

May 5, 2009

Mr. Blake Jordan
Department of Water Resources
900 N Skyline Drive
Idaho Falls, Idaho 83402

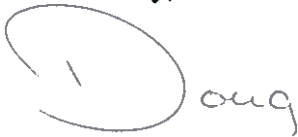
Re: Keith and Juanna Beth Lewis Water Right Transfer

Dear Mr. Jordan,

This letter is to inform you that Idaho Agricultural Credit Association does not object to the Lewis's application for transfer of water right, wherein the place of use for water right 34-13901 will be changed to reflect the actual acres being irrigated.

Feel free to call me at 356-5479 if you require further information.

Sincerely,



Doug Eck
Loan Officer
Idaho ACA

RECEIVED

MAY 07 2009

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Security Interest in a Water Right

And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

JUL 15 2004

Department of Water Resources
Eastern Region

RECEIVED

JUL 30 2004

DEPARTMENT OF
WATER RESOURCES

1. Water Right No(s): 34-2469 13901
Adjudication Claim No(s): _____
2. The following **REQUIRED** information must be submitted with this form:
 - A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - B) A **FEE** of \$25.00 per water right or adjudication claim.
3. Name and Mailing Address of Person or Company holding Security Interest
Idaho AgCredit, FLCA
PO Box 386
Rexburg, Idaho 83440
4. Name of Water Right Owner/Claimant(s) Keith D. Lewis
5. Expiration Date of Notification Period June 1, 2024
6. Is this a Renewal of Request for Notification? ☐ YES ☒ NO
7. Signature(s) (and title if applicable) Doug Eck
Doug Eck, Loan Officer 1-800-632-8821

For Office Use Only

Received by <u>gk</u>	Date <u>7-15-04</u>	Fee <u>\$25-</u>
Received by <u>gk</u>	Date <u>7-15-04</u>	Receipt No. <u>EO 30051</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

SUPPORT DATA

IN FILE # 34-449

FAX

from Keith D. Lewis

208-588-2433

Attn: Blake

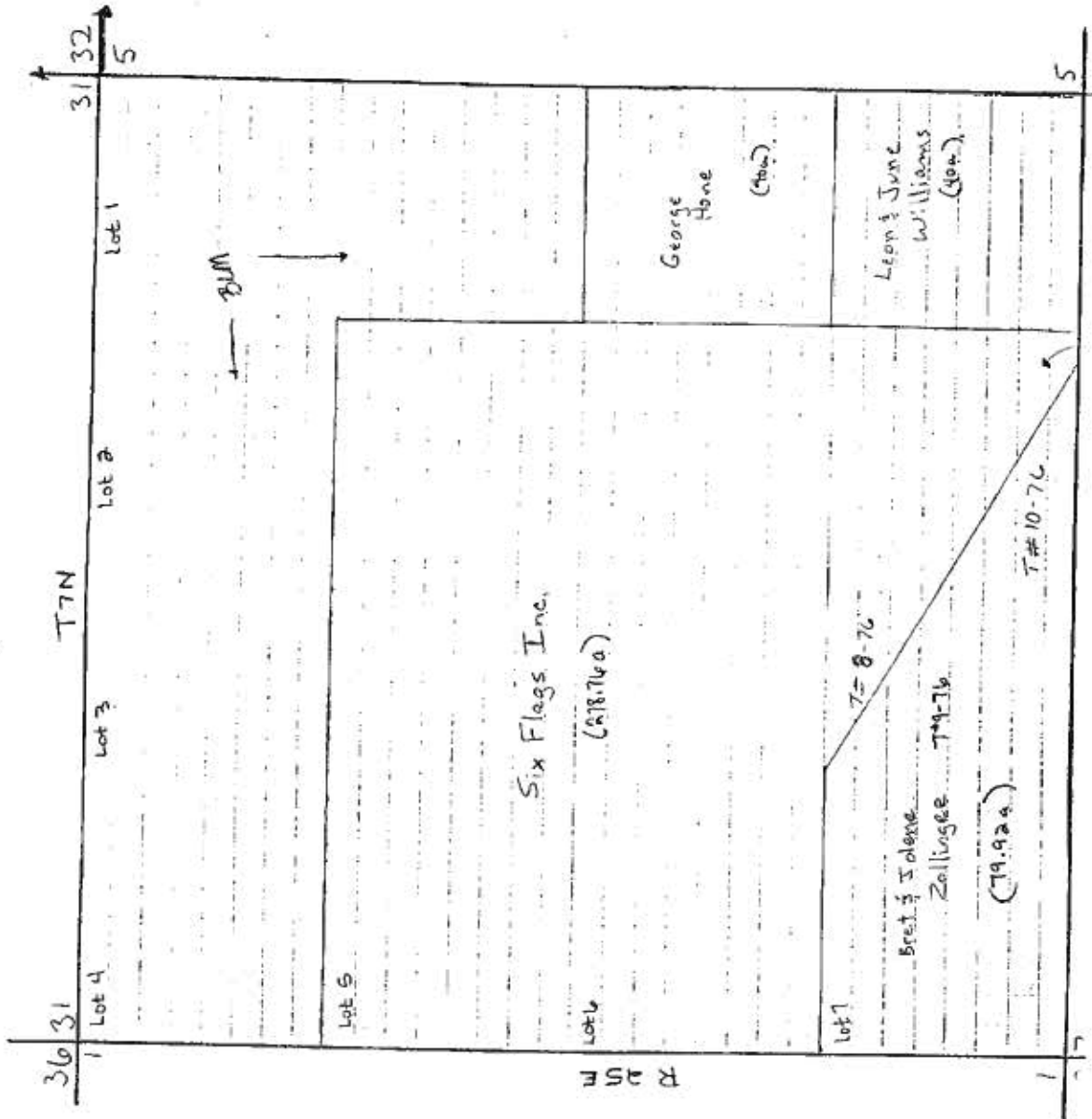
If time are not clear, let us know
and we will mail copies.

Thanks!

Keith

T6NR26E

SEC 6



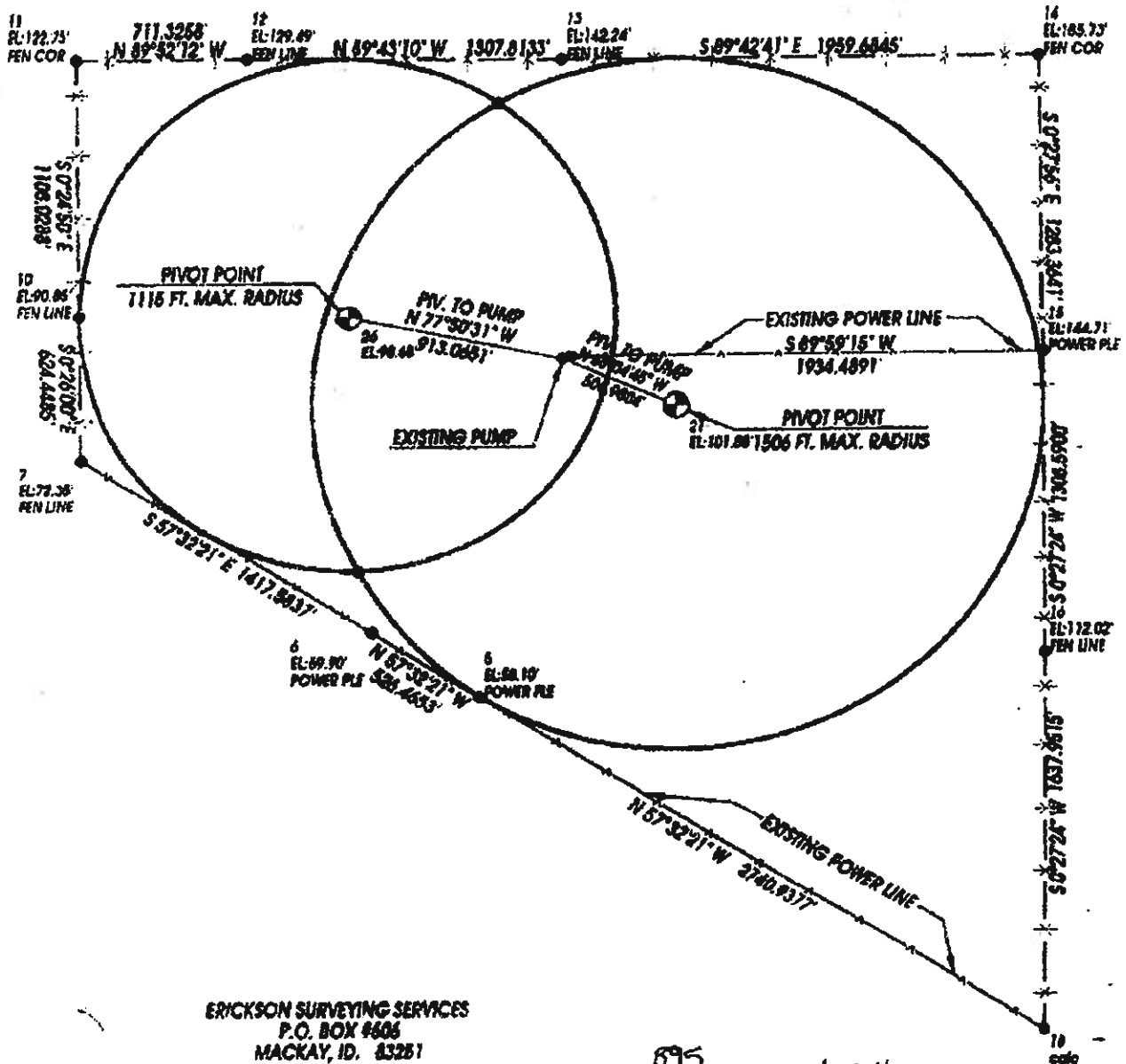
TRAIN-26-00 WED 03:21

2. 62

①

HONE PIVOTS EAST OF ROAD

SCALE 1" = 600 FT.



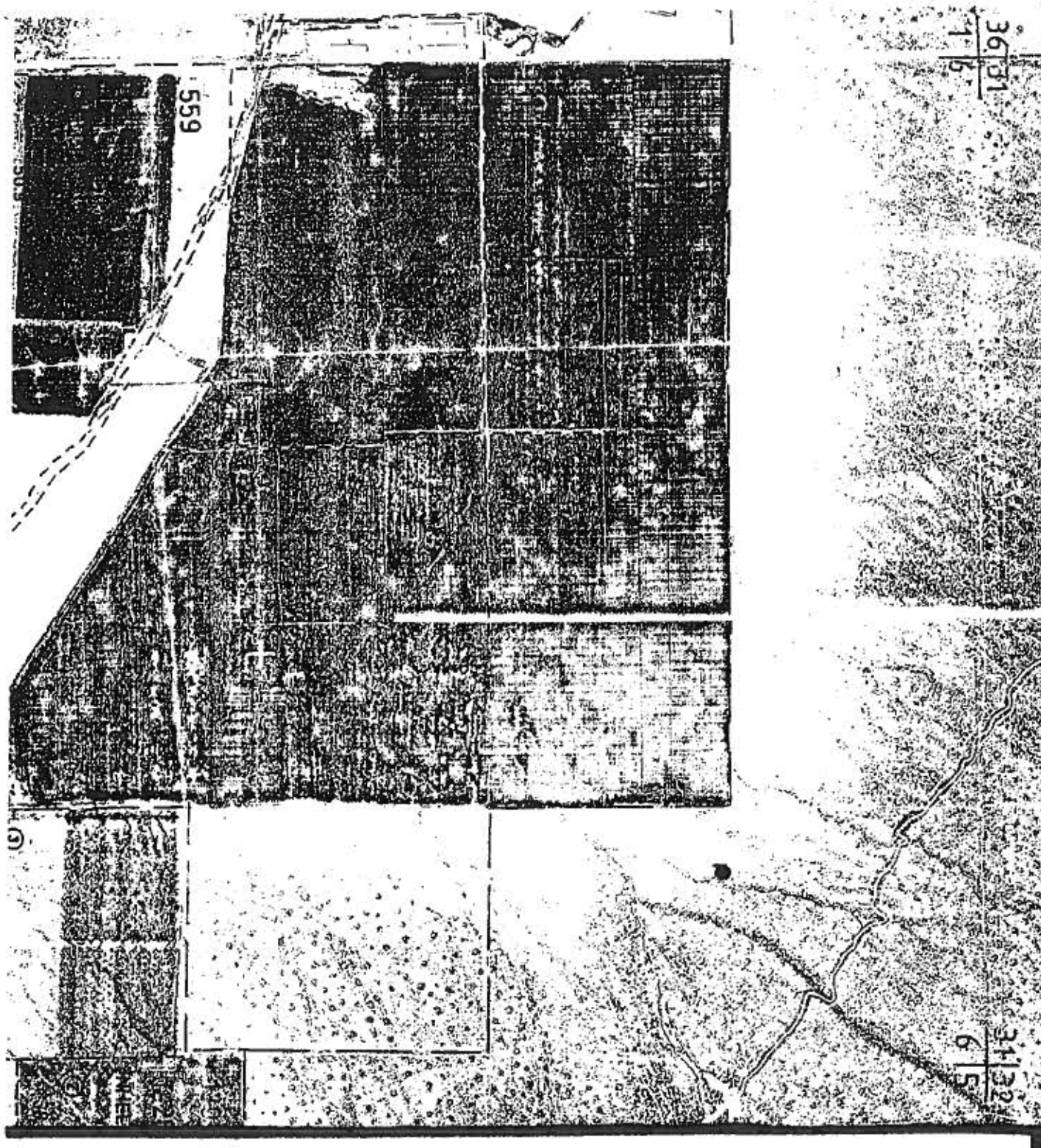
ERICKSON SURVEYING SERVICES
P.O. BOX #606
MACKAY, ID. 83251
PH. 208-688-3112
FAX. 208-688-2463

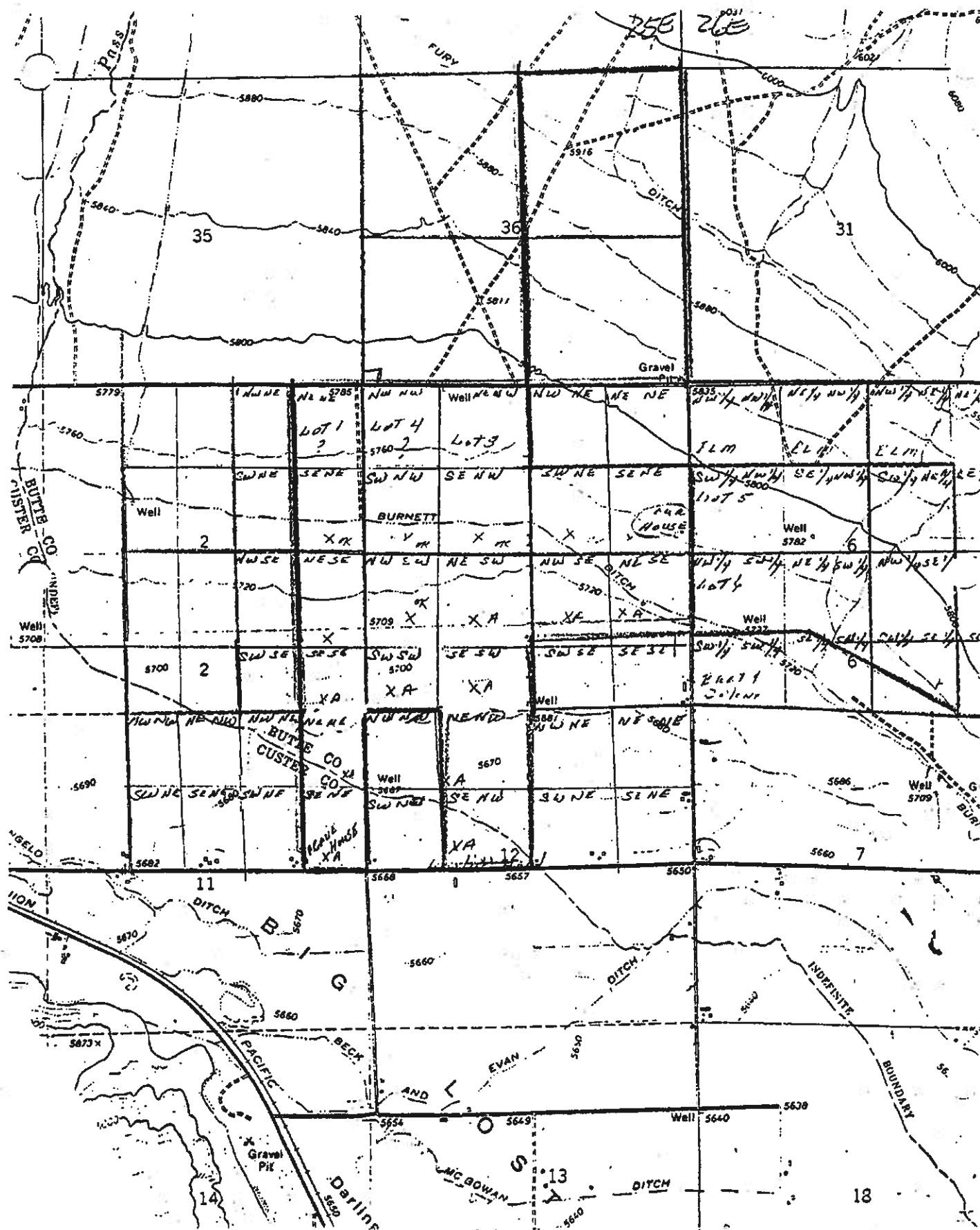
MAY 26, 1999

895

1074

code





FILE No. 3398LRTA

INSTRUMENT NO.

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED JIMMIE DOWTON and DENISE DOWTON, Husband and Wife Grantor(s), do hereby grant, bargain, sell and convey unto KEITH D. LEWIS and JUANNA BETH LEWIS, Husband and wife Grantee(s), whose current address is HC 69 Box 57, Milburn NE 68813, the following described real estate situated in BUTTE County, State of Idaho, to wit:

See Exhibit A attached hereto and made a part hereof.

NO. 0040050
RECORDED

NOV 06 2003

9:46 AM PM
BUTTE COUNTY RECORDER
Kim Bennett

TO HAVE AND TO HOLD the described premises, together with all tenements, hereditaments and appurtenances therunto belonging, unto the Grantee, his/her/its successors and assigns forever, Grantor does hereby covenant to and with the Grantee that he/she is the owner in fee simple of said premises and that he/she will warrant and defend the same from all lawful claims whatsoever.

DATED: 4-9-03

Jimmie Dowton
JIMMIE DOWTON

Denise Dowton
DENISE DOWTON

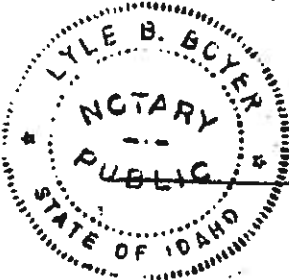
STATE OF IDAHO

COUNTY OF BUTTE

On this 9th day of April, 2003, before me, the undersigned, a Notary Public in and for the State, personally appeared JIMMIE DOWTON and DENISE DOWTON, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he executed the same.

Lyle B. Boyer
Notary Public
Residing at: Arco, ID
My Commission Expires: 5-31-2003

THIS SPACE FOR COUNTY RECORDERS USE ONLY



Idaho Title & Trust
400 Memorial Drive, PO BOX 50367, Idaho Falls, ID 83402

Exhibit A

TRACT II:

**Township 6 North, Range 26 East of the Boise Meridian, Butte County, Idaho.
Section 6: SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$**



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

October 28, 2008

Keith D Lewis
4157 N 3600 W
Darlington, ID 83255

Certified Mail

RE: Unauthorized Water use

Dear Mr. Lewis:

Using aerial photos and satellite imagery IDWR staff has identified approximately 33.4 acres located in Section 06, Township 06 North (T6N), Range 26 East (R26E) being irrigated without a valid water right. Records on file at the Idaho Department of Water Resources (IDWR) indicate that you are the owner of these lands.

Attached is a 2006 aerial photo and 2007 satellite image showing evidence of irrigation under a pivot irrigation system for 230.4 acres. Though water rights 34-13900 and 34-13901 cover a combined total of 255 acres, review of IDWR records shows no water rights appurtenant to the 33.4 acres in the SWNE and NWSE Section 6 T6N R26E.

Irrigation without a valid water right is an unlawful diversion pursuant to Idaho Code §42-351. **You are instructed to cease and desist any further irrigation of the approximate 33.4 acres in the SE and NE quarters of Section 06, T6N R26E as described on the maps until a valid water right or transfer can be obtained.**

Please contact our office immediately if you are not the current owner of the lands in question, you believe you have valid water right(s) and or transfer application(s) filed with IDWR for these lands or you feel our records are in error. I ask that you contact our office within fourteen (14) days from the date of this letter to discuss these findings and any remedy of the unauthorized use. You may contact Blake Jordan or Heather Bohac directly at 208-525-7161 regarding this matter.

Pending your response to this letter, **IDWR will determine whether to issue a Notice of Violation and commence any administrative enforcement action** that may include civil penalties and mitigation requirements for unlawful diversions during 2007.

Regards,

Ernie Carlsen
Water Resource Program Manager

Cc: Tim Luke, IDWR
Nick Miller, IDWR
Bob Shaffer, Water District 34

Enclosures: 2006 Aerial Photography, 2007 Satellite Imagery

WARRANTY DEED

THIS WARRANTY DEED, is between the ESTATE OF MERLE HONE, and the GEORGE R. HONE TESTAMENTARY TRUST, herein referred to as the Grantors Hone; and JIMMIE AND DENISE DOWTON, husband and wife, herein referred to as the Grantees Dowton, P.O. Box 1217, Challis, Idaho 83226.

WITNESSETH, for and in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantors Hone does hereby grant, bargain, sell, and convey unto the said Grantees Dowton and their successors and assigns forever, all of Grantors' interest in the real property the Hone Ranch, consisting of 1400 acres (more or less), located in Butte and Custer Counties, Idaho, and more particularly and legally described on the documents attached Exhibit A, including all water rights, grazing permits or leases, irrigation equipment, appurtenances, attachments and fixtures.

IN WITNESS WHEREOF, the Grantors Hone have set their hand and seal the day and year first above written.

DATED this 9th day of April 2003.

GEORGE R. HONE TESTAMENTARY TRUST

NO. 0039252
RECORDED

APR 09 2003

AM 4:30 PM
BUTTE COUNTY RECORDER

Tully S. McAffee

Terry C. Hone
by: Terry Hone, as Trustee

Jerilyn Rindfleisch
by: Jerilyn Rindfleisch, as Trustee

0226826

WARRANTY DEED

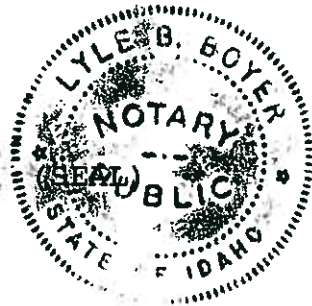
0226826
Custer County Reg. Pl.
Idaho Trust Co. Alligro
Time 2:15 P.M. Date 4-18-03
Ethel M. Clerk
Deputy *Una Baker* 1/2

ESTATE OF MERLE HONE

Bart Hone
by: Bart Hone,
As Personal Representative

STATE OF IDAHO)
:ss
County of Butte)

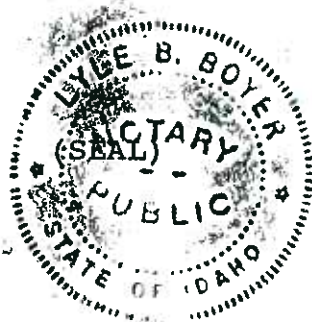
On this 9th day of April 2003, before me, a Notary Public of said State, personally appeared Terry Hone and Jerilyn Rindfleisch, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared and acknowledged to me that they executed the same as authorized agent and trustee for the GEORGE R. HONE TESTAMENTARY TRUST.



Lyle B. Boyer
NOTARY PUBLIC FOR: Idaho
Residing at: Arco, Idaho
My commission expires: 5-31-2003

STATE OF IDAHO)
:ss
County of Butte)

On this 9th day of April 2003, before me, a Notary Public of said State, personally appeared Bart Hone, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared and acknowledged to me that they executed the same as authorized agent and personal representative for the ESTATE OF MERLE HONE.



Lyle B. Boyer
NOTARY PUBLIC FOR: Idaho
Residing at: Arco, Idaho
My commission expires: 5-31-2003

Exhibit A

TRACT I:

Township 6 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

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

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

Township 6 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 6: Lot 5 (SW $\frac{1}{4}$ NW $\frac{1}{4}$); Lot 6 (NW $\frac{1}{4}$ SW $\frac{1}{4}$); SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPTING: Commencing at the $\frac{1}{4}$ Corner between Sections 6 and 7; Township 6 North, Range 26 E.B.M., thence North 0°35' West 687.65 feet, thence South 57°38' East 1,403.0 feet, thence North 86°55' West 1,179.75 feet to the point of beginning.

ALSO EXCEPTING: A portion SW $\frac{1}{4}$ SE $\frac{1}{4}$ described as commencing at a point which is South 30°07'38" West 2,699.7 feet from the East $\frac{1}{4}$ corner of said Section 6, and running thence South 0°24'14" East 243.34 feet, thence North 86°55' West 67.36 feet, thence North 57°12'14" West 158.67 feet, thence North 0°24'14" West 152.36 feet; thence North 89°35'46" East 280.0 feet to the point of beginning.

ALSO EXCEPTING: SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 6 North, Range 26 E.B.M., Butte County, Idaho.

ALSO INCLUDING: Commencing at the $\frac{1}{4}$ corner between Sections 6 and 7, Township 6 North, Range 26 E.B.M., thence North 0°35' West 687.65 feet to the real point of beginning, continuing thence North 0°35' West 648.0 feet, thence North 87°04' West 1,106.6 feet, thence South 57°38' East 1,316.25 feet to the point of beginning. Together with a right of way 50 feet in width down the East line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 6 North, Range 26 E.B.M., running to and across the Burnett Canal, as set forth in Warranty Deed dated August 19, 1975, executed by KENNETH L. and SHARLENE MCAFFEE, husband and wife, to GEORGE R. HONE and MERLE HONE, husband and wife, recorded August 19, 1975, under Instrument No. 4263, records of Butte County, Idaho.

Township 7 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 36: A portion of the SW $\frac{1}{4}$ of said Section 36, Township 7 North, Range 25 E.B.M., Butte County, Idaho, described as: Commencing at the SW Corner of said Section 36, and running thence East 144 feet; thence North 204 feet; thence West 144 feet; thence South 204 feet to the point of beginning.

TRACT II:

Township 6 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 6: SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$

226826

TRACT III:

PARCEL 1:

Township 6 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 1: Lot 3; NW $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 2: SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL 2:

Township 6 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 1: E $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; and all of the N $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPT a tract beginning at the SE $\frac{1}{4}$ corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, thence West 900 feet, thence North 400 feet to the South boundary of the Bernett Ditch; thence Southeasterly along said Ditch 960 feet to East line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, thence South 100 feet to the point of beginning.

Section 2: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 11: E $\frac{1}{4}$ NE $\frac{1}{4}$, lying North of Pass Creek

Section 12: NE $\frac{1}{4}$ NW $\frac{1}{4}$ and that part of SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying North of Pass Creek.

TRACT IV:

Township 7 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 36: E $\frac{1}{4}$

Tract V (Custer County)

LEGAL DESCRIPTION

EXHIBIT 'B'

TOWNSHIP 6 NORTH, RANGE 25 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 11: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SOUTH OF PASS CREEK.

SECTION 12: SE $\frac{1}{4}$ NW $\frac{1}{4}$ SOUTH OF PASS CREEK.

EXCEPTING THEREFROM ANY PART IN BUTTE COUNTY.

COPY
*originals
Lewis*

FILE No. S398LRTA

INSTRUMENT NO.

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED JIMMIE DOWTON and DENISE DOWTON, Husband and Wife Grantor(s), do hereby grant, bargain, sell and convey unto KEITH D. LEWIS and JUANNA BETH LEWIS, Husband and wife Grantee(s), whose current address is HC 69 Box 57, Milburn NE 68813, the following described real estate situated in BUTTE County, State of Idaho, to wit:

See Exhibit A attached hereto and made a part hereof.

0226827
Custer County, Rec. of
Idaho Title & Trust c/o Alliance
Time 2:10 P M Date 4-14-2003
Ethel M. Fock, Clerk
Lura Baker \$ 9.00
Deputy

TO HAVE AND TO HOLD the described premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the Grantee, his/her/it successors and assigns forever, Grantor does hereby covenant to and with the Grantee that he/she is the owner in fee simple of said premises and that he/she will warrant and defend the same from all lawful claims whatsoever.

DATED: 4-9-03

Jimmie Dowton
JIMMIE DOWTON

Denise Dowton
DENISE DOWTON

STATE OF IDAHO

COUNTY OF BUTTE

On this 9th day of April, 2003, before me, the undersigned, a Notary Public in and for the State, personally appeared JIMMIE DOWTON and DENISE DOWTON, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he executed the same.

Lyle B. Boyer
Notary Public
Residing at: Arw, ID
My Commission Expires: 5-31-2003

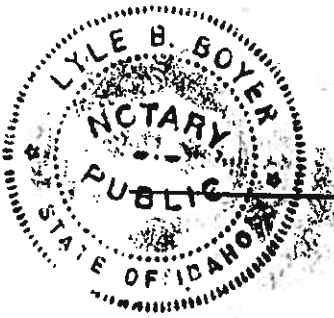
THIS SPACE FOR COUNTY RECORDERS USE ONLY

NO. 0039253
RECORDED

APR 09 2003

AM 4:31 PM
BUTTE COUNTY RECORDER

Tully L. McAffee



226827

Exhibit A

TRACT 1:

Township 6 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

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

Township 6 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 6: Lot 5 (SW $\frac{1}{4}$ NW $\frac{1}{4}$); Lot 6 (NW $\frac{1}{4}$ SW $\frac{1}{4}$); SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$

EXCEPTING: Commencing at the $\frac{1}{4}$ Corner between Sections 6 and 7; Township 6 North, Range 26 E.B.M., thence North 0°35' West 687.65 feet, thence South 57°38' East 1,403.0 feet, thence North 86°55' West 1,179.75 feet to the point of beginning.

ALSO EXCEPTING: A portion SW $\frac{1}{4}$ SE $\frac{1}{4}$ described as commencing at a point which is South 30°07'38" West 2,699.7 feet from the East $\frac{1}{4}$ corner of said Section 6, and running thence South 0°24'14" East 143.34 feet, thence North 86°55' West 67.36 feet, thence North 57°12'14" West 158.67 feet, thence North 0°24'14" West 152.36 feet; thence North 89°35'46" East 200.0 feet to the point of beginning.

ALSO EXCEPTING: SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 6 North, Range 26 E.B.M., Butte County, Idaho.

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Township 7 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 36: A portion of the SW $\frac{1}{4}$ of said Section 36, Township 7 North, Range 25 E.B.M., Butte County, Idaho, described as: Commencing at the SW Corner of said Section 36, and running thence East 144 feet; thence North 204 feet; thence West 144 feet; thence South 204 feet to the point of beginning.

TRACT III:

PARCEL 1:

Township 6 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 1: Lot 3; NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 2: SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL 2:

Township 6 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 1: E $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; and all of the N $\frac{1}{4}$ SE $\frac{1}{4}$

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TRACT IV:

Township 7 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 36: E $\frac{1}{4}$

LEGAL DESCRIPTION

EXHIBIT 'A'

TRACT V:

TOWNSHIP 6 NORTH, RANGE 25 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 11: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SOUTH OF PASS CREEK.

SECTION 12: SE $\frac{1}{4}$ NW $\frac{1}{4}$ SOUTH OF PASS CREEK.

EXCEPTING THEREFROM ANY PART IN BUTTE COUNTY.

APR 09 2003

QUIT CLAIM DEEDAM 4:29 PM
BUTTE COUNTY RECORDER

Tully S. McAffee

THIS QUIT CLAIM DEED is from Six Flags, an Idaho Corporation, hereinafter called Grantor Six Flags, to Jimmie and Denise Dowton, husband and wife, to whose address is P.O. Box 1217 Challis, Idaho 83326, herein referred to as the Grantees Dowton.

WITNESSETH, for and in consideration of ONE DOLLAR (\$1.00), and other good and valuable consideration in resolution of cases, the receipt and sufficiency of which is hereby acknowledged, Grantor Six Flags does hereby does hereby convey and quitclaim unto the said Grantees Dowton, and their successors and assigns forever, all of the Grantor Six Flag's interest in the property known as the Hone Ranch, consisting of 1400 acres (more or less), located in Butte and Custer Counties, Idaho, and more particularly and legally described on the documents attached Exhibit A.

TO HAVE AND TO HOLD the premises, with their appurtenances (including water rights) unto the said Grantee, their successors and assigns forever; together with all and singular, the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise remainders, rents, issues, and profits thereof. This deed is an absolute conveyance of title, in effect as well as in form, not intended as a mortgage, trustee conveyance, or security of any kind. In construing this deed, and where the context so requires, the singular includes the plural, and the masculine includes the feminine and neuter.

0226825

#

Custer County Req. of

Idaho Title Trust Co Alliance

Time 2:10 P M Date 4-14-2003

Ethel M. Baker, Clerk

Lura Baker \$12.00

Deputy

QUITCLAIM DEED

1

IN WITNESS WHEREOF the Grantors Dowton hereunto have set their hand and seal the day and year first above written.

DATED this 9th day of April 2003.

Six Flags, Inc.

Terry C. Hone

by: Terry Hone

Jerilyn Rindfleisch
Jerilyn Rindfleisch

STATE OF IDAHO)
 : ss
County of Butte)

On this 9th day of April 2003, before me, a Notary Public in and for the County and State, personally appeared Terry Hone and Jerilyn Rindfleisch, known to me to be the persons whose names are subscribed to the foregoing instrument and signed and acknowledged to me that they executed the same as the President and Secretary of Six Flags, Inc. and acknowledged to me that the corporation had approved this deed and they executed this deed on behalf of the corporation with approval.

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



Kyle B. Boyer

NOTARY PUBLIC FOR: Idaho

Residing at: Arco, ID

My Commission Expires: 5-31-2003

Exhibit A

TRACT I:

Township 6 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

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

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Section 6: Lot 5 (SW $\frac{1}{4}$ NW $\frac{1}{4}$); Lot 6 (NW $\frac{1}{4}$ SW $\frac{1}{4}$); SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPTING: Commencing at the $\frac{1}{4}$ Corner between Sections 6 and 7; Township 6 North, Range 26 E.B.M., thence North 0°35' West 687.65 feet, thence South 57°38' East 1,403.0 feet, thence North 86°55' West 1,179.75 feet to the point of beginning.

ALSO EXCEPTING: A portion SW $\frac{1}{4}$ SE $\frac{1}{4}$ described as commencing at a point which is South 30°07'38" West 2,699.7 feet from the East $\frac{1}{4}$ corner of said Section 6, and running thence South 0°24'14" East 243.34 feet, thence North 86°55' West 67.36 feet, thence North 57°12'14" West 153.67 feet, thence North 0°24'14" West 152.36 feet; thence North 89°35'46" East 200.0 feet to the point of beginning.

ALSO EXCEPTING: SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 6 North, Range 26 E.B.M., Butte County, Idaho.

ALSO INCLUDING: Commencing at the $\frac{1}{4}$ corner between Sections 6 and 7, Township 6 North, Range 26 E.B.M., thence North 0°35' West 687.65 feet to the real point of beginning, continuing thence North 0°35' West 648.0 feet, thence North 87°04' West 1,106.6 feet, thence South 57°38' East 1,316.25 feet to the point of beginning. Together with a right of way 50 feet in width down the East line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 6 North, Range 26 E.B.M., running to and across the Burnett Canal, as set forth in Warranty Deed dated August 19, 1975, executed by KENNETH L. and SHARLENE MCAFFEE, husband and wife, to GEORGE R. HONE and MERLE HONE, husband and wife, recorded August 19, 1975, under Instrument No. 4263, records of Butte County, Idaho.

Township 7 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 36: A portion of the SW $\frac{1}{4}$ of said Section 36, Township 7 North, Range 25 E.B.M., Butte County, Idaho, described as: Commencing at the SW Corner of said Section 36, and running thence East 144 feet; thence North 204 feet; thence West 144 feet; thence South 204 feet to the point of beginning.

TRACT II:

Township 6 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 6: SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$

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TRACT III:

PARCEL 1:

Township 6 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 1: Lot 3; NW $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 2: SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL 2:

Township 6 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 1: E $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; and all of the N $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPT a tract beginning at the SE $\frac{1}{4}$ corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, thence West 900 feet, thence North 400 feet to the South boundary of the Bennett Ditch; thence Southeasterly along said Ditch 960 feet to East line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, thence South 100 feet to the point of beginning.

Section 2: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 11: E $\frac{1}{4}$ NE $\frac{1}{4}$, lying North of Pass Creek

Section 12: NE $\frac{1}{4}$ NW $\frac{1}{4}$ and that part of SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying North of Pass Creek.

TRACT IV:

Township 7 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 36: E $\frac{1}{4}$

Tract V (Custer County)

LEGAL DESCRIPTION

EXHIBIT 'B'

TOWNSHIP 6 NORTH, RANGE 25 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 11: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SOUTH OF PASS CREEK.

SECTION 12: SE $\frac{1}{4}$ NW $\frac{1}{4}$ SOUTH OF PASS CREEK.

EXCEPTING THEREFROM ANY PART IN BUTTE COUNTY.