Form 1-227 November 30, 1999

$100.00

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 72277

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Ronnie D Tillotson Phone 208 776 5267

Post Office address Box 261 Lava Hot Springs Idaho 83246

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 _____

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
29-13436	5-1-1882	0.036 ~~0.08 CFS~~	Irrigation	04-15 to 09-15
				to
				to
29-13722				to

2. Total amount of water being transferred 0.036 ~~0.08 CFS~~ cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Dempsey Creek tributary to Portneuf River

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	NE	SW	SW	4	10S	~~38E~~ 36	Bannock	West Dempsey ~~Canal~~ Ditch

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	
9S	38E	32															0.2	1.6	1.8

72277

Total Acres 1.8 ac

Transfer No. 72277

PART 1

6. General Information:

a. Description of diversion system Headgate out of Dempsey Creek with a parshall Flume measuring device Delivery through West Dempsey Ditch

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

_____ Yes __✓__ 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:

1.8 Ac ~~unchanged~~ DRIED plus 1 acre.

d. Remarks:

002 cfs of 29-13436 is being sold with the property and will be unchanged

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

72277

page 386

72277

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-13722

WATER RIGHT NUMBER: 29-13722 DRAFT

Owner Type	Name and Address
Original Owner	LELAND AVERY 12200 S DEMPSEY LAVA HOT SPRINGS, ID 83246 (208)776-5234
Current Owner	RONNIE D TILLOTSON PO BOX 261 LAVA HOT SPRINGS, ID 83246 (208)776-5267
Current Owner	SHERRIL TILLOTSON PO BOX 261 LAVA HOT SPRINGS, ID 83246 (208)776-5267

Priority Date: 05/01/1882

Basis: Decreed

Status: Active DRAFT

Source	Tributary
DEMPSEY CREEK	PORTNEUF RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/15 to 09/15	0.040 CFS	
	Total Diversion:	0.040 CFS	

Location of Point(s) of Diversion

DEMPSEY CREEK NE1/4SW1/4SW1/4 Sec. 4, Twp 10S, Rge 38E, B.M.

BANNOCK County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	38E	4										1.8							1.8

Total Acres: 1.8

Conditions of Approval:

1. S35 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

72277

page 486

72277

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-13722

2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. F01 WATER IS DELIVERED THROUGH WEST DEMPSEY DITCH.

Remarks:

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 3/22/2004
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: Or
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

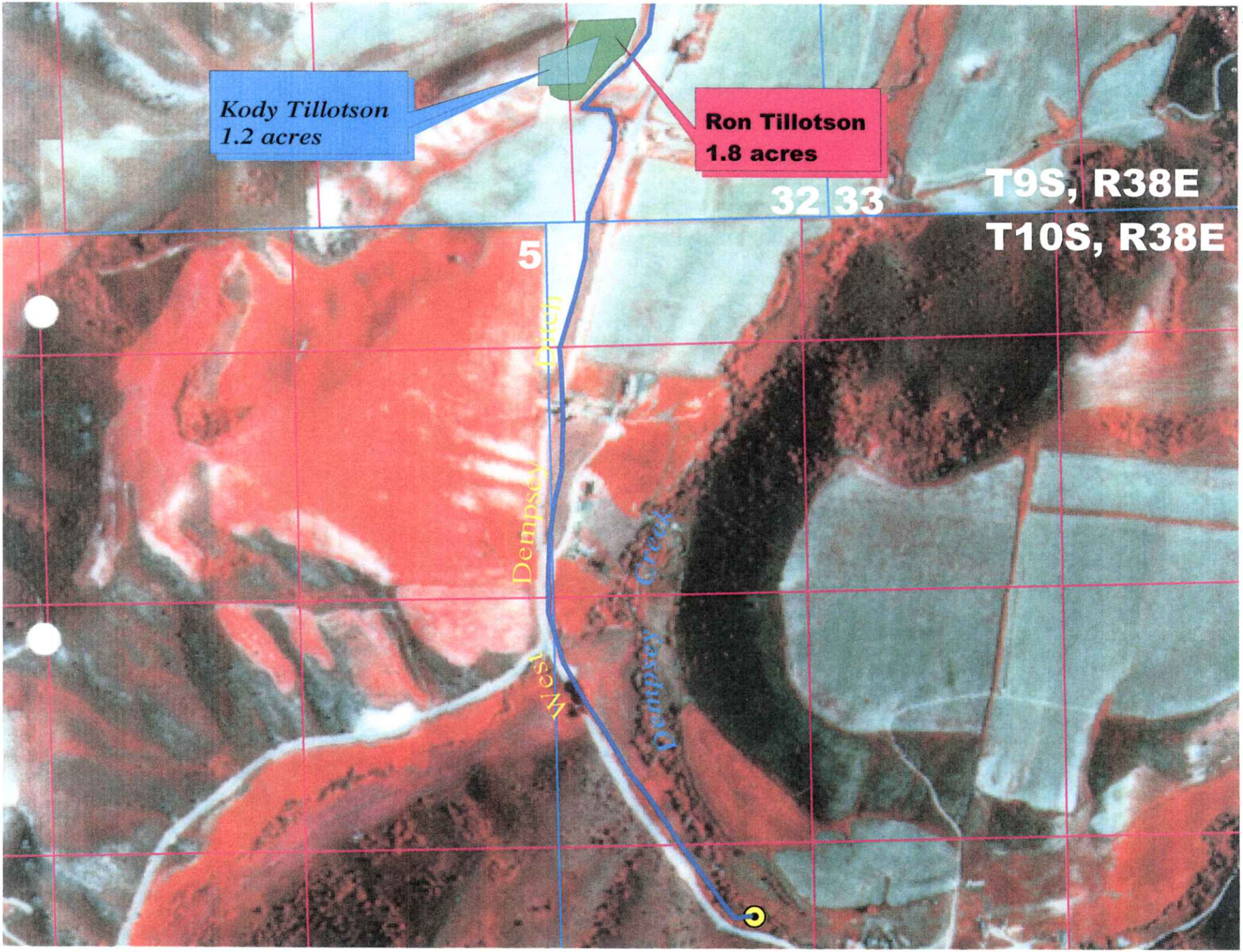
Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status

Verification Log:

Element	Date Time Stamp	Reviewer	Log text

Water Supply Bank:

72277


Kody Tillotson
1.2 acres
Ron Tillotson
1.8 acres
T9S, R38E
T10S, R38E
32
33
5
West Dempsey Ditch
Dempsey Creek

Transfer No. 72277

PART 3

E. CHANGES IN NATURE OF USE

1. New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
N/A			to
			to

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

N/A

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

None

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.

(Signature of Applicant)

Subscribed and sworn to before me this FIRST day of SEPTEMBER, 2004.

A. B. RUBERRY NOTARY PUBLIC STATE OF IDAHO

(Notary Public)

My commission expires 9/23/09

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 7 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee _____

Receipted by E Date 4/22/05 E030816

Published in Idaho State Journal 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 _____

72277

2-1

WARRANTY DEED

20421276

For Value Received RONNIE D. TILLOTSON and SHERRIL L. TILLOTSON, Husband and Wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

"From Property"

JAMES R GULLY and JANICE PERRY GULLY, Husband and Wife 95

whose address is: 1970 E LINCOLN LN Eagle, ID 83616 801 277-2578

Hereinafter called the Grantee, the following described premises situated in Bannock County, , to-wit:

A PARCEL OF LAND LOCATED IN THE SW1/4 SECTION 4, T 10 S, R38E, B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 4 (MARKED AS SHOWN IN INSTRUMENT NUMBER 95014795);
THENCE SOUTH 88°41'49" WEST, ALONG THE SOUTH LINE OF SECTION 4, A DISTANCE OF 1327.40 FEET TO THE WEST 1/16 CORNER OF SECTION 4 ; THENCE NORTH 0° 00' 57" WEST, ALONG THE WEST 1/16 LINE OF SAID SECTION, A DISTANCE OF 1309.35 FEET TO THE SOUTHWEST 1/16 CORNER SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 13°44' 21" EAST A DISTANCE OF 336.80 FEET;
THENCE SOUTH 76°17' 18" WEST A DISTANCE OF 211.66 FEET;
THENCE NORTH 29°12'10 " WEST A DISTANCE OF 22.70 FEET;
THENCE SOUTH 80° 07' 49" WEST A DISTANCE OF 314.08 FEET TO THE EAST RIGHT-OF-WAY OF DEMPSEY CREEK ROAD;

THENCE FOLLOWING THE EAST RIGHT-OF-WAY LINE OF DEMPSEY CREEK ROAD FOR THE NEXT 7 COURSES;
THENCE (1) NORTH 46°50'52" WEST A DISTANCE OF 63.64 FEET;
THENCE (2) NORTH 36° 30'04" WEST A DISTANCE OF 52.21 FEET;
THENCE (3) NORTH 25°31'08" WEST A DISTANCE OF 238.87 FEET;
THENCE (4) NORTH 37°31'16" WEST A DISTANCE OF 97.57 FEET;
THENCE (5) NORTH 27°51'36" WEST A DISTANCE OF 53.40 FEET:
THENCE (6) NORTH 36°55'41" WEST A DISTANCE OF 80.28 FEET;
THENCE (7) NORTH 34°24'28" WEST A DISTANCE OF 128.50 FEET TO THE ADJOINING PROPERTY LINE AS DESCRIBED IN INSTRUMENT NO. 20315934; THENCE NORTH 58°38'47" EAST, FOLLOWING THE SAID ADJOINING PROPERTY LINE , A DISTANCE OF 120.00 FEET TO THE ADJOINING PROPERTY LINE ON THE EAST AS DESCRIBED IN SAID INSTRUMENT NO. 633701; THENCE ALONG THE SAID ADJACENT PROPERTY LINE AND FOLLOWING THE CENTER LINE OF DEMPSEY CREEK AS DESCRIBED IN INSTRUMENT NO. 633701, ON A CHORD BEARING OF SOUTH 50°52'53" EAST AND A CHORD DISTANCE OF 399.30 FEET TO THE SOUTH 1/16 LINE OF SAID SECTION AND THE SOUTHWEST CORNER OF SAID DEED INSTRUMENT NO. 633701; THENCE NORTH 89°06'28" EAST, ALONG THE SAID 1/16 LINE AND THE ADJOINING PROPERTY LINE, A DISTANCE OF 418.65 FEET TO THE TRUE POINT OF BEGINNING.

ALSO INCLUDES AN INGRESS, EGRESS AND UTILITY EASEMENT, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SW1/4 SECTION 4, T 10 S, R38E, B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 4 (MARKED AS SHOWN IN INSTRUMENT NUMBER 95014795);
THENCE SOUTH 88°41'49" WEST, ALONG THE SOUTH LINE OF SECTION 4, A DISTANCE OF 1327.40 FEET TO THE WEST 1/16 CORNER OF SECTION 4 ; THENCE NORTH 0° 00' 57" WEST A DISTANCE OF 962.69 FEET TO A POINT ON THE ABOVE DESCRIBED PROPERTIES SOUTH LINE SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 76°17'18" WEST, ALONG SAID LINE, A DISTANCE OF 129.42 FEET; THENCE SOUTH 13°20'10" EAST A DISTANCE OF 31.98 FEET; THENCE SOUTH 76°39'50" WEST A DISTANCE OF 211.69 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF DEMPSEY CREEK ROAD; THENCE SOUTH 77°47'13" EAST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF DEMPSEY CREEK ROAD, A DISTANCE OF 115.93 FEET TO THE ADJOINING PROPERTIES NORTHWEST CORNER; THENCE NORTH 76°39'50" EAST, ALONG

T 7227

ATTACHMENT 1 OF 2

2-2 20421 6

THE ADJOINING PROPERTIES NORTHWESTERLY LINE, A DISTANCE OF 319.33 FEET; THENCE NORTH 13°44' 21" WEST A DISTANCE OF 83.37 FEET TO THE SOUTHERLY LINE OF THE ABOVE DESCRIBED PROPERTY; THENCE SOUTH 76°17'18" WEST A DISTANCE OF 82.24' FEET TO THE TRUE POINT OF BEGINNING.

1 INCH OF WATER RIGHT NUMBER 29-13436-V1 WILL BE INCLUDED IN SALE. 3 INCHES OF WATER RIGHT 29-13436-V1 WILL BE RETAINED BY RONNIE D. TILLOTSON AND SHERRIL I. TILLOTSON.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the 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:: 09/28/04

RONNIE D. TILLOTSON

SHERRIL L. TILLOTSON

STATE OF Idaho
)ss.
COUNTY OF BANNOCK

On this 28th day of September, 2004, before me TERRI J SMALL, personally appeared RONNIE D. TILLOTSON and SHERRIL L. TILLOTSON, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public of Idaho
Residing at: Pocatello, Idaho
Commission Expires: 04/28/05

TERRI J. SMALL
NOTARY PUBLIC
STATE OF IDAHO

20421276

RECORDED AT REQUEST OF FIRST AMERICAN TITLE

FEE 6 DEPUTY BP

2004 SEP 29 PM 4 20

OFFICIAL RECORD BK# 856
LARRY W. BUAN RECORDER
BANNOCK COUNTY IDAHO

T 72277

ATTACHMENT 2 OF 7

980227137

Approved by: RBT

Escrow #: 52719SW-MH

4-1

WARRANTY DEED

FOR VALUE RECEIVED, LELAND AVERY, AN UNMARRIED MAN ,

the Grantor(s), do(es) hereby grant, bargain, sell, and convey unto RONNIE D. TILLOTSON AND SHERRIL I. TILLOTSON, HUSBAND AND WIFE ,
the Grantee(s), whose address is 11937 S DEMPSEY CREEK RD, LAVA HOT SPRINGS, ID 83246 (Property Address),
(Mailing Address), AS PER LEGAL, LAVA HOT SPRINGS, ID 83246
the following described premises, situated in BANNOCK County, Idaho:

LEGAL DESCRIPTION EXHIBIT "A" ATTACHED

ALONG WITH ALL MINERAL & WATER RIGHTS ASSOCIATED WITH SAID PROPERTY AND SPECIFICALLY RIGHT #124 ON THE DEMPSEY CREEK WATER; A TRIBUTORY OF THE PORTNEUF RIVER

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s) and Grantee(s) heirs, successors, and assigns forever. The Grantor(s) do(es) hereby covenant and warrant to and with the Grantee(s) that the Grantor(s) is/are the owner(s) in fee simple of such premises; that such premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject; those set forth in Pioneer Title Company Title of Bannock County, Commitment No. 52719SW , dated November 06, 1998 ; those made, suffered, assumed, or created by the Grantee(s); reservations, restrictions, dedications, covenants, easements of record or use; rights of parties in possession, encroachments, overlaps, boundary-line disputes, or other matters that would be disclosed by an accurate survey or inspection of the property; rights-of-way and agreements, if any, of record; general taxes and assessments (including irrigation and utility assessments, if any, for the current year) that are not yet due and payable; and that the Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

DATED this 11 day of November , 1998 .

Leland Avery

LELAND AVERY

STATE OF IDAHO } ss

County of BANNOCK

T 72277

ATTACHMENT 3 OF 7

County of BANNOCK } ss

On this 11 day of November , 19 98 , before me, the undersigned, personally appeared LELAND AVERY, known or identified to me to be the person(s) 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 in said County the day and year first above written.

Stephanie Wright

Notary Public
Residing at: POCATELLO IDAHO
Commission Expires: 04-25-2000

NO 98022797
RECORDED AT REQUEST OF
PIONEER TITLE 419
'98 NOV 12 PM 4
725
OFFICIAL RECORD BOOK
BANNOCK COUNTY IDAHO
LARRY W CHAN RECORDER
FEE 12.00 DEPReceived Time Nov. 10. 8:29AM

STEPHANIE WRIGHT NOTARY PUBLIC STATE OF IDAHO

T 72277
ATTACHMENT 4 OF 7

4-2

980227S7

Parcel 1

Beginning at a point 316 feet North of the Southeast corner of Section 32, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho; thence North 75'51" West 920 feet to the East side of a County Road;

thence following the East side of said County Road in a Northeasterly direction 348.5 feet, more or less, to a point 846 feet due North of the South boundary line of said Section 32; thence East 1221.5 feet, more or less, to a point 822 feet due West of the West 1/16 line of Section 33; thence South 12'59" West 629.2 feet to a point 221 feet North of the South line of Section 33; thence North 75°51' West 392 feet, more or less, to the point of beginning.

Parcel 2

Beginning at a point 1326 feet North of the Southeast corner of Section 32, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho; thence East 1320 feet, more or less, to the Southwest 1/16 corner of Section 33; thence South along the West 1/16 line of said Section 33 a distance of 294.5 feet;

thence North 75°51' West 734 feet to the center of the water bed of Dempsey Creek; thence South 12°59' West 390.5 feet; thence West 1221.5 feet, more or less, to the East side of the county road; thence following the said county road in a Northeasterly direction 533 feet, more or less, to the South 1/16 line of Section 32; thence East along the said South 1/16 line 437.5 feet, more or less, to the point of beginning.

Parcel 3

Beginning at point on the South line of Section 32, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho; the said point being two rods West of the West side of the country road a its intersection with the said South section line;

thence North 13°36' East 594 feet; thence South 75°51' East 99 feet to the West side of the county road; thence North about 22° West and following the West side of the county road 844 feet, more or less, to the South 1/16 line of said section;

thence West along said South 1/16 line 46 rods, more or less, to the Northwest corner of the SE1/4 SE1/4 of said Section 32; thence South 3 rods; thence South 65°15' West 87 rods to the meridional center line of said section;

thence South along said center line 43 rods to the South quarter corner of the said Section 32; thence East along the South line of said section 88.6 rods, more or less, to the point of beginning.

T 72277

ATTACHMENT 5 OF 7

98022797

43

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCELS:

Exception No. 1
Beginning at the South quarter corner of Section 32, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho; thence North 0°08' East along the meridional center line of the said Section 32 a distance of 174.24 feet; thence East 250.0 feet; thence South 0°08' West 174.24 feet, more or less, to the South boundary of the said Section 32; thence West 250.0 feet, more or less, to the point of beginning.

Being a part of the SW1/4 SE1/4 of Section 32, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho.

Exception No. 2
A parcel of land located in Section 32, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho and further described as follows:

Beginning at the Southeast corner of Section 32; thence North 45°12'29" West a distance of 1141.06 feet to the true point of beginning, a 5/8" rebar with cap, labelled "A.A. Hudson, PLS 4735", set on the Westerly right-of-way line of Dempsey Creek Road; thence North 58°28'57" West a distance of 148.68 feet to a 5/8" rebar with cap;

thence North 34°32'26" East a distance of 53.04 feet to a 5/8" rebar with cap; thence North 21°11'46" East a distance of 111.78 feet to a 5/8" rebar with cap; thence North 13°29'24" East a distance of 172.80 feet to a 5/8" rebar with cap; thence North 04°17'19" West a distance of 60.42 feet to a 5/8" rebar with cap;

thence North 63°09'18" West a distance of 52.10 feet to a 5/8" rebar with cap; thence North 82°19'02" West a distance of 140.96 feet to a 5/8" rebar with cap; thence South 82°42'35" West a distance of 88.66 feet to a 5/8" rebar with cap; thence South 73°15'36" West a distance of 169.17 feet to a 5/8" rebar with cap;

thence South 88°29'21" West a distance of 148.09 feet to a 5/8" rebar with cap set on a fence line; thence following said fence line through the following four courses; North 68°57'02" East a distance of 153.15 feet to a 5/8" rebar with cap; thence North 74°19'23" East a distance of 129.10 feet to a 5/8" rebar with cap;

thence North 88°44'53" East 428.00 feet to a 5/8" rebar with cap; thence South 88°50'46" East a distance of 150.81 feet to a 5/8" rebar with cap set on the West right of way line of Dempsey Creek Road; thence South 23°25'00" West 309.33 feet to a 5/8" rebar with cap set on the point of curvature of a 3019.03 foot radius tangent curve concave to the Northwest;

thence Southwesterly through a central angle of 03°45'25" a distance of 197.96 feet to a 5/8" rebar with cap (chord = South 25°17'43" West 197.93 feet); thence South 27°10'26" West a distance of 73.96 feet to the true point of beginning.

T 72277
ATTACHMENT 6 OF 7

4-4

98022737

Exception No. 3

A parcel of land located in Section 32, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho and further described as follows:

Beginning at the Southeast corner of Section 32; thence North 40°12'25" West a distance of 1113.17 feet to the true point of beginning, a 5/8" rebar with cap, labelled "A.A. Hudson, PLS 4735", set on the Easterly right-of-way line of Dempsey Creek Road. Said point being the point of curvature of a 3079.03 foot radius non-tangent curve whose center bears North 62°59'26" West;

thence Northeasterly along said curve through a central angle of 02°27'50" a distance of 132.40 feet to a 5/8" rebar with cap; (Chord = North 25°46'40" East 132.40 feet); thence North 27°57'09" East a distance of 59.07 feet to a 5/8" rebar with cap; thence North 50°01'03" East a distance of 84.63 feet to a 5/8" rebar with cap;

thence North 74°05'16" East a distance of 43.92 feet to a 5/8" rebar with cap; thence South 81°54'55" East a distance of 22.87 feet to a 5/8" rebar with cap set on a fence line; thence South 22°07'45" West a distance of 97.92 feet along said fence line to a 5/8" rebar with cap; thence South 13°41'21" West a distance of 148.13 feet along said fence line to a 5/8" rebar with cap; thence North 89°59'40" West a distance of 143.06 feet along said fence line to the true point of beginning.

Exception No. 4

A parcel of land located in Section 32, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho, and further described as follows:

Beginning at the Southeast corner of said Section 32; thence North 52°55'51" West 1104.3 feet to a 1/2-inch rebar with cap labelled "AA HUDSON PLS 4735" set on the Northerly right of way line of Dempsey Creek Road, the true point of beginning;

thence South 75°27'16" West 155.39 feet to a 1/2-inch rebar with cap; thence North 67°05'32" West 40.86 feet to a 1/2-inch rebar with cap; thence South 83°22'18" West 45.26 feet to a 1/2-inch rebar with cap; thence North 48°06'43" West 54.97 feet to a 1/2-inch rebar with cap;

thence North 48°28'56" East 134.02 feet to a 1/2-inch rebar with cap; thence North 57°34'13" East 77.64 feet to a 1/2-inch rebar with cap; thence North 44°24'26" East 44.58 feet to a 1/2-inch rebar with cap; thence South 58°28'57" East 153.17 feet to a 1/2-inch rebar with cap set on said Westerly right of way line; thence South 30°39'52" West 105.32 feet along said right of way line to the true point of beginning.

T 72277
ATTACHMENT 7 OF 7