

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

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

JAN 04 2005

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

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Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>63-4147</u>	<u>A63-4147</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
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JAN 10 2005

DEPARTMENT OF
WATER RESOURCES

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Evelyn B Reynolds, 10943 Horseshoe Bend Rd., ID 83703
Jack L Reynolds, Sr., 10946 Horseshoe Bend Rd., Boise, ID 83703
4. New Owner/Claimant(s) Hillview Development Corporation
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 150 E. Aikens, Suite A
- City, State and ZIP Code Eagle, ID 83616
- New Telephone Number (208) 939-2730
5. Date you acquired the property August 20, 2004

SUPPORT DATA
IN FILE # 63-4147

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

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WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>63-4150</u>	<u>A63-4150</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
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DEPARTMENT OF
WATER RESOURCES

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- A. The appropriate **FILING FEE**. See instructions for fee amounts.
 - B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
 - C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Clarence B Weber, 11053 Horseshoe Bend Rd., Boise, ID 83703
Virginia Weber, 11053 Horseshoe Bend Rd., Boise, ID 83703
4. New Owner/Claimant(s) Hillview Development Corporation
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 150 E. Aikens, Suite A
- City, State and ZIP Code Eagle, ID 83616
- New Telephone Number (208) 939-2730
5. Date you acquired the property August 9, 2004

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

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WATER RESOURCES
WESTERN REGION

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
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Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>63-4309</u>	<u>A63-4309</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
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DEPARTMENT OF
WATER RESOURCES

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- A. The appropriate **FILING FEE**. See instructions for fee amounts.
 - B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
 - C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Carole J Fivecoat, 10981 Horseshoe Bend Rd., Boise, ID 83703
Cliff L Fivecoat, 10981 Horseshoe Bend Rd., Boise, ID 83703
4. New Owner/Claimant(s) Hillview Development Corporation
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 150 E. Aikens, Suite A
- City, State and ZIP Code Eagle, ID 83616
- New Telephone Number (208) 939-2730
5. Date you acquired the property August 10, 2004

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

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JAN 10 2005

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
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Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-4314					

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- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Yvonne Smith, 10867 Horseshoe Bend Rd., Boise, ID 83703
Robert H Smith, Highway 55, Route 1, Boise, ID 83703
4. New Owner/Claimant(s) Hillview Development Corporation
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 150 E. Aikens, Suite A
- City, State and ZIP Code Eagle, ID 83616
- New Telephone Number (208) 939-2730
5. Date you acquired the property August 11, 2004

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

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>63-4319</u>	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Farrell F Ferguson, 10753 Horseshoe Bend Rd., Boise, ID 83703
Carla Ferguson, Highway 55, Route 1, Boise, ID 83702
4. New Owner/Claimant(s) Hillview Development Corporation
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 150 E. Aikens, Suite A
- City, State and ZIP Code Eagle, ID 83616
- New Telephone Number (208) 939-2730
5. Date you acquired the property August 10, 2004

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

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WATER RESOURCES
WESTERN REGION

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

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Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-16450	A63-16450				

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JAN 10 2005

DEPARTMENT OF
WATER RESOURCES

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3. Name and Address of Former Owner/Claimant(s) Catherine Renfro, 10735 Horseshoe Bend Rd., Boise, ID 83703
Gerald E Renfro, 10735 Horseshoe Bend Rd., Boise, ID 83703
4. New Owner/Claimant(s) Hillview Development Corporation
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 150 E. Aikens, Suite A
- City, State and ZIP Code Eagle, ID 83616
- New Telephone Number (208) 939-2730
5. Date you acquired the property July 27, 2004

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

[Signature] PRES HDC

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by SD Date 11/10/05 Fee \$25
 Receipted by _____ Date _____ Receipt No. 0079602
 Processed by _____ AJ Date _____ WR _____ Date _____

240398 58/1967



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

ADA COUNTY RECORDER J. DAVID NAVA...
BOISE IDAHO 08/25/04 04:16 PM
DEPUTY NEAVA HANEY
RECORDED - REQUEST OF
Pioneer

AMOUNT 6.00 2



104109501

WARRANTY DEED

For Value Received

Virginia Weber, an unmarried person

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

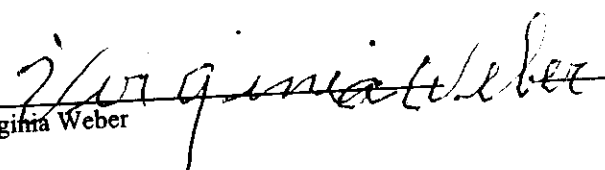
Hillview Development Corporation, an Idaho corporation

hereinafter referred to as Grantee, whose current address is 150 E. Aikens Suite A, Eagle, Idaho 83616
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

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

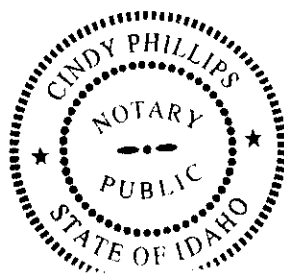
Dated: August 9, 2004

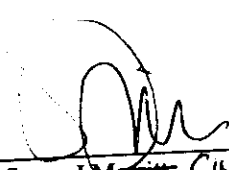


Virginia Weber

STATE OF Idaho. County of Ada, ss.

On this 25th day of August, in the year of 2004, before me the undersigned, notary public personally appeared Virginia Weber known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.





Susan J. Merritt - Cindy Phillips
Notary Public of Idaho
Residing at Caldwell Boise
Commission expires: May 5, 2005

EXHIBIT A

From the section corner common to Sections 2, 3, 10 and 11, Township 4 North, Range 1 East,
Boise Meridian, in Ada County, Idaho; running
Thence South on section line 647.8 feet to the **REAL POINT OF BEGINNING**;
Thence West 1269.0 feet;
Thence South 59 degrees 45' West 69.9 feet to a point on the 1/16 line;
Thence South 129.8 feet to the Southwest corner of the tract herein described;
Thence East 1329.4 feet to a point on the section line;
Thence North 165.0 feet to the **POINT OF BEGINNING**.

EXCEPT that portion conveyed to the State of Idaho by Deed recorded under Instrument No.
160918 in Book 208 of Deeds at Page 613.



ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 08/16/04 04:24 PM
DEPUTY NEAVA HANEY
RECORDED - REQUEST OF
Pioneer
AMOUNT 6.00

2

2



A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY

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

240897
"G"

WARRANTY DEED

For Value Received

Cliff L. Fivecoat, an unmarried man

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

Hillview Development Corporation, an Idaho corporation

hereinafter referred to as Grantee, whose current address is 150 E. Aikens Suite A, Eagle, Idaho 83616
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

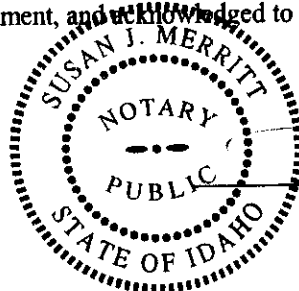
To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except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

Dated: August 10, 2004

Cliff L. Fivecoat

STATE OF Idaho. County of Ada, ss.

On this 13 day of August, in the year of 2004, before me the undersigned, notary public personally appeared Cliff R. Fivecoat known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



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

EXHIBIT A

Part of the Northeast quarter of the Northeast quarter of Section 10, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, described as follows:

From section corner common to Sections 2, 3, 10 and 11, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, running South along the section line 812.8 feet to the **REAL POINT OF BEGINNING**;

Thence West 1329.4 feet to a point marked by an iron pin;

Thence South 165 feet to a point marked by an iron pin;

Thence East 1329.4 feet to a point on the section line;

Thence North 165 feet to the **REAL POINT OF BEGINNING**.

EXCEPT that portion conveyed to the State of Idaho by Deed recorded under Instrument No. 160918 in Book 208 of Deeds at Page 613.

INST. NO. 547646

BOOK

23 PAGE 513

TRUST AGREEMENT

THIS TRUST AGREEMENT Entered into by and between the owners of seven different tracts of land, consisting of approximately five acres to each tract, said tracts being herein designated as Tract I to Tract VII, inclusive, the owners who are the parties hereto, described as follows:

TRACT I - NED C. WEYMOUTH and BARBARA B. WEYMOUTH, husband and wife;

From the section corner common to Sections Two, Three, Ten and Eleven, Township Four North, Range One East of the Boise Meridian, running thence South on the section line Fifty feet; thence West Ninety feet; thence North Fifty feet to the section line; thence West along the section line 860 feet to a point; thence South 8°0' West 235.8 feet to a point; thence East 982.9 feet to a point on the section line; thence North 233.8 feet to the point of beginning, containing 5.10 acres more or less.

TRACT II - NED C. WEYMOUTH and BARBARA B. WEYMOUTH, husband and wife;

From the section corner common to Sections Two, Three, Ten and Eleven, Township Four North, Range One East of the Boise Meridian, running thence South on the section line 233.8 feet to the real point of beginning; thence West 982.9 feet to a point; thence South 8°0' West 220.1 feet to a point; thence East 1013.5 feet to a point on the section line; thence North 218 feet to the real point of beginning, containing five acres, more or less.

TRACT III - GEORGE T. TINSLEY and DOROTHY JEAN TINSLEY, husband and wife;

From the section corner common to Sections Two, Three, Ten and Eleven, Township Four North, Range One East of the Boise Meridian, running thence South on the section line 451.8 feet to the real point of beginning; thence West 1013.5 feet to a point; thence South 8°0' West 51.4 feet to a point marked by an iron pin; thence South 59°45' West 288.1 feet to a point marked by an iron pin; thence East 1288 feet to a point on the section line; thence

BOOK

23 514

North 185 feet to the real place of beginning.

TRACT IV - CLARENCE E. WEBER and VIRGINIA D. WEBER, husband and wife.

From the section corner common to Sections Two, Three, Ten and Eleven, Township Four North, Range One East of the Boise Meridian, running thence South along the section line 847.8 feet to the real point of beginning; thence West 1329.4 feet to a point marked by an iron pin; thence South 59°45' West 58.9 feet to a point marked by an iron pin; thence South 139.4 feet to a point marked by an iron pin; thence East 1329.4 feet to a point on the section line; thence North 185 feet to the real place of beginning.

TRACT V - EARL P. GOODMAN and VELMA E. GOODMAN, husband and wife.

From the section corner common to Sections Two, Three, Ten and Eleven, Township Four North, Range One East of the Boise Meridian, running thence South along the section line 812.8 feet to the real point of beginning; thence West 1329.4 feet to a point marked by an iron pin; thence South 185 feet to a point marked by an iron pin; thence West 1329.4 feet to a point on the section line; thence North 185 feet to the real point of beginning.

TRACT VI - WILLIAM M. GORNIK and DOROTHY M. GORNIK, husband and wife.

From the section corner common to Sections Two, Three, Ten and Eleven, Township Four North, Range One East of the Boise Meridian, running thence South along the section line 977.8 feet to the real point of beginning; thence West 1329.4 feet to a point marked by an iron pin; thence South 185 feet to a point marked by an iron pin; thence East 1329.4 feet to a point on the section line; thence North 185 feet to the real point of beginning.

TRACT VII - FRED EISELE and BETTY EISELE, husband and wife.

From the section corner common to Sections Two, Three, Ten and Eleven, Township Four North, Range One East of the Boise Meridian, running thence South on the section line 1142.8 feet to the real point of beginning; thence West 1329.4 feet to a point marked by an iron pin; thence South 185 feet to a point marked by an iron pin, being the Southwest corner of the Northeast Quarter of the Northeast Quarter of said Section Ten; thence East 1329.4 feet to a point on the section line; thence North 185 feet to the real place of beginning. xxxi

AND, WHEREAS, all seven tracts of property above described are irrigated by means of irrigation water pumped from a well situate upon the following-described real property of which the owners of said

OLMONT, WELER & GREEN
SPECIALISTS AND ATTORNEYS AT LAW
BOISE, IDAHO

seven tracts are the beneficial owners, which tract is herein sometimes referred to as the well site, and which property is described as follows:

Commencing at the section corner common to Sections Two, Three, Ten and Eleven, Township Four North, Range One East of the Boise Meridian, thence South along the section line fifty feet; thence West Ninety feet; thence North Fifty feet; thence East Ninety feet to the point of beginning.

AND, WHEREAS, the owners above described of said seven separate tracts of real property desire to provide and establish an irrigation water system, which said system shall include the well site above described on which the well and pump is situate and shall include all pumps, pipes, electrical system, well or wells, conduits, and water ways and equipment used for the pumping of said water and the conveying of said water to the point of delivery to the separate tracts above described, and to provide for the management, maintenance, and delivery of such irrigation water, and the management, maintenance and upkeep of the said irrigation water system;

NOW, THEREFORE, for the purposes aforesaid, the parties to this agreement do hereby set over, assign and transfer to George T. Tinsley for a period of one (1) year, Clarence E. Weber for a period of two (2) years, and Ned C. Wexmuth for a period of three (3) years, and to their successors, as trustees, all of the property consisting of the water system above described, to be held by said trustees, and their successors, in trust, nevertheless, for the use and benefit of the beneficiaries herein designated in and upon the conditions and terms set up in this agreement.

1. The Trustees hereinabove designated are beneficiaries as herein defined and all successors to said Trustees above named shall

BOOK 23 PAGE 516

be qualified beneficiaries as herein defined. The Trustees shall consist of three (3) in number, and in the event of the death, resignation or inability of any trustee now or hereafter serving, the remaining Trustees shall fill any vacancy or vacancies from time to time existing; provided, however, that no vacancy shall prevent the remaining Trustees from effectively carrying on the objectives and purposes of this Trust and their duties as Trustees.

2. Unanimous consent shall not be necessary for the exercise of any powers granted the Trustees herein, and in all cases, concurrence by majority of the then Trustees shall be sufficient to authorize any official act.

3. The Trustees and their successors shall hold, control, and maintain and operate said water system for the use and benefit of the beneficiaries as defined herein, to the end that each of said beneficiaries may, upon compliance with the terms and conditions hereof and the rules and regulations adopted by the Trustees pursuant hereto, receive water from said system for irrigation purposes only; provided that if, through failure of natural supply, major catastrophe, or increase in demand, the water system shall become unusable or inadequate, the Trustees shall be under no obligation to expand, augment or replace said system.

The Trustees shall keep a record of their accounts and proceedings as such, and shall further keep and maintain full, accurate, and adequate books of account, correctly recording all receipts and disbursements and disclosing the financial condition of the trust from time to time, and all such records shall be open to the inspection of the beneficiaries hereunder at reasonable times.

Upon qualification of any person as beneficiary hereunder, the

Trustees shall furnish unto such person a copy of the rules and regulations then in force and affecting and pertaining to said water system and to the furnishing of water to the users thereof.

4. The Trustees hereunder shall have the following powers:

(a) To adopt regulations pertaining to the connecting of existing water service mains to the delivery point of water to the property of the beneficiaries, including the specifications of the size and type of material to be used and the location and depth of service line.

(b) To adopt regulations restricting the use of water by beneficiaries where, in the opinion of the Trustees, such restrictions are necessary to conserve the supply or to permit replacements or repairs.

(c) To adopt such further regulations as may, in the judgment of the Trustees, be deemed necessary for the proper operation of the system.

(d) From time to time to fix an annual rate to be charged the users of the water from the system in an amount sufficient to realize necessary income for operation, repair, and maintenance, including a sufficient amount to permit an accumulation of reserve fund for replacement and repairs or emergencies occurring in the course of operation, and for any other sums that the Trustees may be called upon to pay by reason of a legal liability therefor.

(e) To pay any and all taxes, levies and assessments of any kind or nature, from any governmental or taxing body; provided Trustees shall not be under the obligation to object or contest any tax levy or assessment from a governmental taxing body.

(f) To obtain and pay for such amounts of insurance of such type as Trustees shall deem wise, including any and all liability of the Trustees.

(g) To employ agents, servants, and attorneys or other professional assistance as Trustees may deem reasonable and necessary.

(h) To transfer or lease said water system, either with or without consideration, to any municipal or public corporation or to any legal entity, if, in the judgment of the Trustees, the beneficiaries hereunder will be assured of a constant and equivalent supply of water subject to such transfer or lease.

(i) To abandon said water system upon the advent of any reliable public supply to each of the beneficiaries.

(j) To adopt and enforce regulations necessary to compel compliance by the beneficiaries, and the power given hereunder shall include the right to refuse to furnish water to a beneficiary and to cut off the service thereto in the event of failure of the beneficiary to comply with the regulations of the Trustees or to pay for services of water furnished in the manner provided by the regulations.

(k) To borrow money for the purpose of this trust, if, in the discretion of the Trustees, such action is reasonably necessary.

5. The Trustees hereunder shall serve without compensation, and this trust shall be maintained on a non-profit basis.

6. The Trustees hereunder shall be neither jointly nor severally liable for any accounts or omissions by them or any of them in carrying out the terms and provisions of this trust, except for the failure to properly account for moneys handled by said Trustees; nor, in that respect, shall any Trustee be liable for the debt or default of another

Trustees; and provided further that by no act or omission by said Trustees shall any personal liability be imposed upon said Trustees or any of them, either in law or in equity, in contract or tort, except as in this paragraph specifically provided.

7. Point of delivery as used herein means a point within 10 feet of the NW corner of each tract; as to Tract 1 it means at a point within 10 feet commencing at the corner common to Sections 3, 2, 10 and 11 and running thence south along the section line, and as to all other tracts it means within 10 feet of the real point of beginning as described above in the description of each tract and running thence south along the section line. Water shall be delivered from the water system herein mentioned to each tract of land at the point of delivery to such tract of land, and the delivery at such point of the amount of water allotted for that tract of land shall fulfill the obligation of the trustees and of the water system for the delivery of water for the entire tract; in the event that any tract of land is subdivided, the obligation of dividing, subdividing or diverting such water shall be that of the owner of property at the point of delivery, it being understood that the water system herein defined, and the obligation of the trustees, is only for the maintenance, upkeep, control and regulation of the water system upon and from the well site to the point of delivery of each tract of land herein described.

8. A beneficiary hereunder is hereby defined to be any person who shall, from time to time, be the owner, either equitable or legal or the contract purchaser, and entitled to possession, of any tract of land above described as Tracts I to VII, inclusive, provided, however, that in the event that any tract of land is subdivided, then beneficiary shall mean the owner, as herein defined, of the property at the point of delivery.

9. Title and equitable ownership and interest in and to the said water system is hereby divided into seven (7) equal parts, divided equally between the seven tracts of land above described; in the event that any

BOOK 23 PAGE 520

tract of land is subdivided, then the one-seventh interest ascribed to such tract of land shall follow the ownership of the land at the point of delivery.

10. The execution of this agreement shall be deemed an acceptance of all the terms and provisions of this trust and an agreement on the part of each beneficiary to abide by the rules, regulations and requirement of the Trustees hereunder.

11. The Trustees hereunder shall be under no obligation to furnish water for the protection of property of the beneficiaries against fire, but are authorized, in their discretion, to make available for such fire protection the facilities presently existing or their equivalent; provided, however, that the Trustees may expand the existing facilities if, in their sole discretion, they deem it expedient to do so.

12. An annual meeting of the beneficiaries shall be held hereafter in Ada County during the month of September of each year. The Trustees, or a majority of all of the beneficiaries, may call a special meeting at any time. Written notice of the time and place of each meeting shall be given by leaving a copy of such notice at each of the seven tracts of land herein described. It shall be the duty of the trustees to give such notice of said annual meeting.

At each annual meeting one trustee shall be elected by a majority of the beneficiaries present for a term of three years. Each successive trustee shall assume and have all of the powers and obligations herein provided.

13. This trust shall terminate 50 years after its date, unless sooner terminated, and upon such termination the Trustees shall cause to be transferred and conveyed to each of the then beneficiaries hereunder an undivided equal interest in and to the water system, including all supplies, tools and equipment, and after paying any and all obligations of the trust, shall pay any and all moneys on hand in equal parts to the then beneficiaries. In the event of any earlier termination of the

BOOK 23 PAGE 521

trust by transfer or abandonment, the Trustees shall make similar
distribution of any balance of moneys in their hands.

WITNESS our hands and seals this 14th day of October, 1962.

Neil C. Heyman

Barbara B. Heyman

George T. Pinsky

Morothy Jean Pinsky

Clarence B. Weber

Virginia D. Weber

Edith P. Goodman

Velma E. Goodman

William M. Gornik

Morothy M. Gornik

Fred R. Essle

Betty Essle

BOOK 23 PAGE 522
STATE OF IDAHO)
County of Ada)

On this 11 day of October, 1962, before me, the undersigned,
a Notary Public in and for said state, personally appeared NEO C.
WEYMOUTH and BARBARA B. WEYMOUTH, GEORGE T. TINSLEY and
DOROTHY JEAN TINSLEY, CLARENCE B. WEBER and VIRGINIA D.
WEBER and WILLIAM M. GORNIK and DOROTHY M. GORNIK

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.

Clark C. Cannon
Notary Public for Idaho
Residing at Boise, Idaho.

STATE OF IDAHO)
County of Ada)

On this 17th day of November, 1962, before me, the undersigned,
a Notary Public in and for said state, personally appeared EARL P.
GOODMAN and VELMA E. GOODMAN

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.

Clark C. Cannon
Notary Public for Idaho
Residing at Boise, Idaho.

BOOK

23 PAGE 523

STATE OF COLORADO,)

County of)

On this 22nd day of November, 1962, before me, the undersigned, a Notary Public in and for said state, personally appeared FRED EISELE and BETTY EISELE, 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.

Vern Thomas
Notary Public for Colorado

Residing at: *Colorado Springs*
CO

My Commission Expires:

May 17, 1964

STATE OF

UNION OF AMERICA

Filed for record at the request of

29 Min past 2 o'clock

M: This 28 day of Jan 1963

Recorded by

VERN THOMAS

Recorder

Deputy

517 - 3rd St. Bldg

FLYING FEATHER

POD
63-2834

HWY 55

HORSE SHOE BEND RD

Weber

Fivecoats

Reynolds

Smith

Molenaar

POD
63-3177

Ferguson

Renfro

Fry

↑
N

FLOPPING FEATHER

POD
63-2834

HWY 55

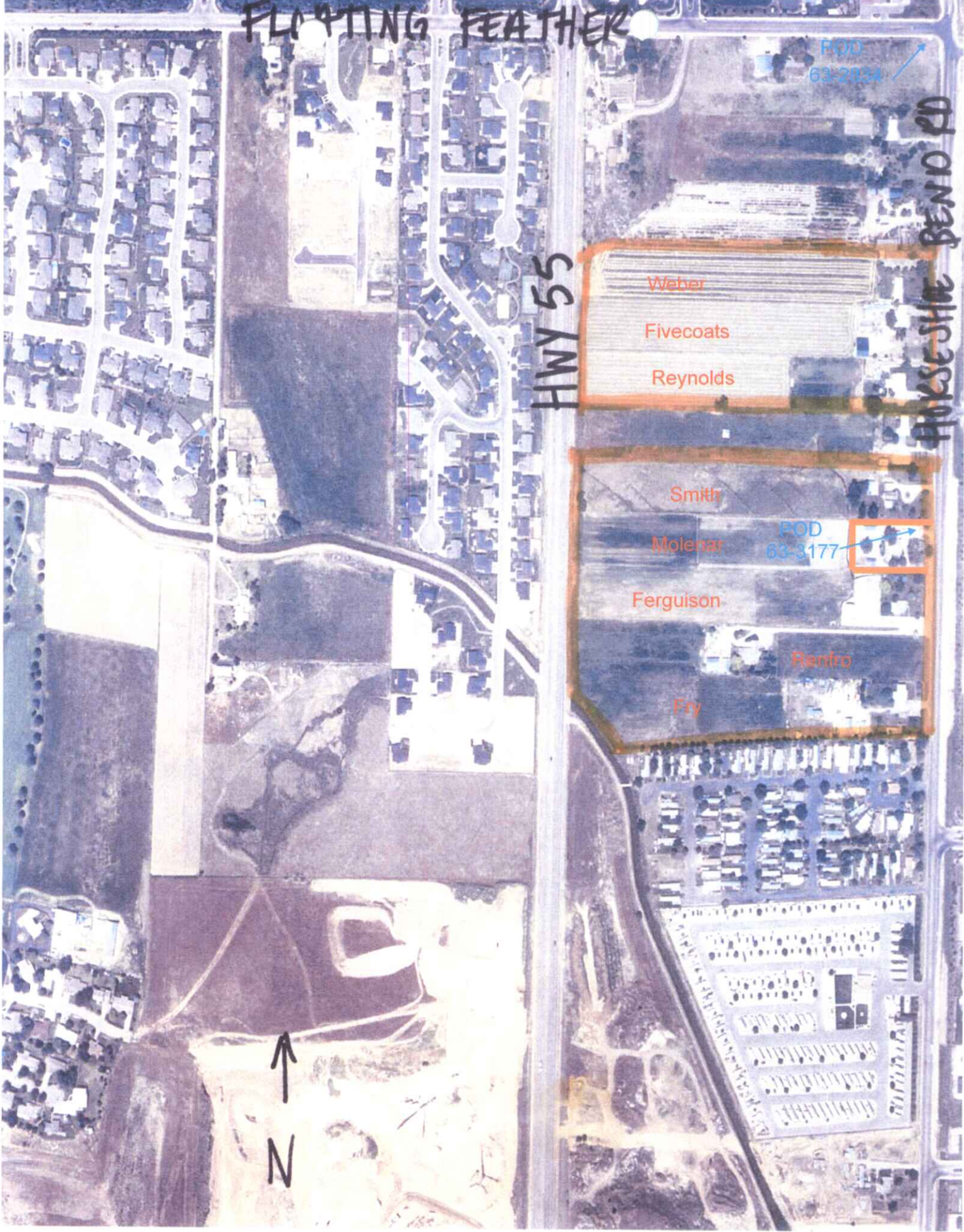
HORSE SHOE BEND RD

Weber
Fivecoats
Reynolds

Smith
Molenaar
Ferguson
Ranfro
Fry

POD
63-3177

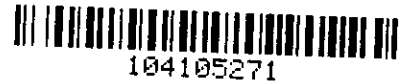
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A Pioneer Company
PIONEER TITLE COMPANY
 OF ADA COUNTY
 8151 W. Rifleman Ave. / Boise, Idaho 83704
 (208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO
 BOISE IDAHO 08/16/04 04:24 PM
 DEPUTY NEAVA HANEY
 RECORDED - REQUEST OF
 Pioneer
 AMOUNT 6.00



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2 39846
 "E"

WARRANTY DEED

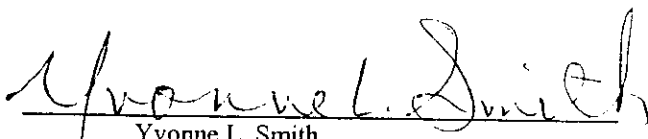
For Value Received Yvonne L. Smith, an unmarried person
 AKA YVONNE SMITH
 hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Hillview Development Corporation, an Idaho corporation
 hereinafter referred to as Grantee, whose current address is 150 E. Aikens Suite A, Eagle, Id 83616
 the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

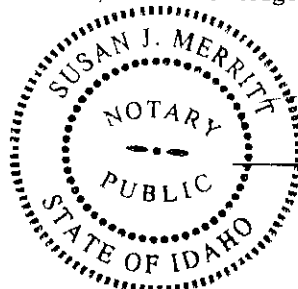
To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except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

Dated: August 11, 2004


 Yvonne L. Smith

STATE OF Idaho. County of Ada, ss.

On this 12th day of August, in the year of 2004, before me the undersigned, notary public personally appeared Yvonne L. Smith known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



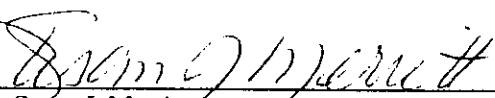

 Susan J. Merritt
 Notary Public of Idaho
 Residing at Caldwell
 Commission expires: May 5, 2005

EXHIBIT A

Part of the Southeast quarter Northeast quarter of Section 10, Township 4 North, Range 1 East, Boise Meridian, more particularly described as follows:

From the section corner common to Sections 2, 3, 10 and 11, Township 4 North, Range 1 East, Boise Meridian,
Running thence South 01 degrees 13'47" West on the Section line a distance of 1317.82 feet (formerly South on the Section line 1307.8 feet) to a point, said point being the Northeast corner (1/16 corner) of said Southeast one-quarter of the Northeast, the point being the REAL POINT OF BEGINNING;

Thence West 1,329.4 feet to the 1/16th line;
Thence South 165.0 feet;
Thence East parallel to the 1/16th line 1,329.4 feet to a point on the section line;
Thence North 165.0 feet to the REAL PLACE OF BEGINNING.

EXCEPT the East 50 feet thereof, as a highway right-of-way, in the Southeast quarter Northeast quarter of Section 10, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho.

ALSO EXCEPTING therefrom that portion described in

A tract of land situated in the Southeast one quarter of the Northeast One quarter of Section 10, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, described as follows:

Commencing at a found brass cap monumenting the Northeast corner of said Section 10. Thence along the Easterly line of the said Section 10,
South 0 degrees 13'47" West a distance of 1317.82 feet to a point, said point being the Northeast corner of the said Southeast one quarter of the Northeast one quarter. Thence
North 89 degrees 38'18" West along the Northerly line of said Southeast one quarter of the Northeast one quarter a distance of 40.00 feet to a point on the Westerly right-of-way of North Horseshoe Bend Road said point being the POINT OF BEGINNING.

Thence along said Westerly right-of-way
South 01 degrees 13'47" West a distance of 27.75 feet to a point; thence
North 88 degrees 59'05" West a distance of 1282.36 feet to a point located on the Westerly line of said Southeast one quarter of the Northeast one quarter; thence along said Westerly line
North 00 degrees 55'20" East a distance of 13.12 feet to the Northwest corner of said Southeast one quarter of the Northeast one quarter; thence leaving said Westerly line
South 89 degrees 38'18" East along the Northerly line of said Southeast one quarter of the Northeast quarter a distance of 1282.57 feet to the POINT OF BEGINNING.



A Pioneer Company

PIONEER TITLE COMPANY

OF ADA COUNTY

8151 W. Rifleman Ave. / Boise, Idaho 83704

(208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 08/16/04 04:24 PM
DEPUTY NEAVA HANEY
RECORDED - REQUEST OF
Pioneer
AMOUNT 3.00



2 39847
"C"

WARRANTY DEED

For Value Received

AKA FARRELL F. FERGUSON

Farrell Franklin Ferguson and Carla J. Ferguson, Husband and Wife

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

Hillview Development Corporation, an Idaho corporation

hereinafter referred to as Grantee, whose current address is 150 E. Aikens Suite A, Eagle, Idaho 83616

the following described premises, to-wit:

The North half of the South half of the North half of the Southeast quarter of the
Northeast quarter of Section 10, Township 4 North, Range 1 East of the Boise-
Meridian, Ada County, Idaho.

EXCEPTING THEREFROM any portion lying within Roads/Highway 55.

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

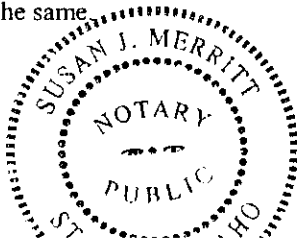
Dated: August 10, 2004

Farrell Franklin Ferguson

Carla J. Ferguson

STATE OF Idaho. County of Ada, ss.

On this 16th day of August, in the year of 2004, before me the undersigned, notary public personally appeared Farrell Franklin Ferguson and Carla J. Ferguson known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Susan J. Merritt
Notary Public of Idaho



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

240313

ADA COUNTY RECORDER J. DAVID NAVARRO
 BOISE IDAHO 07/29/04 04:09 PM
 DEPUTY Vicki Allen
 RECORDED - REQUEST OF
 Pioneer
 AMOUNT 3.00



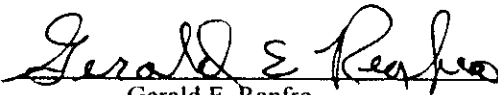
WARRANTY DEED

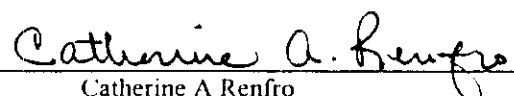
For Value Received Gerald E. Renfro, also shown of record as Jerry E. Renfro, and Catherine A. Renfro, also shown of record as Kathy A. Renfro, Husband and Wife hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto Hillview Development Corporation, an Idaho corporation hereinafter referred to as Grantee, whose current address is 150 E. Aikens, Eagle, Idaho 83616 the following described premises, to-wit:

That part of the South half of the South half of the North half of the Southeast quarter of the Northeast quarter of Section 10, Township 4 North, Range 1 East Boise-Meridian, Ada County, Idaho, lying East of the Farmers Union Canal.

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

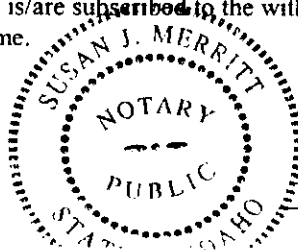
Dated: July 27, 2004

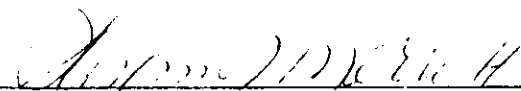

 Gerald E. Renfro


 Catherine A Renfro

STATE OF Idaho. County of Ada, ss.

On this 28th day of July, in the year of 2004, before me the undersigned, notary public personally appeared Gerald A. Renfro and Catherine A. Renfro known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.




 Susan J. Merritt