

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

December 5, 2003

Cindy Yenter
Idaho Department of Water Resources
1341 Fillmore St. Suite 200
Twin Falls, ID 83301

RECEIVED

DEC 08 2003

Department of Water Resources
Southern Region

RE: Richard Kechter Transfers

Dear Cindy,

Please find enclosed the two transfers prepared for Mr Richard Kechter creating a permissible place of use for each of his two farms prepared as we had discussed. I have included a copy of the agreement from the lienholder on the northern property from which we propose to move some acreage. Please consider the larger transfer first to initiate the split of the water rights, and the smaller transfer second which re-arranges the remainder of the rights into a permissible place of use.

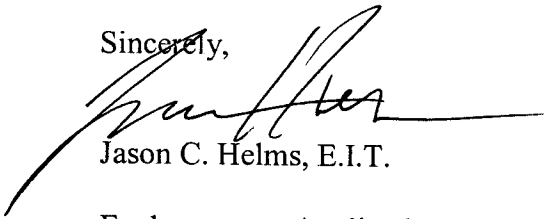
I have also included a change of ownership form for water right 36-8203 with tax notices showing that Mr. Kechter does in fact own the property to which it is appurtenant. Somehow the ownership change was missed originally.

The third enclosure is a notarized statement requesting withdrawal of transfer #69603 which is no longer appropriate for the use originally intended.

Also included is a check for \$1,945.00 to cover the change of ownership and transfer fees associated with these applications.

Thank you and if you have any questions, please don't hesitate to call.

Sincerely,


Jason C. Helms, E.I.T.

Enclosures: Application for transfer of water right (#1)
Application for transfer of water rights (#2)
Change of Ownership (Water Right 36-8203)
Request for Withdrawal of Transfer (Transfer #69603)
Brockway Engineering Check #4701 for \$1,945.00

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

AGREEMENT FOR TRANSFER OF WATER RIGHTS

The purpose of this Agreement is to allow a portion of irrigation water rights to be transferred from it's current property (subject to lien) to other property fully owned by Richard Kechter as described below.

1. Lienholder agrees to allow 14 acres of groundwater right 37-2559 and 8 acres of groundwater right 37-8238, to be permanently transferred from the current place of use as depicted on Exhibit A to this Agreement.

Lienholder/s:

Paul Struschein 12-5-03
Signature Date

Signature Date

Name

Name

Title

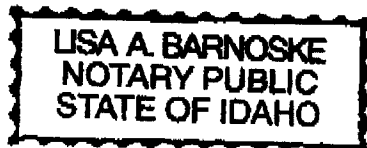
Title

State of Idaho)
County of Cassia) ss.

On this 5th Day of December, 2003, before me, a Notary Public in and for said County and State, personally appeared Paul Struschein known or identified to me to be the individual whose name and subscription to the within instrument, and acknowledged to me that he executed the same.

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

S
E
A
L



Lisa A. Barnoske

Notary Public
In and for said State and County

9/28/04

My Commission Expires

940714

RECORDED

QUEST

of Land Title & Escrow, Inc.

FEB 14 3 26 PM '94

JEROME COUNTY, IDAHO

12.00 DOLLARS

R

APR 18 1994

Department of Water Resources
Southern Region OfficeWARRANTY DEED

THIS INDENTURE, made this 4th day of February, 1994, between H & S FARMS, INC., an Idaho corporation, Route 1, Kimberly, Idaho 83341, ("Grantor"), and RICHARD L. KECHTER, a single person, whose address is 213 West 13th Street, Burley, Idaho 83318, ("Grantee").

W I T N E S S E T H:

That the Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, all of the following described real estate situated in the County of Jerome, State of Idaho, to-wit:

That property more particularly described on Exhibit 1 attached hereto and made a part hereof by reference.

SUBJECT TO: 1994 taxes, levies and assessments, easements recorded in Jerome County in Book 168, at page 54, instrument number 145691, instrument number 150599, instrument number 155401, instrument number 158236, instrument number 163628, and instrument number 184966.

TOGETHER with all and singular the 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 said property.

MICROFILMED

OCT 13 1994

APR 13 1994

Department of Water Resources
Southern Region Office

well in law as in equity of the Grantor, and all water rights appurtenant thereto evidenced by numbers 36-02340, 36-02431, 36-15165, 36-02360, and 36-02399.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee forever.

The Grantor shall and will warrant and by these presents will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the heirs and assigns of Grantee against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid.

IN WITNESS WHEREOF, the Grantor has executed this Deed the day and year first above written.

H & S FARMS, INC.

By: Harold J. Seeley
President

ATTEST:

Clella Seeley
Secretary

STATE OF IDAHO)
) ss.
County of TWIG FALLS)

On this 4th day of February, in the year 1994, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared HAROLD J. SEELEY and CLELLA SEELEY, known or identified to me to be the President and Secretary of H & S FARMS, INC., the corporation that executed the instrument

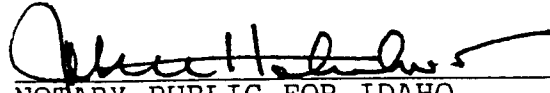
MICROFILMED
OCT 13 1994

B F 1000

APR 18 1994

Department of State
Southern Idaho Office

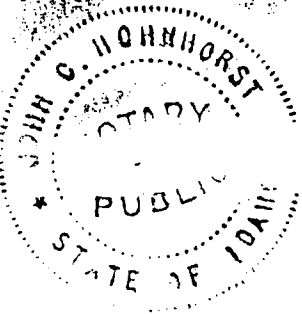
or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



NOTARY PUBLIC FOR IDAHO

Residing at: Twin Falls, Id

My Commission Expires: Sept. 1995



MICROFILMED
OCT 13 1994

R

APR 13 1994

Department of Water Resources
Southeast Region Office

EXHIBIT 1

TOWNSHIP 8 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 8: E1/2 E1/2;
Section 9: W1/2 W1/2;
Section 10: NE1/4; E1/2 SE1/4
Section 11: NW1/4; NE1/4; SW1/4; N1/2 SE1/4;
Section 12: W1/2 NW1/4;
Section 15: NE1/4 NE1/4

MICROFILMED
OCT 13 1994

RECEIVED

WARRANTY DEED

DEC 16 1992

Department of Water Resources

For Value Received WOLTERS INVESTMENT GROUP

Venture, the Grantor, grants, bargains, sells, and conveys to RICHARD L. KECHTER, a single man, the Grantee, of Rt. 4, Box 4230, Burley, Idaho 83318, the property described on Exhibit A.

TO HAVE AND TO HOLD the premises, with their appurtenances to the Grantee and his heirs and assigns forever. The Grantor covenants to and with the Grantee, that the Grantor is the owner in fee simple of the premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated November 13, 1992.

WOLTERS INVESTMENT GROUP

Alex Sinclair
ALEX SINCLAIR

Ralph F. Schnell
RALPH F. SCHNELL

G. KENT TAYLOR, P.A.
RETIREMENT TRUST

BY: *G. Kent Taylor*
G. KENT TAYLOR
Its Trustee

ALICE LEMOYNE
TESTAMENTARY TRUST

BY: *Henri Lemoine*
HENRI LEMOYNE

BY: *George Anthony Prater*
GEORGE ANTHONY PRATER
Its Trustees

Jack J. Mallowney
JACK J. MULLOWNEY
John R. Lemoine
JOHN R. LEMOYNE

ALEX SINCLAIR ROLLOVER IRA

BY: FIRST SECURITY BANK OF
IDAHO, N.A.
Its Trustee

BY: *James E. Smith*

VALLEY INVESTMENTS

BY: *Leon E. Smith, Jr.*
LEON E. SMITH, JR.

BY: *Paul M. Beeks*
PAUL M. BEEKS
Its Partners

WARRANTY DEED - 1

MICROFILMED

JAN 27 1993

Smith & Beeks

Attorneys at Law
210 North Avenue East
Post Office Box 500
Coeur d'Alene, Idaho 83303-0500

924144

RECORDED & REQUEST

offered Title & Escrow, Inc.

Dec 2 9 11 AM '92

JEROME COUNTY, IDAHO

FEES \$100.00

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

On November 16, 1992, before me, a Notary Public in and for said State, personally appeared Alex Sinclair, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed it.

..... *H F Le Moigne*
Notary Public for Idaho
Commission Expires: 6/10/97

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

On November 16, 1992, before me, a Notary Public in and for said State, personally appeared Jack J. Mallowney, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed it.

..... *H F Le Moigne*
Notary Public for Idaho
Commission Expires: 6/10/97

WARRANTY DEED - 2

MICROFILMED

JAN 27 1993

Smith & Weeks

Attorneys at Law
210 North Avenue East
Post Office Box 308

Twin Falls, Idaho 83403-0308

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

On November 16, 1992, before me, a Notary Public in and
for said State, personally appeared Ralph F. Schnell, known or
identified to me to be the person whose name is subscribed to the
within instrument and acknowledged to me that he executed it.

.....*H. F. LeMoigne*.....
Notary Public for Idaho
Commission Expires: 6/10/97

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

On November 14, 1992, before me, a Notary Public in and
for said State, personally appeared John R. LeMoigne, known or
identified to me to be the person whose name is subscribed to the
within instrument and acknowledged to me that he executed it.

.....*H. F. LeMoigne*.....
Notary Public for Idaho
Commission Expires: 6/10/97

WARRANTY DEED - 3

MICROFILMED

JAN 27 1993

Smith & Berks
Attorneys at Law
210 North Avenue East
P.O. Box 508
Twin Falls, Idaho 83303-0508

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

On November 16, 1992, before me, a Notary Public in and for said State, personally appeared G. Kent Taylor, Trustee of the G. Kent Taylor, P.A. Retirement Trust, known or identified to me to be the person who executed the instrument on behalf of the G. Kent Taylor, P.A., Retirement Trust and acknowledged to me that the G. Kent Taylor, P.A., Retirement Trust executed it.

H F Le Moyne
.....
Notary Public for Idaho
Commission Expires: 6/16/97

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

On Nov. 18, 1992, before me, a Notary Public in and for said State, personally appeared Gary Pehrson, known or identified to me to be the Trust Officer of First Security Bank of Idaho, N.A., Trustee of the Alex Sinclair Rollover IRA, the person who executed the instrument of behalf of First Security Bank of Idaho, N.A. and acknowledged to me that First Security Bank of Idaho, N.A. executed it.

Carol K. Eichmann
.....
Notary Public for Idaho
Commission Expires: 11-3-95

WARRANTY DEED - 4

Smith & Weeks
Attorneys at Law
210 West Avenue East
Post Office Box 559
Twin Falls, Idaho 83401-0559

MICROFILMED

JAN 27 1993

STATE OF IDAHO)
 : SS.
County of Twin Falls.)

On November 14, 1992, before me, a Notary Public in and for said State, personally appeared Henri LeMoyne and George Anthony Prater, known or identified to me to be the Trustees of the Alice LeMoyne Testamentary Trust the persons who executed the instrument on behalf of the Alice LeMoyne Testamentary Trust and acknowledged to me that the Alice LeMoyne Testamentary Trust executed it.

.....*H.F. LeMoyne*.....
Notary Public for Idaho
Commission Expires: 6/10/97

STATE OF IDAHO)
 : SS.
County of Twin Falls.)

On November 13, 1992, before me, a Notary Public in and for said State, personally appeared Leon E. Smith, Jr. and Paul M. Beeks, known or identified to me to be the partners of Valley Investments and the persons who executed the instrument on behalf of Valley Investments, and acknowledged to me that Valley Investments executed it.

.....*H.F. LeMoyne*.....
Notary Public for Idaho
Commission Expires: 6/10/97

WARRANTY DEED - 5

MICROFILMED

JAN 27 1993

Smith & Beeks
Attorneys at Law
210 Sixth Avenue West
Post Office Box 508
Twin Falls, Idaho 83303-0508

AL DESCRIPTION OF WOLF S FARM

Parcel No. 1:

TOWNSHIP 8 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 9: E $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$;

Section 10: SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Section 15: NW $\frac{1}{4}$ NW $\frac{1}{4}$;

Parcel No. 2:

TOWNSHIP 8 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 9: S $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Section 10: N $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Parcel No. 3:

TOWNSHIP 8 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 10: SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 15: W $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{4}$ SW $\frac{1}{4}$;

Parcel No. 4:

TOWNSHIP 8 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 15: SW $\frac{1}{4}$ NW $\frac{1}{4}$;

Parcel No. 5:

TOWNSHIP 8 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 16: All of Section 16;

EXHIBIT "A"

MICROFILMED

JAN 27 1993

IDAHO 83338
HALF DUE 657.54 2ND HALF DUE 657.54 FULL DUE 1,315.08 TOT MV 83,733
TAX LATE INT COST TOT TAX LATE INT COST TOT TOT ACS 160.000

KECHTER RICHARD L
218 WEST 13TH STREET
BURLEY ID 83318

TAXING DISTRICT	RATE	AMOUNT
JEROME COUNTY	.004629271	387.62
SCHOOL #261	.004849346	406.04
HILLSDALE HWY	.001913157	160.18
HAZELTON CEM	.000079033	6.62
COLLEGE SQ. ID.	.000881407	73.80
JER RECREATION	.000535940	44.88
JER AMBULANCE	.000172008	14.40
DISTRICT TOTAL	.013060162	1,093.54
MV GROUND WATER DIST		221.54
AMOUNT DUE		1,315.08

E1/2NE, E1/2SE
SEC 8 T8 R21
160 AC

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

X AVAILABLE - LOCATED EAST OF COURTHOUSE
IT CARD PAYMENTS NOW AVAILABLE -- CALL US

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.

RICHARD L

2003 KECHTER, RICHARD L
9338

2003
9338

2ND HALF

1ST HALF

FULL

AMOUNT DUE 657.54 AMOUNT DUE 657.54 1,315.08

COUNTY
E080001A
00

LATE
INT
COST
TOT

JEROME COUNTY
RP08S21E080001A
18-0000

LATE
INT
COST
TOT

LATE
INT
COST
TOT

NOT PAID ON OR BEFORE JUNE 20, 2004

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 2003