



ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 06/22/04 04:41 PM
DEPUTY Vicki Allen
RECORDED - REQUEST OF
Title One
AMOUNT 6.00



Order No.: A0429756

WARRANTY DEED

FOR VALUE RECEIVED,

ROBERT C. RHEAD and MARLENE D. RHEAD, HUSBAND AND WIFE
The Grantor(s), do(es) hereby grant, bargain sell and convey unto

MARTY GOLDSMITH, AN UNMARRIED MAN

whose current address is 4487 N. DRESDEN PALCE BOISE, ID 83714

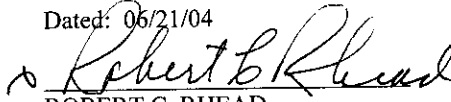
the Grantee(s), the following described premises, in Ada County, Idaho, TO WIT:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

RESERVING HOWEVER, a non-permanent easement for ingress and egress of vehicular traffic to the parcel that is specifically identified on **Exhibit A** as being excepted from the parcel conveyed (the "**Excluded Parcel**") on the existing driveway from E. McMillan Rd. to the Excluded Parcel that traverses a portion of the real property granted herein, or by such other reasonable and temporary course that will provide the Excluded Parcel with full ingress and egress access to E. McMillan Rd. Upon the construction of a public street providing full public access to the Excluded Parcel, the easement granted herein shall terminate and be of no further force and effect.

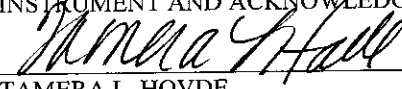
Dated: 06/21/04


ROBERT C. RHEAD


MARLENE D. RHEAD

STATE OF IDAHO
COUNTY OF ADA

ON THIS 18TH OF MAY, 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC PERSONALLY APPEARED, ROBERT C. RHEAD, MARLENE D. RHEAD, KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.


TAMERA L. HOVDE
NOTARY PUBLIC
RESIDING AT: BOISE
MY COMMISSION EXPIRES:
12/02/09
(SEAL)

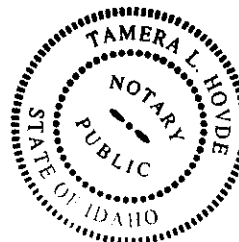


EXHIBIT "A"

The East Half of the East Half of the Southwest Quarter and the West Half of the West Half of the Southeast Quarter of Section 30, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho.

EXCEPTING THEREFROM

A parcel of land located in the South Half of Section 30, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, being the proposed Lot 4, Block 3, SAGUARO CANYON SUBDIVISION NO. 1, being more particularly described as follows:

Commencing at the Southwest corner of Section 30, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho; thence
South 89°45'44" East along the South line of said Section 30, 2158.97 feet to a point; thence
North 0°14'16" East 297.44 feet to the Southwest corner of proposed Lot 4, Block 3, Saguaro Canyon Subdivision No. 1, the REAL POINT OF BEGINNING of this description; thence continuing around said proposed Lot 4 the following courses and distances; thence
North 0°29'56" East 154.11 feet to a point; thence
South 89°46'01" East 79.00 feet to a point; thence
South 80°28'04" East 43.31 feet to a point; thence
South 89°46'01" East 43.64 feet to a point; thence
South 32°09'17" East 60.85 feet to a point; thence
South 9°39'35" East 27.53 feet to a point; thence
South 69°06'25" East 80.11 feet to a point of curvature; thence along a curve to the right 21.06 feet, said curve having a radius of 312.50 feet, a central angle of 3°51'40", tangents of 10.53 feet, and a chord of 21.06 feet which bears South 39°06'36" West to a point; thence
North 69°06'25" West 62.12 feet to a point; thence
South 5°00'57" West 18.44 feet to a point; thence
South 47°44'47" West 59.70 feet to a point; thence
South 67°35'58" West 48.34 feet to a point; thence
South 23°37'18" West 17.46 feet to a point; thence
North 66°22'42" West 113.04 feet to a point of curvature; thence along a curve to the left 6.70 feet, said curve having a radius of 325.00 feet, a central angle of 1°10'55", tangents of 3.35 feet, and a chord of 6.70 feet which bears North 66°58'10" West to the REAL POINT OF BEGINNING.

Exhibit "A"

Legal Description

WATER RIGHT TRANSFER AGREEMENT

This WATER RIGHT TRANSFER AGREEMENT is entered into effective this 28th day of September, 2004 between George D. Boyack, a widower ("**Boyack**") and Farwest, L.L.C., an Idaho limited liability company ("**Farwest**"). In consideration of the mutual covenants herein contained, the parties hereby agree as follows:

1. Farwest is purchasing approximately 60.3 acres of land with appurtenant water rights from Boyack. The 60.3 acres are located in the W ½ of the SW ¼ NE ¼ and the SE ¼ NW ¼ of Section 30, T4N, R1E, Ada County, Idaho.
2. Farwest will complete the purchase of the 60.3-acre Boyack property in July 2005.
3. Farwest will receive, with the 60.3 acres, water right 63-8718 for irrigation of 53 acres at a diversion rate of 0.84 cfs. That water right is appurtenant to 20 acres in the SW ¼ NE ¼ and 33 acres in the SE ¼ NW ¼ of Section 30.
4. Farwest desires to immediately submit a water right transfer. The transfer would authorize use of the water on the 60.3-acre Boyack property and on properties to the south currently owned by Farwest. In combination, these lands are being developed by Farwest as a residential subdivision to be known as Saguaro Canyon.
5. Boyack hereby consents to the transfer proposed by Farwest. Farwest intends to submit the application for transfer in 2004.
6. Boyack will have full use of water right 63-8718 until the sale is completed.
7. If Farwest does not complete the purchase of the 60.3 acres by August, 2005, the parties agree to rescind the transfer.

IN WITNESS WHEREOF, this Agreement has been executed by the parties, in the State of Idaho, as of the effective day set forth above.

BOYACK:

FARWEST:

FARWEST, L.L.C.

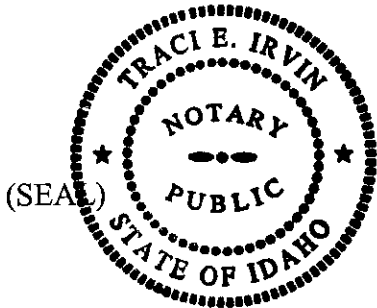
George D. Boyack
George D. Boyack

By: Marty Goldsmith
Marty Goldsmith, its Managing Member

STATE OF IDAHO)
) ss.
County of Ada)

On this 28th day of September, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared GEORGE D. BOYACK known or identified to me to be the person who subscribed said name to the foregoing instrument, and acknowledged to me that he executed the same.

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

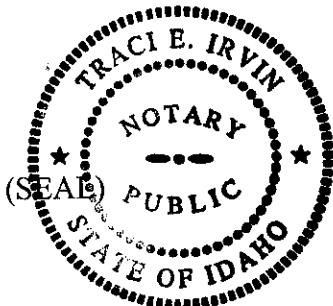


Traci E. Irvin
Notary Public for Idaho
Residing at Eagle, Idaho
Commission expires: 5/12/06

STATE OF IDAHO)
) ss.
County of Ada)

On this 28th day of September, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared MARTY GOLDSMITH, known or identified to me to be the Managing Member of FARWEST, L.L.C., and the person who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the within instrument on behalf of said limited liability company, and that such limited liability company executed the same in said company name.

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



Traci E. Irvin
Notary Public for Idaho
Residing at Eagle, Idaho
Commission expires: 5/12/06

REVENUE STAMPS

WARRANTY DEED 8916466

For Value Received CLARA E. DOTY, a widow, 1117001508

the grantor, does hereby grant, bargain, sell and convey unto GEORGE D. BOYACK and BETTY L. BOYACK, husband and wife, 6216 N. Meridian Rd. Meridian, Id 83642 the grantee S, the following described premises, to-wit:

W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the North 24 feet of Lot 3, all in Section 30, Township 4 North, Range 1 East, Boise Meridian, in Ada County, State of Idaho.

Together with all water, water rights, ditches and ditch rights of way appurtenant thereto or connected therewith.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee S, that she is the owner in fee simple of said premises; that said premises are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: November 21st, 1967.

Clara E. Doty

STATE OF IDAHO, COUNTY OF ADA
On this 21st day of Nov., 1967,
before me, a notary public in and for said State, personally
appeared

CLARA E. DOTY, a widow,

known to me to be the person who SE name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.
John Bastida
Notary Public
Meridian, Idaho
Ex-Officio Recorder
June 15, 1969

STATE OF IDAHO, COUNTY OF Ada
I hereby certify that this instrument was filed for record at
the request of Betty Boyack
at 28 minutes past 4 o'clock P.M.
this 13th day of April
1969, in my office, and duly recorded in Book
of Deeds at page

JOHN BASTIDA

Ex-Officio Recorder

By *John Bastida*
Free \$ 300
Mail to:

INSTRUMENT NO.