

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 72503APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Boulder Meadows Irrigation, Inc

Name of Applicant c/o Millemann, Pittenger, McMahan & Pemberton LLP Phone (208) 634-7641Post Office address P.O. Box 1066, McCall, ID 83638

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 Applicant proposes to modify Boulder Meadows Irrigation, Inc. boundaries to show lands owned by the current shareholders in the corporation

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>65-2963</u>	<u>12/9/1965</u>	<u>6.18 cfs</u>	<u>irrigation</u>	<u>4/15</u> to <u>10/15</u>
		<u>490 ac-ft</u>	<u>irr. from stg.</u>	<u>4/15</u> to <u>10/15</u>
		<u>490 ac-ft</u>	<u>irr. storage</u>	<u>1/1</u> to <u>12/31</u>
<u>65-12007</u>	<u>9/30/1977</u>	<u>80 ac-ft</u>	<u>irr. from stg.</u>	<u>4/15</u> to <u>10/15</u>
		<u>80 ac-ft</u>	<u>irr. storage</u>	<u>1/1</u> to <u>12/31</u>

2. Total amount of water being transferred 6.18 cubic feet per second and/or 570 acre-feet per annum.3. Source of water Boulder Creek tributary to Cascade Reservoir

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	NE	28	18N	4E	Valley	Boulder Meadows Reservoir

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	SW	SE	NE	NW	SW	SE	
17N	3E	1	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	
		12	X	X			X	X	X	X	X	X	X	X					
17N	4E	6						X	X			X	X						
18N	3E	25				X													
		36			X											X	X		
18N	4E	30							X										

RECEIVED

Total Acres 350

SEP 07 2005

WATER RESOURCES
WESTERN REGION

PART 1**6. General Information:**

- a. Description of diversion system Boulder Meadows Reservoir with storage of 570 ac-ft, ditches and pipeline to
place of use, sprinklers for irrigation.
- 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:
No change. The place of use is being modified to accurately show current places of use. In addition, an 8-
acre parcel in Section 25, T18N, R3E, and Section 30, T18N, R4E is being added to the place of use.
- d. Remarks:
The total area irrigated under these rights will not exceed 350 acres within the Boulder Meadows Irrigation
Inc. boundaries in a single irrigation season.. These rights when combined with all other rights shall not exceed
0.02 cfs per acre.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

And the said application is hereby _____, subject to the following 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 as evidenced by:

- a. Decree No. 65-2963 Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 65-2963 issued by the Idaho Department of Water Resources.
- c. Claim No. 65-2963 on file with the Idaho Department of Water Resources.
- d. Transfer No. 70275 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 Boulder Creek tributary to North Fork Payette River

4. Date or priority December 9, 1965

5. Water is used for the following purposes:

amount 6.18 cfs for irrigation purposes from 4/15 to 10/15
(cfs/ac-ft)

amount 490 ac-ft for irrigation storage purposes from 1/1 to 12/31
(cfs/ac-ft)

amount 490 ac-ft for irrigation from storage purposes from 4/15 to 10/15
(cfs/ac-ft)

6. Total amount of water under right 6.18 cubic feet per second and/or 490 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	NE	28	18N	4E	Valley	Boulder Meadows Reservoir

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	3E	1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
		12	X	X			X	X	X	X	X	X	X	X					
17N	4E	6						X	X			X	X						
18N	3E	36														X	X		

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 _____ for _____ purposes from _____ to _____
 (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

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	

Total Acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (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

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	

Total Acres _____

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 as evidenced by:

- a. Decree No. 65-12007 Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 65-12007 issued by the Idaho Department of Water Resources.
- c. Claim No. 65-12007 on file with the Idaho Department of Water Resources.
- d. Transfer No. 70275 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 Boulder Creek tributary to North Fork Payette River4. Date or priority September 30, 1977

5. Water is used for the following purposes:

amount 80 ac-ft for irrigation storage purposes from 1/1 to 12/31
(cfs/ac-ft)

amount 80 ac-ft for irrigation from storage purposes from 4/15 to 10/15
(cfs/ac-ft)

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

6. Total amount of water under right _____ cubic feet per second and/or 80 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	NE	28	18N	4E	Valley	Boulder Meadows Reservoir

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	
17N	3E	1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
		12	X	X			X	X	X	X	X	X	X	X					
17N	4E	6						X	X			X	X						
18N	3E	36														X	X		

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 _____ for _____ purposes from _____ to _____
 (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

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	

Total Acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (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

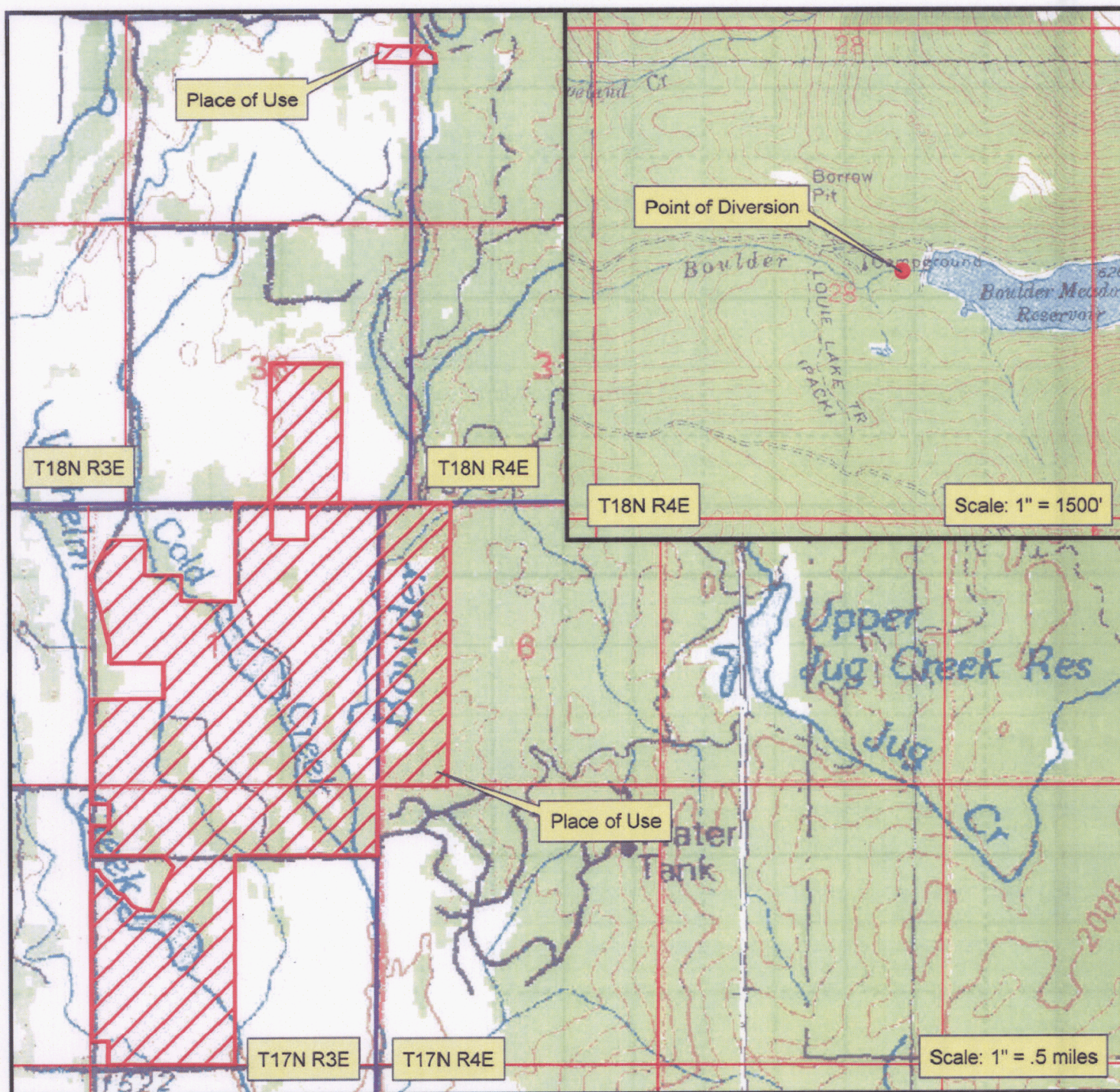
3. Lands irrigated or place of use:

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	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



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

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<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.

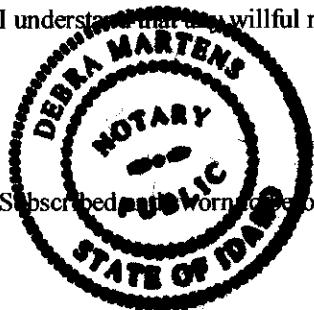
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Boulder Meadows Irrigation, Inc.

By: _____, President

(Signature of Applicant)

Subscribed and sworn to before me this 25th day of August, 20 05



(Notary Public)

My commission expires June 7, 2008

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 1 attachments (18 pages)

Received by DB Date 9-7-05 Protest filed by _____

Prelim. Check by SC Fee \$490-

Received by DB W033383 Date 9-7-05

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

MAR-19-2003 15:30

AMERITITLE CASCADE

208 382 5070 P.08

QUITCLAIM DEED

For Value Received, SUSAN K. MCCUMBER, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY

heraby conveys, releases, renises and forever quits claim unto
SUSAN K. MCCUMBER AND MYRON A. MCCUMBER, WIFE AND HUSBAND

whose address is : 14096 MORELL RD, MCCALL, ID 83638

the following premises, to wit:

SEE EXHIBIT "A" ATTACHED

Dated:

Instrument # 270344

VALLEY COUNTY, CASCADE IDAHO

2003-03-25

03:41:27 No. of Pages: 3

Recorded for: AMERITITLE

LELAND G. HENRICH

Ex-Officio Recorder Deputy

File to: QUITCLAIM DEED

Fee: \$60

Susan K McCumber 3/19/03

SUSAN K. MCCUMBER

State of IDAHO)

County of Canyon) ss

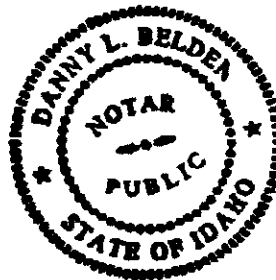
On the 19TH day of March, 2003 before me,

a notary public in and for said State, personally appeared
SUSAN K. MCCUMBER known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that they
executed the same.

[Signature]
Notary Public

Residing at:

Commission Expires:



RENEWED AT MERIDIAN, ID
COMMISSION EXPIRES 3-14-08

3-14-08

ATTACHMENT A

COMMITMENT, FOR TITLE INSURANCE
CONTINUATION
SCHEDULE A

EXHIBIT A

A parcel of land situated in Government Lot 2, Section 30, Township 18 North, Range 4 East, and the southeast one-quarter of the northeast one-quarter of Section 25, Township 18 North, Range 3 East, Boise Meridian, Valley County, Idaho, being more particularly described as follows:
Commencing at the one-quarter corner common to Section 25, Township 18 North, Range 3 East, and section 30, Township 18 North, Range 4 East, being a 3 inch diameter brass cap as recorded under instrument no. 156194, records of Valley County Courthouse, Valley County, Idaho; Thence N.0 15'21"E., a distance of 331.81 feet to an angle point and the True Point of Beginning; Thence S.89 23'55"W., a distance of 626.82 feet to a 1/2 inch rebar; Thence N.11 17'43"E., a distance of 255.20 feet to a 1/2 inch rebar; Thence on a curve to the right, which has a radius of 193.18 feet, a delta angle of 38 47'26", a length of 130.78 feet, and a long chord that bears N.69 36'08"W., a distance of 128.30 feet to a 1/2 inch rebar; Thence N.50 12'25"W., a distance of 50.67 feet to a 1/2 inch rebar, and being on the easterly right-of-way of Morell Road; Thence on said right-of-way N.3 38'39"W., a distance of 49.49 feet to a 1/2 inch rebar; Thence continuing on said right-of-way, and on a curve to the left, which has a radius of 535.68 feet, a delta angle of 5 15'10", a length of 49.11 feet, and a long chord that bears N.6 16'15"W., a distance of 49.09 feet to a 1/2 inch rebar, being also on the southwest corner of a tract of land as described on Record of Survey, instrument no. 120010, of Valley County; Thence on said tract S.50 12'25"E., a distance of 120.05 feet to a 1/2 inch rebar; Thence continuing on said tract, being on a curve to the left, which has a radius of 123.18 feet, a delta angle of 61 20'00", a length of 131.86 feet, and a long chord that bears S.80 52'25"E., a distance of 125.65 feet to a 1/2 inch rebar; Thence S.88 10'17"E., a distance of 757.78 feet to an angle point, and being on the thread of Boulder Creek; Thence on said thread S.66 48'54"E., a distance of 55.00 feet to an angle point; Thence continuing on said thread S.57 45'54"E., a distance of 102.80 feet to an angle point; Thence continuing on said thread S.14 19'54"E., a distance of 110.90 feet to an angle point; Thence continuing on said thread S.40 07'54"E., a distance of 58.80 feet to an angle point; Thence continuing on said thread S.4 38'54"E., a distance of 64.80 feet to an angle point; Thence S.89 23'56"W., a distance of 437.32 feet to the Point of Beginning.

File Number: AMT0220-03
Schedule A Page 2

-continued-

CONTINUATION
Commitment
Reorder Form No. 11119

COMMITMENT FOR TITLE INSURANCE
CONTINUATION
SCHEDULE A

EXHIBIT A

Subject the following described easement;

A strip of land, 70 feet wide, for purposes of ingress, egress, utilities and drainage only, situated in a portion of the southeast one-quarter of the northeast one-quarter of Section 25, Township 18 North, Range 3 East, Boise Meridian, Valley County, Idaho, being more particularly described as follows:
Commencing at the one-quarter corner common to Section 25, Township 18 North, Range 3 East, and section 30, Township 18 North, Range 4 East, being a 3 inch diameter brass cap as recorded under instrument no. 156194, records of Valley County Courthouse, Valley County, Idaho; Thence N.0 15'21"E., a distance of 331.81 feet to an angle point; Thence S.89 23'56"W., a distance of 626.82 feet to a 1/2 inch rebar, and the True Point of Beginning; Thence N.11 17'43"E., a distance of 255.20 feet to a 1/2 inch rebar; Thence on a curve to the right, which has a radius of 193.18 feet, a delta angle of 38 47'28", a length of 130.78 feet, and a long chord that bears N.69 36'08"W., a distance of 128.30 feet to a 1/2 inch rebar; Thence N.50 12'25"W., a distance of 50.67 feet to a 1/2 inch rebar, and being on the easterly right-of-way of Morell Road; Thence on said right-of-way N.3 38'39"W., a distance of 49.49 feet to a 1/2 inch rebar; Thence continuing on said right-of-way, and on a curve to the left, which has a radius of 535.68 feet, a delta angle of 5 15'10", a length of 49.11 feet, and a long chord that bears N.6 16'15"W., a distance of 49.09 feet to a 1/2 inch rebar, being also on the southwest corner of a tract of land as described on Record of Survey, instrument no. 120010, of Valley County; Thence on said tract S.50 12'25"E., a distance of 120.05 feet to a 1/2 inch rebar; Thence continuing on said tract, being a curve to the left, which has a radius of 123.18 feet, a delta angle of 61 20' 00", a length of 131.86 feet, and a long chord that bears S.80 52'25"E., a distance of 125.65 feet to a 1/2 inch rebar; Thence S.86 10'17"E., a distance of 71.17 feet to an angle point; Thence S.12 13'00"W., a distance of 24.87 feet to an angle point; Thence S.31 44'32"W., a distance of 91.81 feet to an angle point; Thence S.11 17'43"W., a distance of 227.83 feet to an angle point; Thence S.89 23'56"W., a distance of 71.54 feet to the Point of Beginning.

File Number: AMT0220-03
Schedule A Page 2

CONTINUATION
Commitment
Reorder Form No. 11119

10-287
 COMPARED _____
 INDEXED DIRECT _____
 INDEXED INDIRECT _____

WARRANTY DEED

FOR VALUE RECIEVED, ELSIE MC CONNELL, acting as Personal Representative for the Estate of Frank O. Smith and as Successor Personal Representative for the Estate of Anna Virginia Smith, aka Virginia Smith, whose address is in care of _____, Mayfield Stage, Boise, Idaho, 83706, the Grantor, does hereby grant, bargain, sell and convey unto D. JOHN CAREY and TERESA P. CAREY, husband and wife, whose address is 15320 Peach Hill Road, Saratoga, California, 95070, the Grantees, the following described premises located in Valley County, Idaho, to wit:

Parcel 1:

Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho.

Section 1: W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and that portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

E. M.

Beginning at the SW Corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, thence N along the westerly boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, a distance of 600 feet; thence Seasterly a distance of 618 feet to a point on the S boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, which point lies 150 ft. E. of the point of beginning thence W along said S boundary, 150 feet to the point of beginning.

EXCEPT THEREFROM: Beginning at the W $\frac{1}{2}$ corner of said Section 1; thence S 89 deg. 47'18" E. 1306.16 feet; thence S 00 deg. 09'19" W 334.00 feet; thence S 08 deg. 06'25" E 331.41 feet; thence N 89 deg. 47'18" W 1356.73 feet to a point on the W line of said Section 1; thence N along said W line Section 1, 662.60 feet more or less to the point of Beginning.

Also, EXCEPT THEREFROM: Any portion thereof which lies within the land described in Corrected Warranty Deed to Loren K. Hollenbeak and Diana W. Hollenbeak, husband and wife, recorded 3-30-81 as Instrument No. 111478 and in Corrected Warranty Deed to C. Pay Potter and Ina Potter, husband and wife, recorded 3-30-81 as Instrument No. 111479 records of Valley County, Idaho and any portion which lies within Farm to Market Road.

Parcel II:

Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho.

Section 11: NE $\frac{1}{4}$ NE $\frac{1}{4}$, except therefrom any portion which lies within Farm to Market Road.

Parcel III:

Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho

Section 12: N $\frac{1}{2}$ N $\frac{1}{2}$, EXCEPT THEREFROM, ~~ANY PORTION OF THE N $\frac{1}{2}$ N $\frac{1}{2}$ OF SECTION 12 DESCRIBED AS FOLLOWS:~~

~~ANY PORTION OF THE N $\frac{1}{2}$ N $\frac{1}{2}$ OF SECTION 12 DESCRIBED AS FOLLOWS:~~ that portion of the N $\frac{1}{2}$ N $\frac{1}{2}$ of Section 12 described as follows:

E. M.
Commencing at the Section corner common to Section 1, 2 and 11, and 12; thence S 5 deg. 19' 30" E, 412.36 feet to a point which is described in Warranty Deed, from Frank O. Smith and A. Virginia Smith, husband and wife, to Linda J. Fordham and Robert L. Hart III, husband and wife, recorded 7-28-81 as Instrument No. 114047 as being on the E. right of way boundary of Farm to Market Road; which point is the True Point of Beginning; thence N 88 deg. 43' 00", E 370 feet; thence S 01 deg. 17' 00" E 353.19 feet; thence S 88 deg. 43' 00" W 370 feet; thence N 01 deg. 17' 00" W 353.19 feet, more or less to the True Point of Beginning.

Containing: 323.24 acres, more or less

To have and to hold the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that the said premises are free from all encumbrances; and, that she will warrant and defend the same from all lawful claims whatsoever.

DATED this 25th day of September, 1987.

Elsie Mc Connell
ELSIE MC CONNELL,
Personal Representative for the
Estate of Frank O. Smith and as
Successor Personal Representative
for the Estate of Anna Virginia
Smith, aka Virginia Smith

STATE OF IDAHO)
(ss.
County of Valley)

On this 25th day of September, 1987, before me a Notary Public in and for said State, personally appeared ELSIE MC CONNELL, known to me to be the person whose name is subscribed to the within instrument as the Personal Representative for the Estate of Frank O. Smith and as Successor Personal Representative for the Estate of Anna Virginia Smith, aka Virginia Smith, and acknowledged to me that she executed the same as such Personal Representative for the Estate of Frank O. Smith and as Successor Personal Representative for the Estate of Anna Virginia Smith, aka Virginia Smith.

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

William F. Lister
NOTARY PUBLIC FOR IDAHO
Residing at: Cascade
Commission Expires: 6/6/93

10745
STATE OF IDAHO }
County of Valley } ss.
I hereby certify that this instrument
was duly executed by the person whose name is subscribed to the within instrument as the Personal Representative for the Estate of Frank O. Smith and as Successor Personal Representative for the Estate of Anna Virginia Smith, aka Virginia Smith, and acknowledged to me that she executed the same as such Personal Representative for the Estate of Frank O. Smith and as Successor Personal Representative for the Estate of Anna Virginia Smith, aka Virginia Smith.
W. F. Lister
Notary Public
9/29

WARRANTY DEED

- 2.1

PAGE 1

CORRECTED WARRANTY DEED.

C O R R E C T E D
W A R R A N T Y D E E D

FOR VALUE RECEIVED, LOREN K. HOLLENBEAK AND DIANA W. HOLLENBEAK, THE GRANTORS, DO HEREBY GRANT, BARGAIN, SELL AND CONVEY UNTO D. JOHN CAREY AND TERESA RAQUEL CAREY, THE GRANTEEES, WHOSE MAILING ADDRESS IS 14751 FRUITVALE AVENUE, SARATOGA, CALIFORNIA 95070, THE FOLLOWING DESCRIBED PREMISES, IN VALLEY COUNTY, IDAHO, TO-WIT:

GOVERNMENT LOTS 4, 5, 6, 7, ALL IN SECTION 6,
TOWNSHIP 17 NORTH, RANGE 4 EAST, B.M., VALLEY
COUNTY, IDAHO; AND

A TRACT OF LAND LOCATED IN SECTION 1, TOWNSHIP
17 NORTH, RANGE 3 EAST, BOISE MERIDIAN, VALLEY
COUNTY, IDAHO AND BEING MORE PARTICULARLY DESCRIBED
AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 SECTION CORNER COMMON TO SECTION 1, T.17N., R.3E., 8.M., WHICH IS THE TRUE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 50 MINUTES 10 SECONDS EAST, 697.20 FEET TO A POINT; THENCE SOUTH 1 DEGREE 28 MINUTES 50 SECONDS WEST, 660.00 FEET TO A POINT; THENCE SOUTH 89 DEGREES 50 MINUTES 10 SECONDS EAST, 660.00 FEET TO A POINT ON THE EXISTING FENCE LINE; THENCE SOUTH 1 DEGREE 28 MINUTES 50 SECONDS WEST, 3324.13 FEET ALONG THE EXISTING FENCE LINE TO A POINT; THENCE NORTH 89 DEGREES 56 MINUTES 01 SECONDS WEST, 2483.51 FEET ALONG THE EXISTING FENCE LINE TO A POINT; THENCE NORTH 8 DEGREES 43 MINUTES 47 SECONDS WEST, 670.35 FEET ALONG THE EXISTING FENCE LINE TO A POINT; THENCE NORTH 8 DEGREES 08 MINUTES 02 SECONDS WEST, 331.41 FEET TO A POINT; THENCE NORTH 0 DEGREES 08 MINUTES 07 SECONDS EAST, 334.18 FEET TO A POINT; THENCE NORTH 89 DEGREES 48 MINUTES 40 SECONDS WEST, 971.04 FEET TO A POINT; THENCE NORTH 0 DEGREES 02 MINUTES 56 SECONDS WEST, 264.58 FEET TO A POINT; THENCE NORTH 14 DEGREES 57 MINUTES 21 SECONDS WEST, 1127.92 FEET TO A POINT ON THE EAST BOUNDARY OF THE FARM TO MARKET ROAD RIGHT-OF-WAY; THENCE ON A CURVE TO THE RIGHT, WITH A RADIUS OF 542.96 FEET, AN ARC DISTANCE OF 110.64 FEET TO A RIGHT-OF-WAY MONUMENT ON THE EAST BOUNDARY OF SAID FARM TO MARKET ROAD; THENCE NORTH 27 DEGREES 22 MINUTES 00 SECONDS EAST, 551.11 FEET ALONG THE EAST BOUNDARY OF SAID FARM TO MARKET ROAD TO A POINT; THENCE SOUTH 89 DEGREES 59 MINUTES 57 SECONDS

UDELL and ELAM

ATTORNEYS AND COUNSELORS AT LAW
300 LENORA STREET
P.O. BOX 1300A McALL, IDAHO 83638
PHONE (208) 634-2100 or (208) 634-2100

CORRECTED WARRANTY DEED.

PAGE 2

EAST, 666.12 FEET TO A POINT; THENCE SOUTH
0 DEGREES 19 MINUTES 10 SECONDS WEST, 611.30 FEET
TO A POINT; THENCE NORTH 89 DEGREES 44 MINUTES
33 SECONDS EAST, 775.67 FEET TO A POINT; THENCE
SOUTH 0 DEGREES 19 MINUTES 10 SECONDS WEST, 500.00
FEET TO A POINT; THENCE SOUTH 89 DEGREES 49 MINUTES
00 SECONDS EAST, 899.86 FEET TO A POINT; THENCE
NORTH 0 DEGREES 19 MINUTES 10 SECONDS EAST,
1820.00 FEET TO THE TRUE POINT OF BEGINNING;

SUBJECT TO THE FOLLOWING EASEMENTS:

1) EASEMENT FROM LOREN K. HOLLENBEAK AND DIANA W.
HOLLENBEAK, HUSBAND AND WIFE, TO FREDERIC A. LANG
AND DOROTHY L. LANG, HUSBAND AND WIFE, FILED FOR
RECORD IN THE OFFICE OF THE RECORDER OF VALLEY
COUNTY, IDAHO, ON OCTOBER 13, 1970 IN DRAWER 1 OF
MISCELLANEOUS AS INSTRUMENT #72910.

2) EASEMENT FROM LOREN K. HOLLENBEAK AND DIANA W.
HOLLENBEAK, HUSBAND AND WIFE, TO ROGER W. ROCKWELL
AND SHIRLEY M. ROCKWELL, HUSBAND AND WIFE, AS
SET FORTH IN AN ADDENDUM TO REAL ESTATE PURCHASE
AGREEMENT AND CORRECTED WARRANTY DEED DATED THE 31ST
DAY OF MARCH, 1980 AND CURRENTLY HELD IN ESCROW AT
TREASURE VALLEY BANK, MC CALL, IDAHO.

3) EASEMENT FROM LOREN K. HOLLENBEAK AND DIANA W.
HOLLENBEAK, HUSBAND AND WIFE, TO DONALD BRUCE
VAN CLEAVE AND KRISTIN LEE VAN CLEAVE, HUSBAND
AND WIFE, AS SET FORTH IN A REAL ESTATE PURCHASE
AGREEMENT AND WARRANTY DEED DATED THE 4TH DAY OF
MARCH, 1980, AND HELD IN ESCROW AT TREASURE VALLEY
BANK, CASCADE, IDAHO.

4) AN EASEMENT FOR COUNTY ROAD PURPOSES, 25 FEET IN
WIDTH, LYING ALONG AND PARALLEL TO THE EXTREME
NORTH BOUNDARY OF SAID TRACT WHICH IS THE SAME
AS THE DESCRIPTION CALL OF SOUTH 89 DEGREES 50
MINUTES 10 SECONDS EAST, 697.20 FEET.

5) ANY OTHER EASEMENTS OF RECORD OR OF USE AS OF
FEBRUARY 20, 1981.

TO HAVE AND TO HOLD THE SAID PREMISES, WITH THEIR
APPURTENANCES UNTO THE SAID GRANTEES, THEIR HEIRS AND ASSIGNS
FOREVER. AND THE SAID GRANTORS DO HEREBY COVENANT TO AND WITH
THE SAID GRANTEES, THAT THEY ARE THE OWNERS IN FEE SIMPLE OF
SAID PREMISES; THAT THE SAID PREMISES ARE FREE FROM ALL

UDELL and ELAM

ATTORNEYS AND COUNSELORS AT LAW
300 LENORA STREET
P.O. BOX 1300A MC CALL, IDAHO 83638
PHONE (208) 634-2108 or (208) 634-2100

157255

CORRECTED WARRANTY DEED.

PAGE 3

INCUMBRANCES EXCEPT TAXES FOR THE YEAR 1981, WHICH ARE NOT YET DUE AND PAYABLE AND THAT THEY WILL WARRANT AND DEFEND THE SAME FROM ALL LAWFUL CLAIMS WHATSOEVER.

DATED THIS 15TH DAY OF APRIL, 1981.

Loren K. Hollenbeak
LOREN K. HOLLENBEAK

Diana W. Hollenbeak
DIANA W. HOLLENBEAK

STATE OF IDAHO,)
(SS.
COUNTY OF VALLEY.)

ON THIS 13th ^{MAY} DAY OF APRIL, 1981, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE: PERSONALLY APPEARED LOREN K. HOLLENBEAK AND DIANA W. HOLLENBEAK, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

Nancy K. Calhoun
NOTARY PUBLIC FOR IDAHO
RESIDING AT MC CALL, IDAHO

STATE OF IDAHO, } ss.
County of Valley, }
I hereby certify that this instrument
was filed for record at the request of
MOUNTAIN TITLE & ESCROW
at 32 minutes past 11
o'clock A M. This 9th
day of Sept 1987
in my office and duly recorded in
Dr. 5 of Reeds
By Leslie Irwin
Ex-Officio Recorder
By K. H. Hensley Deputy
Fee \$ 9.00

UDELL and ELAM

WARRANTY DEED

FOR VALUE RECEIVED, C. RAY POTTER and INA C. POTTER, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto D. JOHN CAREY, the Grantee, the following described real estate, situated in Valley County, State of Idaho, to-wit:

A tract of land located in Section 1, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho and being more particularly described as follows:

Commencing at the Closing Section Corner common to Section 1, T.17N., R.3E., B.M., and Section 6, T.17N., R.4E., B.M., which is the TRUE POINT OF BEGINNING; Thence South 0°50'28" West, 5296.90 feet to a point; Thence North 89°30'30" West, 1344.64 feet along an existing fence line to a point; Thence North 7°30'42" West, 441.46 feet along an existing fence line to a point; Thence North 0°41'56" East, 419.50 feet along an existing fence line to a point; Thence North 1°09'48" East, 448.85 feet along an existing fence line to a point; Thence North 1°28'50" East, 2984.13 feet along an existing fence line to a point; Thence South 75°10'26" East, 987.41 feet to a point; Thence North 1°28'50" East, 1250.00 feet to a point; Thence South 39°50'10" East, 402.09 feet to the true point of beginning; Comprising 143.90 acres more or less.

And reserving from the above described tract, an easement for county road purposes, 25 feet in width, lying along and parallel to the extreme North boundary of said tract which is the same as the description call above of South 89°50'10" East, 402.09 feet.

Together with 1750 shares of water stock in Boulder Meadows Irrigation, Inc., also seepage water originated on the above described lands, and also all right, title and interest in and to Water License No. 26128 with a priority date of August 28, 1959, for 1.1 c.f.s. under License and Certificate of Water Right issued by the State of Idaho on the 15th day of November, 1962.

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

COMPARED _____ ☐

INDEXED (X) _____ ☒

FILED _____ ☒

1-kn Warranty Deed

DATED THIS

19th

day of February, 1981.

C. Ray Potter
C. Ray Potter

Ina C. Potter
Ina C. Potter

STATE OF IDAHO

County of Valley

On this 19th day of February, 1981, before me, a Notary Public in and for the State of Idaho, personally appeared C. RAY POTTER and INA C. POTTER, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

James L. Nichols
Notary Public for Idaho
Residing at Madison

STATE OF IDAHO, }
County of Valley, } ss. 1535534

I hereby certify that this instrument

was filed for record at the request of

Attest: J. L. Nichols

at St. Albans on the 19th

day of March, 1981.

In my office and duly recorded in

Book 153 Page 200

By James L. Nichols

Notary Public

Fee \$ 4.00

10-25-96
DPC

WARRANTY DEED

For Value Received, EDWARD D. FRISBIE and BARBARA J. FRISBIE
HUSBAND AND WIFE

the Grantors, do hereby grant, bargain, sell and convey unto
D. JOHN CAREY, A MARRIED MAN
whose address is: 15320 PLEACH HILL RD SARATOGA CA 95070
the Grantee, the following described premises, to-wit:

SEE ATTACHED AS EXHIBIT "A"

SUBJECT TO EASEMENTS OF RECORD OR VISIBLE UPON THE GROUND.

RESERVING UNTO GRANTOR CERTAIN OF THE WATER RIGHTS APPURTENANT TO
THE REAL PROPERTY, WHICH RIGHTS ARE REPRESENTED BY 185 SHARES IN
THE BOULDER CREEK IRRIGATION COMPANY.

TO HAVE AND TO HOLD the premises with their appurtenances unto the
said Grantees, their heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantees, that
they are the owners in fee simple of said premises that said
premises are free from all encumbrances except the 1996 taxes and
assessments and that they will warrant and defend the same from all
lawful claims whatsoever.

Dated: 10/20/96

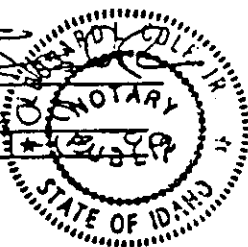
Edward D. Frisbie
EDWARD D. FRISBIE

Barbara J. Frisbie
BARBARA J. FRISBIE

State of Idaho)
County of Valley) ss

On the 25 day of October, 1996 before me, Leonard L. Calk Jr.
a notary public in and for said State,
personally appeared EDWARD D. FRISBIE and BARBARA J. FRISBIE
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
Residing at: CASCO
Commission Expires: 1997



REQUESTED BY
RECORDED

95 OCT 25 PM 4 10

MOUNTAIN TITLE & EXCHG

BY J. Calk Jr.

1/RECORDED

TH. Kennedy, Notary

221731

EXHIBIT A

A parcel of land in Valley county, Idaho, more particularly described as follows:

the S1/2 of the NW1/4 and the SW1/4 of Section 12, T. 17 N., R. 3 E., B.M., Valley County, Idaho;

Save and except a portion in the southwest corner of said Section 12, heretofore deeded for burial purposes, which deed is recorded in Book 5 of Deeds at page 574, records of Valley County;

and

Except a parcel of land located in the SW1/4 SW1/4 of Section 12, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho and more particularly described as follows:

Beginning at the SW corner of said Section 12;
Thence South 89° 29' 22" East along the South section line of said Section 12, for a distance of 234 feet to a point; said point being the True Point of Beginning;

Thence North 0° 05' 00" East, along an existing fence line for a distance of 436.68 feet to a point;

Thence South 89° 29' 22" East, a distance of 200 feet to a point;

Thence South 0° 05' 00" West, a distance of 436.68 feet to the South line of said Section 12;

Thence North 89° 29' 22" West to the True point of Beginning.
(aka tax #43)

and

Except a tract of land in the SW1/4 of the NW1/4 of said Section 12 commencing at the northwest corner of Section 12; thence S. 0° 14' 36" W. along the West boundary of said Section 12 a distance of 1319.97 feet to the North 1/16 section corner, thence S. 89° 50' 33" E., 58.63 feet to a point on the East right of way boundary of the Farm to Market Road, which is the True Point of Beginning;

Thence continuing S. 89° 50' 33" E., 1010.33 feet,

thence S. 1° 46' 00" W., 47.69 feet,

thence S. 31° 44' 00" E., 266.69 feet,

thence S. 11° 44' 15" W., 774.91 feet,

thence S. 69° 29' 23" W. 134.87 feet,

thence N. 69° 43' 21" W., 342.31 feet,

thence N. 44° 50' 02" W., 102.13 feet,

CONTINUED

legal page 1 of 2

thence N. 26° 14' 22" W., 162.05 feet,
thence N. 42° 03' 54" W., 105.58 feet,
thence N. 66° 46' 49" W., 91.94 feet,
thence N. 61° 16' 35" W., 93.06 feet,
thence N. 45° 19' 38" W., 85.88 feet,
thence N. 29° 14' 15" W., 92.83 feet,
thence N. 16° 26' 26" W., 155.51 feet,
thence N. 11° 40' 49" W., 95.91 feet to a point on the East
right of way boundary of the Farm to Market Road, thence N. 1°
46' 00" E., 203.10 feet along the East boundary of said right
of way to the True Point of Beginning, (tax #42, #133 and #134
combined)

and further save and except:

A parcel of land situate in the NE1/4 of the SE1/4 of the NW1/4 of
Section 12, T. 17 N., R. 3 E., B.M., Valley County, Idaho, more
particularly described as follows:

Commencing at an aluminum cap marking the 1/4 corner common to
Sections 1 and 12, T. 17 N., R. 3 E., B.M., Valley County, Idaho:
thence S. 00° 21' 59" W., 1,321.93 feet to the CN 1/16 corner
of said Section 12, the Real Point of Beginning;
thence continuing S. 00° 21' 59" W., 660 feet along the East
boundary of said NE1/4 SE1/4 NW1/4,
thence N. 89° 50' 44" W., 330.00 feet,
thence N. 00° 21' 59" E., 660.00 feet to the North boundary of
said NE1/4 SE1/4 NW1/4,
thence S. 89° 50' 44" E. 330.00 feet to the Point of
Beginning. (aka tax #135)

QUITCLAIM DEED

For Value Received, ALAN W. BUSBY AND TERRI LEE BUSBY, TRUSTEES OF THE
ALAN W. BUSBY AND TERRI LEE BUSBY 1983 LIVING TRUST

hereby conveys, releases, remises and forever quits claim unto

ALAN W. BUSBY, A SINGLE MAN

whose address is : P.O. BOX 2021, MCCALL, ID 83638

the following premises, to wit:

Instrument # 252643
VALLEY COUNTY, CASCADE, IDAHO
2001-02-13 01:55:03 No. of Pages: 2
Recorded for : ALAN BUSBY
LELAND G. HEINRICH Fee: 6.00
Ex-Officio Recorder Deputy *J. Heintz*
Index to: QUITCLAIM DEED

SEE ATTACHED EXHIBIT A

Dated: 1/29/2001

ALAN W. BUSBY AND TERRI LEE BUSBY, TRUSTEES OF THE ALAN W. BUSBY
AND TERRI LEE BUSBY 1983 LIVING TRUST

Alan W. Busby
ALAN W. BUSBY, TRUSTEE
Terri Lee Busby
TERRI LEE BUSBY, TRUSTEE

~~State of Idaho~~)
OREGON)
County of ~~Deschutes~~) ss

On this 29th day of JANUARY, 2001, before me, *Vickie A. Russell*

a notary public in and for said State, personally appeared

known to me to be the person whose names are subscribed to the within instrument, and
acknowledged to me that they executed the same, as trustees of the ALAN W. BUSBY AND
TERRI LEE BUSBY 1983 LIVING TRUST.

Vickie A. Russell
Notary Public
Residing at: *Bend, OR*
Commission Expires: 11-19-2003

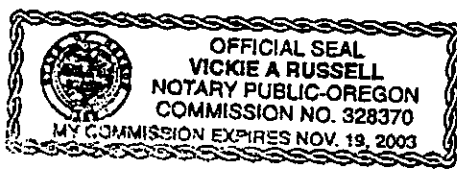


EXHIBIT A

All those certain lots, pieces or parcels of land situated in Valley County, Idaho, and shown as Lots 6, 8, 9, and 10, Alta Vista Subdivision, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

AND

The E1/2 SW1/4 SE1/4, Section 36, Township 18 North, Range 3 East, Boise Meridian, Valley County, Idaho.

AND

The W1/2 SW1/4 SE1/4, Section 36, Township 18 North, Range 3 East, Boise Meridian, Valley County, Idaho.

AND

The NW1/4 SE1/4, Section 36, Township 18 North, Range 3 East, Boise Meridian, Valley County, Idaho.

AND

All that certain property lying within the SW 1/4 of Section 36, Township 18 North, Range 3 East, Boise Meridian, Valley County, Idaho, which lies between the East boundary of Alta Vista Subdivision, as platted and filed for record with the Office of the recorder of Valley County, Idaho, and the SE 1/4 of said Section 36.

#259951

1-23-02

WARRANTY DEED

For Value Received BALLARD F. SMITH AND CHARLIE M. SMITH, HUSBAND
AND WIFE

the Grantors, do hereby grant, bargain, sell and convey unto
SCOTT G. FINDLAY AND VICKI FINDLAY, HUSBAND AND WIFE
whose address is: P.O. BOX 4418, MCCALL, IDAHO 83638

the grantee, the following described premises, to-wit:

SEE ATTACHED AS EXHIBIT "A"

TOGETHER WITH WATER RIGHTS ASSOCIATED WITH WATER RIGHTS NO. 65-
3117A/0.4CFS.

TO HAVE AND TO HOLD the premises with their appurtenances unto the
said Grantees, their heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantees, that
they are the owners in fee simple of said premises that said
premises are free from all encumbrances except subsequent taxes and
assessments and that they will warrant and defend the same from all
lawful claims whatsoever.

Dated: 1-22-02

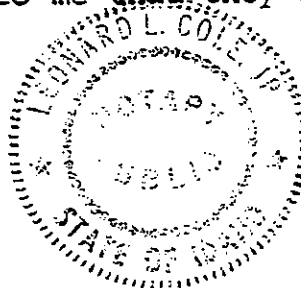
Ballard F. Smith
BALLARD F. SMITH

Charlie M. Smith
CHARLIE M. SMITH

State of Idaho)
County of Valley) ss

On this 22 day of JAN, 2002, before me,
Leonard L. Cole Jr. a notary public in and for said
State, personally appeared BALLARD F. SMITH AND CHARLIE M. SMITH,
known to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed the
same

Leonard L. Cole Jr.
Notary Public
Residing at: CASCADE
Comm. Expires: 06-04-05



Instrument # 259951

VALLEY COUNTY, CASCADE, IDAHO

2002-01-23 12:38:24 No. of Pages: 2

Recorded for: AMERITITLE

LELAND G. HEINRICH

Ex-Officio Recorder Deputy

Index to: DEEDS

Fee: 6.00

Leonard L. Cole Jr.

TOTAL P.01

Exhibit "A"

A parcel of land situated in Valley County, in Section 1, Township 17 North, Range 3 East, B.M., more particularly describes as follows:

Commencing at the NE corner of Section 1, thence N 89° 50' 10" W. 402.09 feet to the REAL POINT OF BEGINNING: thence continuing N. 89° 50' 10" W. 961.00 feet; thence S. 1° 28' 50" E. 1,000 feet; thence S. 75° 10' 26" E. 987.41 feet; thence N. 1° 28' 50" E. 1,250 feet to the REAL POINT OF BEGINNING.