

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
MAY 19 2009
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

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

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
<u>AS 47-2551</u>	_____	_____	<u>AS 47-158</u>	_____	_____
<u>AS 47-10693</u>	_____	_____	<u>AS 47-162A</u>	_____	_____
<u>AS 47-124B</u>	_____	_____	<u>PD 47-16394</u>	_____	_____
<u>AS 47-138</u>	_____	_____	<u>PD 47-16395</u>	_____	_____
<u>AS 47-122</u>	_____	_____	_____	_____	_____

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county)

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) The Lucy Gray Living Trust dated October 19, 1994
4. New Owner/Claimant(s) Brent Funk and Chalet Funk, husband and wife
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2786 Rock Creek Road
- City, State and ZIP Code Hansen, Idaho 83334
- New Telephone Number () 432-5502
5. Date you acquired the property May 15, 2009

SUPPORT DATA

IN FILE # 47-122
47-16394

15. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the boxes below to describe your water right(s) after the change (one water right per box; you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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

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

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) _____

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

For Office Use Only

Received by [Signature] Date 5-19-09 Fee \$50
 Receipted by [Signature] Date 5/20/09 Receipt No. 5030702
 Processed by _____ AJ Date _____ WR _____ Date _____

2009-010971

WARRANTY DEED

For Value Received, the Grantor, the LUCY GRAY LIVING TRUST, with Successor Trustees Diana Gray, and Gene Gray, does hereby grant, bargain, sell, convey and confirm unto ^{FUNK} as community property with right of survivorship BRENT AND CHALET FUNK, husband and wife/ whose current address is 2786 Rock Creek Road, Hansen, Idaho, the premises located in Twin Falls County, Idaho, more particularly described as follows:

The following property located in Township 11S, Range 18 East of the Boise Meridian:

SEE EXHIBIT A

Subject to easements, rights of way and encumbrances of record or appearing upon the land, if any. Together with all and singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Grantors. Together with all water rights appurtenant thereto, as described in EXHIBIT B.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, Grantees' heirs, and assigns forever, and the Grantor do hereby covenant to and with the said Grantee, that Grantor said owner in fee simple of said premises, and that Grantor will warrant and defend the same from all lawful claims whatsoever, except any discrepancies, conflicts in boundary lines, shortages in area, encroachments, or any other facts which a correct survey would disclose.

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TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT
2:09:01 pm 05-15-2009
2009-010971
NO. PAGES: 12 FEE: \$36.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: BHUNTER

DATED this 13 day of May, 2009

LUCY GRAY LIVING TRUST, GRANTOR

Diana Gray

By: Diana Gray, Successor Trustee

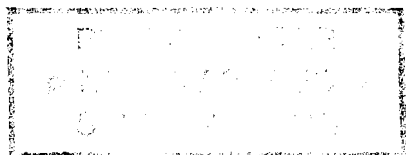
3850 E. 2950 N.

Hansen, ID 83334

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 15th day of May, 2009, before me, a Notary Public for said County and State, personally appeared Diana Gray, known or identified to me, to be the Successor Trustee for the LUCY GRAY LIVING TRUST the entity that executed the foregoing instrument or the person who executed the instrument on behalf of said entity, and acknowledged to me that such entity executed the same.

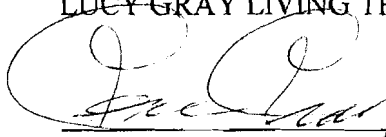
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: File
My commission expires: 4-28-10

DATED this 13 day of May, 2009

LUCY GRAY LIVING TRUST, GRANTOR

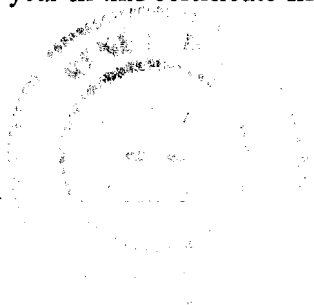


By: Gene Gray, Successor Trustee
2393 Watts Ln.
Payette, ID 83661-5326

STATE OF IDAHO)
County of PAYETTE) ss.

On this 13 day of MAY, 2009, before me, a Notary Public for said County and State, personally appeared Gene Gray, known or identified to me, to be the Successor Trustee for the LUCY GRAY LIVING TRUST the entity that executed the foregoing instrument or the person who executed the instrument on behalf of said entity, and acknowledged to me that such entity 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.




NOTARY PUBLIC FOR IDAHO
Residing at: PAYETTE, ID
My commission expires: 6-22-13

Exhibit A
Legal Description of Property

PARCEL NO. 1

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho
Section 25: W $\frac{1}{2}$ SE $\frac{1}{4}$
SUBJECT TO Highway District right of way.

PARCEL NO. 2

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho
Section 36: SW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$;
AND that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ thereof described as follows:
BEGINNING at the Northwest corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$;
THENCE Easterly along the North line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ to the Northeast corner thereof;
THENCE South 747.8 feet along the East line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$;
THENCE North 63°21' West 826 feet;
THENCE South 39°39' West 848 feet;
THENCE North along the West boundary line a distance of 1103.2 feet to the POINT OF BEGINNING.
SUBJECT TO Highway District right of way.

EXCEPT:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho
Section 36: A parcel of land located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ more specifically described as follows:
COMMENCING at the West quarter corner of Section 36;
THENCE North a distance of 925.27 feet along the West boundary of Section 36;
THENCE South 84°25'24" East a distance of 2335.87 feet to the REAL POINT OF BEGINNING;
THENCE from this Real Point of Beginning South 85°25'24" East a distance of 191.79 feet;
THENCE North 4°24'36" East a distance of 469.57 feet;
THENCE North 85°25'24" West a distance of 191.79 feet;
THENCE South 4°84'36" West a distance of 469.57 feet to the REAL POINT OF BEGINNING.
SUBJECT TO Highway District right of way.

AND EXCEPT:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho
Section 36: A parcel of land located in a portion of the NW $\frac{1}{4}$ thereof more particularly described as follows:
BEGINNING at the Northwest corner of Section 36, said corner being monumented with a copper weld and lies North 00°00'00" East 2655.07 feet from the Southwest corner of said NW $\frac{1}{4}$, said corner being monumented with a $\frac{5}{8}$ -inch iron rebar with surveyors cap marked "PELS 3260";
THENCE along the Westerly boundary line of said Section 36, South 00°00'00" West 473.00 feet to a point being monumented with a PK masonry nail;
THENCE parallel to the Northerly boundary line of said Section 36, South 89°05'52" East 25.00 feet to a point on the Easterly right-of-way line of Rock Creek Road, said point being monumented with a $\frac{1}{2}$ -inch iron rebar with surveyors cap marked "PELS 3260" and is the TRUE POINT OF BEGINNING;

THENCE parallel to the Northerly boundary line of said Section 36, South 89°05'52" East 1292.20 feet to a point on the Easterly boundary line of the NW¼NW¼ Section 36, said point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE along said Easterly boundary line of the NW¼NW¼ North 00°03'15" West 473.00 feet to the Northeast corner of said NW¼NW¼, said point being monumented with a ½-inch iron rebar with surveyors cap marked "LS 908";

THENCE along the Northerly boundary line of said Section 36, South 89°05'52" East 760.00 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260," said point lying Easterly of the East bank of Rock Creek and lying North 89°05'52" West 556.76 feet from the Northeast corner of said NW¼, said point being monumented with a ½-inch iron rebar with surveyors cap marked "LS 908";

THENCE on a line Easterly of the East bank of Rock Creek, South 17°55'27" East 635.63 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE on a line Easterly of the East bank of Rock Creek, South 11°34'00" East 380.00 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE North 90°00'00" West 80.00 feet to a point Westerly of the West bank of Rock Creek, said point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE on a line Westerly of the West bank of Rock Creek, South 23°37'31" East 209.36 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE North 90°00'00" West 185.00 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE South 00°00'00" West 100.00 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE North 90°00'00" West 423.00 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE South 00°00'00" West 573.59 feet to a point on the Northerly right-of-way line of a county road, said point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE along said county road right of way the following successive courses:

THENCE North 84°20'00" West 354.07 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE North 05°40'00" East 5.00 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE North 84°20'00" West 114.51 feet to a point of curvature, said point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE along a curve to the left for 440.36 feet, said curve having an interior angle of 10°52'00", a radius of 2321.83 feet, and a long chord bearing of North 89°46'00" West 439.70 feet to a point of tangency, said point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE South 84°48'00" West 817.08 feet to a point on the Easterly right-of-way line of Rock Creek Road, said point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE along said Rock Creek Road right of way on a line parallel to and 25 feet Easterly from the Westerly boundary line of said Section 36, North 00°00'00" East 1422.80 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 3

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 36: A parcel of land located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ more specifically described as follows:
COMMENCING at the West quarter corner of Section 36;
THENCE North a distance of 925.27 feet along the West boundary of Section 36;
THENCE South 84°25'24" East a distance of 2335.87 feet to the REAL POINT OF BEGINNING;
THENCE from this Real Point of Beginning South 85°25'24" East a distance of 191.79 feet;
THENCE North 4°24'36" East a distance of 469.57 feet;
THENCE North 85°25'24" West a distance of 191.79 feet;
THENCE South 4°24'36" West a distance of 469.57 feet to the REAL POINT OF BEGINNING.
SUBJECT TO Highway District right of way.

PARCEL NO. 4

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 36: NW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$

SUBJECT TO Highway District right of way.

EXCEPT that portion described as follows:

COMMENCING at the corner common to Sections 25, 26, 35, and 36;

THENCE South on the boundary line between Sections 35 and 36 a distance of 473 feet;

THENCE Easterly parallel with the North boundary line of Section 36 to the East line of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;

THENCE at right angles to the Northeast corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36;

THENCE West on the North line of said Section 36 to the POINT OF BEGINNING.

AND EXCEPT:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 36: A parcel of land located in a portion of the NW $\frac{1}{4}$ thereof more particularly described as follows:

BEGINNING at the Northwest corner of Section 36, said corner being monumented with a copper weld and lies North 00°00'00" East 2655.07 feet from the Southwest corner of said NW $\frac{1}{4}$, said corner being monumented with a $\frac{3}{8}$ -inch iron rebar with surveyors cap marked "PELS 3260";

THENCE along the Westerly boundary line of said Section 36, South 00°00'00" West 473.00 feet to a point being monumented with a PK masonry nail;

THENCE parallel to the Northerly boundary line of said Section 36, South 89°05'52" East 25.00 feet to a point on the Easterly right-of-way line of Rock Creek Road, said point being monumented with a $\frac{1}{2}$ -inch iron rebar with surveyors cap marked "PELS 3260" and is the TRUE POINT OF BEGINNING;

THENCE parallel to the Northerly boundary line of said Section 36, South 89°05'52" East 1292.20 feet to a point on the Easterly boundary line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, said point being monumented with a $\frac{1}{2}$ -inch iron rebar with surveyors cap marked "PELS 3260";

THENCE along said Easterly boundary line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ North 00°03'15" West 473.00 feet to the Northeast corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, said point being monumented with a $\frac{1}{2}$ -inch iron rebar with surveyors cap marked "LS 908";

THENCE along the Northerly boundary line of said Section 36, South 89°05'52" East 760.00 feet to a point being monumented with a $\frac{1}{2}$ -inch iron rebar with surveyors cap marked "PELS 3260," said point lying Easterly of the East bank of Rock Creek and lying North 89°05'52" West 556.76 feet from the Northeast corner of said NW $\frac{1}{4}$, said point being monumented with a $\frac{1}{2}$ -inch iron rebar with surveyors cap marked "LS 908";

THENCE on a line Easterly of the East bank of Rock Creek South 17°55'27" East 635.63 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE on a line Easterly of the East bank of Rock Creek South 11°34'00" East 380.00 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE North 90°00'00" West 80.00 feet to a point Westerly of the West bank of Rock Creek, said point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE on a line Westerly of the West bank of Rock Creek South 23°37'31" East 209.36 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE North 90°00'00" West 185.00 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE South 00°00'00" West 100.00 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE North 90°00'00" West 423.00 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE South 00°00'00" West 573.59 feet to a point on the Northerly right-of-way line of a county road, said point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE along said county road right of way the following successive courses:

THENCE North 84°20'00" West 354.07 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE North 84°20'00" West 354.07 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE North 05°40'00" East 5.00 feet to a point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE North 84°20'00" West 114.51 feet to a point of curvature, said point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE along a curve to the left for 440.36 feet, said curve having an interior angle of 10°52'00", a radius of 2321.83 feet, and a long chord bearing of North 89°46'00" West 439.70 feet to a point of tangency, said point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE South 84°48'00" West 817.08 feet to a point on the Easterly right-of-way line of Rock Creek Road, said point being monumented with a ½-inch iron rebar with surveyors cap marked "PELS 3260";

THENCE along said Rock Creek Road right of way on a line parallel to and 25 feet Easterly from the Westerly boundary line of said Section 36, North 00°00'00" East 1422.80 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPT:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 36: That part of the SW¼NW¼ described as follows:

BEGINNING at the Southwest corner of said SW¼NW¼;

THENCE East along the section line 220 feet;

THENCE North 412 feet;

THENCE West 64.5 feet;

THENCE South 10.5 feet;

THENCE West 155.5 feet;

THENCE South along the section line 401.5 feet to the TRUE POINT OF BEGINNING.

AND EXCEPT:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho
Section 36: A parcel of land located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ as shown on the plans of the Lower Rock Creek Road Federal Aid Secondary Project RS 2739(4), more particularly described as follows:
BEGINNING at the Southwest corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, said corner being North 89°26'48" West 1.43 feet from said Highway Centerline Station 4+15.31;
THENCE along the Westerly boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ North 0°02'41" West 401.5 feet to a point 1.74 feet Westerly of and at right angles to Highway Centerline Station 0+13.81;
THENCE along a line 401.5 feet Northerly of and parallel to the Southerly boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ South 89°26'48" East 31.74 feet, more or less, to a point 30.00 feet Easterly of and at right angles to said highway centerline;
THENCE along a line 30.00 feet Easterly of and parallel to said highway centerline South 0°0'0" East 401.5 feet, more or less, to a point on the Southerly boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;
THENCE along the Southerly boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ North 89°26'48" West 31.43 feet, more or less, to the TRUE POINT OF BEGINNING.

ALSO EXCEPT:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho
Section 36: A portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ more particularly described as follows:
BEGINNING at a point 220 feet East of the Southwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section;
THENCE running East 147.5 feet;
THENCE North 412 feet;
THENCE West 147.5 feet;
THENCE South 412 feet to the PLACE OF BEGINNING.

AND ALSO EXCEPT:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho
Section 36: A portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ more particularly described as follows:
BEGINNING at the quarter corner common to Sections 35 and 36, Township 11 South, Range 18 E., B.M.;
THENCE Easterly a distance of 367.5 feet to the POINT OF BEGINNING;
THENCE Northerly a distance of 398.5 feet;
THENCE Easterly a distance of 39.0 feet;
THENCE Southerly a distance of 398.5 feet;
THENCE Westerly a distance of 14.3 feet to the POINT OF BEGINNING.

AND EXCEPT:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho
Section 36: A parcel of land located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ as shown on the plans of the Lower Rock Creek Road Federal Aid Secondary Project RS 2739(4), more particularly described as follows:
COMMENCING at the Southwest corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;
THENCE along the Westerly boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, North 0°02'41" West 401.5 feet to a point 1.74 feet Westerly of and at right angles to said Highway Centerline Station 0+13.81, said point also being the REAL POINT OF BEGINNING;
THENCE continuing along the Westerly boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, North 0°02'41" West 13.81 feet, more or less, to a point 1.75 feet Westerly of and at right angles to said Highway Centerline Station 0+00;

THENCE along a line at right angles to said highway centerline North 90°00'00" East 31.75 feet, more or less;

THENCE along a line 30.00 feet Easterly of and parallel to said highway centerline South 0°00'00" East 13.81 feet, more or less;

THENCE along a line 401.5 feet Northerly of and parallel to the Southerly boundary of said SW¼NW¼, North 89°26'48" West 31.74 feet, more or less, to the REAL POINT OF BEGINNING.

AND EXCEPT:

A 60-foot-wide right of way being 30 feet in width on each side of the following described centerline:

BEGINNING at a point on the centerline of the existing 3800 East Road, said point being approximately 1.43 feet East and 735.19 feet North of the Southwest corner of the NW¼, Section 36, Township 11 South, Range 18 East, Boise Meridian;

THENCE North 85°55' East approximately 846 feet to a point of curvature;

THENCE Easterly along a 2.5° curve right approximately 408 feet to a point of tangency;

THENCE South 86°19' East approximately 126 feet to a point on the centerline of the existing 2950 North Road, said point being located approximately 1380 feet East and 775 feet North of said Southwest corner of the NW¼ Section 36, Township 11 South, Range 18 E., B.M.

PARCEL NO. 5

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 36: W $\frac{1}{2}$ SW $\frac{1}{4}$

SUBJECT TO Highway District right of way.

EXCEPT:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 36: A parcel of land located in the W $\frac{1}{2}$ SW $\frac{1}{4}$ as shown on the plans of the Lower Rock Creek Road Federal Aid Secondary Project RS 2739(4) more particularly described as follows:

BEGINNING at the Northwest corner of said W $\frac{1}{2}$ SW $\frac{1}{4}$, said corner being North 89°26'48" West 1.43 feet from said Highway Centerline Station 4+15.31;

THENCE along the Northerly boundary of said W $\frac{1}{2}$ SW $\frac{1}{4}$, South 89°26'49" East 31.43 feet, more or less;

THENCE along a line 30.00 feet Easterly of said highway centerline South 0°00'00" East 162.18 feet, more or less, to a point 30.00 feet Easterly of and at right angles to said Highway Centerline Station P.C. 5+77.78;

THENCE along a line perpendicular to said highway centerline North 90°00'00" East 5.00 feet;

THENCE Southeasterly for 334.64 feet on the arc of a curve to the left having a delta angle of 24°28'17", radius of 783.51 feet, and a chord which bears South 12°14'09" East 332.10 feet to a point 35.00 feet Easterly of and at right angles to said Highway Centerline Station P.T. 9+27.37;

THENCE along a line 35.00 feet Easterly of and parallel to said highway centerline South 24°28'17" East 1160.63 feet to a point 35.00 feet Easterly of and at right angles to said Highway Centerline Station P.C. 20+88.00;

THENCE along a line perpendicular to said highway centerline North 65°31'43" East 5.00 feet;

THENCE Southeasterly for 400.80 feet on the arc of a curve to the right having a delta angle of 19°21'51", radius of 1185.92 feet, and a chord which bears South 14°47'22" East 398.90 feet to a point 40.00 feet Easterly of and at right angles to said Highway Centerline Station P.T. 24+75.29;

THENCE along a line 40.00 feet Easterly of and parallel to said highway centerline South 5°06' East 733.74 feet, more or less, to a point on the Southerly boundary of said W $\frac{1}{2}$ SW $\frac{1}{4}$;

THENCE along the Southerly boundary of said W $\frac{1}{2}$ SW $\frac{1}{4}$ North 89°30'56" West 85.41 feet, more or less;

THENCE along a line 45.00 feet Westerly of and parallel to said highway centerline North 5°06'26" West 725.42 feet, more or less, to a point 45.00 feet Westerly of and at right angles to said Highway Centerline Station P.T. 24+75.29;

THENCE Northwesterly for 372.08 feet on the arc of a curve to the left having a delta angle of 19°21'51", radius of 1100.92 feet, and a chord which bears North 14°47'22" West 370.31 feet to a point 45.00 feet Westerly of and at right angles to said Highway Centerline Station P.C. 20+88.00;

THENCE along a line perpendicular to said highway centerline North 65°31'43" East 10.00 feet;

THENCE along a line 35.00 feet Westerly of and parallel to said highway centerline North 24°28'17" West 1160.63 feet to a point 35.00 feet Westerly of and at right angles to said Highway Centerline Station P.T. 9+27.37;

THENCE Northwesterly for 114.47 feet on the arc of a curve to the right having a delta angle of 7°41'03", radius of 853.51 feet, and a chord which bears North 20°37'46" West 114.38 feet.

more or less, to a point on the Westerly boundary of said W $\frac{1}{2}$ SW $\frac{1}{4}$, said point also lying 35.00 feet Westerly of and at right angles to said Highway Centerline Station 8+17.60; THENCE along the Westerly boundary of said W $\frac{1}{2}$ SW $\frac{1}{4}$ North 0°23'34" West 409.01 feet, more or less, to the REAL POINT OF BEGINNING.

Exhibit B

List of Water Rights

Water Right	Basis	Source
47-2551	License	Ground Water
47-10693	Decreed	Rock Creek
47-124B	Decreed	Rock Creek
47-138	Decreed	Rock Creek
47-122	Decreed	Rock Creek
47-158	Decreed	Rock Creek
47-162A	Decreed	Rock Creek
47-16394	Decreed	Ground Water
47-16395	Decreed	Ground Water