

RECEIVED

SEP 09 2005

Water Supply Bank No. _____

Water Right No. 63-2461

Department of Water Resources

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK**

Jerilyn Ickes Lancaster,* Pamela Ickes Peterson,* Millard W. Ickes,*

Name of Seller/Lessor ✓ and Debra Ickes Little,* co-tenants Phone (208) 466-9272

Post office address c/o Philip A. Peterson, Attorney at Law

Post Office Box 247, Nampa, Idaho 83653-0247

1 DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. N/A Decreed to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____ (Name of court)
- b. License No. 17587 issued by the Idaho Department of Water Resources.
- c. Permit No. N/A issued by the Idaho Department of Water Resources.

2 DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease, show "all" on line a. below and skip the remainder of part 2)

- a. Amount of water under right: 0.80 cubic feet per second &/or
N/A acre-feet per annum
- b. Point of diversion: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 25 Township 3N Range
2W, B.M. in Canyon County. (Well-Pump#619)
Additional points None

*Note: Each owner named above is a married person dealing with her or his separate property; and each is an equal co-tenant in common with respect to the water rights which are the subject of this application.

c. Place of use:

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02W	25													35			5	40

If the right is for irrigation, show the number of acres for the part of the right to be put into the bank.

Total number of acres 40

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

- a. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right. If the right is not recorded in the name of the seller/lessor, attach a copy of a change of ownership form as required by Section 42-248 or 42-1409(6), Idaho Code, together with required documentation.

In 2001, 0.70 cfs of this 0.80 cfs right were placed in the Water Supply Bank and have remained there since that time. Please see the 2001 application filed with IDWR 7/31/01, a copy of which is attached hereto as Exhibit A for reference. Exhibits B and C are subsequent deeds vesting title in the present owners.

- b. Describe the frequency of water use under the right, or portion thereof, during the past five (5) years of use. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture. (This information is not required if a partial decree has been issued on the right within the last 5 years).

Please see paragraph 3(a), above, and Exhibit A: 0.70 cfs have been leased to the Water Supply Bank since 2001; the land to which the remaining 0.10 cfs are appurtenant was leased to Ben Krajnik and farmed with irrigated crops through 2003.

- c. If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.

Groundwater: not from a surface water source.

- d. Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe.

Historic place of use also has a Nampa and Meridian Irrigation District water right, but it is not anticipated that it will continue as irrigated farm ground.

- e. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

- f. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached. N/A

4 REMARKS:

Of the 0.80 cfs requested herein to be placed in the Bank, 0.70 cfs is already there (see Exhibit A); the purpose of this application is merely to lease the remaining 0.10 cfs to the Bank, so that ultimately the whole right (0.80 cfs) is leased to the Bank.

5. SALE/LEASE AGREEMENT

1 The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale;

☒ For lease for a period from _____ Lease period: Indefinite
(Day, month, year) to _____ (Day, month, year)

(The lease period may be shown as "indefinite", if the total duration of lease is unknown); or

_____ As a gift to the state of Idaho.

2 Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate".

At the going rate for the year.

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

- 1 Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank
- 2 While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
- 3 A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires
- 4 While a water right is in the bank, forfeiture provisions are stayed.
- 5 Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

Date

9-3-05

Signature

Jerilyn Ickes Lancaster

Debra Ickes Little
Debra Ickes Little

Pamela Ickes Peterson

Millard W. Ickes
Millard W. Ickes

Attachments: Exhibits A, B and C

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

Water Supply Bank No. _____

Water Right No. 17587
ICKES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE
WATER SUPPLY BANK

Name of Seller/Lessor ESTATE OF IVY J. ICKES, DECEASED
C/O CONNIE JOHNSON, PERSONAL REPRESENTATIVE Phone (208) 634-5317
Post office address P.O. BOX 643, MC CALL, IDAHO 83638-0643

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. N/A Decreed to _____ (Name)
in case of N/A vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. 17587 Issued by the Idaho Department of Water Resources.

c. Permit No. _____ Issued by the Idaho Department of Water Resources.

2. Source of water GROUNDWATER - WELL tributary to SNAKE RIVER BASIN
(PUMP #619)

3. Date of priority OCT. 15, 1931

4. Water is used for the following purposes:

amount 0.80 cfs for IRRIGATION purposes from MAR. 15 to NOV. 15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day -- both dates inclusive)

5. Total amount of water under right: a. 0.80 cubic feet per second
&/or
b. N/A acre feet per annum

6. Location of point of diversion is SE ¼ of SE ¼ of Section 25
Township 3N Range 2W, B.M. in CANYON County
Additional points of diversion, if any N/A

7. Lands irrigated or place of use

10/1/85

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
03N	02W	25													40				40

Total number of acres to be irrigated 40

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

1. Amount of water: a. 0.70 cubic feet per second
&/or
b. N/A acre feet per annum

2. Point of diversion SE ¼ SE ¼, Section 25 Township 3N

Range 2W, B.M., Canyon County

Additional points N/A

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
03N	02W	25													35				35

Total number of acres to be irrigated 35

C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE /CKES

1. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

PLEASE SEE ATTACHMENTS A AND A-1, ATTACHED HERE TO
AND INCORPORATED HEREIN BY THIS REFERENCE.

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach water-master records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

ATTACHED POWER BILLS (EXHIBIT B) SUBSTANTIATE GROUND-
WATER USE FOR IRRIGATION IN 1995, 1996, 1997 AND
1998. GROUNDWATER FROM THIS RIGHT WAS NOT USED IN 1999 OR 2000.

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support the availability:

WATER HAS ALWAYS BEEN AVAILABLE TO FILL THE
RIGHT. PLEASE SEE EXHIBITS FOR ITEM 2, ABOVE,
POWER BILLS.

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use continue to receive water from any source? If so, describe.

PRESENT PLACE OF USE ALSO HAS A Nampa & Meridian
IRRIGATION DISTRICT IRRIGATION RIGHT, BUT IT IS
NOT ANTICIPATED THAT IT WILL CONTINUE AS IRRIGATED FARM
GROUND.

5. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

6. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached. N/A

7. If the right is included in an ongoing adjudication, a copy of the claim must be provided with this application.

PLEASE SEE EXHIBIT C.

C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

KCES

1. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

PLEASE SEE ATTACHMENTS A AND A-1, ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE. ALSO, PLEASE SEE ATTACHED CONSENT TO PROPOSED WATER RIGHT TRANSFER TO THE WATER SUPPLY BANK.

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach water-master records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

ATTACHED POWER BILLS (EXHIBIT B) SUBSTANTIATE GROUND-WATER USE FOR IRRIGATION IN 1995, 1996, 1997 AND 1998. GROUNDWATER FROM THIS RIGHT WAS NOT USED IN 1999 OR 2000.

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support the availability:

WATER HAS ALWAYS BEEN AVAILABLE TO FILL THE RIGHT. PLEASE SEE EXHIBITS FOR ITEM 2, ABOVE, POWER BILLS.

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use continue to receive water from any source? If so, describe.

PRESENT PLACE OF USE ALSO HAS A NARAPA & MERIDIAN IRRIGATION DISTRICT IRRIGATION RIGHT, BUT IT IS NOT ANTICIPATED THAT IT WILL CONTINUE AS IRRIGATED FARM GROUND.

5. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

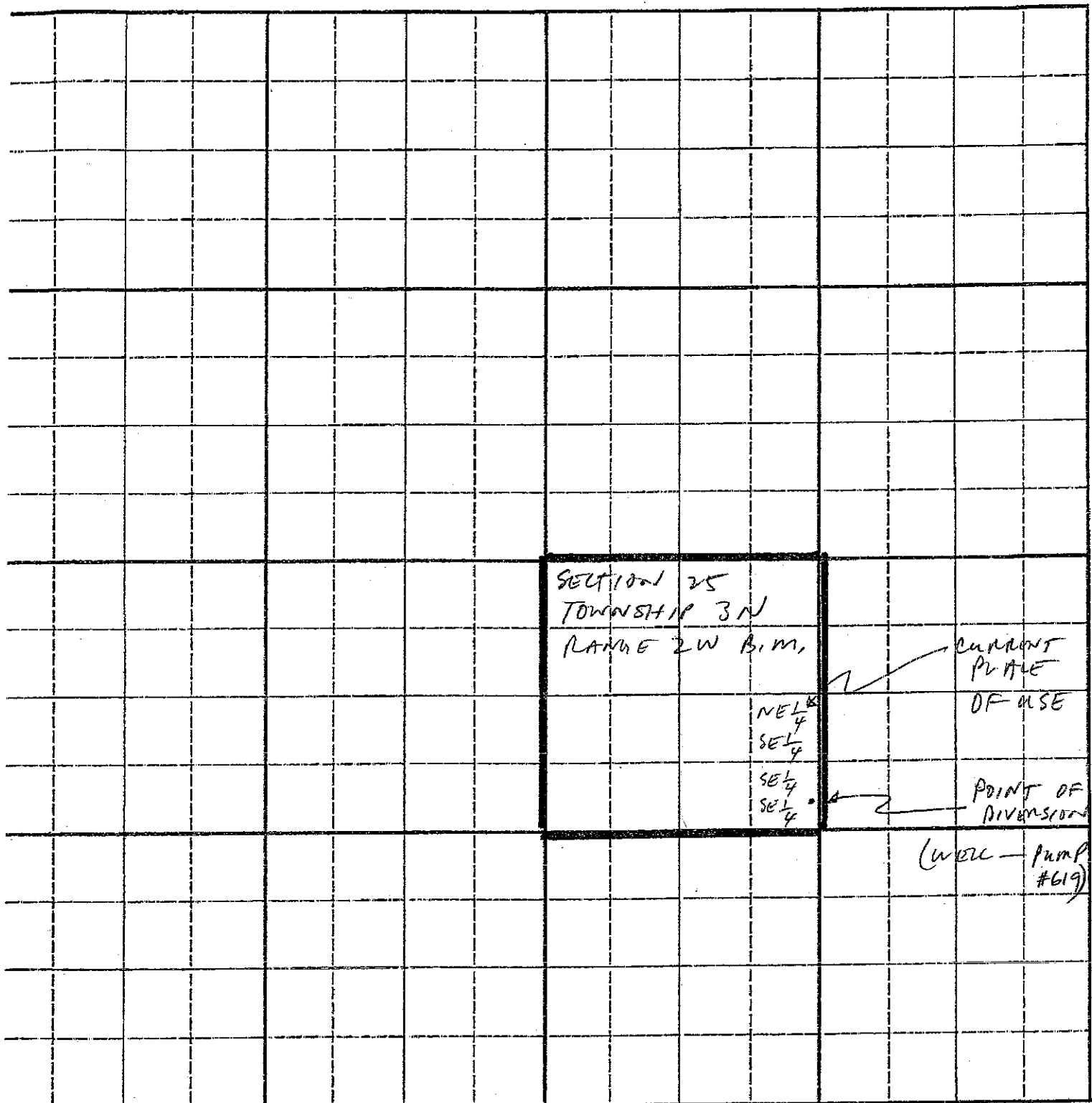
6. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

N/A

7. If the right is included in an ongoing adjudication, a copy of the claim must be provided with this application.

PLEASE SEE EXHIBIT C.

8. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township, and range.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

9. Remarks REQUESTED EFFECTIVE DATE OF THE TRANSFER APPLIED FOR 1985
HEREIN IS NOVEMBER 15, 2001 (AFTER THE CURRENT IRRIGATION SEASON).
TRANSFEROR IS REQUESTING, BY SEPARATE APPLICATION, THAT THE
REMAINING CFS IN THIS RIGHT* BE TRANSFERRED TO ADJOINING PROPERTY.
*THE REMAINING CFS IN RIGHT 17587 AFTER THIS TRANSFER WILL BE 0.10 CFS.

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale

☒ For lease for period from JAN 2002 to DEC 2002
(year) (year)

_____ As a gift to the State of Idaho.

2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)

AT THE GOING RATE FOR THE YEAR.

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:

☒ Acceptable _____ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

7/18/01
(Date)

ESTATE OF IVY J. JONES, DECEASED
By Connie Johnson
CONNIE JOHNSON (Signature of applicant) PERSONAL REPRESENTATIVE

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

INSTRUMENT NO 764771

WARRANTY DEED

For Value Received MILLARD W. ICKES, husband of Ivy J. Ickes,

the grantor, does hereby grant, bargain, sell and convey unto

IVY J. ICKES, wife of Millard W. Ickes,
Route 6, Nampa, Idaho

the grantee, the following described premises, situated in Canyon
County, State of Idaho, to-wit: An undivided one-half interest in:

The NE1/4 of the SE1/4 of Section 25, Twp. 3 N., R. 2 W., B.M.,
and a part of the SE1/4 of the SE1/4 of Section 25, Twp. 3 N.,
R. 2 W., B.M., in Canyon County, Idaho, more particularly
bounded and described as follows, to-wit:

Commencing at the Southeast corner of Section 25, said Twp.
and Range, and running thence North and along the East line
of said Sec. 25, 400.5 feet to the true point of beginning;
thence running West and at right angles to the East line
of said Sec. 25, a distance of 42.0 feet, thence running
North and parallel with the East line of said Sec. 25, a
distance of 265.5 feet; thence running West and at right
angles to the East line of said Sec. 25, a distance of
54.5 feet; thence running North and parallel with the East
line of said Sec. 25, a distance of 34.0 feet to a point on
the SWrly bank of the Hubbard Lateral, as the same is now
located and constructed; thence running NWrly and along the
SE1/4 of the SE1/4 of said Sec. 25; thence East along the North
line of the said SE1/4 of the SE1/4 a distance of 513.5 feet
more or less to the Northeast corner of the said SE1/4 of the
SE1/4 of Sec. 25, thence South along the East line of the
said SE1/4 of the SE1/4 of Sec. 25, 931.0 feet, more or less,
to the true point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
her heirs and assigns forever. And the said Grantor does hereby covenant
to and with the said Grantee, that he is the owner in fee simple of said premises; that
said premises are free from all incumbrances, and is to be the sole and separate
property of the Grantee, free of any community property interest
of the Grantor.

and that he will warrant and defend the same from all lawful claims whatsoever
Dated: November 28, 1975

Millard W. Ickes

STATE OF IDAHO, COUNTY OF CANYON

On this 28th day of November 1975
before me, a notary public in and for said State, personally
appeared

MILLARD W. ICKES, husband of
Ivy J. Ickes,

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

[Signature]
Residing at Caldwell, Idaho Notary Public

STATE OF IDAHO COUNTY OF

I hereby certify that this instrument was filed for record
at the request of

at _____ minutes past _____ o'clock _____ m.,
this _____ day of _____
19 ____ In my office and duly recorded in Book
of Deeds at page _____

By _____ Ex-Officio Recorder.

Deputy.

Fees \$
Mail to:

7 6 4 7 7 V

FILED

JAN 2 11 17 AM '76

WALTER FRY
CLINTON COUNTY RECORDER

C. Lint

RECORDED

AT THE REQUEST OF

Davison, Copley
& Copley
IN

OF
Deeds

FFE *1.00*

Icken, Millard W.

To

Icken, Guy J.

Deed

P.O. Box 1583

Bowie, Ida. 83701

INSTRUMENT NO 699086

WELL AGREEMENT AND EASEMENT

THIS AGREEMENT, made and entered into this 4th day of December, 1972, by and between RICHARD E. CRILL and MARGARET CRILL, husband and wife, the parties of the first part, hereinafter referred to as Crills, and MILLARD ICKES and IVY J. ICKES, husband and wife, the parties of the second part, hereinafter referred to as Ickes;

WITNESSETH:

WHEREAS, Crills are the owners of the real property described in Exhibit "A" attached hereto and made a part hereof, upon which there is a present existing water well, pump and equipment, and a pipeline leading north therefrom;

WHEREAS, Ickes is the owner of the following described real property, to-wit:

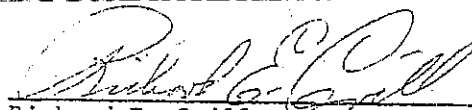
All of that part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, T. 3 N., R. 2 W.B.M., lying North of the real property owned by the said Crills and lying North and Easterly of the Hubbard Lateral; and the said Ickes also is the owner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 25.

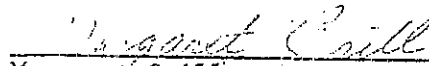
NOW THEREFORE, for and in consideration of value received by the Crills from Ickes, the receipt of which is hereby acknowledged in full, Crill hereby grants unto Ickes a one-half interest in the said well, pump and equipment, and the water flow from said well appurtenant to the said real property owned by Ickes. Crill also grants unto Ickes the ownership of and right to maintain said pipeline carrying water from said well to the property of Ickes.

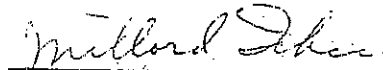
The parties are to equally divide the cost of repair, maintenance and replacement of said water well and its equipment. Ickes has the duty to repair and maintain the said pipeline.

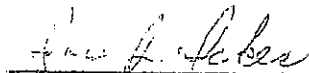
It is mutually understood and agreed that this agreement shall bind the heirs, executors, administrators, personal representatives and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands, the day and year first hereinabove written.


Richard E. Crill

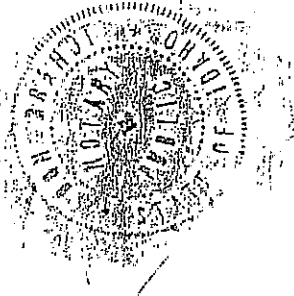

Margaret Crill


Millard Ickes


Ivy J. Ickes

STATE OF IDAHO)
) ss.
COUNTY OF CANYON)

On this 27th day of December, 1972, before me, a notary public in and for said State, personally appeared RICHARD E. CRILL, MARGARET CRILL, MILLARD ICKES and IVY J. ICKES, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.




Notary Public for Idaho
Residing at Nampa, Idaho
My Commission Expires 12-20-76

EXHIBIT "A"

Commencing at the SE corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, T. 3 N., R. 2 W.B.M., Canyon County, Idaho; thence North along the Easterly boundary of said Section 25, 400.5 feet to the initial point; thence West and at right angles to the East line of said Section 25; 42.0 feet to a point; thence North and parallel with the East line of said Sec. 25, 265.5 feet to a point; thence East and at right angles to the East line of Sec. 25, 42.0 feet to a point on the East line of Sec. 25; thence South along the East line of said Sec. 25, 265.5 feet to the initial point.

699085

FILED

JAN 16 1 38 PM '73

WALTER FRY

IDAHO COUNTY RECORDER

Heath / Dependent

RECORDED

AT THE REQUEST OF

CANYON INSURANCE & TITLE CO.

R + R

FEE 3.00

Richard Galt

Melvin Decker

W. E. Ayres & Co.

Exhibit B

Attached power bills substantiate pump use for irrigation water
for 1995, 1996, 1997, and 1998 (groundwater not used for 1999 and 2000).

Accounts Reports Profiles Forecasts Systems About Links Maps Outages PI System

Download CLRS

Accounting Billing History Metering Non-Meter Weather Forecasting Level Day Hourly Load Rate Analysis Rate Analysis Ann Quarterly

Account No: 0832-015281-3 B Customer: Wayne E Mai Phone: 208-467-2750 CID Date: 07/30/1999
Rate (Tariff): 24S (ID) Address: * 0617 Hp 10 Co-App: Phone: SIC: 0000
Status, Bal: Inactive, \$.00 Map Id Nampa, ID 83851 Phone: Tax ID: 518504235

Billing History

Meter		From Date	To Date	Code	BLC	KWh	Amount	KWh	Amount	Rate
1	60301651W	05/30/1999	07/30/1999	0	.0	0	\$ 10.07	0	\$ 10.07	24S
1	60301651W	08/01/1999	08/30/1999	0	.0	0	\$ 10.07	0	\$ 10.07	24S
1	60301651W	04/30/1999	05/01/1999	0	.0	0	\$ 10.04	0	\$ 10.04	24S
1	60301651W	03/31/1999	04/30/1999	0	.0	0	\$ 2.50	0	\$ 2.50	24S
1	60301651W	02/26/1999	03/31/1999	0	.0	0	\$ 2.75	0	\$ 2.75	24S
1	60301651W	01/27/1999	02/26/1999	0	.0	0	\$ 2.50	0	\$ 2.50	24S
1	60301651W	12/29/1998	01/27/1999	0	.0	0	\$ 2.50	0	\$ 2.50	24S
1	60301651W	11/30/1998	12/29/1998	0	.0	0	\$ 2.50	0	\$ 2.50	24S
1	60301651W	10/29/1998	11/30/1998	0	.0	0	\$ 2.50	0	\$ 2.50	24S
1	60301651W	09/29/1998	10/29/1998	0	.0	0	\$ 2.50	0	\$ 2.50	24S
1	60301651W	08/28/1998	09/29/1998	0	.0	3,945	\$ 150.54	3,945	\$ 150.54	24S
1	60301651W	07/29/1998	08/28/1998	8	.0	5,051	\$ 189.03	5,051	\$ 189.03	24S
1	60301651W	06/29/1998	07/29/1998	0	.0	2,341	\$ 104.66	2,341	\$ 104.66	24S
1	60301651W	05/29/1998	06/29/1998	0	.0	1,881	\$ 90.95	1,881	\$ 90.95	24S
1	60301651W	04/29/1998	05/29/1998	0	.0	4,588	\$ 163.27	4,588	\$ 163.27	24S
1	60301651W	02/26/1998	04/29/1998	0	.0	0	\$ 2.50	0	\$ 2.50	24S
1	60301651W	01/27/1998	02/26/1998	0	.0	0	\$ 2.50	0	\$ 2.50	24S
1	60301651W	12/27/1997	01/27/1998	0	.0	0	\$ 2.50	0	\$ 2.50	24S
1	60301651W	11/26/1997	12/27/1997	0	.0	0	\$ 2.50	0	\$ 2.50	24S
1	60301651W	10/28/1997	11/26/1997	0	.0	0	\$ 2.50	0	\$ 2.50	24S
1	60301651W	09/29/1997	10/28/1997	0	.0	120	\$ 6.59	120	\$ 6.59	24S
1	60301651W	08/28/1997	09/29/1997	0	.0	505	\$ 19.72	505	\$ 19.72	24S
1	60301651W	07/30/1997	08/28/1997	0	.0	2,185	\$ 92.51	2,185	\$ 92.51	24S
1	60301651W	05/30/1997	07/30/1997	0	.0	4,501	\$ 153.63	4,501	\$ 153.63	24S
1	60301651W	04/30/1997	05/30/1997	0	.0	2,591	\$ 103.22	2,591	\$ 103.22	24S
1	60301651W	03/31/1997	04/30/1997	0	.0	790	\$ 55.76	790	\$ 55.76	24S
1	60301651W	02/27/1997	03/31/1997	0	.0	173	\$ 8.43	173	\$ 8.43	24S
1	60301651W	01/28/1997	02/27/1997	0	.0	0	\$ 2.50	0	\$ 2.50	24S
1	60301651W	12/30/1996	01/28/1997	3	.0	0	\$ 2.50	0	\$ 2.50	24S
1	60301651W	11/29/1996	12/30/1996	3	.0	0	\$ 2.50	0	\$ 2.50	24S
1	60301651W	10/30/1996	11/29/1996	0	.0	0	\$ 2.50	0	\$ 2.50	24S
1	60301651W	08/30/1996	10/30/1996	0	.0	1,527	\$ 54.87	1,527	\$ 54.87	24S
1	60301651W	08/01/1996	08/30/1996	0	.0	1,117	\$ 46.20	1,117	\$ 46.20	24S
1	60301651W	07/02/1996	08/01/1996	0	.0	1	\$ 34.88	1	\$ 34.88	24S
1	60301651W	06/03/1996	07/02/1996	0	.0	3,265	\$ 121.68	3,265	\$ 121.68	24S
1	60301651W	05/02/1996	06/03/1996	0	.0	3,769	\$ 135.09	3,769	\$ 135.09	24S
1	60301651W	04/02/1996	05/02/1996	0	.0	593	\$ 51.20	593	\$ 51.20	24S
1	60301651W	03/01/1996	04/02/1996	0	.0	0	\$ 10.00	0	\$ 10.00	24S

Post-It® Tax Note 7671

Date	1/18	# Pages	2
From	Phil Peterson	Co	
Phone #	800-488-6001	Co/Dept	
Tax #	140-4405	Tax #	

1	60301651W	03/19/1995	04/02/1996	0	.0	.0	.0	0	\$ 4.67	24S
1	60301651W	11/01/1995	03/19/1996	0	.0	.0	.0	0	\$.00	24S
1	60301651W	10/02/1995	11/01/1995	0	.0	.0	.0	0	\$ 10.00	24S
1	60301651W	08/31/1995	10/02/1995	0	.0	.0	7.0	133	\$ 14.88	24S
1	60301651W	08/01/1995	08/31/1995	0	.0	.0	7.0	4,193	\$ 155.81	24S
1	60301651W	06/30/1995	08/01/1995	0	.0	.0	7.0	3,147	\$ 125.04	24S
1	60301651W	06/01/1995	06/30/1995	0	.0	.0	7.0	1,597	\$ 80.52	24S
1	60301651W	05/02/1995	06/01/1995	0	.0	.0	7.0	926	\$ 61.52	24S
1	60301651W	03/31/1995	05/02/1995	0	.0	.0	.0	0	\$ 10.00	24

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-02461
Date Received: 2/26/1990
Receipt No: W009566
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: IVY ICKES
Address: 404 W COLORADO AVE
NAMPA ID

208-465-5010

83686-2813

2. Date of Priority: OCT 15, 1931

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	02W	25	SE	SE	SE		CANYON

5. Description of diverting works:

160' WELL W/8" CASING, PUMP, DITCHES FOR GRAVITY IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

7. Total Quantity Appropriated is:

0.800 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

140.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	02W	25	NE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
					Total Acres	40.0

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

NAMPA-MERIDIAN IRRIGATION DIST. & A63-21224 D/S

14. Remarks:

OWNER HAS WELL AGREEMENT TO SHARE WELL WITH THIRD WARD (PUMP NO. IS 619). LICENSE 63-02461 LISTS 40 ACRES IN SE SE, SEC. 25, BUT HISTORICAL USE HAS BEEN IN NE SE. ACRES IN SESE HAVE NOT BEEN IRRIGATED FROM WELL FOR MANY YEARS EXCEPT RECENTLY (20 ACRES BY BEN KRAJNIK). THUS, THE 20 ACRES IN SESE MAY NOT HAVE PROTECTION UNDER THIS RIGHT. MAP ALSO USED FOR A63-21224.

ADDRESS CHANGE BY CLAIMANT LETTER 4/14/1999 SS.

15. Basis of Claim: LICENSE

Water Right Number: 17587

INSTRUMENT NO. 200133718

PERSONAL REPRESENTATIVE DEED

THIS DEED is made and executed by CONNIE JOHNSON, as personal representative of THE ESTATE OF IVY J. ICKES, DECEASED, sometimes hereinafter referred to as the "Grantor," to JERILYN LANCASTER, a married woman dealing with her sole and separate property, whose address is 196 Roan Drive, Eugene, Oregon 97401-5755, PAMELA ALLEN, an unmarried woman, whose address is 404 West Colorado Avenue, Nampa, Idaho 83686-2813, CONNIE JOHNSON, a married woman dealing with her sole and separate property, whose address is Post Office Box 643, McCall, Idaho 83638-0643, and DEBRA LITTLE, a married woman dealing with her sole and separate property, whose address is 1260 Northwest Waterhouse Avenue, Suite 100, Beaverton, Oregon 97006-5794, as equal co-tenants in common, hereinafter collectively referred to as the "Grantees."

WHEREAS, Connie Johnson is the qualified personal representative of said estate, filed as Probate Case Number SP99-799 in the District Court of the Third Judicial District of the State of Idaho, in and for the County of Canyon (sometimes hereinafter the "Estate"), her Letters Testamentary having been recorded June 14, 2001, as Instrument Number 200123465, records of Canyon County, Idaho; and

WHEREAS, Grantees are all the children of the decedent, the heirs of her estate, and all the devisees of her estate with respect to the real property herein conveyed;

NOW, THEREFORE, in accordance with the provisions of the Uniform Probate Code as set forth in Title 15 of the Idaho Code, Grantor Estate hereby grants, transfers and conveys to Grantees all of Grantor Estate's interest in the following real property situated in Canyon County, Idaho, and more particularly described as:

See Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full.

This conveyance includes all water rights heretofore running with the land, including, *inter alia*, the following rights:

All water rights obtained pursuant to that certain Well Agreement and Easement recorded January 16, 1973, as Instrument Number 699086 records of Canyon County, Idaho, and pursuant to Idaho Department of Water Resources (IDWR) Water Right/License

Number 17587 and to Claim Identification Number A63-02461, filed 2/26/1990, Receipt Number W009566, in the case entitled In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System filed in the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, Civil Case Number 39576, which water rights have a priority date of October 15, 1931.¹

This conveyance also includes any and all appurtenances, tenements, hereditaments, reversions, remainders, easements,² and rights-of-way in any way appertaining to the property herein described and is subject to outstanding taxes and assessments and liens, encumbrances, covenants, conditions, restrictions and easements of record.

The property described in this conveyance shall be the separate property of each of the Grantees, and, in accordance with the provisions of Idaho Code § 32-906(1), all income, rents, issues, profits, gains and appreciation of said property shall be the separate property of each of the Grantees.

Grantees shall have equal undivided interests, as tenants in common, in the property described in this conveyance.

Grantor executes this instrument solely in her fiduciary capacity and covenants only that she is authorized to make this conveyance in such fiduciary capacity and that against all persons lawfully claiming through or under Grantor, and not otherwise, Grantor will forever warrant and defend the title to the aforescribed real property. Grantor hereby disclaims any and all other warranties and covenants, whether express or implied. Any further recourse hereunder is to be only against the aforementioned Estate.

¹This is a 0.80 cfs water right which was formerly appurtenant to real property adjacent to and contiguous with the real property being conveyed hereby, but which was reserved by Grantor herein upon the conveyance of said adjacent contiguous property. Prior to the conveyance being made hereby, application was made to the IDWR by Grantor herein to transfer a portion of the said 0.80 cfs water right to the real property being conveyed herein and the remaining portion to the Idaho Water Supply Bank pursuant to Idaho Code § 42-1761 *et seq.* At the time of the conveyance made herein, IDWR had not yet acted upon the applications. Nevertheless, it is the intent of the Grantor herein that Grantees be conveyed hereby all right, title and interest in and to the said 0.80 cfs water right and the benefits and burdens associated with the pending applications for transfer currently before the IDWR.

²Said easements specifically include, *inter alia*, the easement associated with the water rights specifically described above, as set forth in the aforescribed Well Agreement and Easement Agreement dated January 16, 1973, recorded as Instrument Number 699086 records of Canyon County, Idaho.

DATED this 15th day of August, 2001

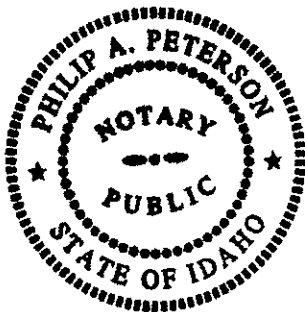
Connie Johnson
Connie Johnson
Personal Representative of the
Estate of Ivy J. Ickes, deceased

Attachment: Exhibit A

NOTARIAL ATTESTATION

STATE OF IDAHO)
County of Canyon) :SS

On this 15th day of August, 2001 before me, a notary public, personally appeared CONNIE JOHNSON, known to me to be the person whose name is subscribed to the foregoing Personal Representative Deed as personal representative of the Estate of Ivy J. Ickes, deceased, and acknowledged to me that she executed the same as such personal representative.



(SEAL)

Philip A. Peterson
Notary Public for Idaho
Commission expires: 10-21-05



Project: 40233
Date: June 5, 2001

J-U-B ENGINEERS, Inc.
ENGINEERS • SURVEYORS • PLANNERS

217 W. Georgia Avenue, Suite 120
Nampa, Idaho 83686
(208) 467-5252
Fax (208) 467-6631

DESCRIPTION FOR
CONNIE JOHNSON AND DEBI LITTLE
IN THE E ½ SE ¼, SECTION 25,
T.3N., R.2W., B.M.,
CANYON COUNTY, IDAHO

A portion of the E ½ SE ¼, Section 25, T.3N., R.2W., B.M., Canyon County, Idaho, more particularly described as follows:

Commencing at the Southeast corner of Section 25, T.3N., R.2W., B.M. and running N. 0°12'00" E. 666.00 feet along the Easterly boundary of said Section 25 to the TRUE POINT OF BEGINNING;

thence continuing N. 0°12'00" E. 664.36 feet along said Easterly boundary of Section 25 to the Northeast corner of the SE ¼ SE ¼, said Section 25;

thence continuing N. 0°12'00" E. 188.19 feet along said Easterly boundary of Section 25 to a point;

thence N. 88°59'36" W. 543.00 feet to a point;

thence S. 4°49'26" E. 172.58 feet to a point on the Southwesterly bank of the Hubbard Lateral;

thence along said Southwesterly bank of the Hubbard Lateral the following courses and distances:

S. 59°45'03" E. 8.85 feet to a point;

thence S. 34°54'54" E. 17.92 feet to a point on the Northerly boundary of the said SE ¼ SE ¼, said Section 25, said point being N. 89°15'27" W. 509.88 feet from the said Northeast corner of the SE ¼ SE ¼, Section 25;

thence continuing S. 34°54'54" E. 14.82 feet to a point;

thence S. 22°26'58" E. 28.83 feet to a point;

thence S. 37°43'10" E. 89.19 feet to a point;

thence S. 45°01'22" E. 19.53 feet to a point;

thence S. 39°11'32" E. 62.37 feet to a point;

thence S. 28°44'41" E. 96.08 feet to a point;





Engineers Surveyors Planners

Project: 40233
Date: June 5, 2001
DESCRIPTION FOR
CONNIE JOHNSON AND DEBI LITTLE
Page 2

thence S. 15°51'49" E. 58.47 feet to a point;

thence S. 21°20'06" E. 42.68 feet to a point;

thence S. 31°44'29" E. 48.88 feet to a point;

thence S. 35°12'54" E. 108.74 feet to a point;

thence S. 38°30'12" E. 189.13 feet to a point;

thence leaving said Southwesterly bank of the Hubbard Lateral S. 0°12'00" W. 40.49 feet (formerly described as 34 feet) along a line parallel with and 96.50 feet Westerly from the said Easterly boundary of Section 25 to a point;

thence S. 89°48'00" E. 96.50 feet (formerly described as 96.5 feet) to the Point of Beginning.

Containing 6.86 acres, more or less.

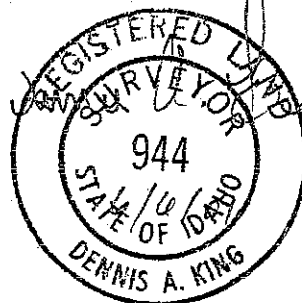
SUBJECT TO:

Existing rights-of-way and easements of record and/or appearing on said above described parcel.

Prepared by:

J-U-B ENGINEERS, Inc.

2001 AUG 17 PM 4 03
G NOEL HALES
CANYON COUNTY RECORDER
BY
Request white person
DEED FEB 15 00



Dennis A. King, P.L.S.

DAK:dle

RECORDED

40233\Legal\des\JnsnLttlDesc

817881002



200348439

RECORDED

2003 AUG 4 PM 4 29

G NOEL HALES
CANYON CNTY RECORDER

REQUEST *John Johnson*
TYPE *Quit* FEE *15.00*

QUITCLAIM DEED

CONNIE JOHNSON, also known as CONNIE ICKES, an unmarried person dealing with her sole and separate property, (hereinafter "Grantor") of Post Office Box 643, McCall, Idaho 83638-0643, does by these presents remise, release and forever quitclaim unto MILLARD W. ICKES, a married person, (hereinafter "Grantee") of 21250 Midland Boulevard, Caldwell, Idaho 83605-7904, as his sole and separate property, and to Grantee's heirs and assigns, all right, title and interest which Grantor has **(being a one-fourth (1/4) tenant in common interest) in certain real property situated in Canyon County, Idaho, more particularly described in Exhibit A, attached hereto and incorporated herein by this reference.**

This conveyance includes Grantor's right, title and interest in and to all water rights heretofore running with the land, including, *inter alia*, the following rights:

All water rights obtained pursuant to that certain Well Agreement and Easement recorded January 16, 1973, as Instrument Number 699086 records of Canyon County, Idaho, and pursuant to Idaho Department of Water Resources (IDWR) Water Right/License Number 17587 and to Claim Identification Number A63-02461, filed 2/26/1990, Receipt Number W009566, in the case entitled *In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System* filed in the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, Civil Case Number 39576, which water rights have a priority date of October 15, 1931.¹

¹This is a 0.80 cfs water right which was formerly appurtenant to real property adjacent to and contiguous with the real property being conveyed hereby, but which was reserved by Grantor's predecessor in interest upon the conveyance of said adjacent contiguous property to a third party. Prior to the conveyance being made hereby, application was made to the IDWR by Grantor's predecessor in interest to transfer a portion of the said 0.80 cfs water right to the real property being conveyed herein and the remaining portion to the Idaho Water Supply Bank pursuant to Idaho Code § 42-1761 *et seq.* At the time of the conveyance made herein, IDWR had not yet acted upon the application for the transfer of water right to the real property being conveyed herein. Nevertheless, it is the intent of the Grantor herein that Grantee be conveyed hereby all right, title and interest of Grantor in and to the said 0.80 cfs water right, both as to the portion currently with the Idaho Water Supply Bank and the benefits and burdens associated with the pending application for transfer currently before the IDWR.

This conveyance also includes any and all appurtenances, tenements, hereditaments, reversions, remainders, easements,² and rights-of-way in any way appertaining to the property herein described and is subject to outstanding taxes and assessments and liens, encumbrances, covenants, conditions, restrictions and easements of record.

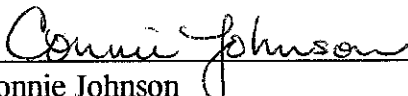
The property described in this conveyance shall be the separate property of Grantee, and, in accordance with the provisions of Idaho Code § 32-906(1), all income, rents, issues, profits, gains and appreciation of said property shall be the separate property of Grantee.

Grantee shall have an undivided interest, as a tenant in common, in the property described in this conveyance.

This conveyance is made in complete payment of all principal and interest accrued on all currently outstanding debts owed by Grantor to Grantee, including, but not necessarily limited to, amounts owed on that certain Promissory Note in the face amount of \$29,000.00 with Craig Johnson and Grantor herein as makers thereof, and that certain Promissory Note in the face amount of \$5,000.00 (with subsequent further advances thereon of \$12,000.00, for a total outstanding principal balance of \$17,000.00, plus accrued interest) with Grantor herein as the maker thereof. Grantee, by accepting delivery of this Quitclaim Deed and recording the same in the records of Canyon County, Idaho, accepts this conveyance as payment in full of all said debts, including both principal and interest thereon.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances thereto, unto Grantee, and to Grantee's heirs and assigns forever.

DATED this 1st day of August, 2003.



Connie Johnson
(also known as Connie Ickes)

Attachment: Exhibit A

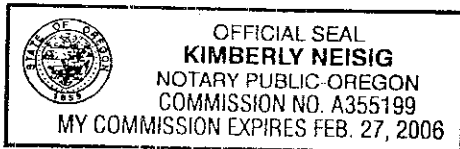
²Said easements specifically include, *inter alia*, the easement associated with the water rights specifically described above, as set forth in the aforescribed Well Agreement and Easement Agreement dated January 16, 1973, recorded as Instrument Number 699086 records of Canyon County, Idaho.

NOTARIAL ATTESTATION

OREGON
STATE OF ~~IDAHO~~)
County of Multnomah) :SS

On this 1st day of August, 2003 before me, a notary public, personally appeared CONNIE JOHNSON, also known as CONNIE ICKES, known to me to be the person whose name is subscribed to the foregoing Quitclaim Deed, and acknowledged to me that she executed the same.

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



Kimberly Neisig
Notary Public for ~~Idaho~~ Oregon
Commission expires: Feb. 27, 2006

(SEAL)



Project: 40233
Date: June 5, 2001

J-U-B ENGINEERS, Inc.
ENGINEERS • SURVEYORS • PLANNERS

217 W. Georgia Avenue, Suite 120
Nampa, Idaho 83686
(208) 467-5252
Fax (208) 467-6631

DESCRIPTION FOR
CONNIE JOHNSON AND DEBI LITTLE
IN THE E $\frac{1}{2}$ SE $\frac{1}{4}$, SECTION 25,
T.3N., R.2W., B.M.,
CANYON COUNTY, IDAHO

A portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 25, T.3N., R.2W., B.M., Canyon County, Idaho,
more particularly described as follows:

Commencing at the Southeast corner of Section 25, T.3N., R.2W., B.M. and running
N. $0^{\circ}12'00''$ E. 666.00 feet along the Easterly boundary of said Section 25 to the TRUE POINT
OF BEGINNING;

thence continuing N. $0^{\circ}12'00''$ E. 664.36 feet along said Easterly boundary of
Section 25 to the Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 25;

thence continuing N. $0^{\circ}12'00''$ E. 188.19 feet along said Easterly boundary of
Section 25 to a point;

thence N. $88^{\circ}59'36''$ W. 543.00 feet to a point;

thence S. $4^{\circ}49'26''$ E. 172.58 feet to a point on the Southwesterly bank of the Hubbard
Lateral;

thence along said Southwesterly bank of the Hubbard Lateral the following courses and
distances:

S. $59^{\circ}45'03''$ E. 8.85 feet to a point;

thence S. $34^{\circ}54'54''$ E. 17.92 feet to a point on the Northerly boundary of the said SE
 $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 25, said point being N. $89^{\circ}15'27''$ W. 509.88 feet from the said Northeast
corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25;

thence continuing S. $34^{\circ}54'54''$ E. 14.82 feet to a point;

thence S. $22^{\circ}26'58''$ E. 28.83 feet to a point;

thence S. $37^{\circ}43'10''$ E. 89.19 feet to a point;

thence S. $45^{\circ}01'22''$ E. 19.53 feet to a point;

thence S. $39^{\circ}11'32''$ E. 62.37 feet to a point;

thence S. $28^{\circ}44'41''$ E. 96.08 feet to a point;





Engineers Surveyors Planners

Project: 40233
Date: June 5, 2001
DESCRIPTION FOR
CONNIE JOHNSON AND DEBI LITTLE
Page 2

thence S. 15°51'49" E. 58.47 feet to a point;

thence S. 21°20'06" E. 42.68 feet to a point;

thence S. 31°44'29" E. 48.88 feet to a point;

thence S. 35°12'54" E. 108.74 feet to a point;

thence S. 38°30'12" E. 189.13 feet to a point;

thence leaving said Southwesterly bank of the Hubbard Lateral S. 0°12'00" W. 40.49 feet (formerly described as 34 feet) along a line parallel with and 96.50 feet Westerly from the said Easterly boundary of Section 25 to a point;

thence S. 89°48'00" E. 96.50 feet (formerly described as 96.5 feet) to the Point of Beginning.

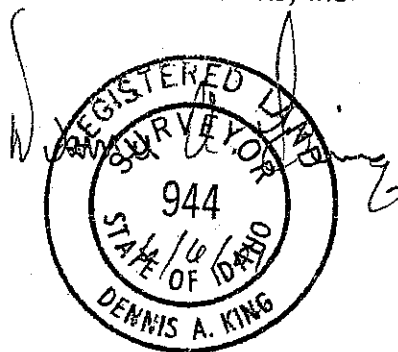
Containing 6.86 acres, more or less.

SUBJECT TO:

Existing rights-of-way and easements of record and/or appearing on said above described parcel.

Prepared by:

J-U-B ENGINEERS, Inc.



Dennis A. King, P.L.S.

DAK:dle

40233\Legal\des\JnsnLttlDesc

