

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70445

This is to certify that: J TYLER EKARD And
 KERRI L EKARD
 3023 HIGHWAY 45
 MELBA ID 83641
 (208) 495-2029

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-3175B	AJC/License	12/09/1959	0.104 cfs	N/A	N/A	15.2	GROUND WATER
63-3491B	AJC/License	03/04/1966	0.2 cfs	N/A	N/A	15.2	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-3175B	NO	YES	NO	NO	NO	NO
63-3491B	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-3175B	63-3175B	0.10 cfs	51.6 af	N/A	15.2		N/A	N/A	N/A	N/A
63-3491B	63-3491B	0.20 cfs	68.4 af	N/A	15.2		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.30 cfs	68.4 af	N/A	15.2		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 6 day of June, 2003

For


 Chief Water Allocation Bureau

SCANNED
 JUN 11 2003

MICROFILMED
 SEP 09 2003

WATER RIGHT NO. 63-3175B
As Modified by Transfer No. 70445

In accordance with the approval of Transfer No. 70445, Water Right No. 63-3175B is now described as follows.

Right Holder: J TYLER EKARD And
KERRI L EKARD
3023 HIGHWAY 45
MELBA ID 83641

Priority Date: December 09, 1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	0.10 CFS	51.6 AF
			0.10 CFS	51.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESE Sec. 16 Twp 01N Rge 02W CANYON 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	
01N	02W	16																15.2	15.2

Total Acres: 15.2

CONDITIONS OF APPROVAL

1. Right 63-3491B is also diverted through the point(s) of diversion described above.
2. Rights 63-3175B and 63-3491B when combined shall not exceed a total annual maximum diversion volume of 68.4 af at the field headgate and the irrigation of 15.2 acres.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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WATER RIGHT NO. 63-3175B
As Modified by Transfer No. 70445

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6 day of June, 20 03


For Chief, Water Allocation Bureau

SCANNED
MICROFILMED JUN 11 2003
SEP 09 2003

WATER RIGHT NO. 63-3491B
As Modified by Transfer No. 70445

In accordance with the approval of Transfer No. 70445, Water Right No. 63-3491B is now described as follows.

Right Holder: J TYLER EKARD And
 KERRI L EKARD
 3023 HIGHWAY 45
 MELBA ID 83641

Priority Date: March 04, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	0.20 CFS	68.4 AF
		0.20 CFS	68.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESE Sec. 16 Twp 01N Rge 02W CANYON 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		
01N 02W 16																	15.2	15.2

Total Acres: 15.2

CONDITIONS OF APPROVAL

1. Right 63-3175B is also diverted through the point(s) of diversion described above.
2. Rights 63-3175B and 63-3491B when combined shall not exceed a total annual maximum diversion volume of 68.4 af at the field headgate, and the irrigation of 15.2 acres.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

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WATER RIGHT NO. 63-3491B
As Modified by Transfer No. 70445

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6 day of June, 20 03


For Chief, Water Allocation Bureau

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JUN 11 2003

(Internet)

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 20445

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Tyler ^{Young} Kerri EKard Phone 495-2029
Post Office address 3023 E Hwy 45 Mc/la, Id. 83641

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 Change ownership
2. Describe the reason for the proposed changes Add own point of diversion and change ownership of water right.

8. 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 |
|--|----------|--------------------------|------------------------------|----------------------|
| 63-3175 B | 12/09/59 | 0.104 | Irrigation | 9/15 to 10/15 |
| 63-3491 B | 3/4/66 | 0.20 | Irrigation | 4/15 to 10/15 |
| | | | | to |
| | | 0.304 KE | | to |
| 2. Total amount of water being transferred | | 0.104 | cubic feet per second and/or | acre-feet per annum. |
| 3. Source of water | | groundwater tributary to | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 15.2

PART 1

6. General Information:

a. Description of diversion system pump to irrigation system
from domestic well.

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. Letter is coming

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No affect

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

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SEP 09 2003

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Part 2A

05/15/2002

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3175B

WATER RIGHT NUMBER: 63-3175B

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HAROLD G BARRETT RT 1 MELBA, ID 83641
Original Owner	HENRY M JENSEN 2215 E LOCUST CALDWELL, ID 83605 (208)459-8975
Current Owner	MICHAEL HUGGINS 3023 HWY 45 MELBA, ID 83641

Priority Date: 12/09/1959
Basis: License
Status: Active

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	0.104 CFS	
	<u>Total Diversion:</u>	0.104 CFS	

Location of Point(s) of Diversion
GROUND WATER SE1/4SE1/4 Sec. 16, Twp 01N, Rge 02W, B.M.
CANYON County

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01N	02W	16	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	15.2
																			15.2

Total Acres: 15.2

Conditions of Approval:

Remarks:
1. General Ownership change by DB 3/21/2002

Comments:

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MAR 04 2003
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3175B

Dates and Other Information:

Claim Received Date: B
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector: 0
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust: False
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: OR

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

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

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

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

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

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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Total acres _____

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part 2A

07/18/2002

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3491B

WATER RIGHT NUMBER: 63-3491B

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HAROLD G BARRETT RT 1 MELBA, ID 83641
Original Owner	HENRY M JENSEN 2215 E LOCUST CALDWELL, ID 83605 (208)459-8975
Current Owner	MICHAEL HUGGINS 3023 HWY 45 MELBA, ID 83641

Priority Date: 03/04/1966

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	0.200 CFS	68.4
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 16, Twp 01N, Rge 02W, B.M.
CANYON 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	
01N	02W	16																15.2	15.2

Total Acres: 15.2

Conditions of Approval:Remarks:

- General Ownership changed by DB 3/21/2002

Comments:

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SEP 09 2003

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
no If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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MAR 9 4 2003

Total acres MICROFILMED

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PART 3 A

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O16
R2W TIN
Sec 16

7
15.3

H/1W

T6020 H/1W

old well

10
15.7

11
39.0

Subject

T6021
1
33.2
Land to
be irrigated

new well

16 75
21 22

SEE 0-168 T3814

T3815

10.900
total
7-16-02
km

1
67.4

2
2.8

3
10.3

4
19.0

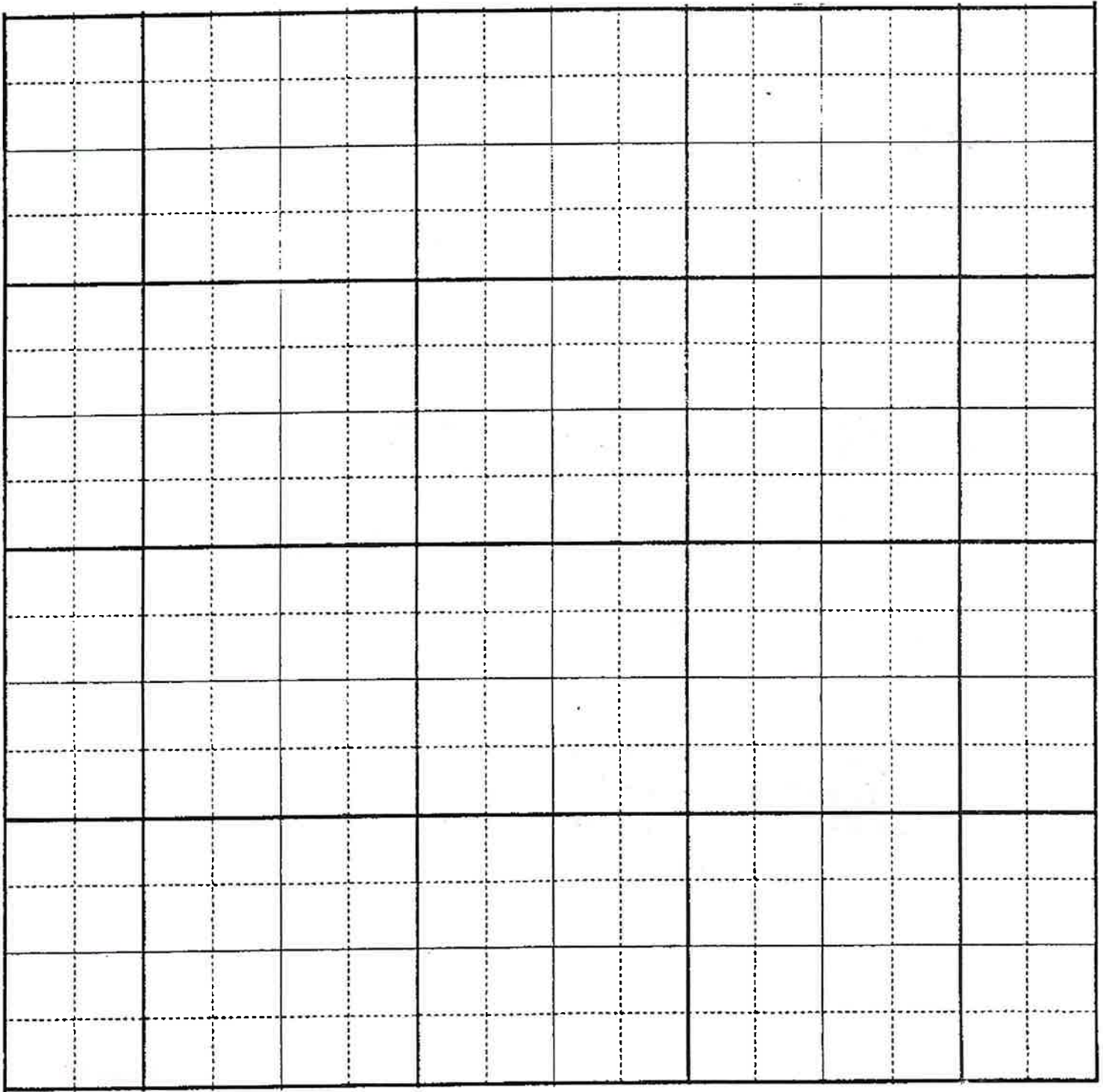
5
51.1

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SEP 09 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

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

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

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.

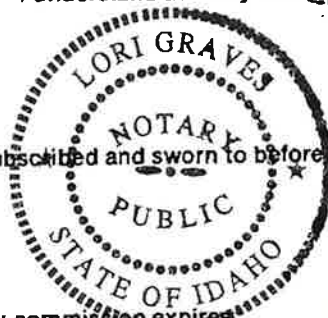
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 9th day of July, 2002

[Signature]
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires 6/18/04



FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by DAN Date 7-11-02 Protest filed by _____

Prelim. check by DAN Fee \$100.00

Received by DAN Date 7-11-02 W029444

Published in PRESS TRIBUNE Copies of protest forwarded by _____

Pub. dates 5-15 + 22-03 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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MAR 04 2003

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SEP 09 2003

①
PN 68325-E

WARRANTY DEED

FOR VALUE RECEIVED William Michael Huggins, an unmarried man

the Grantor, does hereby grant, bargain, sell and convey unto J. Tyler Ekard and Kerri L. Ekard, husband and wife

the Grantees, whose address is 3023C Hwy 45, Melba, ID 83641

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

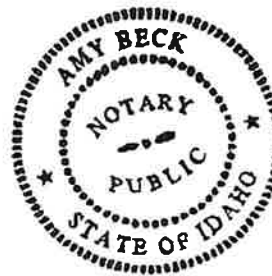
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2002 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: April 24, 2002

William Michael Huggins
William Michael Huggins

PIONEER TITLE COMPANY

PN 68325

*Landy Peterson W.D.*me, a notary public,
is known or identified
/are subscribed to the
the/she/they executedPIONEER TITLE COMPANY
OF CANYON COUNTYNampa
466-6100Caldwell
459-1651OWYHEE COUNTY
466-6100423 SOUTH KIMBALL
CALDWELL, ID 83605

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SEP 09 2003

MAR 04 2003

Attach A2

PN68325

EXHIBIT "A"

This parcel is a portion of the Southeast Quarter of the Southeast Quarter of Section 16, Township 1 North, Range 2 West of the Boise Meridian and is more particularly described as follows:

COMMENCING at the Southeast corner of said Southeast Quarter of the Southeast Quarter; thence

North 0° 36'27" East along the East boundary of said Southeast Quarter of the Southeast Quarter a distance of 165.00 feet to the TRUE POINT OF BEGINNING; thence

North 89° 14'25" West parallel with the South boundary of said Southeast Quarter of the Southeast Quarter a distance of 1,333.47 feet to a point on the West boundary of said Southeast Quarter of the Southeast Quarter; thence

North 0° 42'58" East along said West boundary a distance of 511.32 feet; thence

South 89° 14'25" East parallel with said South boundary a distance of 1,332.50 feet to a point on the said East boundary; thence

South 0° 36'27" West along said East boundary a distance of 511.32 feet to the TRUE POINT OF BEGINNING.

mH

JTE
KUE

200219796

RECORDED

2002 APR 30 PM 4 05

NOEL HALE
CANYON CNTY RECORDERBY *John Hale*REQUEST PIONEER-NAMPA
TYPE *See Fee*First American Title
Schedule A

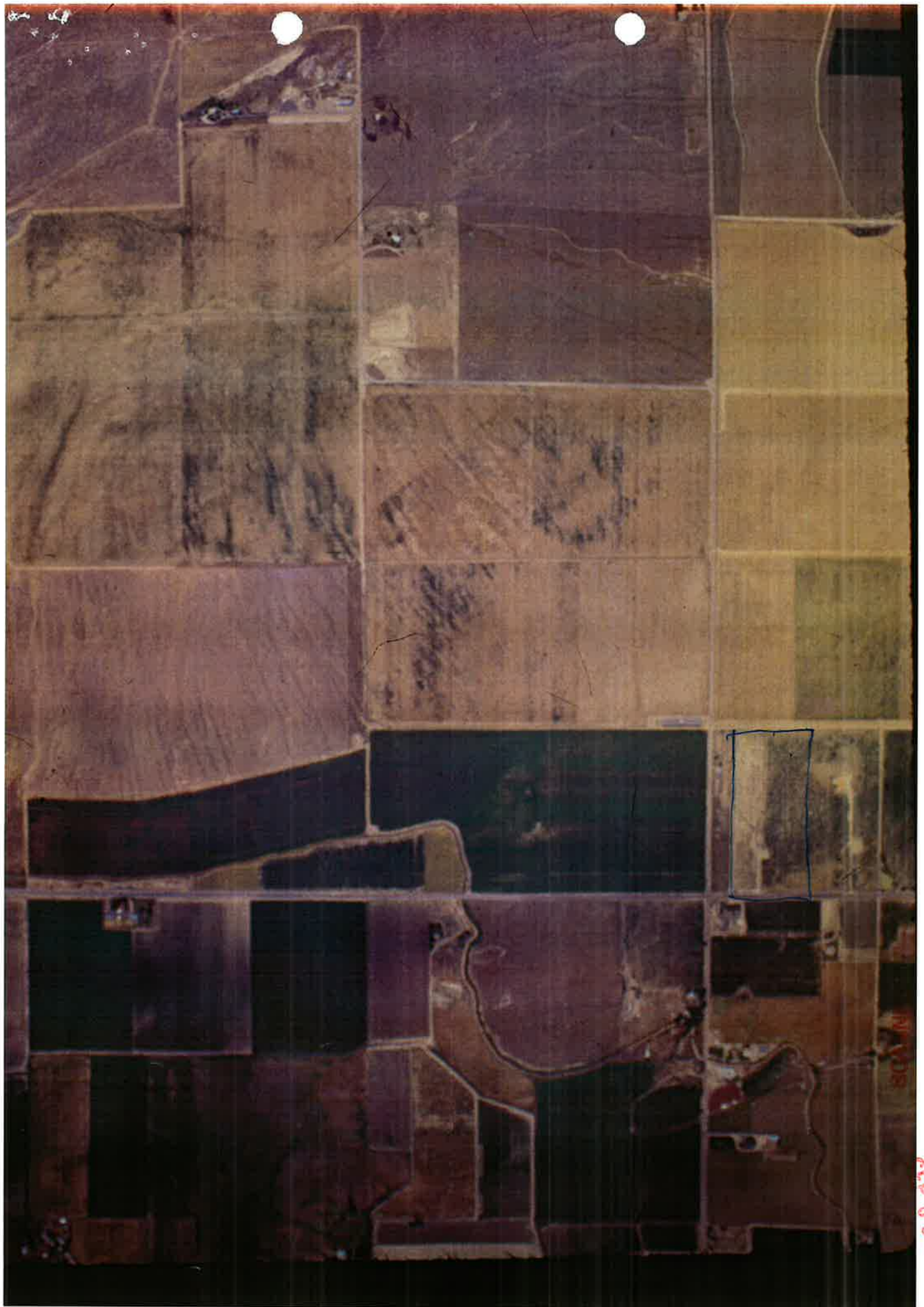
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MAR 04 2003

ATTACH A-2



MAR 04 2003

MICROSOFT
SEP 09 2003

ATTACH B

I CERTIFY THAT THIS IS A PICTURE OF CROPLAND

TAKEN JULY 1997.

Robert L. Mauer, FSA

5/23/02

The well was used by M. Huggins until
Sept 22, 1998 when Delays Revoled access.
This notice explains when well access ceased on
our property & was no longer irrigated.

Ami Elrod
7-11-02

SCANNED

MAR 04 2003

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SEP 09 2003

ATTACH C

9835539

NOTICE OF REVOCATION OF JOINT WATER AGREEMENT

TO: Michael Huggins and a single person ~~Huggins, husband and wife:~~

WHEREAS, Michael L. DeLay and Colleen M. DeLay, husband and wife, of Nampa, Idaho (hereinafter "DeLay"), and Michael Huggins and a single person ~~Huggins, husband and wife,~~ of Nampa, Idaho (hereinafter "Huggins"), executed a Joint Water Agreement on the 11 day of July, 1997, which Agreement was recorded in the records of Canyon County, Idaho, on the 14 day of July, 1997, as Instrument No. 9722514; and

WHEREAS, The Joint Water Agreement provides at paragraph 7 that it may be revoked by written notice of revocation by DeLay, acknowledged and recorded in the records of Canyon County, Idaho; and

WHEREAS, DeLay desires to revoke the Joint Water Agreement,

NOW, THEREFORE, Notice is hereby given that Michael L. DeLay and Colleen M. DeLay, husband and wife, hereby revoke the Joint Water Agreement which, upon its recording in the records of Canyon County, Idaho, shall be without further force and effect.

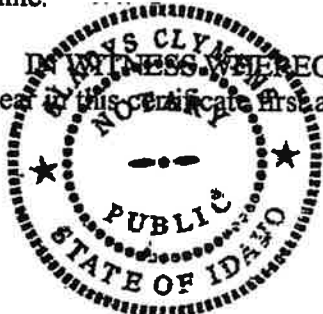
Michael L. DeLay
Michael L. DeLay

Colleen M. DeLay
Colleen M. DeLay

STATE OF IDAHO)
) ss.
County of Canyon)

On this 13th day of September, 1998, before me, a notary public, personally appeared MICHAEL L. DELAY, known or identified to me to be the person whose name is subscribed to the within and foregoing instrument, and who 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.



Gladys Clements
Notary Public for Idaho
Residing at Boise, ID
Commission Expires 6/7/98

NOTICE OF REVOCATION OF
JOINT WATER AGREEMENT - 1

SCANNED

MAR 04 2003

MICROFILMED

SEP 09 2003

Attach 01

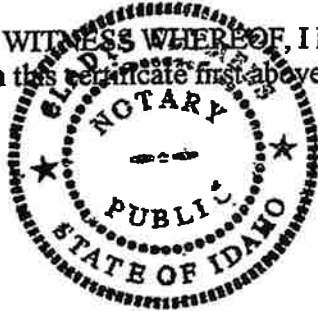
STATE OF IDAHO)

County of Canyon)

ss.

On this 18th day of September, 1998, before me, a notary public, personally appeared COLLEEN M. DELAY, known or identified to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she 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.



Gladys Chipman
Notary Public for Idaho
Residing at Boise, Id
Commission Expires 6-7-98

CERTIFICATE OF SERVICE

I HEREBY CERTIFY That on this 22nd day of September, 1998, I caused to be served, via U.S. mail, postage prepaid, a true and correct copy of the foregoing document, addressed to the following:

Michael Huggins
Huggins
630 39th Street North
Nampa, Idaho 83687.

Stephen C. Brown
Michael L. DeLay

NOTICE OF REVOCATION OF
JOINT WATER AGREEMENT - 2

SCANNED

MAR 04 2003

REQUESTED
MICROFILMED
BY Mike 6-12

RECORDED
CANYON CNT RECORDER
BY Steph

98 SEP 23 PM 3 53

RECORDED

9835539

MICROFILMED

SEP 09 2003

Attach 02

Before Property Split of:

3205 C HWY 45	3023 C HWY 45
Melba, ID. 83641	Melba, ID. 83641

The thirty-five acre piece
had only one irrigation well
at the time of purchase.

Aug. 23, 2002

Colleen DeLay

7/1 7/24

MICROFILMED

SEP 09 2003

SCANNED

MAR 04 2003

ATTACH
E

Homecomings Financial

A GMAC Company

January 16, 2003

Dan Nelson, Senior Agent
State of Idaho, Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Ekard-0414013714

Dear Dan Nelson;

This letter is in response to our phone call on 01/15/03 concerning a transfer of right to add a point of diversion to the Ekard's property. We have reviewed the faxed application regarding the transfer and have no objections to the transfer of right to add a point of diversion.

Sincerely,

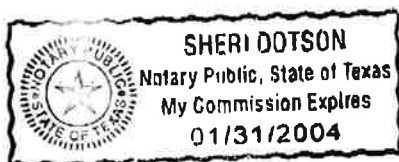


Paul Ruckel
Resolution Specialist

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

Sworn to and subscribed before me on the 16th day of January, 2003.

[Seal]



Notary Public, State of Texas

cc: Mr. & Mrs. Ekard

SCANNED

MAR 04 2003

MICROFILMED

SEP 09 2003

Attach F