

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 74776MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

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

Yes N/A

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

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

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

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

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SEP 17 2009

WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 74776APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Dale and/or Jackie Van Es Phone 208-896-5990Mailing address 8222 Desert Dr., Marsing, ID 83639 Email dalevanes@aol.com

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

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

☐ No RepresentativeName of Representative Lori Graves, SPF Water Engineering Phone 208-383-4140Mailing address 300 E. Mallard Dr., Ste 350, Boise, ID 83706 Email lgraves@spfwater.com☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☒ Send original correspondence to the applicant and copies to the representative.☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

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

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


 Signature of Applicant or Authorized Representative

Dale Van Es owner
 Print Name and Title if applicable

9-14-09
 Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

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 your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2. Reflect an integrated system system and permissible place of use for irrigation flexibility.**

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TRANSFER HANDBS APPROVED BY
 SIGNATURE [Signature] DATE 10-20-09

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

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APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	57-2254	1.09/319.5	Irrigation	4/1 to 10/31	Ground Water
☒ ☐	2-10238	0.72/366.9	Irrigation	3/15 to 11/15	Snake R., Colombia R.
☒ ☐	2-10239	3.28/1680.6	Irrigation	315 to 11/15	Snake R., Colombia R.
☒ ☐	2-10240	0.48/246.0	Irrigation	3/15 to 11/15	Snake R., Colombia R.
☒ ☐	2-10241	2.21/1126.5	Irrigation	3/15 to 11/15	Snake R., Colombia R.
☒ ☐	2-10242	1.2/201.6	Irrigation	3/1 to 11/15	Snake R., Colombia R.
☒ ☐	2-10243	5.49/923.4	Irrigation	3/1 to 11/15	Snake R., Colombia R.
☒ ☐				to	
☐ ☐				to	

Total authorized under rights 14.47 cfs and/or 4,864.5 ac-ft

2. Total amount of water proposed to be transferred or changed 14.47 cubic feet per second and/or 4,864.5 acre-feet per annum.

3. Point(s) of Diversion:

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

New ?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

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

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	4W	16										19	30						74
		17													40	20	37	40	443
		20	30			40												20	400
		21		40	40		40	40	40	40	40	40	40	40		40	40		480
		28		40			40	40	40	40	40	40	40						320
		29	40		40	40									40	40		40	240

Total Acres (for irrigation use) 1027 w/i 4354 1256

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DEPARTMENT OF WATER RESOURCES

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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: Existing pump station, well and pressurized irrigation system

Applicant proposes 71 acres irrigation from groundwater and 956 acres irrigation from Snake River water within a 4,354 1256
permissible place of use. See Part 3, C.1. for acre calculations

- b. Who owns the property at the point(s) of diversion? Applicant owns the well site, State of Idaho owns the river site.

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

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

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

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

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

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use: _____

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

Yes No

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

If yes, describe: See attached cover letter and 2004 and 2006 aerial photos

xR 74776

Total Acres (for irrigation use) _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.: Ground water right 57-2254 with a 1962 priority date was developed as the primary source for 71 acres irrigation. Later in priority Snake River water rights 2-10238, 2-10240 and 2-10242 authorize irrigation of 181 acres within a 193-acre ppu. This ppu includes 65 acres licensed under right 57-2254 (6 acres in the N1/2SE on right 57-2254 are outside the ppu). As a result, the 193-acre ppu consists of 12 acres (193 - 181) irrigated with only ground water, 53 acres (65 - 12) irrigated with primary ground water and supplemental Snake River water, and 128 acres (181 - 53) irrigated with only Snake River water.

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 15 attachments.

Received by Jmh Date 9-17-09 Prelim. Check by AR Date 10/13/09

Fee Paid \$810.00 Date 7/29/08 Received by DB Receipt # W036412

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

* PD \$1,582.90 REFUNDED \$772.90 PD CORRECT FEE \$810.00

ATTACHMENT 2a
OWNERSHIP DOCUMENTATION

AN. 12. 2004 3:31PM

P03129

NO. 416

P. 2

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JAN 13 2004

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

FOR VALUE RECEIVED, LESLIE LOUCKS and LAVADA CAROL LOUCKS, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto DALE VAN ES and JACKIE VAN ES, husband and wife, of 722 HCR, 1413 W, COVINGTON, Idaho, Texas the Grantees, the following described premises, situated in Owyhee 76636 County, State of Idaho, to-wit:

See Exhibit "A" attached hereto and by this reference incorporated herein.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that said premises are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 30th day of May, 2001.

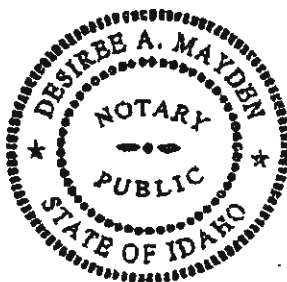
Leslie Loucks
LESLIE LOUCKS

Lavada Carol Loucks
LAVADA CAROL LOUCKS

STATE OF IDAHO)
County of Canyon) ss.

On this 30th day of May, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared LESLIE LOUCKS and LAVADA CAROL LOUCKS, 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.

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



Desiree A. Mayden
Notary Public for Idaho
Residing at: Nampa
My Commission Expires: 3-9-2006

WARRANTY DEED

BY [Signature]
DEPUTY
CLERK OF DISTRICT COURT
OWYHEE COUNTY, IDAHO

01 MAY 31 PM 4:31

FILED - RECORDED

236031

ATTACHMENT 2a (30 PGS)

2360317

EXHIBIT "A"TRACT I

Parcels of land being portions of Sections 17, 21 28 and 29, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, and being more particularly described as follows:

PARCEL 1:**SECTION 17:**

A parcel of land lying in a portion of the Southeast Quarter of Section 17, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said parcel being more particularly described as follows:

COMMENCING at a found brass cap marking the East Quarter Corner of Section 20, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho; thence North 01° 09' 21" East 1325.29 feet along the East boundary of the Northeast Quarter of said Section 20 to a found brass cap marking the North Sixteenth Corner common to said Sections 20 and 21; thence continuing along the said East boundary of the Northeast Quarter of Section 20,

North 01° 01' 11" East 1321.30 feet to a point marking the Section Corner common to Sections 16, 17, 20 and 21, said point being witnessed by a set 5/8 inch iron pin which bears

South 01° 01' 11" West 50.00 feet; thence

North 00° 38' 01" East 819.37 feet along the East boundary of the said Southeast Quarter of Section 17 to a set 5/8 inch iron pin; thence

North 84° 16' 16" West 245.99 feet to a point; thence

South 00° 38' 01" West 568.91 feet to a set 1/2 inch iron pin, said pin marking the REAL POINT OF BEGINNING; thence

South 89° 23' 59" East 50.00 feet to a set 1/2 inch iron pin; thence

South 00° 38' 01" West 50.00 feet to a set 1/2 inch iron pin; thence

North 89° 23' 59" West 50.00 feet to a set 1/2 inch iron pin; thence

North 00° 38' 01" East 50.00 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH:**EASEMENT B:**

A 20 foot wide ingress, egress, construction and maintenance easement lying in a portion of the Southwest Quarter of Section 16 and a portion of the Southeast Quarter of Section 17, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said easement centerline being more particularly described as follows:

COMMENCING at a found brass cap marking the East Quarter Corner of Section 20, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho; thence _____

236031..

North 01° 09'21" East 1325.29 feet along the East boundary of the Northeast Quarter of said Section 20 to a found brass cap marking the North Sixteenth Corner common to said Sections 20 and 21; thence continuing along the said East boundary of the Northeast Quarter of Section 20,

North 01° 01'11" East 1321.30 feet to a point marking the Section Corner common to Sections 16, 17, 20 and 21, said point being witnessed by a set 5/8 inch iron pin which bears

South 01° 01'11" West 50.00 feet; thence

North 00° 38'01" East 819.37 feet along the East boundary of the said Southeast Quarter of Section 17 to a set 5/8 inch iron pin; thence

South 84° 16'16" East 25.36 feet to a set 5/8 inch iron pin marking a point of curve to the right and lying on the centerline of an existing County Road; thence long said curve to the right and along the said centerline of the existing County Road, a distance of 120.41 feet, said curve having a delta of 4° 02'58", a radius of 1703.69 feet, tangents of 60.23 feet, and a long chord of 120.38 feet which bears

North 04° 20'50" East to a point marking the REAL POINT OF BEGINNING; thence

South 84° 08'33" West 177.46 feet to a point of curve to the left; thence along said curve to the left, a distance of 85.11 feet, said curve having a delta of 83° 32'32", a radius of 58.37 feet, tangents of 52.14 feet, and a long chord of 77.77 feet which bears

South 42° 22'17" West to the point of ending of said curve; thence

South 00° 38'01" West 586.81 feet to a set 1/2 inch iron pin; thence

North 89° 23'59" West 20.00 feet to a point; thence

North 00° 36'01" East 586.81 feet to a point of curve to the right; thence along said curve to the right, a distance of 114.27 feet, said curve having a delta of 83° 32'32", a radius of 78.37 feet, tangents of 70.00 feet, and a long chord of 104.41 feet which bears

North 42° 22'17" East to the point of ending of said curve; thence

North 84° 08'33" East 181.92 feet to a point lying along said curve and along said centerline of the existing County Road; thence along said curve and said centerline, a distance of 20.49 feet, said curve having a delta of 00° 41'21", a radius of 1703.69 feet, tangents of 10.25 feet, and a long chord of 20.49 feet which bears

South 06° 43'08" West to the point of ending of said centerline easement.

EXCEPTING THEREFROM any portion thereof lying within the existing County Road.

ALSO TOGETHER WITH:

EASEMENT C:

A 10 foot wide ingress, egress, construction, maintenance and utility easement lying in a portion of the Southeast Quarter of Section 17, Township 2 North, Range 4 West, Owyhee County, Idaho, said easement being more particularly described as follows:

COMMENCING at a found brass cap marking the East Quarter Corner of Section 20, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho; thence

North 01° 09'21" East 1325.29 feet along the East boundary of the Northeast Quarter of said Section 20 to a found brass cap marking the North Sixteenth Corner common to Sections 20 and 21; thence continuing along the said East boundary of the Northeast Quarter of Section 20,

236031..

North 01° 01'11" East 1321.30 feet to a point marking the Section Corner common to Sections 16, 17, 20 and 21, said point being witnessed by a set 5/8 inch iron pin which bears

South 01° 01'11" West 50.00 feet; thence

North 00° 36'01" East 258.50 feet along the East boundary of the said Southeast Quarter of Section 17 to a point, said point marking the REAL POINT OF BEGINNING; thence

South 89° 46'50" West 195.03 feet to a point; thence

North 00° 36'01" East 10.00 feet to a point; thence

North 89° 46'50" East 195.03 feet to a point lying on the said East boundary of the Southeast Quarter of Section 17, said point bears

South 00° 36'01" West 2372.66 feet from a set 5/8 inch iron pin marking the East Quarter Corner of said Section 17; thence

South 00° 36'01" West 10.00 feet along the said East boundary of the Southeast Quarter of Section 17 to the REAL POINT OF BEGINNING.

ALSO TOGETHER WITH:

EASEMENT D:

A 10 foot wide ingress, egress, construction, maintenance and utility easement lying in a portion of the Southeast Quarter of Section 17, Township 2 North, Range 4 West, Owyhee County, Idaho, said easement being more particularly described as follows:

COMMENCING at a found brass cap marking the East Quarter Corner of Section 20, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho; thence

North 01° 09'21" East 1325.29 feet along the East boundary of the Northeast Quarter of said Section 20 to a found brass cap marking the North Sixteenth Corner common to Sections 20 and 21; thence continuing along the said East boundary of the Northeast Quarter of Section 20,

North 01° 01'11" East 1321.30 feet to a point marking the Section Corner common to Sections 16, 17, 20 and 21, said point being witnessed by a set 5/8 inch iron pin which bears

South 01° 01'11" West 50.00 feet, said point also being the REAL POINT OF BEGINNING; thence

North 89° 15'17" West 12.85 feet along the South boundary of the Southeast Quarter of Section 17 to a point, said point bears

South 89° 15'17" East 1308.72 feet from a found brass cap marking the East Sixteenth Corner common to said Sections 17 and 20; thence

North 38° 42'06" West 287.43 feet to a set 1/2 inch iron pin; thence

North 00° 36'01" East 15.79 feet to a point; thence

South 38° 42'06" East 307.87 feet to the REAL POINT OF BEGINNING.

PARCEL 2:

SECTION 21:

The Southeast Quarter of the Southeast Quarter of the Northwest Quarter, the Easterly 3/4 of the Southwest Quarter of the Southeast Quarter of the Northwest Quarter, the Northeast Quarter of the Northeast Quarter of the Southwest Quarter, and the Northerly 3/4 of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 21,

236031..

Township 2 North, Range 4 West, Owyhee County, Idaho.

PARCEL 3:

SECTION 28:

The West Half of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, the East Half of the Northwest Quarter and the South Half of the Northwest Quarter of the Northeast Quarter of Section 28, Township 2 North, Range 4 West, Owyhee County, Idaho.

PARCEL 4:

SECTION 29:

The Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 29, Township 2 North, Range 4 West, Owyhee County, Idaho.

TOGETHER WITH and subject to the following described roadway easements:

EASEMENT No. 1:

A 50 foot wide roadway easement for the purpose of ingress, egress and maintenance of said roadway as it is now constructed, said easement lying in portions of Sections 21 and 28, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said easement being 25 feet wide on either side of the centerline of said existing roadway, said easement centerline being more or less described as follows:

COMMENCING at a point lying 25 feet East of the Section corner common to Sections 16, 17, 20 and 21, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said point also marking the REAL POINT OF BEGINNING; thence

South along a line 25 feet East of and parallel with the Section line common to said Sections 20 and 21 to a point lying 25 feet East of the Section corner common to Sections 20, 21, 28 and 29; thence

East along the Section line common to said Sections 21 and 28 to a point lying 25 feet West of the East Sixteenth corner common to said Sections 21 and 28; thence

North along a line 25 feet West of and parallel with the West line of the East Half of the East Half of said Section 21 to a point lying 25 feet West of the East Sixteenth corner of said Section 21, said point also marking the point of ending of said easement centerline.

EASEMENT No. 2:

A 50 foot wide roadway easement for the purpose of ingress, egress and maintenance of said roadway as it is now constructed, said easement lying in portions of Sections 21 and 28, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said easement being 25 feet wide on either side of the centerline of said existing roadway, said easement centerline being more or less described as follows:

236031.4

COMMENCING at a point marking the Section corner common to Sections 16, 17, 20 and 21, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho; thence

South along the Section line common to said Sections 20 and 21 to a point lying 25 feet South of the North Sixteenth corner common to Sections 20 and 21, said point also marking the **REAL POINT OF BEGINNING**; thence

East along a line 25 feet South of and parallel with the North line of the South Half of the Northwest Quarter of said Section 21 to a point lying 25 feet West of and 25 feet South of the North Sixteenth corner of said Section 21; thence

South along a line 25 feet West of and parallel with the Center Section line of said Section 21 to a point lying 25 feet West of the North Sixteenth corner of said Section 28, said point also marking the point of ending of said easement centerline.

EASEMENT No. 3:

A 50 foot wide roadway easement for the purpose of ingress, egress and maintenance of said roadway as it is now constructed, said easement lying in portions of Section 28, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said easement being 25 feet wide on either side of the centerline of said existing roadway, said easement centerline being more or less described as follows:

COMMENCING at a point marking the Section corner common to Sections 16, 17, 20 and 21, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho; thence

South along the Section line common to said Sections 20 and 21 to a point marking the Section corner common to Sections 20, 21 28 and 29; thence

East along the Section line common to said Section 21 and 28 to a point marking the West Sixteenth corner common to said Section 21 and 28, said point also marking the **REAL POINT OF BEGINNING**; thence

South along the East line of the West Half of the West Half of said Section 28 to a point marking the West Sixteenth corner of said Section 28, said point also marking the point of ending of said easement centerline.

JAN 13 2004

WATER RESOURCES
WESTERN REGION

DE

WARRANTY DEED

FOR VALUE RECEIVED, LESLIE LOUCKS and LAVADA CAROL LOUCKS, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto DALE VAN ES and JACKIE VAN ES, husband and wife, of 722 HCR, 1413 W, Covington, Idaho, Texas, the Grantees, the following described premises, situated in Owyhee County, State of Idaho, to-wit:

See Exhibit "A" attached hereto and by this reference incorporated herein.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that said premises are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 30th day of May, 2001.

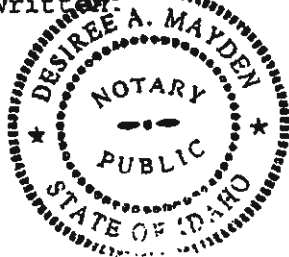
Leslie Loucks
LESLIE LOUCKS

Lavada Carol Loucks
LAVADA CAROL LOUCKS

STATE OF IDAHO)
County of Canyon) ss.

On this 30th day of May, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared LESLIE LOUCKS and LAVADA CAROL LOUCKS, 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.

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



Desiree A. Mayden
Notary Public for Idaho
Residing at: Hampton
My Commission Expires: 3-9-2006

WARRANTY DEED

EXHIBIT "A"**TRACT II**

Parcels of land being portions of Sections 20, 21 28 and 29, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, and being more particularly described as follows:

PARCEL 1:**SECTION 20:**

The East Half of the East Half of the Southeast Quarter of the Northeast Quarter and the East Half of the Southeast Quarter of the Southeast Quarter of Section 20, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho.

PARCEL 2:**SECTION 21:**

The West Half of the Northwest Quarter, the Northeast Quarter of the Northwest Quarter, the North Half of the Southeast Quarter of the Northwest Quarter, the West Half of the West Half of the Southwest Quarter of the Southeast Quarter of the Northwest Quarter, the West Half of the Southwest Quarter, the Southeast Quarter of the Southwest Quarter, the West Half of the Northeast Quarter of the Southwest Quarter, the South Half of the South Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter, the West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter, the West Quarter, and the Southwest Quarter of the Southeast Quarter of Section 21, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho.

PARCEL 3:**SECTION 28:**

All of the West Half of the Northwest Quarter and the North Half of the Northwest Quarter of the Northeast Quarter of Section 28, Township 2 North, Range 4 West, Owyhee County, Idaho.

PARCEL 4:**SECTION 29:**

The East Half of the Northeast Quarter, the Southwest Quarter of the Northeast Quarter, the South Half of the South Half of the South Half of the Northwest Quarter of the Northeast Quarter and the North Half of the Northwest Quarter of the Southeast Quarter of Section 29, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho.

TOGETHER WITH and subject to the following described roadway easements:

EASEMENT No. 1:

A 50 foot wide roadway easement for the purpose of ingress, egress and maintenance of said roadway as it is now constructed, said easement lying in portions of Sections 21 and 28, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said easement being 25 feet wide on either side of the centerline of said existing roadway, said easement centerline being more or less described as follows:

COMMENCING at a point lying 25 feet East of the Section corner common to Sections 16, 17, 20 and 21, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said point also marking the **REAL POINT OF BEGINNING**; thence

South along a line 25 feet East of and parallel with the Section line common to said Sections 20 and 21 to a point lying 25 feet East of the Section corner common to Sections 20, 21, 28 and 29; thence

East along the Section line common to said Sections 21 and 28 to a point lying 25 feet West of the East Sixteenth corner common to said Sections 21 and 28; thence

North along a line 25 feet West of and parallel with the West line of the East Half of the East Half of said Section 21 to a point lying 25 feet West of the East Sixteenth corner of said Section 21, said point also marking the point of ending of said easement centerline.

EASEMENT No. 2:

A 50 foot wide roadway easement for the purpose of Ingress, egress and maintenance of said roadway as it is now constructed, said easement lying in portions of Sections 21 and 28, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said easement being 25 feet wide on either side of the centerline of said existing roadway, said easement centerline being more or less described as follows:

COMMENCING at a point marking the Section corner common to Sections 16, 17, 20 and 21, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho; thence

South along the Section line common to said Sections 20 and 21 to a point lying 25 feet South of the North Sixteenth corner common to Sections 20 and 21, said point also marking the **REAL POINT OF BEGINNING**; thence

East along a line 25 feet South of and parallel with the North line of the South Half of the Northwest Quarter of said Section 21 to a point lying 25 feet West of and 25 feet South of the North Sixteenth corner of said Section 21; thence

South along a line 25 feet West of and parallel with the Center Section line of said Section 21 to a point lying 25 feet West of the North Sixteenth corner of said Section 28, said point also marking the point of ending of said easement centerline.

EASEMENT No. 3:

A 50 foot wide roadway easement for the purpose of Ingress, egress and maintenance of said roadway as it is now constructed, said easement lying in portions of Section 28, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said easement being 25 feet wide on either side of the centerline of said existing roadway, said easement centerline being more or less described as follows:

COMMENCING at a point marking the Section corner common to Sections 16, 17, 20 and 21, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho; thence

South along the Section line common to said Sections 20 and 21 to a point marking the Section corner common to Sections 20, 21 28 and 29; thence

East along the Section line common to said Section 21 and 28 to a point marking the West Sixteenth corner common to said Section 21 and 28, said point also marking the **REAL POINT OF BEGINNING**; thence

South along the East line of the West Half of the West Half of said Section 28 to a point marking the West Sixteenth corner of said Section 28, said point also marking the point of ending of said easement centerline.

EASEMENT No. 4:

A 50 foot wide ingress, egress, maintenance, utility and drainage easement lying in a portion of the Northwest Quarter of Section 21, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, and being more particularly described as follows:

COMMENCING at a found brass cap marking the East Quarter corner of Section 20, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho; thence North 01° 09' 21" East 1325.29 feet along the East boundary of the Northeast Quarter of Section 20 to a found brass cap marking the North Sixteenth corner common to said Sections 20 and 21; thence continuing along the said East boundary of the Northeast Quarter of Section 20,

North 01° 01' 11" East 1321.30 feet to a point marking the Section corner common to Sections 16, 17, 20 and 21, said point being witnessed by a set 5/8 inch iron pin which bears

South 01° 01' 11" West 50.00 feet, said point also marking the REAL POINT OF BEGINNING; thence

South 89° 05' 45" East (formerly S 89° 05' 38" E) 585.96 feet along the South boundary of the West Half of the Southwest Quarter of said Section 16 to a point; thence

South 00° 54' 15" West 50.00 feet to a point; thence

North 89° 05' 45" West (formerly N 89° 05' 38" W) 586.06 feet to a set 5/8 inch iron pin lying on the said East boundary of the Northeast Quarter of Section 20; thence

North 01° 01' 11" East 50.00 feet along the East boundary of the Northeast Quarter of Section 20 to the REAL POINT OF BEGINNING.

EASEMENT No. 5:

A 50 foot wide roadway easement for the purpose of ingress, egress and maintenance of said roadway as it is now constructed, said easement lying in portion of Section 20, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said easement being 25 feet wide on either side of the centerline of said existing roadway, said easement centerline being more or less described as follows:

COMMENCING at a point marking the Section corner common to Sections 16, 17, 20 and 21, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho; thence

South along the Section line common to said Sections 20 and 21 to a point lying 25 feet North of the Quarter corner common to said Section 20 and 21, said point also marking the REAL POINT OF BEGINNING; thence

West along a line 25 feet North of and parallel with the Center Section line of said Sections 20 and 21 to a point lying 25 feet North of the Southwest corner of the East Half of the East Half of the Southeast Quarter of the Northeast Quarter of said Section 20, said point also marking the point of ending of said easement centerline.

EASEMENT No. 6:

A 50 foot wide roadway easement for the purpose of ingress, egress and maintenance of said roadway as it is now constructed, said easement lying in portion of Section 29, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said easement being 25 feet wide on either side of the centerline of said existing roadway, said easement centerline being more or less described as follows:

COMMENCING at a point marking the Section corner common to Sections 16, 17, 20 and 21, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho; thence

South along the Section line common to said Sections 20 and 21 to a point marking the Section corner common to Sections 20, 21, 28 and 29; thence

South along the Section line common to said Sections 28 and 29 to a point lying 25 feet South of the said Section corner common to Sections 20, 21, 28 and 29, said point lying 25 feet South of the said Section corner common to Sections 20, 21, 28 and 29, said point also marking the REAL POINT OF BEGINNING; thence

West along a line 25 feet South of and parallel to the Section line common to said Sections 20 and 29 to a point lying 25 feet South of the East Sixteenth corner common to said Sections 20 and 29, said point also marking the point of ending of said easement centerline.

EASEMENT No. 7 (IRRIGATION):

A 10 foot wide easement for the purpose of ingress, egress and maintenance of an existing irrigation line, said easement lying in portion of Section 21, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said easement being 5 feet wide on either side of the centerline of said existing irrigation line, said easement centerline being more or less described as follows:

COMMENCING at a point lying 55 feet East of the Section corner common to Sections 16, 17, 20 and 21, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said point also marking the REAL POINT OF BEGINNING; thence

South along the Section line 55 feet of and parallel to the Section line common to said Sections 20 and 21 to a point lying 55 feet East of the South Sixteenth corner common to said Sections 20 and 21; thence

East along the North line of the South Half of the South Half of said Section 21 to a point marking the Southeast Sixteenth corner of said Section 21, said point also marking the point of ending of said easement centerline.

Warranty Deed

The Grantor is **Leslie Loucks and Lavada Loucks**, husband and wife, (herein called grantor).

The Grantee is **Dale Van Es and Jackie Van Es**, husband and wife, (herein called grantee) whose current address is: **8222 Desert Dr. Marsing, Idaho 83639**.

For **VALUE RECEIVED**, the grantor hereby grants, bargains, sells and conveys unto the grantee that real property herein or "the promises" situated in **Owyhee County, Idaho**, and described as follows:

Together with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection there with.

(property description attached)

SUBJECT TO each of the following:

(Taxes prorated by date) All taxes, both general and special levied against the premises by any taxing unit for any purpose including but not limited to irrigation, drainage, bonds and special improvements prorated for the period of time of and after the date of: March 13 2006 with the grantor to pay before delinquency all such taxes prorated for the period of time after such date.

(Patents or state grants) All reservations in patents or state grants or in the laws of authorizing the issuance thereof

(Bonded debt of taxing units) The bonded debt of all taxing units

(Local improvements) Any taxes for local improvements not now completed

(Zoning requirements, etc.) All zoning requirements and restrictions imposed by any governmental unit.

(Building codes, etc.) All requirements and restrictions provided by any fire, building, plumbing, electrical and other similar codes imposed by any governmental unit.

(Irrigation district contracts) All repayment contracts between the Gem Irrigation District and the United States.

(Restrictions, etc. of record) All restrictions, covenants, servitudes, limitations, conditions and prohibitions of record or provided by law

(All rights of way) All rights of way under, over and across the premises regardless of how evidenced or acquired and whether the same appear of record or not

EASEMENTS CONVEYED: The grantor hereby conveys to the grantee each easement which is described in the recorded document.

Each such easement is conveyed on the terms and conditions following:

1. Each such easement shall continue forever, shall be appurtenant to the premises and shall never be severed from the premises.
2. Each easement is nonexclusive and the grantee and each other parcel owner to whom the grantor conveys such easement shall have an equal right to use each such easement.
3. Each parcel owner who has the right to use each such easement shall use the same so as not to unreasonably interfere with the use thereof by each other parcel owner who has the right to use such easement.
4. Each such easement which is for a road shall not be fenced or gated or otherwise obstructed. Each such easement which is for any purpose except a road shall be kept reasonably free of fences and structures which would interfere with the construction, maintenance, repair and reconstruction of such easement.
5. If any such easement is for a road and is also for other allowed purposes shall be constructed and installed under or across such easement in a manner which does not unreasonably interfere with and does not obstruct such road.
6. Each such easement shall be constructed, maintained, repaired and reconstructed as necessary to keep such easement in a good and serviceable condition for the uses and purposes designated in such easement.
7. All costs of constructing, maintaining, repairing and reconstructing each such easement shall be shared equally between or among those parcel owners who have the right to use each such easement.

EASEMENTS RESERVED: The grantor hereby reserves each easement on the premises which is described in the recorded document.

1. Each such easement shall continue forever, shall be appurtenant to each parcel described in the recorded document which the grantor conveys the right to the use of such easement and shall never be severed from such parcel or parcels.

2. Each such easement is nonexclusive and the grantee and each other parcel owner to whom the grantor conveys such easement shall have an equal right to use each such easement.
3. Each parcel owner who has the right to use such easement shall so use the same so as not to unreasonably interfere with the use hereof by each other parcel owner who has the right to use such easement.
4. Each such easement which is for a road shall not be fenced or gated or otherwise obstructed. Each such easement which is for any purpose except a road shall be kept reasonably free of fences and structures which would interfere with the construction, maintenance, repair and reconstruction of such easement.
5. If any such easement is for a road and is also for other allowed purposes, then all improvements and structures constructed or installed for such other allowed purposes shall be constructed and installed under or over or across such easement in a manner which does not unreasonably interfere with and does not obstruct such road.

DEFINITIONS: When used in this deed, the terms following shall have the meanings following:

- "person" means and includes each natural person, partnership, corporation, trust, estate, governmental unit and every other legal entity known to or recognized by the law.
- "successor" means each personal representative, executor, administrator, heir, devisee, legatee, assignee, transferee and other successor of a party of the parties designated.
- "recorded document" means that affidavit entitled "Record of Survey" which was recorded in the office of the Recorder for Owyhee County, Idaho.
- "subject property" means the real property so designated in and described in the recorded document.
- "parcel" means a part of the subject property which is so designated in and is separately described in the recorded document.
- "parcel owner" means a person who is the legal or equitable owner of any of the separate parcels of real estate described in the recorded document.

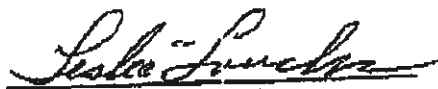
(Singular terms) Singular terms used herein shall be read as if written in the plural when the context so requires or permits.

(Plural terms) The plural of a singular term defined herein shall have the same meaning or make the same references as that singular term but in the plural.

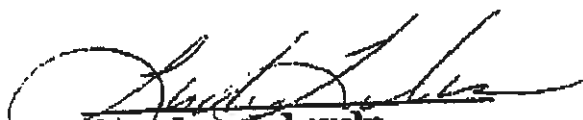
TO HAVE AND TO HOLD the premises and its appurtenances unto the grantee and the grantee's successors and assigns forever and the grantor hereby covenants to and with the grantee as follows: that the grantor is the owner in fee simple of the premises; that the premises are free and clear of all liens and encumbrances except those described above to which this deed is expressly made subject; and that the grantor will warrant and defend the premises from all lawful claims whatsoever.

DATED: March 13, 2006

SIGNED BY GRANTOR:


Name: Leslie Loucks

3-13-06
Date signed


Name: Lavada Loucks

3-13-06
Date signed

SIGNED BY GRANTEE:


Name: Dale Van Es

3-13-06
Date signed


Name: Jackie Van Es

3-13-06
Date signed

STATE OF IDAHO, County of Idaho

On this date, before me, the undersigned notary public for such state, personally appeared Leslie Loucks and Lavada Loucks, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me they executed the same.

WITNESS my hand and seal on March 13, 2006



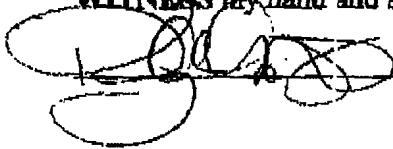
Notary Public for Idaho.



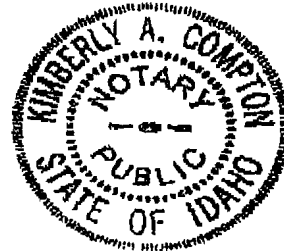
STATE OF IDAHO, County of Kim

On this date, before me, the undersigned notary public for such state, personally appeared **Dale Van Es and Jackie Van Es**, husband and wife known to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and seal on March 13, 2006



Notary Public for Idaho.



131.13 ACRES OPTION

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RECORD OF SURVEY
FOR

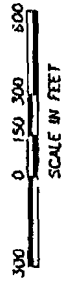
LES AND LAVADA LOUCKS

PARCELS OF LAND LYING IN THE W1/2 SW1/4 OF SECTION 16,
THE SE1/4 OF SECTION 17, AND THE NE1/4 NE1/4 OF
SECTION 20, T.2N., R.4W., BOISE MERIDIAN,
OWYHEE COUNTY, IDAHO
2001

CERTIFICATE OF SURVEYOR

THIS IS TO CERTIFY THAT L. COLLEEN MARKS, BEING A REGISTERED LAND
SURVEYOR IN THE STATE OF IDAHO, HEREBY CERTIFIES THAT THIS IS AN
ACCURATE AND CORRECT REPRESENTATION OF THE PROPERTY AND THAT IT IS
CONFORMITY WITH THE CORNER PREPARATION AND PLACING ACT - IDAHO
CODE SS-1801 THROUGH SS-1811.

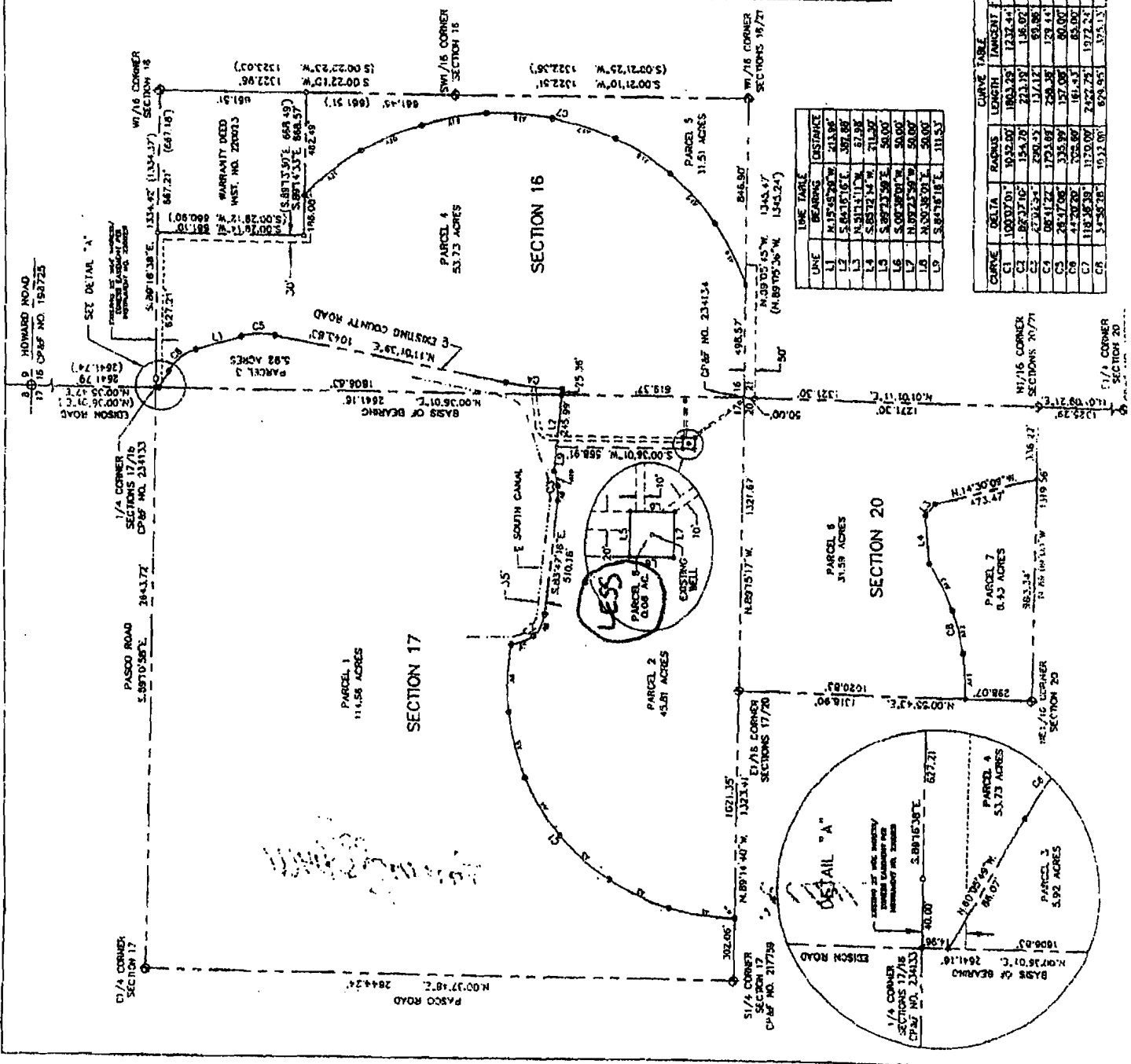
Colleen Marks
COLLEEN MARKS, L.S. 7045



LEGEND

- PROPERTY BOUNDARY
- - - EASEMENT LIMITS
- FOUND BRASS CAP MONUMENT
- WITNESS CORNER-FOUND 5/8" IRON PIN
- SET 5/8" IRON PIN
- WITNESS CORNER-SET 5/8" IRON PIN
- SET 1/2" IRON PIN
- FOUND 1/2" IRON PIN
- CALC. POINT
- () DATA OF RECORD

INDEX No. 2-4-16-17-20-000-0002
MARKS LAND SURVEYING
COLLEEN MARKS, L.S. 7045
6405 USTICK RD.
BOISE, IDAHO 83704



ARC LENGTH TABLE

ARC	LENGTH
A1	300.00
A2	300.00
A3	300.00
A4	300.00
A5	300.00
A6	300.00
A7	300.00
A8	300.00
A9	300.00
A10	300.00
A11	300.00
A12	300.00
A13	300.00
A14	300.00
A15	300.00
A16	300.00
A17	300.00
A18	300.00
A19	300.00
A20	300.00
A21	300.00
A22	300.00

LINE TABLE

LINE	BEARING	DISTANCE
1	N.15°32'28\"	211.80
2	S.84°15'15\"	597.80
3	N.31°11'11\"	77.98
4	S.85°12'14\"	71.50
5	S.89°13'38\"	50.00
6	S.00°00'00\"	50.00
7	N.00°00'00\"	50.00
8	N.00°00'00\"	50.00
9	S.84°16'18\"	111.53

CURVE TABLE

CURVE	DELTA	RADIUS	CHORD	CHORD BEARING
C1	100°00'00\"	1032.00	1863.93	N.50°15'36\"
C2	87°27'16\"	154.78	213.19	S.42°26'40\"
C3	67°03'54\"	290.53	131.17	N.87°41'17\"
C4	66°12'22\"	179.67	129.38	N.05°40'11\"
C5	28°17'08\"	335.99	157.00	N.02°13'33\"
C6	44°20'00\"	708.60	161.53	N.37°55'39\"
C7	118°38'39\"	1120.00	2422.74	S.19°47'33\"
C8	5°38'58\"	1032.00	879.95	S.72°21'11\"

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PROPERTY DESCRIPTION
131.13 ACRES

Parcels of land being portions of Sections 16, 17 and 20, T.2N., R.4W., B.M., Owyhee County, Idaho and being more particularly described as follows:

SECTION 16:

A parcel of land being a portion of the W1/2 SW1/4 of Section 16, T.2N., R.4W., B.M., Owyhee County, Idaho and being more particularly described as follows:

Commencing at a found Brass Cap marking the E1/4 Corner of Section 20, T.2N., R.4W., B.M., Owyhee County, Idaho; thence N.01°09'21"E. 1325.29 feet along the east boundary of the NE1/4 of said Section 20 to a found Brass Cap marking the N1/16 Corner common to said Section 20 and Section 21; thence continuing along the said east boundary of the NE1/4 of Section 20, N.01°01'11"E. 1321.30 feet to a point marking the Section Corner common to Sections 16, 17, 20 and 21, said point being witnessed by a set 5/8" iron pin which bears S.01°01'11"W. 50.00 feet, said point also marking the REAL POINT OF BEGINNING;

thence N.00°36'01"E. 819.37 feet along the west boundary of the said W1/2 SW1/4 of Section 16 to a set 5/8" iron pin;

thence S.84°16'16"E. 25.36 feet to a set 5/8" iron pin lying on the centerline of an existing County Road, said pin also marking a point of curve to the right;

thence along the said centerline of said existing County Road the following courses and distances:

along said curve to the right, a distance of 258.38 feet, said curve having a delta of 08°41'22", a radius of 1703.69 feet, tangents of 129.44 feet, and a long chord of 258.13 feet which bears N.06°40'11"E. to a set 5/8" iron pin marking the point of ending of said curve to the right;

thence N.11°01'39"E. 1043.63 feet to a set 5/8" iron pin marking a point of curve to the left;

thence along said curve to the left, a distance of 157.08 feet, said curve having a delta of 26°47'08", a radius of 335.99 feet, tangents of 80.00 feet, and a long chord of 155.65 feet

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Colleen Marks, L.S. 7045 • 6405 Urtlek Road • Boise, ID 83704 • (208) 378-7703

which bears N.02°21'55"W. to a set 5/8" iron pin marking the point of ending of said curve to the left;

thence N.15°45'29"W. 213.96 feet to a set 5/8" iron pin marking a point of curve to the left;

thence along said curve to the left, a distance of 161.43 feet, said curve having a delta of 44°20'20", a radius of 208.60 feet, tangents of 85.00 feet, and a long chord of 157.43 feet which bears N.37°55'39"W. to a set 5/8" iron pin marking the point of ending of said curve to the left;

thence N.60°05'49"W. 86.07 feet to a set 5/8" iron pin lying on the said west boundary of the W1/2 SW1/4 of Section 16;

thence leaving the said centerline of said existing County Road, N.00°36'01"E. 14.96 feet along the said west boundary of the W1/2 SW1/4 of Section 16 to a set 5/8" iron pin marking the 1/4 Corner common to said Sections 16 and 17, said pin also being witnessed by a found 5/8" iron pin which bears S.89°16'38"E. 40.00 feet;

thence S.89°16'38"E. 667.21 feet along the north boundary of the said W1/2 SW1/4 of Section 16 to a found 1/2" iron pin;

thence S.00°29'14"W. 661.10 feet (formerly S.00°29'12"W. 660.90 feet) to a found 1/2" iron pin;

thence S.89°14'33"E. (formerly S.89°13'30"E.) 186.08 feet to a set 5/8" iron pin marking a point of curve to the right;

thence along said curve to the right, a distance of 2422.76 feet, said curve having a delta of 118°38'39", a radius of 1170.00 feet, tangents of 1972.24 feet, and a long chord of 2012.52 feet which bears S.10°47'23"W. to a set 5/8" iron pin marking the ending of said curve to the right and lying on the south boundary of the said W1/2 SW1/4 of Section 16;

thence N.89°05'45"W. (formerly N.89°05'36"W.) 498.57 feet along the said south boundary of the W1/2 SW1/4 of Section 16 to the point of beginning, containing 53.73 acres, more or less.

SUBJECT TO:

A 25 foot wide ingress and egress easement lying in a portion of the W1/2 SW1/4 of Section 16, T.2N., R.4W., B.M., Owyhee County, Idaho and being more particularly described under Instrument Number 2200231.

ALSO SUBJECT TO:

An ingress, egress, maintenance, utility and drainage easement lying in a portion of the W1/2 SW1/4 of Section 16, T.2N., R.4W., B.M., Owyhee County, Idaho and being more particularly described as follows:

Commencing at a set 5/8" iron pin marking the 1/4 Corner common to Sections 16 and 17, T.2N., R.4W., B.M., Ada County, Idaho, said pin also being witnessed by a found 5/8" iron pin which bears S.89°16'38"E. 40.00 feet; thence S.89°16'38"E. 667.21 feet along the north boundary of the said W1/2 SW1/4 of Section 16 to a found 1/2" iron pin marking the REAL POINT OF BEGINNING;

thence S.00°29'14"W. 661.10 feet (formerly S.00°29'12"W. 660.90 feet) to a found 1/2" iron pin;

thence S.89°14'33"E. (formerly S.89°13'30"E.) 186.08 feet to a set 5/8" iron pin marking a point of curve to the right;

thence along said curve to the right, a distance of 45.00 feet, said curve having a delta of 02°12'14", a radius of 1170.00 feet, tangents of 22.50 feet, and a long chord of 45.00 feet which bears S.47°25'50"E. to a point marking the ending of said curve to the right;

thence N.89°14'33"W. 249.48 feet to a point;

thence N.00°29'14"E. 666.08 feet to a point;

thence N.89°16'38"W. 637.26 feet to a point lying on the west boundary of the said W1/2 SW1/4 of Section 16;

thence N.00°36'01"E. 25.00 feet along said W1/2 SW1/4 of Section 16 to a set 5/8" iron pin marking the 1/4 Corner common to said Sections 16 and 17;

thence S.89°16'38"E. 667.21 feet along the north boundary of the said W1/2 SW1/4 of Section 16 to the point of beginning, containing 0.98 acres, more or less.



ALSO SUBJECT TO:

Any additional easements or rights of way of record or in use.

SECTION 17:

A parcel of land lying in the SE1/4 of Section 17, T.2N., R.4W., B.M., Owyhee County, Idaho and being more particularly described as follows:

Commencing at a found Brass Cap marking the E1/4 Corner of Section 20, T.2N., R.4W., B.M., Owyhee County, Idaho; thence N.01°09'21"E. 1325.29 feet along the east boundary of the NE1/4 of said Section 20 to a found Brass Cap marking the N1/16 Corner common to said Section 20 and Section 21; thence continuing along the said east boundary of the NE1/4 of Section 20, N.01°01'11"E. 1321.30 feet to a point marking the Section Corner common to Sections 16, 17, 20 and 21, said point being witnessed by a set 5/8" iron pin which bears S.01°01'11"W. 50.00 feet, said point also being the REAL POINT OF BEGINNING;

thence N.89°15'17"W. 1321.67 feet along the south boundary of the said SE1/4 of Section 17 to a found Brass Cap marking the E1/16 Corner common to said Sections 17 and 20;

thence continuing along the said south boundary of the SE1/4 of Section 17, N.89°14'40"W. 1021.35 feet to a set 5/8" iron pin marking a point of curve to the right;

thence along said curve to the right, a distance of 1803.29 feet, said curve having a delta of 100°07'01", a radius of 1032.00 feet, tangents of 1232.44 feet, and a long chord of 1582.47 feet which bears N.50°11'56"E. to a set 5/8" iron pin marking the ending of said curve to the right and also marking a point of curve to the left;

thence along said curve to the left, a distance of 223.19 feet, said curve having a delta of 82°37'10", a radius of 154.78 feet, tangents of 136.02 feet, and a long chord of 204.35 feet which bears S.42°28'40"E. to a set 5/8" iron pin marking the ending of said curve to the left;

thence S.83°47'16"E. 510.16 feet to a set 5/8" iron pin marking a point of curve to the left;

thence along said curve to the left, a distance of 137.12 feet, said curve having a delta of 27°02'54", a radius of 290.45 feet, tangents of 69.86 feet, and a long chord of 135.85 feet



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which bears N.82°41'17"E. to a set 5/8" iron pin marking the ending of said curve to the left;

thence S.84°16'16"E. 357.52 feet to a set 5/8" iron pin lying on the east boundary of the said SE1/4 of Section 17;

thence S.00°36'01"W. 819.37 feet along the said east boundary of the SE1/4 of Section 17 to the point of beginning, containing 45.87 acres, more or less.

EXCEPTING THEREFROM:

A parcel of land lying in a portion of the SE1/4 of Section 17, T.2N., R.4W., B.M., Owyhee County, Idaho, said parcel being more particularly described as follows:

Commencing at a found Brass Cap marking the E1/4 Corner of Section 20, T.2N., R.4W., B.M., Owyhee County, Idaho; thence N.01°09'21"E. 1325.29 feet along the east boundary of the NE1/4 of said Section 20 to a found Brass Cap marking the N1/16 Corner common to said Section 20 and Section 21; thence continuing along the said east boundary of the NE1/4 of Section 20, N.01°01'11"E. 1321.30 feet to a point marking the Section Corner common to Sections 16, 17, 20 and 21, said point being witnessed by a set 5/8" iron pin which bears S.01°01'11"W. 50.00 feet; thence N.00°36'01"E. 819.37 feet along the east boundary of the said SE1/4 of Section 17 to a set 5/8" iron pin; thence N.84°16'16"W. 245.99 feet to a point; thence S.00°36'01"W. 568.91 feet to a set 1/2" iron pin, said pin marking the REAL POINT OF BEGINNING;

thence S.89°23'59"E. 50.00 feet to a set 1/2" iron pin;

thence S.00°36'01"W. 50.00 feet to a set 1/2" iron pin;

thence N.89°23'59"W. 50.00 feet to a set 1/2" iron pin;

thence N.00°36'01"E. 50.00 feet to the point of beginning, containing 0.06 acres, more or less.

SUBJECT TO:

A 20 foot wide ingress, egress, construction and maintenance easement lying in a portion of the SW1/4 of Section 16 and a portion of the SE1/4 of Section 17, T.2N., R.4W., B.M., Owyhee County, Idaho, said easement being more particularly described as follows:

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Commencing at a found Brass Cap marking the E1/4 Corner of Section 20, T.2N., R.4W., B.M., Owyhee County, Idaho; thence N.01°09'21"E. 1325.29 feet along the east boundary of the NE1/4 of said Section 20 to a found Brass Cap marking the N1/16 Corner common to said Section 20 and Section 21; thence continuing along the said east boundary of the NE1/4 of Section 20, N.01°01'11"E. 1321.30 feet to a point marking the Section Corner common to Sections 16, 17, 20 and 21, said point being witnessed by a set 5/8" iron pin which bears S.01°01'11"W. 50.00 feet; thence N.00°36'01"E. 819.37 feet along the east boundary of the said SE1/4 of Section 17 to a set 5/8" iron pin; thence S.84°16'16"E. 25.36 feet to a set 5/8" iron pin marking a point of curve to the right and lying on the centerline of an existing County Road; thence along said curve to the right and along the said centerline of the existing County Road, a distance of 120.41 feet, said curve having a delta of 4°02'58", a radius of 1703.69 feet, tangents of 60.23 feet, and a long chord of 120.38 feet which bears N.04°20'59"E. to a point, said point marking the REAL POINT OF BEGINNING;

thence S.84°08'33"W. 177.46 feet to a point of curve to the left;

thence along said curve to the left, a distance of 85.11 feet, said curve having a delta of 83°32'32", a radius of 58.37 feet, tangents of 52.14 feet, and a long chord of 77.77 feet which bears S.42°22'17"W. to the point of ending of said curve;

thence S.00°36'01"W. 586.81 feet to a set 1/2" iron pin;

thence N.89°23'59"W. 20.00 feet to a point;

thence N.00°36'01"E. 586.81 feet to a point of curve to the right;

thence along said curve to the right, a distance of 114.27 feet, said curve having a delta of 83°32'32", a radius of 78.37 feet, tangents of 70.00 feet, and a long chord of 104.41 feet which bears N.42°22'17"E. to the point of ending of said curve;

thence N.84°08'33"E. 181.92 feet to a point lying along said curve and along said centerline of the existing County Road;

thence along said curve and said centerline, a distance of 20.49 feet, said curve having a delta of 00°41'21", a radius of 1703.69 feet, tangents of 10.25 feet, and a long chord of 20.49 feet which bears S.06°43'08"W. to the point of beginning, containing 0.40 acres, more or less.

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ALSO SUBJECT TO:

A 10 foot wide ingress, egress, construction, maintenance and utility easement lying in a portion of the SE1/4 of Section 17, T.2N., R.4W., B.M., Owyhee County, Idaho, said easement being more particularly described as follows:

Commencing at a found Brass Cap marking the E1/4 Corner of Section 20, T.2N., R.4W., B.M., Owyhee County, Idaho; thence N.01°09'21"E. 1325.29 feet along the east boundary of the NE1/4 of said Section 20 to a found Brass Cap marking the N1/16 Corner common to said Section 20 and Section 21; thence continuing along the said east boundary of the NE1/4 of Section 20, N.01°01'11"E. 1321.30 feet to a point marking the Section Corner common to Sections 16, 17, 20 and 21, said point being witnessed by a set 5/8" iron pin which bears S.01°01'11"W. 50.00 feet; thence N.00°36'01"E. 258.50 feet along the east boundary of the said SE1/4 of Section 17 to a point, said point marking the REAL POINT OF BEGINNING;

thence S.89°46'50"W. 195.03 feet to a point;

thence N.00°36'01"E. 10.00 feet to a point;

thence N.89°46'50"E. 195.03 feet to a point lying on the said east boundary of the SE1/4 of Section 17, said point bears S.00°36'01"W. 2372.66 feet from a set 5/8" iron pin marking the E1/4 Corner of said Section 17;

thence S.00°36'01"W. 10.00 feet along the said east boundary of the SE1/4 of Section 17 to the point of beginning, containing 0.04 acres, more or less.

ALSO SUBJECT TO:

A 10 foot wide ingress, egress, construction, maintenance and utility easement lying in a portion of the SE1/4 of Section 17, T.2N., R.4W., B.M., Owyhee County, Idaho, said easement being more particularly described as follows:

Commencing at a found Brass Cap marking the E1/4 Corner of Section 20, T.2N., R.4W., B.M., Owyhee County, Idaho; thence N.01°09'21"E. 1325.29 feet along the east boundary of the NE1/4 of said Section 20 to a found Brass Cap marking the N1/16 Corner common to said Section 20 and Section 21; thence continuing along the said east boundary of the NE1/4 of Section 20, N.01°01'11"E. 1321.30 feet to a point marking the Section Corner common to Sections 16, 17, 20 and 21, said point being witnessed by a

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MARKS

and

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set 5/8" iron pin which bears S.01°01'11"W. 50.00 feet, said point also being the REAL POINT OF BEGINNING;

thence N.89°15'17"W. 12.95 feet along the south boundary of the said SE1/4 of Section 17 to a point, said point bears S.89°15'17"E. 1308.72 feet from a found Brass Cap marking the E1/16 Corner common to said Sections 17 and 20;

thence N.38°42'06"W. 287.43 feet to a set 1/2" iron pin;

thence N.00°36'01"E. 15.79 feet to a point;

thence S.38°42'06"E. 307.87 feet to the point of beginning, containing 0.07 acres, more or less.

ALSO SUBJECT TO:

Any additional easements or rights of way of record or in use.

SECTION 20:

A parcel of land lying in the NE1/4 NE1/4 of Section 20, T.2N., R.4W., B.M., Owyhee County, Idaho and being more particularly described as follows:

Commencing at a found Brass Cap marking the E1/4 Corner of said Section 20, T.2N., R.4W., B.M., Owyhee County, Idaho; thence N.01°09'21"E. 1325.29 feet along the east boundary of the NE1/4 of said Section 20 to a found Brass Cap marking the N1/16 Corner common to said Section 20 and Section 21, said Brass Cap also marking the REAL POINT OF BEGINNING;

thence N.89°09'03"W. 336.22 feet along the south boundary of the said NE1/4 NE1/4 of Section 20 to a set 5/8" iron pin;

thence N.14°30'09"W. 473.47 feet to a set 5/8" iron pin;

thence N.51°14'11"W. 67.98 feet to a set 5/8" iron pin;

thence S.85°12'14"W. 211.30 feet to a set 5/8" iron pin marking a point of curve to the right;

thence along said curve to the right, a distance of 629.95 feet, said curve having a delta of 34°58'28", a radius of 1032.00 feet, tangents of 325.13 feet, and a long chord of 620.22

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feet which bears S.74°01'39"W. to a set 5/8" iron pin lying on the west boundary of the said NE1/4 NE1/4 of Section 20, said pin also marking the point of ending of said curve;

thence N.00°55'43"E. 1020.83 feet along the said west boundary of the NE1/4 NE1/4 of Section 20 to a found Brass Cap marking the E1/16 Corner common to Sections 17 and 20;

thence S.89°15'17"E. 1321.67 feet along the north boundary of the said NE1/4 NE1/4 of Section 20 to a point marking the Section Corner common to Sections 16, 17, 20 and 21, said point being witnessed by a set 5/8" iron pin which bears S°01°01'11"W. 50.00 feet;

thence S.01°01'11"W. 1321.30 feet along the east boundary of the said NE1/4 NE1/4 of Section 20 to the point of beginning, containing 31.59 acres, more or less.

SUBJECT TO:

Any easements or rights of way of record or in use.



Colleen Marks

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SURVEY SKETCH FOR LES AND LAVADA LOUCKS

PARCELS OF LAND LYING IN THE W1/2 SW1/4 OF SECTION 16,
THE SE1/4 OF SECTION 17, AND THE NE1/4 NE1/4 OF
SECTION 20, T.2N., R.4W., BOISE MERIDIAN,
OWYHEE COUNTY, IDAHO 2001

CERTIFICATE OF SURVEYOR

THIS IS TO CERTIFY THAT I, COLLEEN MARKS, BEING A REGISTERED LAND
SURVEYOR, HAVE BEEN DULY SWORN, AND THAT THE SURVEY
HEREIN IS A TRUE AND CORRECT REPRESENTATION OF THE LAND BY ME AND IS IN
CONFORMITY WITH THE CORNER REGULATION AND PLANNING ACT - IDAHO
CODE 55-1801 THROUGH 55-1813.



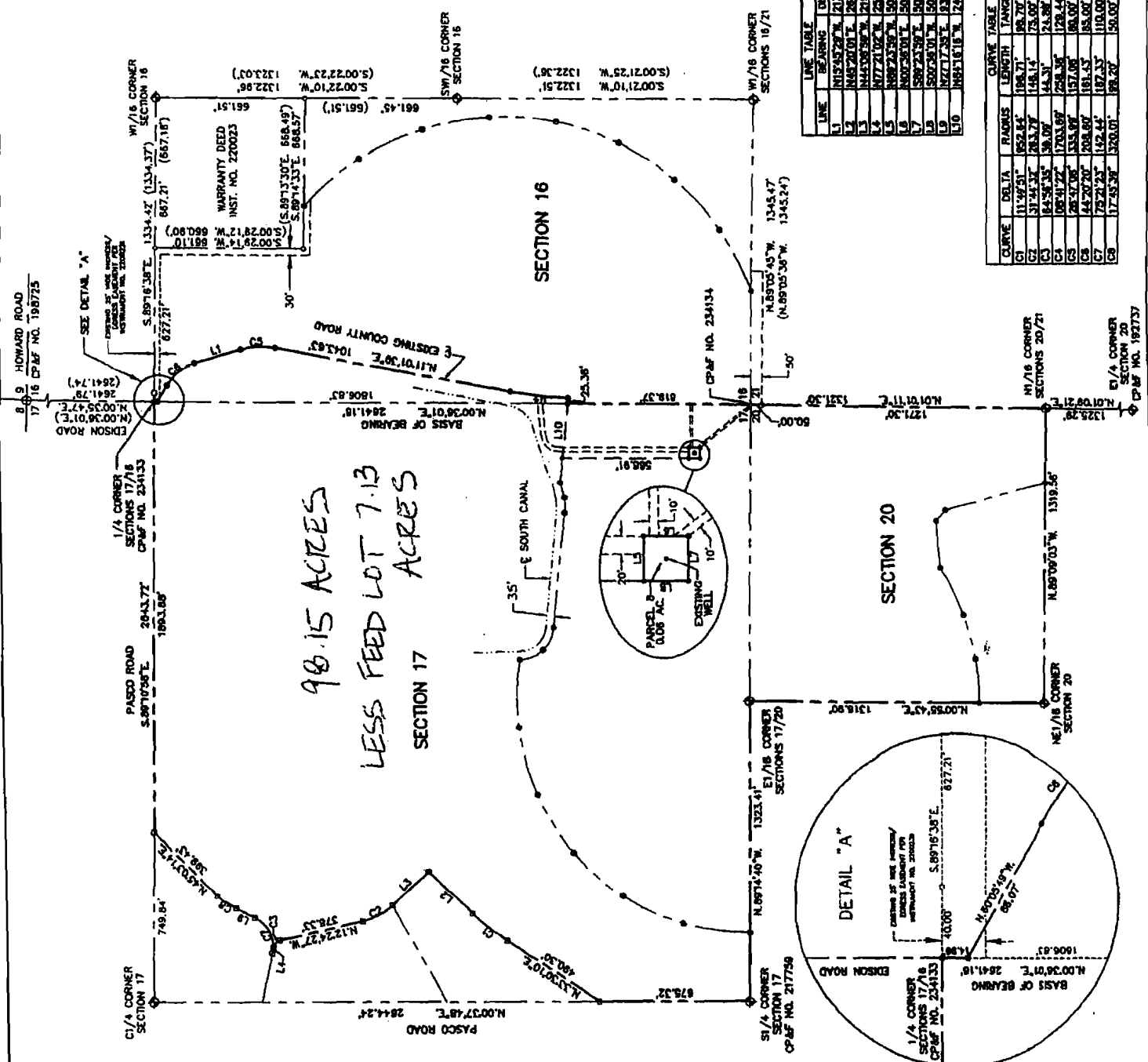
COLLEEN MARKS, L.S. 7045



LEGEND

- PROPERTY BOUNDARY
- - - EASEMENT LIMITS
- ◆ FOUND BRASS CAP MONUMENT
- WITNESS CORNER—FOUND 5/8" IRON PIN
- SET 5/8" IRON PIN
- SET 5/8" IRON PIN—POINT ON CURVE
- WITNESS CORNER—SET 5/8" IRON PIN
- SET 1/2" IRON PIN
- FOUND 1/2" IRON PIN
- CALC. POINT

INDEX No. 244-16-17-20-000-000
MARKS LAND SURVEYING
COLLEEN MARKS, L.S. 7045
6405 USTICK RD.
BOISE, IDAHO 83704
(208) 378-7703



LINE	BEARING	DISTANCE
L1	N13°45'27\"	713.96'
L2	N45°20'01\"	288.70'
L3	N44°03'58\"	219.97'
L4	N77°21'00\"	25.00'
L5	N88°23'58\"	50.00'
L6	N00°23'00\"	50.00'
L7	S89°24'38\"	50.00'
L8	S00°28'00\"	50.00'
L9	N42°17'35\"	151.83'
L10	N85°16'18\"	725.99'

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	11°49'51\"	652.84'	184.71'	98.20'	184.38'	S39°22'05\"
C2	37°42'32\"	283.17'	148.14'	73.00'	114.28'	S28°18'43\"
C3	84°58'35\"	56.09'	34.31'	21.88'	31.88'	N45°52'44\"
C4	08°14'22\"	1703.69'	258.38'	128.44'	258.13'	S08°40'11\"
C5	28°52'05\"	335.67'	157.06'	86.00'	155.83'	N07°21'55\"
C6	44°20'20\"	208.60'	181.53'	85.00'	157.43'	S37°55'39\"
C7	78°21'23\"	192.44'	187.33'	110.00'	174.12'	N44°58'17\"
C8	17°45'38\"	320.01'	98.20'	50.00'	98.90'	S38°10'25\"

#8b

MARKS
LAND
SURVEYING

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PROPERTY DESCRIPTION
PARCEL 1 SECTION 17 LESS THREE LOTS

A parcel of land lying in the SE1/4 of Section 17, T.2N., R.4W., B.M., Owyhee County, Idaho and being more particularly described as follows:

Commencing at a found Brass Cap marking the E1/4 Corner of Section 20, T.2N., R.4W., B.M., Owyhee County, Idaho; thence N.01°09'21"E. 1325.29 feet along the east boundary of the NE1/4 of said Section 20 to a found Brass Cap marking the N1/16 Corner common to said Section 20 and Section 21; thence continuing along the said east boundary of the NE1/4 of Section 20, N.01°01'11"E. 1321.30 feet to a point marking the Section Corner common to Sections 16, 17, 20 and 21, said point being witnessed by a set 5/8" iron pin which bears S.01°01'11"W. 50.00 feet; thence N.89°15'17"W. 1321.67 feet along the south boundary of the said SE1/4 of Section 17 to a found Brass Cap marking the E1/16 Corner common to said Sections 17 and 20; thence continuing along the said south boundary of the SE1/4 of Section 17, N.89°14'40"W. 1021.35 feet to a set 5/8" iron pin marking the REAL POINT OF BEGINNING;

thence continuing N.89°14'40"W. 302.06 feet along the said south boundary of the SE1/4 of Section 17 to a found Brass Cap marking the S1/4 Corner of said Section 17;

thence N.00°37'48"E. 675.32 feet along the west boundary of the said SE1/4 of Section 17 to a point lying on the centerline of the South Canal;

thence along the said centerline of the South Canal the following courses and distances:

N.33°30'10"E. 490.30 feet to a point of curve to the right;

thence along said curve to the right a distance of 196.71 feet, said curve having a delta of 11°49'51", a radius of 952.64 feet, tangents of 98.70 feet and a long chord of 196.36 feet which bears N.39°25'05"E. to the point of ending of said curve;

thence N.45°20'01"E. 268.70 feet to a point lying on the centerline of an existing lateral;

thence leaving the said centerline of the South Canal and along the said centerline of the existing lateral the following courses and distances:

N.44°08'59"W. 219.97 feet to a point of curve to the right;

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thence along said curve to the right a distance of 146.14 feet, said curve having a delta of $31^{\circ}44'32''$, a radius of 263.79 feet, tangents of 75.00 feet and a long chord of 144.28 feet which bears $N.28^{\circ}16'43''W.$ to the point of ending of said curve;

thence $N.12^{\circ}24'27''W.$ 378.33 feet to a point of curve to the left;

thence along said curve to the left a distance of 44.31 feet, said curve having a delta of $64^{\circ}56'35''$, a radius of 39.09 feet, tangents of 24.88 feet and a long chord of 41.98 feet which bears $N.44^{\circ}52'44''W.$ to the point of ending of said curve;

$N.77^{\circ}21'02''W.$ 25.00 feet to a point of curve to the left;

thence along said curve to the left a distance of 187.33 feet, said curve having a delta of $75^{\circ}21'23''$, a radius of 142.44 feet, tangents of 110.00 feet and a long chord of 174.12 feet which bears $N.64^{\circ}58'17''E.$ to the point of ending of said curve;

thence $N.27^{\circ}17'35''E.$ 93.93 feet to a point of curve to the right;

thence along said curve to the right a distance of 99.20 feet, said curve having a delta of $17^{\circ}45'39''$, a radius of 320.01 feet, tangents of 50.00 feet and a long chord of 98.80 feet which bears $N.36^{\circ}10'25''E.$ to the point of ending of said curve;

thence $N.45^{\circ}03'14''E.$ 399.43 feet to a point lying on the north boundary of the said SE1/4 of Section 17 and along the centerline of Pasco Road;

thence leaving the said centerline of the existing lateral, $S.89^{\circ}10'58''E.$ 1893.88 feet along the said north boundary of the SE1/4 of Section 17 and along the said centerline of Pasco Road to a set 5/8" iron pin marking the 1/4 Corner common to said Sections 16 and 17, said pin also being witnessed by a found 5/8" iron pin which bears $S.89^{\circ}16'38''E.$ 40.00 feet;

thence $S.00^{\circ}36'01''W.$ 1821.79 feet along the east boundary of the said SE1/4 of Section 17 to a set 5/8" iron pin;

thence $N.84^{\circ}16'16''W.$ 357.52 feet to a set 5/8" iron pin marking a point of curve to the right;

thence along said curve to the right a distance of 137.12 feet, said curve having a delta of $27^{\circ}02'54''$, a radius of 290.45 feet, tangents of 69.86 feet, and a long chord of 135.85 feet

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LAND

SURVEYING

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which bears S.82°41'17"W. to a set 5/8" iron pin marking the point of ending of said curve;

thence N.83°47'16"W. 510.16 feet to a set 5/8" iron pin marking a point of curve to the right;

thence along said curve to the right a distance of 223.19 feet, said curve having a delta of 82°37'10", a radius of 154.78 feet, tangents of 136.02 feet, and a long chord of 204.35 feet which bears N.42°28'40"W. to a set 5/8" iron pin marking the point of ending of said curve and also marking a point of curve to the left;

thence along said curve to the left a distance of 1803.29 feet, said curve having a delta of 100°07'01", a radius of 1032.00 feet, tangents of 1232.44 feet, and a long chord of 1582.47 feet which bears S.50°11'56"W. to the point of beginning, containing 98.15 acres, more or less.

SUBJECT TO:

A 20 foot wide ingress, egress, construction and maintenance easement lying in a portion of the SW1/4 of Section 16 and a portion of the SE1/4 of Section 17, T.2N., R.4W., B.M., Owyhee County, Idaho, said easement being more particularly described as follows:

Commencing at a found Brass Cap marking the E1/4 Corner of Section 20, T.2N., R.4W., B.M., Owyhee County, Idaho; thence N.01°09'21"E. 1325.29 feet along the east boundary of the NE1/4 of said Section 20 to a found Brass Cap marking the N1/16 Corner common to said Section 20 and Section 21; thence continuing along the said east boundary of the NE1/4 of Section 20, N.01°01'11"E. 1321.30 feet to a point marking the Section Corner common to Sections 16, 17, 20 and 21, said point being witnessed by a set 5/8" iron pin which bears S.01°01'11"W. 50.00 feet; thence N.00°36'01"E. 819.37 feet along the east boundary of the said SE1/4 of Section 17 to a set 5/8" iron pin; thence S.84°16'16"E. 25.36 feet to a set 5/8" iron pin marking a point of curve to the right and lying on the centerline of an existing County Road; thence along said curve to the right and along the said centerline of the existing County Road, a distance of 120.41 feet, said curve having a delta of 4°02'58", a radius of 1703.69 feet, tangents of 60.23 feet, and a long chord of 120.38 feet which bears N.04°20'59"E. to a point, said point marking the REAL POINT OF BEGINNING;

thence S.84°08'33"W. 177.46 feet to a point of curve to the left;

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thence along said curve to the left, a distance of 85.11 feet, said curve having a delta of $83^{\circ}32'32''$, a radius of 58.37 feet, tangents of 52.14 feet, and a long chord of 77.77 feet which bears $S.42^{\circ}22'17''W.$ to the point of ending of said curve;

thence $S.00^{\circ}36'01''W.$ 586.81 feet to a set $1/2''$ iron pin;

thence $N.89^{\circ}23'59''W.$ 20.00 feet to a point;

thence $N.00^{\circ}36'01''E.$ 586.81 feet to a point of curve to the right;

thence along said curve to the right, a distance of 114.27 feet, said curve having a delta of $83^{\circ}32'32''$, a radius of 78.37 feet, tangents of 70.00 feet, and a long chord of 104.41 feet which bears $N.42^{\circ}22'17''E.$ to the point of ending of said curve;

thence $N.84^{\circ}08'33''E.$ 181.92 feet to a point lying along said curve and along said centerline of the existing County Road;

thence along said curve and said centerline, a distance of 20.49 feet, said curve having a delta of $00^{\circ}41'21''$, a radius of 1703.69 feet, tangents of 10.25 feet, and a long chord of 20.49 feet which bears $S.06^{\circ}43'08''W.$ to the point of beginning, containing 0.40 acres, more or less.

ALSO SUBJECT TO:

Any additional easements or rights of way of record or in use.



Colleen Marks

ATTACHMENT A (2 PGS)

T2N R4W

17

16

2006 Photo

ATTENTION

20

21

RECEIVED

OCT 30 2009

WATER RESOURCES
DIVISION

29

28

Legend

-  Amended PPU
-  Sections

Van Es Amended Proposed Permissible Place of Use



0 1,000 2,000
Feet



SPF WATER
ENGINEERING

A₂

CloseIDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/21/2008

WATER RIGHT NO. 57-2254

Owner Type	Name and Address
Current Owner	LAVADA C LOUCKS
Current Owner	LESLIE LOUCKS
	5985 DUNLAP
	MARSING, ID 83639
	(208) 896-4223
Original Owner	THANE LANKFORD
	RT 1
	MARSING, ID 83639

Priority Date: 08/28/1962
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use From	To	Diversion Rate	Volume
IRRIGATION	4/01	10/31	1.09 CFS
Total Diversion			319.5 AFA

Location of Point(s) of Diversion:

GROUND WATER|SESESE|Sec. 17|Township 02N|Range 04W|OWYHEE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	04W	17		NESE	1		NWSE	5		SWSE	27		SESE	21
		20		NENE	17									

Total Acres: 71

Conditions of Approval:

- 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.
- THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Dates:

Licensed Date:
Decreed Date: 01/22/2003
Permit Proof Due Date:
Permit Proof Made Date:
Permit Approved Date:
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

State or Federal: S
Owner Name Connector: AND/OR
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:

ATTACHMENT C (14 PAGES)

Cary Act Number:
Mitigation Plan: False
Close

CloseIDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/21/2008

WATER RIGHT NO. 2-10238

Owner Type	Name and Address
Current Owner	LESLIE LOUCKS 5985 DUNLAP MARSING, ID 83639 (208) 896-4223
Original Owner	DIBRELL C STOWELL 5607 WILLOW LN NAMPA, ID 83651 (208) 466-6343

Priority Date: 09/04/1974
Basis: License
Status: Active

Source	Tributary
SNAKE RIVER	COLUMBIA RIVER

Beneficial Use From	To	Diversion Rate	Volume
IRRIGATION 03/15	11/15	0.72 CFS	366.9 AFA
Total Diversion		0.72 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER|NWNW L1|Sec. 23|Township 02N|Range 04W|OWYHEE County

Licensed Diversion Capacity: 6.69

IRRIGATION Use:
Acre Limit: 82

Place(s) of use:

Place of Use Legal Description: IRRIGATION OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	04W	16		NWSW 25		SWSW 38								
		17		SWSE 38		SESE 35								
		20		NENE 17		NWNE 40								

Total Acres: 193

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. 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.
3. 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.
4. O1Q After specific notification by the department, the right holder shall measure the diversion 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.
5. Right 02-10238 is limited to the irrigation of 82 acres within the place of use described above in a single irrigation season. Right 02-10240 is limited to the irrigation of 55 acres within the place of use described above in a single irrigation season. 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 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. The total instantaneous diversion of water from all points of diversion under Transfer 5663 shall not exceed 6.69 cfs, nor total combined annual volume of 3420.0 af. Four points of diversion are located within Gov. Lot 1 (NWNW), S23, T2N, R4W.

Dates:

Licensed Date: 11/12/1997
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:

C3

Combined Acres Limit: 181
Combined Volume Limit: 814.5
Combined Rate Limit:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
[Close](#)

CloseIDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/21/2008

WATER RIGHT NO. 2-10239

Owner Type	Name and Address
Current Owner	DALE VAN ES
Current Owner	JACKIE VAN ES
	8222 DESERT DR
	MARSING, ID 83639
	(208) 896-5990
Original Owner	LESLIE LOUCKS
	5985 DUNLAP
	MARSING, ID 83639
	(208) 896-4223
Original Owner	DIBRELL C STOWELL
	5607 WILLOW LN
	NAMPA, ID 83651
	(208) 466-6343

Priority Date: 09/04/1974
Basis: License
Status: Active

Source	Tributary
SNAKE RIVER	COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	3.28 CFS	1680.6 AFA
Total Diversion			3.28 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER | NWNW Lt 1 | Sec. 23 | Township 02N | Range 04W | OWYHEE County

Licensed Diversion Capacity: 6.69

IRRIGATION Use:
Acre Limit: 373

Place(s) of use:

Place of Use Legal Description: IRRIGATION OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	04W	20		SENE	14									
				SESE	14									
		21		NWNE	32		SWNE	24						
				NENW	39		NWNW	40		SWNW	40		SENE	39
				NESW	40		NWSW	39		SWSW	40		SESW	40
				NWSE	29		SWSE	37						
		28		NWNE	40									
				NENW	40		NWNW	40		SWNW	40		SENE	40
				NESW	20		NWSW	40		SWSW	40			
		29		NENE	40		SWNE	35		SENE	40			

Total Acres: 882

Conditions of Approval:

1. 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.
2. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. 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.
4. 01Q After specific notification by the department, the right holder shall measure the diversion 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.
5. Right 02-10239 is limited to the irrigation of 373 acres within the place of use described above in a single irrigation season. Right 02-10241 is limited to the irrigation of 250 acres within the place of use described above in a single irrigation season. 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 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. The total instantaneous diversion of water from all points of diversion under Transfer 5663 shall not exceed 6.69 cfs, nor total combined annual volume of 3420.0 af. Four points of diversion are located within Gov. Lot 1 (NWNW), S23, T2N, R4W.

Dates:
Licensed Date: 11/12/1997
Decreed Date:
Enlargement Use Priority Date:

C5

Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal:
Owner Name Connector: And
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit: 829
Combined Volume Limit: 3730.5
Combined Rate Limit:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
[Close](#)

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/21/2008

WATER RIGHT NO. 2-10240

Owner Type	Name and Address
Current Owner	LESLIE LOUCKS 5985 DUNLAP MARSING, ID 83639 (208) 896-4223
Original Owner	DIBRELL C STOWELL 5607 WILLOW LN NAMPA, ID 83651 (208) 466-6343

Priority Date: 12/18/1974
Basis: License
Status: Active

Source	Tributary
SNAKE RIVER	COLUMBIA RIVER

Beneficial Use From	To	Diversion Rate	Volume
IRRIGATION 03/15	11/15	0.48 CFS	246 AFA
Total Diversion:		0.48 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER | NWNW L1 | Sec. 23 | Township 02N | Range 04W | OWYHEE County

Licensed Diversion Capacity: 6.69

IRRIGATION Use:
Acre Limit: 55

Place(s) of use:

Place of Use Legal Description: IRRIGATION OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	04W	16		NWSW	25		SWSW	38						
		17		SWSE	38		SESE	35						
		20		NENE	17		NWNE	40						

Total Acres: 193

Conditions of Approval:

- [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.
- [T06] This right is limited to the irrigation of 55 acres within the place of use described above in a single irrigation season. 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 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. Four points of diversion are located within Gov Lot 1 (NWNW), S23, T2N, R4W.
- [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.
- [T07] The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Dates:

Licensed Date: 11/12/1997

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 181

Combined Volume Limit: 814.5

Combined Rate Limit:

Civil Case Number:

C7

Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
[Close](#)

CloseIDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/21/2008

WATER RIGHT NO. 2-10241

Owner Type	Name and Address
Current Owner	DALE VAN ES
Current Owner	JACKIE VAN ES
	8222 DESERT DR
	MARSING, ID 83639
	(208) 896-5990
Original Owner	LESLIE LOUCKS
	5985 DUNLAP
	MARSING, ID 83639
	(208) 896-4223
Original Owner	DIBRELL C STOWELL
	5607 WILLOW LN
	NAMPA, ID 83651
	(208) 466-6343

Priority Date: 12/18/1974

Basis: License

Status: Active

Source	Tributary
SNAKE RIVER	COLUMBIA RIVER

Beneficial Use From	To	Diversion Rate	Volume
IRRIGATION 03/15	11/15	2.21 CFS	1126.5 AFA
Total Diversion:		2.21 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER|NWNW Lt 1|Sec. 23|Township 02N|Range 04W|OWYHEE County

Licensed Diversion Capacity: 6.69

IRRIGATION Use:
Acre Limit: 250

Place(s) of use:

Place of Use Legal Description: IRRIGATION OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	04W	20		SENE 14										
				SESE 14										
		21		NWNE 32		SWNE 24								
				NENW 39		NWNW 40		SWNW 40		SENW 39				
				NESW 40		NWSW 39		SWSW 40		SESW 40				
				NWSE 29		SWSE 37								
		28		NWNE 40										
				NENW 40		NWNW 40		SWNW 40		SENW 40				
				NESW 20		NWSW 40		SWSW 40						
		29		NENE 40		SWNE 35		SENE 40						

Total Acres: 882

Conditions of Approval:

- This right is limited to the irrigation of 250 acres within the place of use described above in a single irrigation season. 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 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. Four points of diversion are located within Gov. Lot 1 (NWNW), S23, T2N, R4W.
- 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.
- 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Dates:

Licensed Date: 11/12/1997

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

C9

Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal:
Owner Name Connector: And
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit: 829
Combined Volume Limit: 3730.5
Combined Rate Limit:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
[Close](#)

C₁₀

Class

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/21/2008

WATER RIGHT NO. 2-10242

Owner Type	Name and Address
Current Owner	LESLIE LOUCKS 5985 DUNLAP MARSING, ID 83639 (208) 896-4223
Original Owner	DIBRELL C STOWELL 5607 WILLOW LN NAMPAA, ID 83651 (208) 466-6343

Priority Date: 07/07/1994
Basis: License
Status: Active

Source	Tributary
SNAKE RIVER	COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/01	11/15	1.2 CFS	201.6 AFA
Total Diversion			1.2 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER|NWNW Lt 1|Sec. 23|Township 02N|Range 04W|OWYHEE County

Licensed Diversion Capacity: 13.38

IRRIGATION Use:
Acre Limit: 181

Place(s) of use:

Place of Use Legal Description: IRRIGATION OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	04W	16		NWSW 25		SWSW 38								
		17		SWSE 38		SESE 35								
		20		NENE 17		NWNE 40								

Total Acres: 193

Conditions of Approval:

1. 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.
2. Water shall not be diverted, under this right, when flows in the Snake River are below established minimum flow amounts at any of the following locations: Weiser, 4750 cfs; Johnson Bar, 5,000 cfs; Lime Point 13,000 cfs. Rights 02-10238, 02-10240, and 02-10242 when combined shall not exceed a total annual maximum diversion volume of 814.5 af at the field headgate and the irrigation of 181 acres in a single irrigation season. This right is limited to the irrigation of 181 acres within the place of use described above in a single irrigation season. Rights 02-10238, 02-10239, 02-10240, 02-10241 and 02-10243 are also diverted through the point(s) of diversion described above. Four points of diversion are located within Gov. Lot 1 (NWNW), S23, T2N, R4W.
3. 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.

Dates:

Licensed Date: 11/16/2000

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: And/Or

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 181

Combined Volume Limit: 814.5

Combined Rate Limit:

C11

Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
Close

C12

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/21/2008

WATER RIGHT NO. 2-10243

Owner Type	Name and Address
Current Owner	DALE VAN ES
Current Owner	JACKIE VAN ES
	8222 DESERT DR
	MARSING, ID 83639
	(208) 896-5990
Original Owner	LESLIE LOUCKS
	5985 DUNLAP
	MARSING, ID 83639
	(208) 896-4223
Original Owner	DIBRELL C STOWELL
	5607 WILLOW LN
	NAMPA, ID 83651
	(208)466-6343

Priority Date: 07/07/1994
 Basis: License
 Status: Active

Source	Tributary
SNAKE RIVER	COLUMBIA RIVER

Beneficial Use From	To	Diversion Rate	Volume
IRRIGATION	03/01	11/15	5.49 CFS
Total Diversion			923.4 AFA

Location of Point(s) of Diversion:

SNAKE RIVER|NWNW L1 |Sec. 23|Township 02N|Range 04W|OWYHEE County

Licensed Diversion Capacity: 13.38

IRRIGATION Use:
 Acre Limit: 829

Place(s) of use:

Place of Use Legal Description: IRRIGATION OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	04W	20		SENE	14									
				SESE	14									
		21		NWNE	32		SWNE	24						
				NENW	39		NWNW	40		SWNW	40		SENW	39
				NESW	40		NWSW	39		SWSW	40		SESW	40
				NWSE	29		SWSE	37						
		28		NWNE	40									
				NENW	40		NWNW	40		SWNW	40		SENW	40
				NESW	20		NWSW	40		SWSW	40			
		29		NENE	40		SWNE	35		SENE	40			

Total Acres: 882

Conditions of Approval:

1. 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.
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. Water shall not be diverted, under this right, when flows in the Snake River are below established minimum flow amounts at any of the following locations: Weiser, 4750 cfs; Johnson Bar, 5,000 cfs; Lime Point 13,000 cfs. Rights 02-10239, 02-10241, and 02-10243 when combined shall not exceed a total annual maximum diversion volume of 3730.5 af at the field headgate and the irrigation of 829 acres in a single irrigation season. This right is limited to the irrigation of 829 acres within the place of use described above in a single irrigation season. Rights 02-10238, 02-10239, 02-10240, 02-10241 and 02-10242 are also diverted through the point(s) of diversion described above. Four points of diversion are located within Gov. Lot 1 (NWNW), S23, T2N, R4W.

Dates:
 Licensed Date: 11/16/2000
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Water Supply Bank Enrollment Date Accepted:
 Water Supply Bank Enrollment Date Removed:

C13

Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal:
Owner Name Connector: And
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit: 829
Combined Volume Limit: 3730.5
Combined Rate Limit:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

C14

April 21, 2008

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

Re: Application for Transfer of Water Rights for Dale and Jackie Van Es

Dear Lori,

Wells Fargo Bank is aware of the Application for Transfer of Water Rights for the Dale and Jackie Van Es Murphy Flat property involving water right nos. 2-10238 through 2-10243 and 57-2254. We understand that the purpose of the transfer application is to reflect an integrated irrigation system and permissible place of use on all the water rights for irrigation flexibility.

Wells Fargo Bank currently has a mortgage on the property where the transfer of water rights will occur.

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

Sincerely

Kipp R. Wearn
Vice President

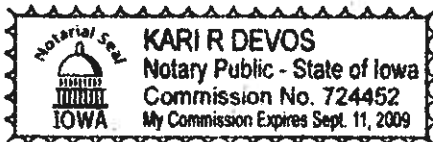
State of Iowa)
~~State of Idaho~~) SS.
County of POIK)

Subscribed and sworn (or affirmed) before me this 23rd day of April, 2008.

KARI R. DEVOS
Notary Public

Residing at Waukegan, IA

My Commission Expires 9-11-09



ATTACHMENT D