

Should questions arise during the processing of this application please contact:
Steven Hannula ERO Resources Corp. (208) 373-7983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED

SEP 07 2006

WATER RESOURCES
WESTERN REGION

Name of applicant Jeff and Carrie Benton Phone (208) 939-6927

Post Office address 1796 S. Riverchase Way, Eagle, ID 83616

A. Purpose of Transfer

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To allow irrigation of the banks of the ditch that runs along the east portion of the property that is not covered by a water right. An equal amount of land will be retired from irrigation due to the construction of the house and driveway.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-196</u>	<u>6/1/1877</u>	<u>0.003 cfs</u>	<u>Irrigation</u>	<u>03/01</u> to <u>11/15</u>
<u>63-197</u>	<u>6/1/1891</u>	<u>0.007 cfs</u>	<u>Irrigation</u>	<u>03/01</u> to <u>11/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.03* cubic feet per second and/or _____ acre-feet per annum.

* 0.03 cfs is listed because the land irrigated is less than 5 acres (Transfer memo section 5f.2). This amount of diversion rate is adequate for the pressurized sprinkle system needed for the few sprinkler heads that will be used to irrigate the proposed place of use (approximately 0.5 acres within 0.9 acre lot).

3. Source of water Boise River tributary to Snake River

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
7		SW	SE	16	4N	1E	ADA	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	S W	SE	NE	NW	SW	SE	
4N	1E	16												0.5			0.4		0.9

Total acres 0.9 (note total irrigated area is approximately 0.5 acres within the approx. 0.9 acre lot)

WITHDRAWN
06-06-2008

PART 1

6. General Information:

- a. Description of diversion system The Mace-Catlin ditch is an open channel that diverts water from the Boise River and leads to a head gate. The head gate regulates flow to an open ditch. The ditch leads to a pipeline. Water that does not enter the pipeline overflows to a small ditch that is aligned between the east edge of Island Woods and the west edge of River's End subdivisions. A small irrigation pump station will be installed along this ditch to relift this water to the a pressurized irrigation system.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: Most of the land within lot 19 blk 5 (within the Place of Use of 63-196 and 63-197) is retired due to construction of the house and driveway. This retired area will allow for an equal amount of irrigation along the ditch bank.
- d. Remarks: The applicant purchased additional land along the eastern boundary of lot 19 blk 5 where no appurtenant water right was found. The applicant seeks to move the portion of the subject water rights to include the additional land, where the area to be irrigated is balanced with that area retired from the impervious surfaces of the house and driveway. The total area is approximately 0.9 acre with approximately 0.5 acres that will be irrigated.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

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

For the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 63-196 Decreed to Lois L. Joplin

in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

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

☐ Tax Notice☐ Warranty Deed☐ Other _____

3. Source of water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purpose:

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

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

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use:

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

See attached copy of the Recommendation for 63-196

Total acres _____

9. Describe any other water rights used for the same purpose as described above

PART 2

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. Amount 0.003 cfs for Irrigation purposes from 03/01 to 11/15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
7		SW	SE	16	4N	1E	ADA	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	16												0.5					0.5

Total acres 0.5

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

1. Amount 0.657 cfs for Irrigation purposes from 03/01 to 11/15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
7		SW	SE	16	4N	1E	ADA	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	16									13	31	36	32.5					112.5

Total acres 112.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 63-197 Decreed to Lois L. Joplin

in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

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

☐ Tax Notice☐ Warranty Deed☐ Other _____

3. Source of water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purpose:

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

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

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use:

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

See attached copy of the Recommendation for 63-197

Total acres _____

9. Describe any other water rights used for the same purpose as described above

PART 2

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. Amount 0.007 cfs for Irrigation purposes from 03/01 to 11/15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
7		SW	SE	16	4N	1E	ADA	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	16												0.5					0.5

Total acres 0.5

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

1. Amount 1.653 cfs for Irrigation purposes from 03/01 to 11/15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
7		SW	SE	16	4N	1E	ADA	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	16									13	31	36	32.5					112.5

Total acres 112.5

PART 3**B. CHANGES IN NATURE OF USE**

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

2. Quantity and quality of return flows and location of discharge:

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

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

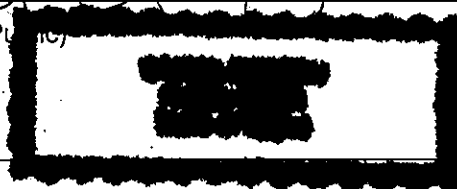
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Carrie Benton
(Signature of Applicant)

Subscribed and sworn before me this 31st day of August, 2006.

[Signature]
(Notary Public)

My commission expires 2-19-2010

**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by DB Date 9-7-06 Protest filed by _____

Prelim. Check by _____ Fee \$100 -

Receipted by DB W034656 Date 9-7-06

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

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

04/26/2006

WATER RIGHT NO. 63-196

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LOIS L JOPLIN 2260 S EAGLE RD EAGLE, ID 83616 (208)939-2308
Original Owner	W H CONWAY

Priority Date: 06/01/1877

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.66 CFS	
Total Diversion			0.66 CFS	

Location of Point(s) of Diversion:

BOISE RIVER	SWSE Lt 7	Sec. 16	Township 04N	Range 01E	ADA County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
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04N	01E	16	6	NESW	13	5	NWSW	31		SWSW	36	6	SESW	33
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Total Acres: 113

Conditions of Approval:

1.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2.	S45	Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
3.	155	
4.		This right is also designated as Right No. 64 in the Boise River Stewart Decree and Boise River Water Distribution Report.
5.	J01	Property is also known as Island Woods Subdivision.

Dates:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 63

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

04/26/2006

WATER RIGHT NO. 63-197

Owner Type	Name and Address
Current Owner	LOIS L JOPLIN 2260 S EAGLE RD EAGLE, ID 83616 (208)939-2308
Original Owner	W H CONWAY

Priority Date: 06/01/1891

Basis: Decreed

Status: Active

Source	Tributary
BOISE RIVER	SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/01	11/15	1.6 CFS	
Total Diversion			1.6 CFS	

Location of Point(s) of Diversion:

BOISE RIVER	SWSE Lt 7	Sec. 16	Township 04N	Range 01E	ADA County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
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04N	01E	16	6	NESW	13	5	NWSW	31		SWSW	36	6	SESW	33
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Total Acres: 113

Conditions of Approval:

1.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2.	S45	Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
3.	155	This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
4.		This right is also designated as Right No. 118 in the Boise River Stewart Decree and Boise River Water Distribution Report.
5.	J01	Property is also known as Island Woods Subdivision.

Dates:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 63

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



RECORD OF SURVEY FOR

BOB BEEDE

LOCATED IN THE SW 1/4 OF THE SW 1/4 OF SECTION 16,

T.4N., R.1E., B.M.,

CITY OF EAGLE, ADA COUNTY, IDAHO

• IDAHO SURVEY GROUP •

MERIDIAN, IDAHO

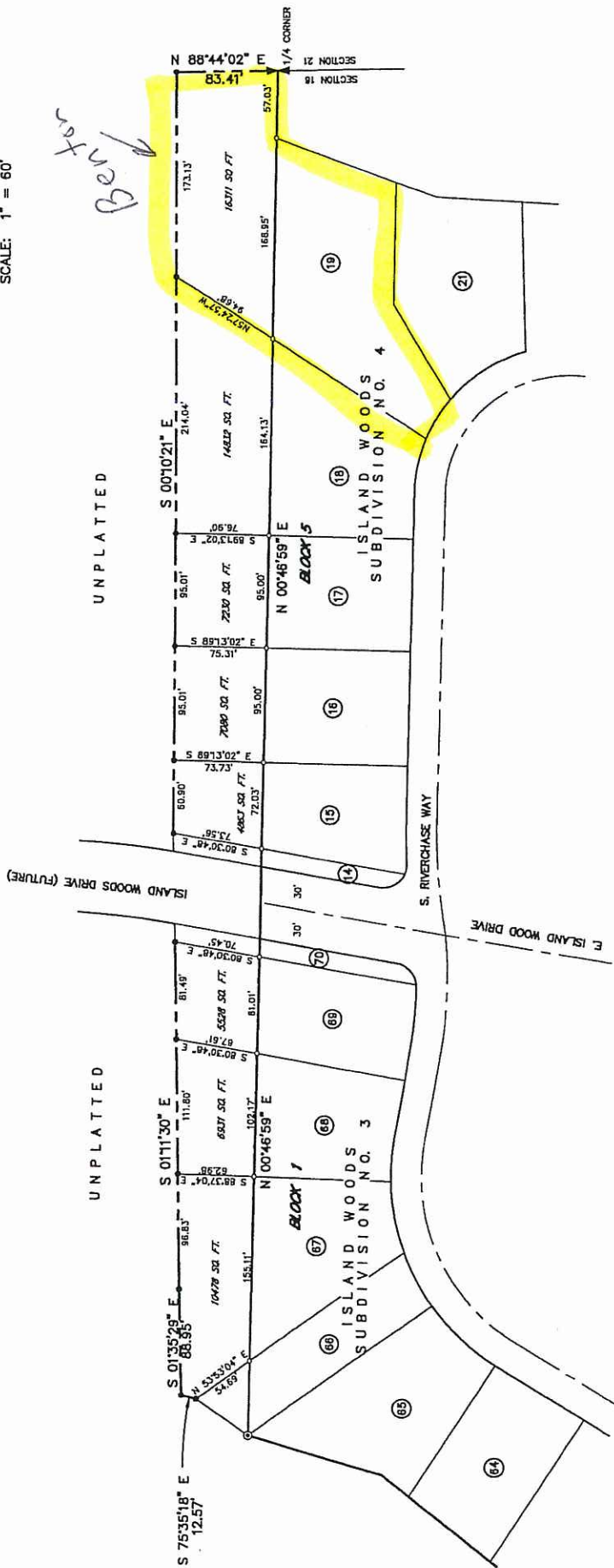
2002

RECORD OF SURVEY NO. 5889



0 30 60 90 120 150

SCALE: 1" = 60'



LEGEND

- Set 1/2" Iron Pin
- Found 1/2" Iron Pin
- ⊙ Found 5/8" Iron Pin
- Boundary Line
- Original Boundary Line of Island Woods Subdivision
- Centerline of Road
- Lot Line

NOTE

- 1.) BASIS OF BEARING PER ISLAND WOODS SUBDIVISION NO. 3

CERTIFICATE OF LAND SURVEYOR

I, GREGORY G. CARTER, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MAP IS AN ACCURATE REPRESENTATION OF A SURVEY, AND IS IN CONFORMITY WITH THE CURRENT LAWS OF THE STATE OF IDAHO PERTAINING TO PLATS AND SURVEYS.



GREGORY G. CARTER, PLS

LICENSE NO. 7729

COUNTY RECORDER'S CERTIFICATE

INST. NO. 102088978

STATE OF IDAHO, COUNTY OF ADA, SS.

FILED FOR RECORD AT THE REQUEST OF Idaho Survey Group

39 MIN. PAST 3 O'CLOCK P. M. THIS 6th DAY OF August 2002.

ADA COUNTY, RECORDER

BY J. David Hammer TL Olson DEPUTY

FEE \$ 5.00

RECORDING INDEX NUMBER: 413-16-3-3-0-00-00

Jeff
Benton

P-99096 JB

WARRANTY DEED 9036938

FOR VALUE RECEIVED JOPLIN RANCH LIMITED PARTNERSHIP, AN IDAHO LIMITED PARTNERSHIP,

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto B. W., INC., AN IDAHO CORPORATION,

GRANTEE(S), whose current address is: 1523 E. BOISE AVENUE, BOISE, ID 83706
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:

SEE EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF, BY REFERENCE,
AND WHICH IS COMPRISED OF FIVE (5) PAGES.

SUBJECT TO THE EXCEPTIONS SET FORTH IN EXHIBIT "B" ATTACHED HERETO AND
MADE A PART HEREOF, BY REFERENCE.

Ada County, Idaho

Request of
PIONEER TITLE CO.

TIME 10:15 M.

DATE 7-19-90

JOHN EASTON

RECORDER

By *John Easton*

Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, right of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: July 09, 1990

JOPLIN RANCH LIMITED PARTNERSHIP

Lois Joplin
LOIS JOPLIN, General Partner

ACKNOWLEDGMENT - Partnership

STATE OF IDAHO County of Ada ss.

On this 10th day of July, 1990, before me
John L. Bloch, a notary public,
personally appeared Lois Joplin
known or identified to be one of the partners in a partnership of JOPLIN RANCH LIMITED
PARTNERSHIP, an Idaho Limited Partnership,
and the partner or one of the partners who subscribed said partnership name to the foregoing
instrument, and acknowledged to me that he executed the same in said partnership name.

Notary Public: *John L. Bloch*

Residing at: *Boise, Idaho*

My commission expires: 3/17/93



PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702 / (208) 336-6700
888 North Cole Road / Boise, Idaho 83704 / (208) 377-2700



HUBBLE ENGINEERING, INC.

8592 Fairview Avenue, Boise, Idaho 83704

(208) 322-8992

Proj.: 9002-019

5/25/90

EAGLE ISLAND PROPERTY DESCRIPTION

Portions of Government Lots 5 and 6, a portion of the SW 1/4 of the SW 1/4 of Section 16, and a portion of Government Lots 2, 3 and 4 of Section 21, T.4N., R.1E., B.M., Ada County, Eagle, Idaho are being more particularly described as follows:

Beginning at the one-quarter corner common to Sections 16 and 17, said point being marked by an aluminum cap from which the SW corner of said Section 16 bears South 0°56'03" West;

thence South 89°51'15" East along the East-West centerline of Section 16 for a distance of 96.80 feet to a right-of-way monument on the Easterly right-of-way line of Eagle Road;

thence South 2°30'09" West for a distance of 8.76 feet along said Easterly right-of-way line to the TRUE POINT OF BEGINNING;

thence South 2°30'09" West along said Easterly right-of-way line for a distance of 356.26 feet to a right-of-way monument;

thence South 0°56'03" West along said Easterly right-of-way line for a distance of 2,260.18 feet;

thence along a non-tangent curve to the left, being said Easterly right-of-way line for a distance of 14.00 feet, said curve having a radius of 5,647.58 feet, a central angle of 0°08'32", tangents of 7.00 feet and a long chord length of 14.00 feet bearing South 0°56'33" East to a point of non-tangency being marked by a right-of-way monument;

thence South 2°48'05" East along said Easterly right-of-way line for a distance of 1.86 feet to a point on the South boundary of Section 16, from which the section corner common to Sections 16, 17, 20 and 21, bears North 89°43'44" West 87.38 feet;

thence continuing South 2°48'05" East along said Easterly right-of-way line for a distance of 760.11 feet to a point on the right bank of the South branch of the Boise River;

Eagle Island Property

Page 1

EXHIBIT "A"

thence along said right bank for the following 8 courses:

South 68°47'12" East for a distance of 73.82 feet;

thence North 61°01'52" East for a distance of 169.68 feet;

thence North 31°29'30" East for a distance of 167.29 feet;

thence North 34°13'42" East for a distance of 265.51 feet;

thence North 49°43'34" East for a distance of 153.03 feet;

thence North 59°44'48" East for a distance of 145.29 feet;

thence North 43°08'51" East for a distance of 111.71 feet;

thence North 50°34'36" East for a distance of 131.69 feet to a point on the South boundary of said Section 16;

thence continuing along said right bank for the following 7 courses:

North 50°34'36" East for a distance of 214.74 feet;

thence North 64°05'06" East for a distance of 114.62 feet;

thence North 83°20'35" East for a distance of 80.46 feet;

thence South 87°31'13" East for a distance of 74.49 feet;

thence South 82°59'38" East for a distance of 78.26 feet;

thence South 56°19'42" East for a distance of 174.23 feet;

thence South 37°31'54" East for a distance of 113.25 feet to a point on the South boundary of said Section 16;

thence continuing along said right bank for the following 8 courses:

South 37°31'54" East for a distance of 194.05 feet;

5/25/90

thence South 49°20'22" East for a distance of 323.98 feet;
 thence South 52°32'34" East for a distance of 251.20 feet;
 thence South 76°57'01" East for a distance of 128.02 feet;
 thence North 71°01'54" East for a distance of 128.30 feet;
 thence North 35°30'44" East for a distance of 83.60 feet;
 thence North 27°39'15" East for a distance of 139.14 feet;
 thence North 47°16'45" East for a distance of 154.18 feet;

thence leaving said right bank of the South branch of the
 Boise River North 0°21'32" West for a distance of 206.41 feet
 (formerly described as North 1°10'00" West 222.90 feet) to a 4" iron pipe;

thence South 88°44'02" West for a distance of 83.41 feet to
 the 1/4 corner common to Sections 15 and 21;

thence North 0°46'59" East along the North-South centerline
 of said Section 16 1,144.00 feet (formerly described as being
 North) to a point on the Southerly boundary of that property
 described in Warranty Deed with Instrument No. 7600156;

thence along the Southerly and Westerly boundary of said
 property for the next 8 courses:

North 74°03'05" West (formerly described as North 74°50'00"
 West) 116.00 feet;

thence North 51°09'05" West (formerly described as North
 51°56'00" West) 212.00 feet;

thence North 60°57'05" West (formerly described as North
 61°44'00" West) 125.00 feet;

thence North 73°28'05" West (formerly described as North
 74°15'00" West) 158.00 feet;

Proj.:9002-019

5/25/90

thence North 28°09'05" West (formerly described as North 28°56'00" West) 187.00 feet;

thence North 6°38'05" West (formerly described as North 7°25'00" West) 117.00 feet;

thence North 0°16'55" East (formerly described as North 0°30'00" West) 162.00 feet;

thence North 29°52'08" West 692.70 feet to a point on the left bank of the North branch of the Boise River;

thence along the said left bank for the next 4 courses:

North 51°19'20" West for a distance of 82.37 feet;

thence North 49°58'16" West for a distance of 60.29 feet;

thence North 69°00'44" West for a distance of 32.38 feet;

thence North 62°04'29" West for a distance of 27.60 feet;

thence South 85°37'26" West (formerly described as South 84°41'24" West) 440.95 feet along the North side of Williamson Lane (a private road);

thence North 83°20'34" West 171.09 feet (formerly described as North 84°16'36" West 171.01 feet) along the North side of said private road to a point on the Southerly boundary of that property described in Warranty Deed with Instrument No. 804858;

thence North 82°11'34" West along the Southerly boundary of said property (formerly described as North 84°21'00" West) 170.35 feet;

thence continuing along said Southerly boundary for the next 4 courses:

North 79°27'04" West (formerly described as North 81°36'30" West) 214.28 feet along the North side of said private road;

Eagle Island Property

Page 4

Proj :9002-019

5/25/90

thence South 84°20'36" West (formerly described as South 82°11'10" West) 121.85 feet along the North side of said private road;

thence South 88°37'34" West (formerly described as South 86°28'08" West) 184.93 feet to a point on the South side of said private road;

thence North 60°28'42" West (formerly described as North 62°38'03" West) 103.08 feet to a point on the Easterly right-of-way line of Eagle Road, said point also being the TRUE POINT OF BEGINNING.

Contains 144.158 Acres

GMD/sw
450.des



Eagle Island Property

Page 5

EXHIBIT "B"

1. GENERAL TAXES FOR THE YEAR 1990, WHICH ARE LIENS, ARE NOT YET DUE AND PAYABLE.
2. SEWERAGE CHARGES AND SPECIAL ASSESSMENT POWERS OF THE CITY OF EAGLE. NO SPECIAL ASSESSMENTS NOW SHOWN OF RECORD.
3. ANY ADVERSE CLAIM BASED UPON THE ASSERTION THAT:
 - A. SAID LAND OR ANY PART THEREOF IS NOW OR AT ANY TIME HAS BEEN BELOW THE ORDINARY HIGH WATER MARK OF THE BOISE RIVER.
 - B. SOME PORTION OF SAID LAND HAS BEEN CREATED BY ARTIFICIAL MEANS OR HAS ACCRETED TO SUCH PORTIONS SO CREATED.
 - C. SOME PORTION OF SAID LAND HAS BEEN BROUGHT WITHIN THE BOUNDARIES THEREOF BY AN AVULSIVE MOVEMENT OF THE BOISE RIVER, OR HAS BEEN FORMED BY ACCRETION TO SUCH PORTIONS SO CREATED.
4. ANY QUESTION THAT MAY ARISE DUE TO SHIFTING OR CHANGE IN THE COURSE OF THE RIVER OR CREEK HEREIN NAMED, OR DUE TO SAID RIVER OR CREEK HAVING CHANGED ITS COURSE.
NAME OF RIVER: BOISE RIVER
5. RIGHT OF THE STATE OF IDAHO IN AND TO THAT PORTION OF SAID PREMISES, IF ANY, LYING IN THE BED OR THE FORMER BED OF THE BOISE RIVER.
6. RIGHTS OF WAY FOR DITCHES, TUNNELS AND TELEPHONE AND TRANSMISSION LINES CONSTRUCTED BY AUTHORITY OF THE UNITED STATES, AS GRANTED TO THE UNITED STATES UNDER THE PROVISIONS OF SECTION 58-604 IDAHO CODE 1947.
7. EASEMENT GRANTED BY GEORGE E. FLETCHER TO SALT LAKE PIPE LINE COMPANY, BY INSTRUMENT RECORDED MARCH 1, 1950 IN BOOK 22 OF MISCELLANEOUS RECORDS AT PAGE 337, RECORDS OF ADA COUNTY, IDAHO, MODIFIED BY AGREEMENT DATED APRIL 11, 1952 BETWEEN KARL FISCHER, A SINGLE MAN AND SALT LAKE PIPE LINE COMPANY, A CORPORATION BY INSTRUMENT RECORDED MAY 14, 1952 UNDER RECORDER'S FEE #331475, RECORDS OF ADA COUNTY, IDAHO.
8. AN EASEMENT CONTAINING CERTAIN TERMS, CONDITIONS AND PROVISIONS AFFECTING A PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN.
FOR: THE PURPOSE OF CONSTRUCTING THEREON IRRIGATION FACILITIES AND A CHANNEL CHANGE BY THE STATE OF IDAHO OR ITS AGENTS OR CONTRACTORS.
IN FAVOR OF: STATE OF IDAHO, BY AND THROUGH THE IDAHO TRANSPORTATION BOARD FOR THE DIVISION OF HIGHWAYS
RECORDED: APRIL 7, 1976
INSTRUMENT NO.: 7612742
AFFECTS: PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16
9. RELINQUISHMENT OF RIGHT OF ACCESS TO HIGHWAY UNDER TERMS OF DEED.
IN FAVOR OF: STATE OF IDAHO, BY AND THROUGH THE IDAHO TRANSPORTATION BOARD FOR THE DIVISION OF HIGHWAYS
RECORDED: APRIL 7, 1976
INSTRUMENT NO.: 7612743
10. COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS CONTAINED IN DEED TO THE STATE OF IDAHO, CONVEYING A PORTION OF THE PROPERTY ADJOINING.
RECORDED: APRIL 7, 1976
INSTRUMENT NO.: 7612743
AS FOLLOWS: GRANTORS CONVEY UNTO THE GRANTEE THE RIGHT TO PROHIBIT THE ERECTION OR CONSTRUCTION OF ANY BUILDINGS OR STRUCTURES EXCEPT IRRIGATION OR DRAINAGE STRUCTURES WITHIN TWENTY FEET (20') OF THE REAL PROPERTY ABOVE DESCRIBED.

CONTINUED

11. AN EASEMENT CONTAINING CERTAIN TERMS, CONDITIONS AND PROVISIONS AFFECTING A PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN.

FOR: A RIGHT OF WAY AND EASEMENT FOR THE ERECTION AND CONTINUED OPERATION, MAINTENANCE, REPAIR, ALTERATION, INSPECTION AND REPLACEMENT OF THE ELECTRICAL TRANSMISSION, DISTRIBUTION AND TELEPHONE LINES AND CIRCUITS OF THE GRANTEE, ATTACHED TO POLES OR OTHER SUPPORTS, TOGETHER WITH GUYS, CROSSARMS AND OTHER ATTACHMENTS AND INCIDENTAL EQUIPMENT THEREON AND APPURTENANCES, WITH THE RIGHT TO PERMIT THE ATTACHMENT OF THE WIRES AND FIXTURES OF OTHER COMPANIES OR PARTIES TOGETHER WITH ALL RIGHTS OF INGRESS AND EGRESS NECESSARY FOR THE FULL AND COMPLETE USE, OCCUPATION AND ENJOYMENT OF THE EASEMENT HEREBY GRANTED AND ALL RIGHTS AND PRIVILEGES INCIDENT THERETO, INCLUDING THE RIGHT FROM TIME TO TIME TO CUT, TRIM AND REMOVE TREES, BRUSH, OVERHANGING BRANCHES AND OTHER OBSTRUCTIONS WHICH MAY INJURE OR INTERFERE WITH THE GRANTEE'S USE, OCCUPATION OR ENJOYMENT OF THIS EASEMENT AND THE OPERATION, MAINTENANCE AND REPAIR OF GRANTEE'S ELECTRICAL SYSTEM.

IN FAVOR OF: IDAHO POWER COMPANY, A CORPORATION

RECORDED: JUNE 26, 1979

INSTRUMENT NO.: 7934762

12. RIGHTS AND CLAIMS IN AND TO THAT CERTAIN PRIVATE ROAD LOCATED IN GOVERNMENT LOT 5 OF SECTION 16 AS DISCLOSED BY DEEDS RECORDED UNDER NOS. 8678096 AND 3678956.
13. THE EFFECT OF CITY OF EAGLE ORDINANCE NO. 156 RECORDED OCTOBER 30, 1989, UNDER INSTRUMENT NO. 8953702 WHICH AMONG OTHER THINGS STATES THAT THE ZONING LAND USE CLASSIFICATION IS R-5.



PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702
(208) 336-6700

888 North Cole Road / Boise, Idaho 83704
(208) 377-2700

92.8.17.35

PIONEER TITLE CO.

92 DEC 4 PM 4 40

SPACE ABOVE FOR RECORDING DATA

P-110839

G R A N T D E E D

FOR VALUE RECEIVED

SYLVAN D. WILLIAMSON and BARBARA A. WILLIAMSON, husband and wife,

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

B. W., INC., an Idaho corporation,

GRANTEE(S), whose current address is: 1523 E. Boise Avenue, Boise, ID 83706
the following described real property in Ada
more particularly described as follows, to wit:

County, State of Idaho.

See the attached Exhibit "A" for legal description, which by
this reference is incorporated herein.

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

Dated: August 6, 1992

Sylvan D. Williamson
Sylvan D. Williamson

Barbara A. Williamson
Barbara A. Williamson

STATE OF Idaho County of Ada ss.

On this 6th day of August, 1992, before me
Janet L. Blossch, a notary public,
personally appeared Sylvan D. Williamson and Barbara A. Williamson
known or identified to me to be the person(s) whose name(s) are subscribed to the within
instrument, and acknowledged to me that he executed the same.

Notary Public
Residing at Boise, Idaho
My Commission Expires 3.12.93

EXHIBIT "A"

PARCEL B

A PARCEL OF LAND LYING IN GOVERNMENT LOT 7, SECTION 16, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE QUARTER CORNER COMMON TO SECTION 16 AND 21 OF TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN, MARKED BY AN ALUMINUM CAP MONUMENT; THENCE NORTH 0 46'59" EAST ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 16, SAID CENTERLINE ALSO BEING THE WESTERLY LINE OF GOVERNMENT LOT 7, FOR A DISTANCE OF 1124.88 FEET TO A 5/7 INCH IRON PIN ON THE SOUTHERLY SIDE OF A DIRT ROAD COMMONLY CALLED THE WILLIAMSON ROAD, SAID POINT BEING THE REAL POINT OF BEGINNING; THENCE CONTINUING NORTH 0 46'59" EAST ON SAID NORTH-SOUTH CENTERLINE FOR A DISTANCE OF 19.12 FEET TO A 5/8 INCH IRON PIN ON THE NORTHERLY SIDE OF SAID WILLIAMSON ROAD, SAID POINT ALSO BEING ON THE PROPERTY LINE AS SHOWN ON RECORD OF SURVEY NO. 1691, INSTRUMENT NO. 9040792 OF ADA COUNTY RECORDS; THENCE NORTH 83 43'36" EAST FOR A DISTANCE OF 47.20 FEET TO A WOODEN FENCE POST AT AN ANGLE POINT IN AN EXISTING FENCE LINE; THENCE NORTH 1 53'17" WEST ON SAID EXISTING FENCE LINE FOR A DISTANCE OF 246.02 FEET TO A POINT ON THE 1867 MEANDER LINE OF THE LEFT BANK OF THE NORTH CHANNEL OF THE BOISE RIVER; THENCE NORTH 89 04'00" EAST ON SAID MEANDER LINE FOR A DISTANCE OF 24.23 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF THAT PROPERTY AS DESCRIBED IN THE DECISION OF CASE NO. 90545, IDAHO FOURTH JUDICIAL DISTRICT COURT, WELLS VS. WILLIAMSON; THENCE SOUTH 0 11'38" EAST ON THE WESTERLY PROPERTY LINE OF SAID PROPERTY FOR A DISTANCE OF 256.17 FEET, MORE OR LESS, TO A 1/2 INCH IRON PIN AT THE SOUTHWEST CORNER OF SAID PROPERTY; THENCE

PARCEL C

A PARCEL OF LAND LYING IN GOVERNMENT LOT 7 OF SECTION 16, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE QUARTER CORNER COMMON TO SECTIONS 16 AND 21 OF TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN, MARKED BY AN ALUMINUM CAP MONUMENTING; THENCE NORTH 0 46'59" EAST ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 16, SAID CENTERLINE ALSO BEING THE WESTERLY LINE OF GOVERNMENT LOT 7, FOR A DISTANCE OF 1144.00 FEET TO A 5/8 INCH IRON PIN ON THE NORTHERLY SIDE OF A DIRT ROAD COMMONLY CALLED THE WILLIAMSON ROAD, SAID POINT BEING ON THAT PROPERTY LINE AS SHOWN ON RECORD OF SURVEY NO. 1691, INSTRUMENT NO. 9040792 OF ADA COUNTY RECORDS, SAID POINT ALSO BEING THE REAL POINT OF BEGINNING; THENCE CONTINUING NORTH 0 46'59" EAST ON SAID NORTH-SOUTH CENTERLINE FOR A DISTANCE OF 250.49 FEET TO A POINT ON THE 1867 MEANDER LINE OF THE LEFT BANK OF THE NORTH CHANNEL OF THE BOISE RIVER; THENCE NORTH 89 04'00" EAST ON SAID MEANDER LINE FOR A DISTANCE OF 35.39 FEET TO A POINT ON AN EXISTING FENCE LINE; THENCE SOUTH 1 53'17" EAST ON SAID EXISTING FENCE LINE FOR A DISTANCE OF 246.02 FEET TO A WOODEN FENCE POST AT AN ANGLE POINT IN SAID FENCE LINE; THENCE SOUTH 83 43'36" WEST FOR A DISTANCE OF 47.20 FEET TO THE REAL POINT OF BEGINNING.

END OF LEGAL DESCRIPTION



PIONEER TITLE COMPANY
OF ADA COUNTY
8151 W. Rifleman Ave. / Boise, Idaho 83704
(208) 377-2700

217609

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2002 JL -1 AM11:02

RECORDED - REQUEST OF

FEE 6- DEPUTY *mc*

102074321

PIONEER

WARRANTY DEED

For Value Received B. W. Inc., an Idaho corporation

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Robert Beede and Susan Beede, Husband and Wife

hereinafter referred to as Grantee, whose current address is 1772 River Chase Way, Eagle, Id 83616
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

Subject to existing irrigation, drainage, and overflow flood channels

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: June 24, 2002

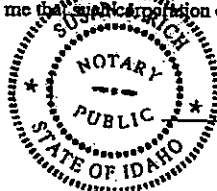
B. W. Inc.

By:

Dennis M. Baker, President

STATE OF Idaho, County of Ada ss.

On this 24th day of June, in the year of 2002, before me the undersigned, a notary public, personally appeared Dennis M. Baker known or identified to me to be the President of the corporation that executed the instrument or the person/persons who executed the instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.



Susan J. Rich
Notary Public of Idaho
Residing at Boise
Commission expires: May 5, 2005

EXHIBIT A

A parcel of land lying in Government Lot 7, Section 16, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the aluminum cap marking the quarter corner common to Sections 16 and 21 of Township 4 North, Range 1 East, Boise Meridian; thence

North 0 degree 46'59" East on the North-South centerline of said Section 16, said centerline also being the Westerly line of Government Lot 7 of said Section 16, for a distance of 1,124.86 feet to a point on a fence line on the Southerly side of a dirt road commonly called the Williamson Road; thence

South 75 degrees 35'36" East on said fence line for a distance of 57.48 feet to an angle point in said fence line; thence

South 1 degree 39'03" East on a fence line running along the West side of said dirt road for a distance of 88.94 feet; thence

South 1 degrees 11'30" East on said fence line for a distance of 377.05 feet; thence

South 0 degree 10'21" East on said fence line for a distance of 642.74 feet to a 1-inch iron pipe in said fence line as shown on Record of Survey Number 1691, recorded in Book G of Surveys at Page 1719 of Ada County Records; thence

South 88 degrees 44'02" West on that property line as shown on said Record of Survey Number 1691 for a distance of 83.41 feet to the point of beginning,

EXCEPTING THEREFROM THE FOLLOWING:

A parcel of land lying in Government Lot 7, Section 16, Township 4 North, Range 1 East Boise Meridian, Ada County, Idaho, more particularly described as follows:

BEGINNING at the Southeast corner of Lot 70, Block 1, of Island Woods Subdivision No. 4, as recorded in Book 76 of Plats at Pages 8000 thru 8003 of Ada County records, Boise, Idaho; thence

South 00 degree 46'59" West along the East boundary of said subdivision a distance of 60.70 feet to the Northeast corner of Lot 14, Block 5 of said subdivision; thence

South 80 degrees 30'48" East, a distance of 73.11 feet; thence

North 01 degrees 11'30" West, a distance of 61.06 feet; thence

North 80 degrees 30'48" West, a distance of 70.98 feet to the point of beginning.

ALSO EXCEPTING THE FOLLOWING:

A triangular parcel of land lying East of and adjacent to Lot 66, Block 1 of Island Woods Subdivision No. 3, all in Government Lot 7 of Section 16, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the quarter corner common to Sections 16 and 21 of Township 4 North, Range 1 East, Boise Meridian, marked by an aluminum cap; thence

North 0 degrees 46'59" East on the North-South centerline of said Section 16, said centerline also being the Westerly line of Government Lot 7, for a distance of 1,081.48 feet to an iron pin, said point begin the real point of beginning; thence continuing

North 0 degree 46'59" East on said North-South centerline for a distance of 43.40 feet to a point; thence

South 75 degrees 35'36" East, departing said North-South centerline, a distance of 44.97 feet to a point; thence

South 53 degrees 53'04" West a distance of 54.65 feet to the REAL POINT OF BEGINNING.



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

8151 W. Rifleman Ave / Boise, Idaho 83704 / (208) 377-2700

P-171320 KM

WARRANTY DEED

(CORPORATE FORM)

B.W., INC. , a corporation
organized and existing under the laws of the State of Idaho, with its principal office at 250 S. BEECHWOOD, SUITE
120 BOISE, ID 83709 of County of ADA , State of Idaho,
grantor, hereby CONVEYS or GRANTS and WARRANTS TO

DOUGLAS L. HOUSTON AND NANCY ANN TAYLOR, HUSBAND AND WIFE

of 1347 TETONIA DRIVE, BOISE, ID 83705
TEN DOLLARS AND NO/100

grantee
for the sum of

DOLLARS,

the following described tract(s) of land in ADA

County, State of Idaho:

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

RECORDED - REQUEST OF
PIONEER TITLE
FEE 300 DEPUTY *[Signature]*

98084340

1998 SP -1 PM 4:06

LOT 19 IN BLOCK 5 OF ISLAND WOODS SUBDIVISION NO. 4,
ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 76 OF PLATS
AT PAGES 8000 THROUGH 8003, RECORDS OF ADA COUNTY, IDAHO.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized
under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a
quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized
officers this 21 day of August , A.D. 1998

B.W., INC.

(CORPORATE NAME)

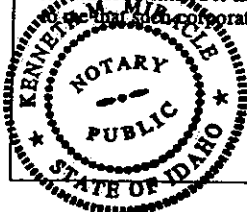
By: *[Signature: Dennis M. Baker]*
DENNIS M. BAKER PRESIDENT

Attest: _____
SECRETARY

STATE OF IDAHO, County of ADA, ss.

On this 21 day of August, in the year of 1998, before me KENNETH M. MIRACLE

personally appeared DENNIS M. BAKER - PRESIDENT, a notary public, per-
known or identified to me to be the person who executed the instrument on behalf of said corporation, and acknowledged
that said corporation executed the same.



Notary Public: *[Signature: Kenneth M. Miracle]*
Residing at: MERIDIAN, IDAHO
My Commission Expires: MARCH 16, 2004

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE &
ESCROW CORP.

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2000 FEB 17 PH 3:55

RECORDED-REQUEST OF

ALLIANCE TITLE
FEE 300 DEPUTY *[Signature]*
100012335

READ & APPROVED BY GRANTEE(S): *[Signature]* *[Signature]*

{0080}

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 00085794 JG-PB

WARRANTY DEED

FOR VALUE RECEIVED DOUGLAS L. HOUSTON and NANCY ANN TAYLOR, HUSBAND
AND WIFE

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto CHESTER L.
PIPKIN AND SUSAN M. PIPKIN, HUSBAND AND WIFE

GRANTEE(S), whose current address is: 11355 W. CAMAS, BOISE, ID 83709
the following described real property in ADA County, State of Idaho, more particularly
described as follows, to wit:

Lot 19 in Block 5 of ISLAND WOODS SUBDIVISION NO. 4,
according to the Official Plat thereof, filed in Book 76 of
Plats at Page(s) 8000 through 8003, records of Ada County,
Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said
Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from
all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered
or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and
agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments,
if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend
the same from all lawful claims whatsoever.

Dated: February 15, 2000

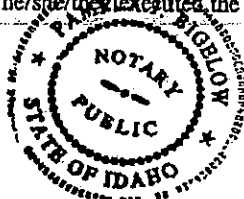
[Signature]
DOUGLAS L. HOUSTON

[Signature]
NANCY ANN TAYLOR

STATE OF IDAHO)
COUNTY OF ADA)

On this 16th day of February, in the year of 2000, before me, the undersigned, a Notary
Public in and for said State, personally appeared DOUGLAS L. HOUSTON and NANCY ANN
TAYLOR

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/she/they executed the same.



Signature: *[Signature]*

Name: PAMELA J. BIGELOW

(type or print)

Residing at: BOISE, IDAHO

My Commission Expires: 01/12/06



ADA COUNTY RECORDER
J. DAVID NAVARRO
2002 JA 11 PH 12:02

TRUSTEE'S DEED

RECORDED - REQUEST OF
12-1-2002
102004003
DEPUTY
First American

First American Title Company of Idaho, Inc., an Idaho Corporation (herein called Trustee) as successor trustee under the Deed of Trust hereinafter particularly described, does hereby Bargain, Sell and Convey, without warranty, to HOME FEDERAL SAVINGS AND LOAN ASSOCIATION OF NAMPA, 500 12th Ave South, Nampa, ID 83651, (herein called Grantee) all of the real property situated in the County of Ada, State of Idaho, described as follows:

Lot 19 in Block 5 of ISLAND WOODS SUBDIVISION NO. 4, according to the official plat thereof, filed in Book 76 of Plats at Page 8000 through 8003, Official Records of Ada County, Idaho.

By reason of the automatic stay provisions of U.S. Bankruptcy Code 11 U.S.C. 362, the sale was discontinued, and pursuant to provisions of Idaho Code 45-1506(A) the sale was rescheduled and conducted following expiration or termination of the effect of the stay in the manner provided by that section. The Affidavit of Compliance with I.C. 45-1506A(2)(3), together with copies of the required Affidavit of Affidavits which are attached hereto and incorporated herein.

This conveyance is made pursuant to the powers conferred upon Trustee by the deed of trust between CHESTER L PIPKIN AND SUSAN M PIPKIN, husband and wife, as grantors for the benefit and security of HOME FEDERAL SAVINGS AND LOAN ASSOCIATION OF NAMPA, as beneficiary, recorded November 3, 2000, as Instrument No. 100088951, Mortgage Records of Ada County, Idaho and after the fulfillment of the conditions specified in said deed of trust authorizing this conveyance as follows:

(a) Default occurred in the obligations for which said deed of trust was given as security and the beneficiary made demand upon the said trustee to sell said property pursuant to the terms of said deed of trust.

Notice of Default was recorded as Instrument No. 101062494, Mortgage Records of Ada County, Idaho and in the office of the Recorder of each other county in which the property described in said deed of trust, or any part thereof, is situated, the nature of such default being as set forth in said notice of default. Such default still existed at the time of sale.

(b) After recordation of said Notice of Default, trustee gave notice of the time and place of the sale of said property by registered/certified mail, return receipt requested, by personal service upon the occupants of said real property and/or by posting in a conspicuous place on said premises and by publishing in a newspaper of general circulation in each of the counties in which the property is situated as more fully appears in affidavits recorded at least 20 days prior to date of sale as Instrument No. 101113210, Instrument No. 101113211, Instrument No. 101113212, Mortgage Records of Ada County, Idaho.

(c) The provisions, recitals and contents of the Notice of Default referred to in paragraph (a) supra and of the Affidavits referred to in paragraph (b) supra shall be and there are hereby incorporated herein and made an integral part hereof for all purposes as though set forth herein at length.

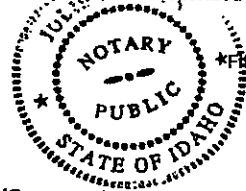
(d) All requirements of law regarding the mailing, personal service, posting, publication and recording of notice of default, and notice of sale and all other notices have been complied with.

(e) Not less than 120 days elapsed between the giving of notice of sale by registered or certified mail and the sale of said property.

(f) Trustee, at the time and place of sale fixed by said notice, at public auction, in one parcel, struck off to Grantee, being the highest bidder therefor, the property herein described, for the sum of \$690,794.94, subject however to all prior liens and encumbrances. No person or corporation offered to take any part of said property less than the whole thereof for the amount of principal, interest, advances and costs.

IN WITNESS WHEREOF, The Trustee, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its Assistant Vice President, this 8th day of January, 2002.

*LIGHT
SEAL



*FIRST AMERICAN TITLE COMPANY OF IDAHO, INC., Trustee

By Monine Cole
Monine Cole Asst. Vice President

STATE OF IDAHO
ss.
COUNTY OF ADA

On this 8th day of January, 2002, before me, a Notary Public in and for said State, personally appeared Monine Cole, known to me to be the Assistant Vice President of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Janice Rhodes
Notary Public

Notary Public, State of Idaho
Residing in Boise
My Commission Expires October 10, 2005

FA-11941
FA-11941

First American Title Company of Idaho

06/27/02 16:02 F.

002

The Grantees herein have read and approved the following:

Title File No.: LT02-2779 TB

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

HOME FEDERAL SAVINGS AND LOAN ASSOCIATION OF NAMPA

a corporation organized and existing under the laws of the State of Idaho, with its principal office at
500 12th Avenue South, Nampa, ID 83651 of County of ADA, State of Idaho,GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto
~~Jeff W Benton and Carrie Benton, husband and wife~~

Jeff Benton and Carrie Benton, husband and wife

GRANTEES(s), whose current address is: 1796 S. Riverchase Way, Eagle, Idaho 83616
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:Lot 19 in Block 5 of ISLAND WOODS SUBDIVISION NO. 4, according to the official
plat thereof, filed in Book 76 of Plats at Pages 8000 thru 8003, records of
Ada County, Idaho.

AND

See attached Exhibit "A" which by this reference becomes a
part hereto and is comprised of one page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s)
heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that
Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances,
EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the
Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any)
of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current
year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful
claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly
authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly
held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name to be hereunto affixed by its duly authorized
officers this 27th day of June, in the year of

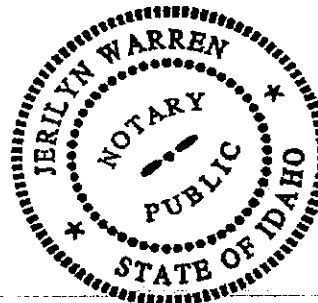
Home Federal Savings & Loan

By Robert Schoelkopf Sr. Vice PresidentAttest: [Signature] Secretary

STATE OF Idaho, County of Ada, ss.

On this 27th day of June in the year of
02, before me, the undersigned, a Notary Public in and
for said State, personally appeared Bob Schoelkopf

known or identified to me to be the Sr. Vice
President/Treasurer of the corporation that executed
the instrument or the person who executed on behalf of
said corporation, and acknowledged to me that such
corporation executed the same.

Signature: [Signature]Name: Jerilyn WarrenResiding at: [Signature]My commission expires: 8/20/02

Lawyers Title of Treasure Valley

LAWYERS TITLE

SL

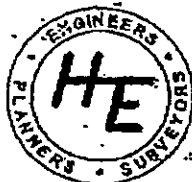
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102074818

 ADA COUNTY RECORDER
J. DAVID HAVARRO
BOISE, IDAHO

 RETURNED - RETURN TO
FEE DEPUTY [Signature]

**HUBBLE ENGINEERING, INC.**

701 S. Allen St., Suite 102 • Meridian, ID 83642

208/322-8992 • Fax 208/378-0329

Project No.: 02-082

June 12, 2002

**LOT 19, BLOCK 5
ADDITIONAL PROPERTY
ISLAND WOODS NO. 4**

A parcel of land located in the SE1/4 of the SW1/4 of Section 16, T.4N. R.1E. B.M., Ada County, Idaho, more particularly described as follows:

BEGINNING at the northeast corner of Lot 19, Block 5, of Island Woods Subdivision No. 4, as recorded in Book 76 of Plats at Pages 8000 thru 8003 of Ada County records, Boise, Idaho;

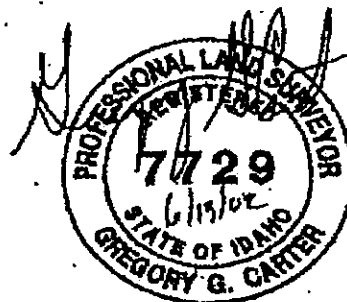
thence South 57°24'57" East, 94.68 feet;

thence South 00°10'21" East, 173.13 feet;

thence South 88°44'02" West, 83.41 feet;

thence North 00°46'59" East, 225.98 feet to the Point of Beginning. Contains 16,311 square feet, more or less.

Prepared by:
HUBBLE ENGINEERING, INC.



Gregory G. Carter, P.L.S.

Benton Property in Island Woods Subdivision
(T4N, R1E, Section 16 SE of SW lot 19, blk 5)

