

Transfer No. 70687
Receipt No.S025976

CORRECTED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information JOHN N INFANGER
1821 S 1800 E
GOODING ID 83330
(208)934-5738

And

DEBRA A INFANGER
1821 S 1800 E
GOODING ID 83330
(208)934-5738

And

TODD J WARNER
1794 E 1800 S
GOODING ID 83330
(208)934-5738

And

AMY J WARNER
1794 E 1800 S
GOODING ID 83330
(208)934-5738

And

BENNETT W QUELLHORST
1786 E 1800 S
GOODING ID 83330
(208)934-5738

And

GAIL D QUELLHORST
1786 E 1800 S
GOODING ID 83330
(208)934-5738

RECEIVED

No \$
DEC 04 2003

Department of Water Resources
Southern Region

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APPLICATION FOR TRANSFER OF WATER RIGHT
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Will this transfer result in an ownership change? No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
37-21172	AJC/Decreed	0.32			13.4	LITTLE WOOD RIVER
37-21173	AJC/Decreed	0.04			4.2	LITTLE WOOD RIVER
37-20847	AJC/Decreed	0.04			3.8	LITTLE WOOD RIVER

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right

Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-21172	NO	YES	YES	NO	NO	NO
37-21173	NO	YES	NO	NO	NO	NO
37-20847	NO	YES	NO	NO	NO	NO

Describe the reason for the proposed changes

Water has historically been irrigated through the Slough Ditch, but delivery problems have made this unfeasible under present conditions. We are therefore requesting a point of diversion on our own land, which will allow conversion to sprinkler irrigation for more efficient water use. All 3 tracts will share a common delivery system. A permissible place of use will be created on the Infanger portion of the property to add farmable land in the SW part of the 40 that was not irrigated under the original system.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

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

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
37-21172	0.32 cfs	13.4	15.6	
37-21173	0.04 cfs		4.2	
37-20847	0.04 cfs		3.8	
TOTAL	0.40 cfs	21.4	23.6	

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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.

Debra A. Sukang
(Signature of Applicant)

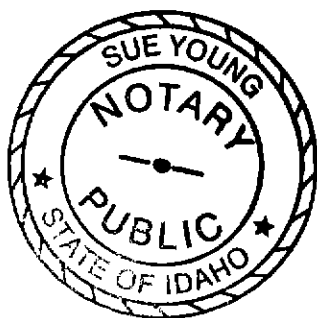
Owner

(Title or Office)

Subscribed and sworn to before me this *4th* day of *December*, 20 *03*

Sue Young
(Notary Public)

My commission expires *07-28-06*



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Department of Water Resources
Southern Region

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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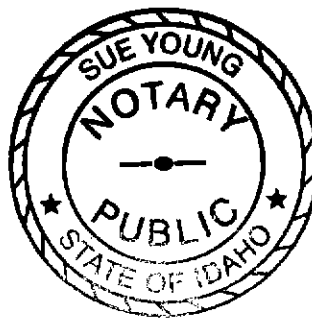
John N. Infanger
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 4 day of December, 2003.

Sue Young
(Notary Public)

My commission expires 07-28-06

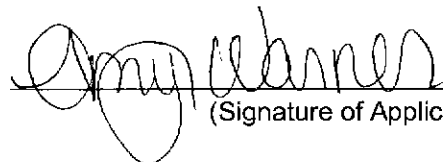


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STATE OF IDAHO
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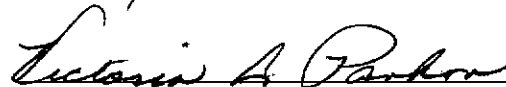


(Signature of Applicant)



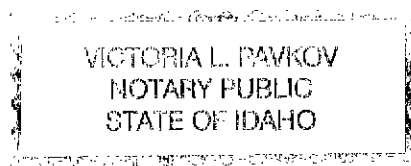
(Title or Office)

Subscribed and sworn to before me this 27 day of November, 2003.



(Notary Public)

My commission expires 11/8/04



RECEIVED

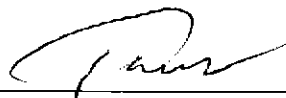
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Southern Region

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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)

Owner

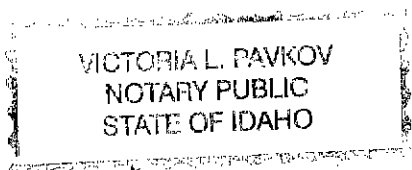
(Title or Office)

Subscribed and sworn to before me this 24 day of November, 2003.



(Notary Public)

My commission expires 11/8/04



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DEC 04 2003

Department of Water Resources
Southern Region

Transfer No. 70687
Receipt No. S025976

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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.

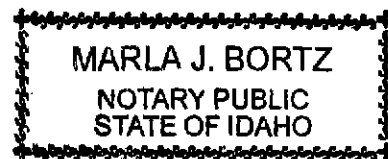
David J. Quilley
(Signature of Applicant)

Donor
(Title or Office)

Subscribed and sworn to before me this *19th* day of *November*, 20*03*.

Marla J. Bortz
(Notary Public)

My commission expires *7/21/05*



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Department of Water Resources
Southern Region

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 37-21172

Priority Date: April 01, 1883
Origin: Adjudication Recommendation
Basis: Decreed
Status: Active

Source: LITTLE WOOD RIVER **Tributary:** BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.32 CFS		
	Total Diversion	0.32 CFS		

Source and Point(s) of Diversion:

LITTLE WOOD RIVER SWNW Sec. 3 Twp 06S Rge 15E GOODING 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	
05S 14E 36																13.4	13.4

Total Acres: 13.4

Conditions/Remarks:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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. WATER IS DELIVERED THROUGH THE SLOUGH DITCH.

Page 5

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 37-21173

Priority Date: April 01, 1883
Origin: Adjudication Recommendation
Basis: Decreed
Status: Active

Source: LITTLE WOOD RIVER **Tributary:** BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 11/15	0.04 CFS		
	Total Diversion	0.04 CFS		

Source and Point(s) of Diversion:

LITTLE WOOD RIVER SWNW Sec. 3 Twp 06S Rge 15E GOODING 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		
05S	14E	36																	4.2	4.2

Total Acres: 4.2

Conditions/Remarks:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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. WATER IS DELIVERED THROUGH THE SLOUGH DITCH.

Page 7

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

yes

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2**

Current Water Right No. 37-20847

Priority Date: April 01, 1883
 Origin: Adjudication Recommendation
 Basis: Decreed
 Status: Active

Source: LITTLE WOOD RIVER **Tributary:** BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.04 CFS		
	Total Diversion	0.04 CFS		

Source and Point(s) of Diversion:

LITTLE WOOD RIVER SWNW Sec. 3 Twp 06S Rge 15E GOODING 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		
05S	14E	36																	3.8	3.8

Total Acres: 3.8

Conditions/Remarks:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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. WATER IS DELIVERED THROUGH THE SLOUGH DITCH.

Page 9

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust (mortgages) or contracts or other encumbrances?

~~NO~~ Yes - Wells Fargo

Owner policy # J 1818653 Land Title - Gooding

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land will be irrigated on a rotation to stay within allowable limits.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 70687
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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 37-21172

Priority Date: April 01, 1883
 Origin: Adjudication
 Recommendation
 Basis: Decreed
 Status: Active

Source: LITTLE WOOD RIVER

Tributary: BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	0.32 CFS		
	Total Diversion	0.32 CFS		

Source and Point(s) of Diversion:

LITTLE WOOD RIVER SWSESE Sec. 36 Twp 05S Rge 14E GOODING County

Describe the proposed diversion system

Point of Diversion # 1 Pump in Little Wood River, flow meter on mainline to sprinklers

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		
05S	14E	36																	15.6	15.6

Total Acres: 15.6

Transfer No. 70687
 Receipt No. S025976

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 37-21173

Priority Date: April 01, 1883
 Origin: Adjudication
 Recommendation
 Basis: Decreed
 Status: Active

Source: LITTLE WOOD RIVER

Tributary: BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 11/15	0.04 CFS		
	Total Diversion	0.04 CFS		

Source and Point(s) of Diversion:

LITTLE WOOD RIVER SWSESE Sec. 36 Twp 05S Rge 14E GOODING County

Describe the proposed diversion system

Point of Diversion # 1 Pump in Little Wood River, flow meter on mainline to sprinklers

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		
05S	14E	36																	4.2	4.2

Total Acres: 4.2

Transfer No. 70687
 Receipt No. S025976

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 37-20847

Priority Date: April 01, 1883
 Origin: Adjudication
 Recommendation
 Basis: Decreed
 Status: Active

Source: LITTLE WOOD RIVER

Tributary: BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.04 CFS		
	Total Diversion	0.04 CFS		

Source and Point(s) of Diversion:

LITTLE WOOD RIVER SWSESE Sec. 36 Twp 05S Rge 14E GOODING County

Describe the proposed diversion system

Point of Diversion # 1 Pump in Little Wood River, flow meter on mainline to sprinklers

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	
05S 14E 36																3.8	3.8

Total Acres: 3.8

2102

T-1801

2101

T-1800



PD

32

2100

T-1799

HELNOT

160

159

31

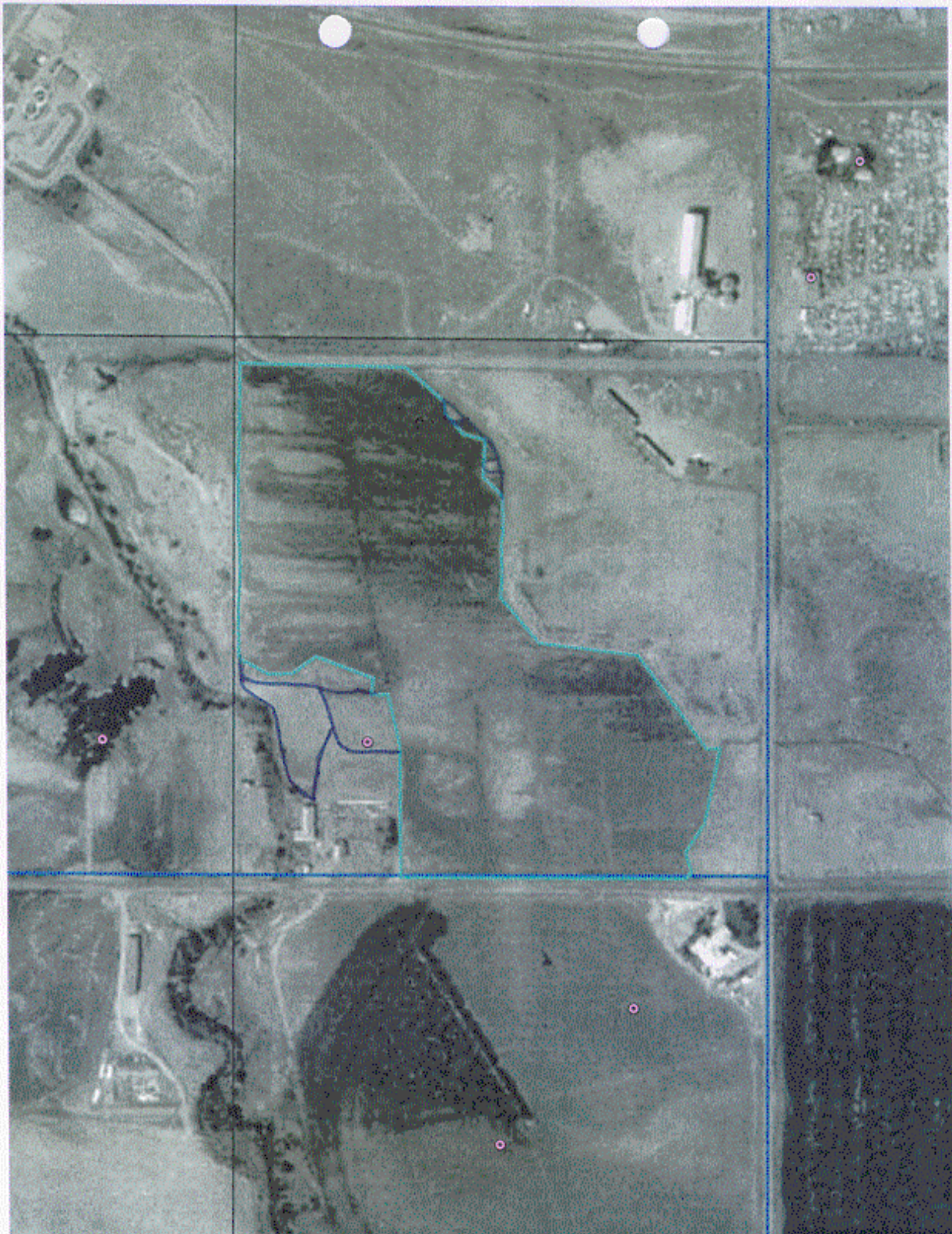
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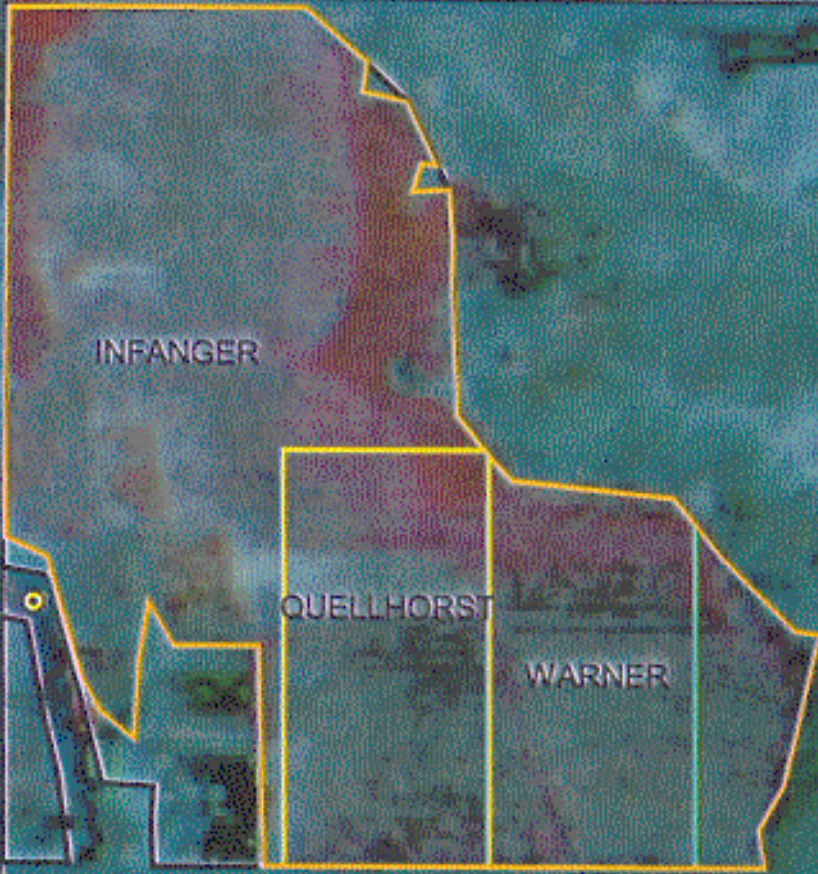
2.3

31

4.5

286





INFANGER

QUELLHORST

WARNER

RECEIVED

DEC 04 2003

Department of Water Resources
Southern Region

WARRANTY DEED

0001-03132

For Value Received

Nancy Ballard as Personal Representative of the Estate of Charles M. Luther, deceased, pursuant to Letters Testamentary, Dated March 13, 2001, Case number SP-01-00041, Gooding County Fifth Judicial District, recorded as Instrument number 189746, Gooding County records

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

Clive A. Pope and Vivian H. Pope, husband and wife
Address: 1773 East 1850 South, Gooding, ID 83330

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit

Parcel No. 1:

TOWNSHIP 5 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 36. SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Parcel No. 2:

TOWNSHIP 5 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 36 SE $\frac{1}{4}$ SE $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying South of the railroad;

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Instrument # 193076
GOODING, GOODING, IDAHO
2001-11-30 02:00 PM No. of Pages: 2
Requested for: LAND TITLE
HELEN EDWARDS
Ex-Officio Recording Deputy
JAN 11 2002

Taxes subsequent to the year 2001, which are not yet due or payable.

2001 taxes are an accruing lien, the first one-half of which is not delinquent until after December 20 of the current year.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Power Line Easement given by R.W. Houston and Gertrude Houston, his wife to Idaho Power Company, a corporation, dated November 15, 1913, recorded December 1, 1913 in Book 1 at Page 190 as Instrument Number 1632, Gooding County records, affecting the NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 5 South, Range 14, East of the Boise Meridian.

Power Line Easement given by R.F. Bliss and Orra Bliss, his wife to Idaho Power Company, a corporation, dated June 21, 1935, recorded April 22, 1936 in Book 4 of Miscellaneous at Page 45 as Instrument Number 64395, Gooding County records, affecting SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 5 South, Range 14, East of the Boise Meridian.

Power Line Easement given by Edwin W. Dwyer, a single man to Idaho Power Company, a corporation, dated April 17, 1939, recorded October 13, 1939 in Book 4 at Page 349 as Instrument Number 74706, Gooding County records, affecting the E $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 5 South, Range 14, East of the Boise Meridian.

Power Line Easement given by R.F. Bliss and Orra Bliss, his wife to Idaho Power Company, a corporation, dated April 4, 1940, recorded September 6, 1940 in Book 4 of Miscellaneous at Page 429 as Instrument

Name: 00193075.001
Dimensions: 2528 x 4190 pixels

Number 78119, Gooding County records, affecting SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 5 South, Range 14, East of the Boise Meridian.

Easement given by R.F. Bliss and Owa E. Bliss to The Mountain States Telephone and Telegraph Co. the right, privilege and authority to construct, operate and maintain its lines, dated November 25, 1941, recorded May 23, 1942 in Book 5 of Miscellaneous at Page 131 as Instrument Number 84174, Gooding County records, affecting the N $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 5 South, Range 14, East of the Boise Meridian.

Power Line Easement given by Charles M. Luther, unmarried to Idaho Power Company, a corporation, dated July 31, 1967, recorded February 23, 1968 as Instrument Number 24412, Gooding County records, affecting the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 5 South, Range 14, East of the Boise Meridian.

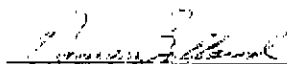
Unrecorded lease executed by Charles M. Luther, Lessor, and City of Gooding, Lessee, upon the terms, conditions and provisions contained therein, constructive notice of which is given by instrument recorded July 28, 1985, as Instrument No. 115623, Gooding County records.

Addendum to Easement by and between Faulkner Land and Livestock, Inc., an Idaho Corporation and Charles Luther, a single man, dated July 23, 1981, recorded June 28, 1985 as Instrument Number 115623, Gooding County records, affecting the SE $\frac{1}{4}$ of Section 36, Township 5 South, Range 14, East of the Boise Meridian.

TOGETHER WITH All water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 30 shares of stock in Big Wood Canal Company and twenty inches of decreed water delivered from the slough ditch identified as License No. 17-0193.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

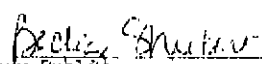
Dated: November 29, 2001


Nancy Halland as Personal Representative
of the Estate of Charles M. Luther, Deceased

STATE OF IDAHO

COUNTY OF Gooding

On this 30th day of November, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared Nancy Halland, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Charles M. Luther, and acknowledged to me that she executed the same as such Personal Representative.


Notary Public

Residing at: Wendell, ID

My Commission expires: 02-23-05

This document is being re-recorded to correct the date of the document.

WARRANTY DEED

#030 03289

For Value Received

Clive A. Pope and Vivian H. Pope, husband and wife

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

John N. Infanger and Debra A. Infanger, husband and wife
Address: 201 S. 1st St., Gooding, ID 83301

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

TOWNSHIP 5 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 36: SE $\frac{1}{4}$ SE $\frac{1}{4}$

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2002 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Power Line Easement given by R.V. Houston and Gertrude Houston, his wife to Idaho Power Company, a corporation, dated November 15, 1913, recorded December 1, 1913 in Book 1 at Page 190 as Instrument Number 1632, Gooding County records, affecting the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 5 South, Range 14, East of the Boise Meridian.

Power Line Easement given by Edwin W. Dwyer, a single man to Idaho Power Company, a corporation, dated April 17, 1939, recorded October 13, 1939 in Book 4 at Page 349 as Instrument Number 74706, Gooding County records, affecting the E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 5 South, Range 14, East of the Boise Meridian.

Addendum to Easement by and between Faulkner Land and Livestock, Inc., an Idaho Corporation and Charles Luther, a single man, dated July 23, 1981, recorded June 28, 1985 as Instrument Number 115623, Gooding County records, affecting the SE $\frac{1}{4}$ of Section 36, Township 5 South, Range 14, East of the Boise Meridian.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 20 inches of decreed water delivered from the slough ditch identified as License No. 37-0193.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated February 3, 2002

Clive A. Pope

Vivian H. Pope

Instrument # 193844

GOODING, GOODING, IDAHO
2002-02-04 02:48:28 No. of Pages: 2
Recorded for: LAND TITLE
HELEN EDWARDS
Ex-Officio Recorder Deputy

Instrument # 194192

GOODING, GOODING, IDAHO
2002-02-28 02:28:18 No. of Pages: 2
Recorded for: LAND TITLE
HELEN EDWARDS
Ex-Officio Recorder Deputy

Name: 00194192.001
Dimensions: 2528 x 4186 pixels

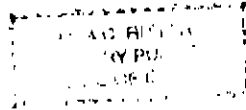
Page 2 of Warranty Deed

STATE OF IDAHO)

) ss.

COUNTY OF Gooding)

On this 7 day of February, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Clive A. Pope and Vivian H. Pope, known or identified 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 412 E. 1st St. P.O. Box 100My Commission expires: 12/31/04

WARRANTY DEED

HCC-03877

For Value Received

John N. Infanger and Debra A. Infanger, husband and wife

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

Todd J. Warner and Amy J. Warner, husband and wife
Address: 1794 East 1800 South, Gooding, ID 83330

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to wit:

TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 36: A parcel of land located in the Southeast Quarter of the Southeast Quarter more particularly described as follows:

Beginning at the Southeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Thence North 89°54'06" West a distance of 300.00 feet along the Southerly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the TRUE POINT OF BEGINNING;
 Thence North 89°54'06" West a distance of 300.00 feet along the southerly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Thence North 00°13'53" East a distance of 661.40 feet parallel with the Easterly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Thence South 89°54'06" East a distance of 300.00 feet parallel with the Southerly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Thence South 00°13'53" West a distance of 661.40 feet parallel with the Easterly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the TRUE POINT OF BEGINNING.

This property is subject to the following deed restriction: Purchasers may not sell any portion of this 4.56 acre parcel separate from the entire 4.56 acres. This restriction shall be valid for 10 years from October 31, 2002.



Instrument # 198018
 GOODING, GOODING, IDAHO
 2002-11-25 02:11:24 No. of Pages: 2
 Recorded for: LAND TITLE
 HELEN EDWARDS
 Ex-Officio Recorder Deputy Penny Watson

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes subsequent to the year 2002, which are not yet due or payable.

2002 taxes are an accruing lien, the first one-half of which is not delinquent until after December 20 of the current year.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Power Line Easement given by Edwin W. Dwyer, a single man to Idaho Power Company, a corporation, dated April 17, 1939, recorded October 13, 1939 in Book 4 at Page 349 as Instrument Number 74706, Gooding County records, affecting the E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 5 South, Range 14, East of the Boise Meridian

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to two(2) miners inches of water delivered from the Slough Ditch, being split from Water Right No. 37-193B filed with the State of Idaho, Department of Water Resources.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns

Name: 00198018.001
 Dimensions: 2544 x 4190 pixels

37-20847

of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 26, 2002

John N. Infanger
John N. Infanger

Debra A. Infanger
Debra A. Infanger

STATE OF IDAHO)

) ss.

COUNTY OF Gooding)

On this 1st day of November, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared John N. Infanger and Debra A. Infanger, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Becky Shubert
Notary Public
State of Idaho

Becky Shubert
Notary Public
Residing at Westside Dr
My Commission expires: 03/25/03

WARRANTY DEED

GG-04804

For Value Received

John N. Infanger and Debra A. Infanger, husband and wife

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

Bennett William Paul Quellhorst and Gail Darlene Quellhorst, husband and wife
Address: 1786 East 1800 South, Gooding, ID 83330

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

TOWNSHIP 5 SOUTH, RANGE 14 EAST, OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 36: A parcel of land located in the Southeast Quarter of the Southeast Quarter, more particularly described as follows:

Beginning at the Southeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 89°54'06" West a distance of 600.00 feet along the Southerly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the TRUE POINT OF BEGINNING;
Thence North 89°54'06" West a distance of 300.00 feet along the Southerly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 00°13'53" East a distance of 661.40 feet parallel with the Easterly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 89°54'06" East a distance of 300.00 feet parallel with the Southerly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 00°13'53" West a distance of 661.40 feet parallel with the Easterly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the TRUE POINT OF BEGINNING.

SUBJECT TO the rights of a public road which affects the Southerly 25.00 feet thereof.

This property is subject to the following deed restriction: Purchasers may not sell any portion of this 4.56 acre parcel separate from the entire 4.56 acres. This restriction shall be valid for 10 years from September 4, 2003.

Instrument # 202942

GOODING, GOODING, IDAHO

2003-09-30

02:34:08 No. of Pages: 2

Recorded for: LAND TITLE

HELEN EDWARDS

Fee: 6.00

Ex-Officio Recorder Deputy

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2003 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

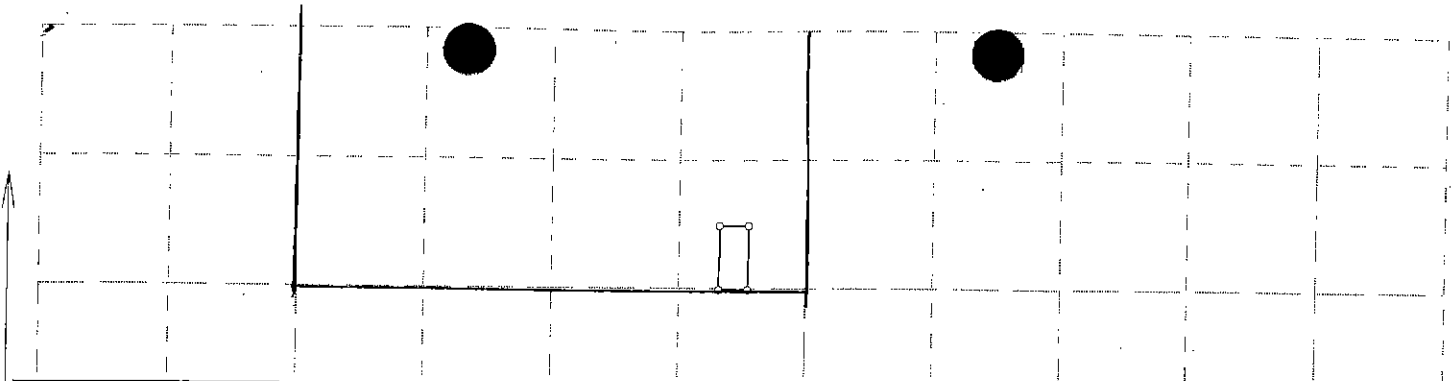
Individual Easement given by John N. Infanger to Intermountain Gas Company, a Corporation dated March 28, 2003, recorded April 1, 2003 as Instrument Number 199925, Gooding County records, affecting a parcel of land in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 5 South, Range 14 East, Boise Meridian, Gooding County, Idaho.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to two (2) miner inches of water delivered from the Slough Ditch, being split from Water Right No. 37-193B filed with the State of Idaho, Department of Water Resources.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: September 22, 2003

37-21173



Title:

Date: 10-07-2003

Scale: 1 inch = 2000 feet

File:

Tract 1: 4.555 Acres: 198419 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision > 1/999999: Perimeter = 1923 Feet

001=/se,36,5s,14e

004=n00.1353e 661.40

002=/n89.5406w 600.00

005=s89.5406e 300.00

003=n89.5406w 300.00

006=s00.1353w 661.40