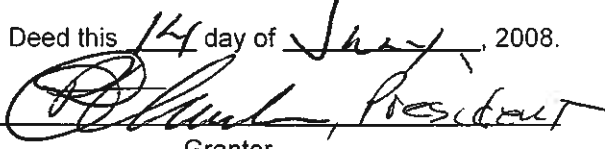
FOR VALUE RECEIVED, **Jade Eagle Inc.** ("Grantor"), whose address is 660 E. Franklin, Ste. 140, Meridian, Idaho 83642 does hereby grant, bargain, sell, convey and assign unto **Gary Stillwell** ("Grantee"), whose address is 6021 Willow Creek Rd., Eagle, Idaho 83616, the following described portion of Water Right No. 63-31216 (Hereinafter this portion is referred to as the "Water Right"):

Quantity: 0.12 cubic feet per second, 27.0 acre feet per year

Acres: 6.0 acres (formerly used for irrigation of 6.0 acres in the SESW, T5N, R2W, S5, Canyon County, Idaho.

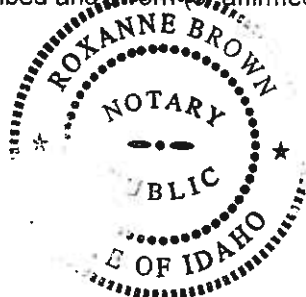
TO HAVE AND TO HOLD, the above-described portion of Water Right No. 63-31216 unto the Grantee and to the successors and assigns of Grantee forever. And the said Grantor does hereby represent, warrant and covenant to and with the said Grantee, that it is the owner in fee simple of the Water Right, that the Water Right is free from all encumbrances, that the Water Right has been diverted and beneficially used (or that the nonuse thereof is legally excused) so as to avoid partial or complete forfeiture or abandonment, and that the Water Right was the sole source of water used on the land to which it was appurtenant.

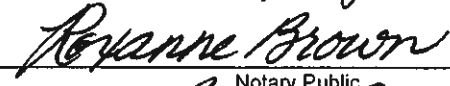
IN WITNESS WHEREOF, the Grantor has executed this Deed this 14 day of July, 2008.


Grantor

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 14TH of July, 2008.




Notary Public
Residing at Bona, ID
My commission Expires 5/16/2014

Attachment(s)