

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A74-01129
Date Received: / /
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: WILLIAM B ROBISON
Address: 841 N 3900 E
RIGBY ID

83442

AND

Name: NORAM RAE ROBISON
Address: 841 N 3900 E
RIGBY ID

83442

2. Date of Priority: APR 1, 1925

3. Source: SPRINGS Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	25E	13		SW	SW		LEMHI
		14		SE	SE		LEMHI
		23		NE	NE		LEMHI
		24		NW	NW		LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.290		

7. Total Quantity Appropriated is:
2.290 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	25E	2	NW	NW	4	IRR	8.0
			Section Acres				8.0
		3	NE	NE	1	IRR	37.0
			NW	NE	2	IRR	10.0
			SW	NE		IRR	40.0
			SE	NE		IRR	35.0
			NE	SE		IRR	29.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	36.0
			Section Acres				267.0
		10	NE	NE		IRR	29.0
			NW	NE		IRR	31.0
			Section Acres				60.0
		11	SW	NW		IRR	17.0
			SE	NW		IRR	18.0
			Section Acres				35.0
		13	NW	NW		IRR	35.0
			SW	NW		IRR	30.0
			Section Acres				65.0
			Total Acres				435.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

AC. IRR.=434.1.

15. Basis of Claim: DECREED

Case Number:

Court :

MICROFILMED

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A74-01129

Date Received: / /

Receipt No: X999999

Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CHRISTOPHER BOLING

208-768-2607

Address: HC 68 BOX 4A

LEADORE ID

83464

AND/OR

Name: BARBARA BOLING

208-768-2607

Address: HC 68 BOX 4A

LEADORE ID

83464

2. Date of Priority: APR 1, 1925

3. Source: SPRINGS

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15N	25E	13		SW	SW		LEMHI
		14		SE	SE		LEMHI
		23		NE	NE		LEMHI
		24		NW	NW		LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.290		

7. Total Quantity Appropriated is:

2.290 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED

APR 19 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	25E	2	NW	NW	4	IRR	8.0
Section Acres							8.0
		3	NE	NE	1	IRR	37.0
			NW	NE	2	IRR	10.0
			SW	NE		IRR	40.0
			SE	NE		IRR	35.0
			NE	SE		IRR	29.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	36.0
Section Acres							267.0
		10	NE	NE		IRR	29.0
			NW	NE		IRR	31.0
Section Acres							60.0
		11	SW	NW		IRR	17.0
			SE	NW		IRR	18.0
Section Acres							35.0
		13	NW	NW		IRR	35.0
			SW	NW		IRR	30.0
Section Acres							65.0
Total Acres							435.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

AC. IRR.=434.1.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 74-01129

DATE RECEIVED:

RECEIPT NO: X999999

RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: KENNETH R. KELLY
ADDRESS: P.O. BOX 64
LEADORE, ID 83464

NAME: BETTY C. KELLY
ADDRESS: P.O. BOX 64
LEADORE, ID 83464

2. DATE OF PRIORITY: APR 01, 1925

3. SOURCE: SPRINGS TRIB. 10:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
15N	25E	13	SW	SW			LEMHI
		14	SE	SE			LEMHI
		23	NE	NE			LEMHI
		24	NW	NW			LEMHI

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(COR)	A.F.A.
IRRIGATION	03/15	11/15	2.290		

7. TOTAL QUANTITY APPROPRIATED IS:
2.290 C.F.S. (AND/OR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

74-01129

PAGE 1

DATE: 02/08/92 MICROFILMED 02

DEC 14 1992

RECEIVED

MAY - 8 1990

Department of Water Resources
Eastern District Office

A740129



10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
15N	25E	2	NW	NW	4	IRR	8.0
SECTION ACRES							8.0
		3	NE	NE	1	IRR	37.0
			NW	NE	2	IRR	10.0
			SW	NE		IRR	40.0
			SE	NE		IRR	35.0
			NE	SE		IRR	29.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	36.0
SECTION ACRES							267.0
		10	NE	NE		IRR	29.0
			NW	NE		IRR	31.0
SECTION ACRES							60.0
		11	SW	NW		IRR	17.0
			SE	NW		IRR	18.0
SECTION ACRES							35.0
		13	NW	NW		IRR	35.0
			SW	NW		IRR	30.0
SECTION ACRES							65.0
TOTAL ACRES							435.0

11. PLACE OF USE IN COUNTIES: LEMHI, LEMHI

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

AC. IRR.=434.1.

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE:

74-01129

PAGE 2

DATE: 02/08/90

3103

MICROFILMED

DEC 14 1992

DECREE PLAINTIFF

VS

DECREE DEFENDANT

16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I HE DO ____ DO NOT X WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: 0

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): Kenneth R. Kelly DATE: May 2, 1990
Betty Kelly DATE: May 7, 1990

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____, TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
_____, TITLE
_____, AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Lemhi) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 7th DAY
OF May 19 90

Clara E. Ellis
NOTARY PUBLIC

SEAL

RESIDING AT Leadore, Idaho
MY COMMISSION EXPIRES 5-1-92

AJ0749NP
No. A74-01129

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/10/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GUARDIAN LTD PARTNERSHIP #1 PO BOX 927 SALMON ID 83467 (208) 756-6622	04/01/1925	IRRIGATION	03-15 11-15	2.29 CFS	
TOTAL DIVERSION:					2.29 CFS	

Water Source: SPRINGS

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T15N R25E S13 SWSW
S14 SESE
S23 NENE
S24 NWNW

LEMHI County
LEMHI County
LEMHI County
LEMHI County

Place of use Legal Description for: IRRIGATION

NE										NW										SW										SE										
T	R	S	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		SUM					
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac							
15N	25E	2	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	8.0					
15N	25E	3	:	01-37	02-10	:	:	:	:	:	:	04-08	:	:	:	:	:	:	:	:	:	:	:	:	:	:	29	40	40	36	:	:	:	267.0						
15N	25E	10	:	29	31	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	60.0						
15N	25E	11	:	:	:	:	:	:	:	:	:	:	17	18	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	35.0						
15N	25E	13	:	:	:	:	:	:	:	:	:	35	30	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	65.0						
																														TOTAL ACRES				435.0						

POU County: LEMHI

Remarks: GEN AC. IRR.=434.1.
CHANGED OWNERSHIP PER REQUEST/JH/3-9-99

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREIER
DIRECTOR

March 10, 1999

GUARDIAN LTD PARTNERSHIP #1
PO BOX 927
SALMON ID 83467

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A74-00050B,
A74-00380B, A74-00381B, A74-01129, A74-01131,
A74-02210

Dear Mr. Ball:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): A74-00050B-02210, -01129, -01130, -01131, -00380B
 Adjudication Claim No(s): and A74-00381B
2. The following REQUIRED information must be submitted with this form:
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
- OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant William B. Robison
841 N. 3900 E, Rigby, ID 83442
Lemhi Ranches, LLC
4. New Owner/Claimant(s) Guardian LTD Partnership #1
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address P.O. Box 927
 City, State and ZIP Code Salmon, ID 83467
 New Telephone Number (208) 756-6622
5. Date you acquired the property 4/15/98
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres you irrigate _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Ronny Ball - owner 3/4/99
[Signature] 3/4/99
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

RECEIVED

MAR 09 1999

Department of Water Resources
Eastern Region



WARRANTY DEED

For Value Received WILLIAM B. ROBISON and NORMA RAE ROBISON, husband and wife

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

GUARDIAN LIMITED PARTNERSHIP # 1, BALL ENTERPRISES INC. GENERAL PARTNER

whose address is: PO 1491 IDAHO FALLS ID 83403

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

The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 3, Township 15 North, Range 25 E.B.M., Lemhi County, Idaho.

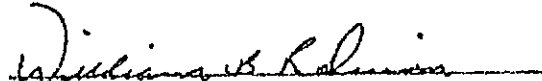
Lot 4 of Section 2 and Lot 1 of Section 3, Township 15 North, Range 25 E.B.M., Lemhi County Idaho.

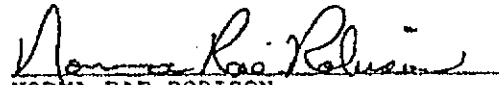
TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water and water rights, ditch and ditch rights.

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 their 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: APRIL 15, 1998


WILLIAM B. ROBISON


NORMA RAE ROBISON

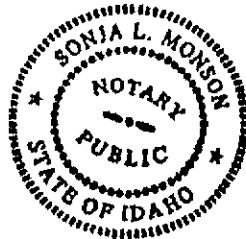
STATE OF IDAHO

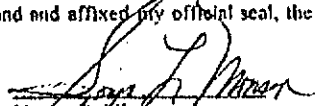
COUNTY OF JEFFERSON

)
: ss
)

On this 15TH day of APRIL, in the year 1998, before me, a Notary Public in and for said State, personally appeared WILLIAM B. ROBISON and NORMA RAE ROBISON, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.

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




Notary Public
Residing at: IDAHO FALLS ID
Commission Expires: 07-17-2002

14



COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

- The Provisions in Schedule A.
- The Requirements in Schedule B-1.
- The Exceptions in Schedule B-2.
- The Conditions on the other side of this page 1.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.



First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark R. Anderson* SECRETARY

BY *[Signature]* COUNTERSIGNED



SCHEDULE B - Section 1

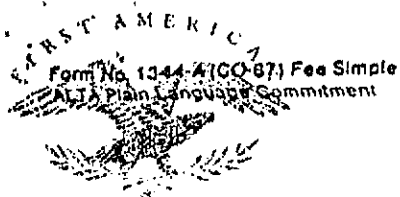
Requirements

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
- (e) Release(s) or Reconveyance(s) of Item(s) _____
- (f) Other _____

(g) You must give us the following information:

- 1. Any off record leases, surveys, etc.
- 2. Statement(s) of Identity, all parties.
- 3. Other _____



SCHEDULE A

1. Commitment Date: FEBRUARY 19, 1998

Commitment No. 438

2. Policy or Policies to be issued:

Policy Amount

(a) Owners Policy
Proposed Insured: ROGER BALL, AND/OR ASSIGNS

\$ 790,000.00

(b) Loan Policy
Proposed Insured

\$

(c) Proposed insured:

\$

3. The fee simple interest in the land described in this Commitment is owned, at the Commitment Date
by WILLIAM B. ROBISON AND NORMA RAE ROBISON, HUSBAND AND WIFE

4. The land referred to in this Commitment is described on Schedule C.

SEE ATTACHED EXHIBIT "A"

Wm B R NRR



EXHIBIT "A"

Northwest Quarter (NW $\frac{1}{4}$), the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirteen, the East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$), and the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Fourteen, in Township Fifteen (15) North, Range Twenty-five (25) East of the Boise Meridian, Lemhi County, Idaho, excepting therefrom a tract of land 30 ft. in width along the South side of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14 and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, T. 15 N., R. 25 E., Boise Meridian, Lemhi County, Idaho.

Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Ten (10), the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) and the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Eleven (11), all in Township Fifteen (15) North of Range Twenty Five (25) East of the Boise Meridian, Lemhi County, Idaho.

portion
The SE $\frac{1}{4}$, the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 15 North, Range 25 East of the Boise Meridian, Lemhi County, Idaho.

portion
Lot 4 of Section 2, and Lots 1 and 2 and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, in Township 15 North, of Range 25 East of the Boise Meridian, Lemhi County, Idaho.

See attached legal!

The SW $\frac{1}{4}$ NE $\frac{1}{4}$, the N $\frac{1}{2}$ SW $\frac{1}{4}$, the SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 10, Township 15 North, Range 25 East of the Boise Meridian, Lemhi County, Idaho.

SE $\frac{1}{4}$ NW $\frac{1}{4}$, the W $\frac{1}{2}$ NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, in Township 15 North, Range 25 East of the Boise Meridian, Lemhi County, Idaho.

WBR
ARR



Assignor and Buyer agree that Assignee is a facilitator only for purposes of I.R.C. § 1031 and Assignor and Buyer release Assignee from all liability in connection with its participation in this transaction, except liability arising from Assignee's own wilful misconduct or gross negligence. The parties agree that should any dispute arise out of this transaction with regard to the Purchase Agreement, the condition of the Property, or the title thereto, such dispute shall be resolved as if Assignor had sold the Property directly to Buyer.

- (5) In any action arising out of this Agreement, the prevailing party shall be entitled to costs and reasonable attorney's fees.
- (6) This Agreement shall be binding upon and shall inure to the benefit of the respective heirs, successors and assigns of the parties hereto.
- (7) This Agreement may be executed in counterparts.

IN WITNESS WHEREOF, the parties have executed this Agreement as their free and voluntary act and deed on the date indicated by each signature.

ASSIGNOR:

By: William B. Robison
Name: William B. Robison
By: Norma Rae Robison
Name: Norma Rae Robison
Dated this 15 day of April, 1998.

ASSIGNEE:

Utah First Exchange, Inc., a Utah corporation
By: Richard Limb
Name: Richard Limb
Its: Authorized Agent
Dated this 2nd day of April, 1998.

BUYER:

By: Roger Bae
Name: Roger Bae
Dated this 15 day of April, 1998.

SCHEDULE B - Section 2

Exceptions

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

PART I:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims, or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. *James
refused us
new 4-14-98
16:97 and
paid in full*
GENERAL TAXES AND ASSESSMENTS FOR THE YEAR 1996 ARE DELINQUENT; GENERAL TAXES AND ASSESSMENTS FOR THE FIRST HALF OF 1997 ARE DELINQUENT, GENERAL TAXES AND ASSESSMENTS FOR THE SECOND HALF OF 1997 ARE DUE AND PAYABLE, BUT NOT YET DELINQUENT; GENERAL TAXES AND ASSESSMENTS FOR THE YEAR 1998 ARE AN ACCRUING LIEN.
8. EASEMENT FROM KENNETH R. KELLY, BETTY KELLY, RAY FOLLETT AND ANGELA FOLLETT TO LEMHI TELEPHONE COMPANY, DATED SEPTEMBER 6, 1968 AND RECORDED MARCH 6, 1969, UNDER INSTRUMENT NO. 110763, RECORDS OF LEMHI COUNTY, IDAHO.
9. IDAHO POWER COMPANY, POWER LINE EASEMENT FROM KENNETH KELLY AND BETTY KELLY, HUSBAND AND WIFE, DATED NOVEMBER 10, 1981 AND RECORDED SEPTEMBER 23, 1982, UNDER INSTRUMENT NO. 164332, RECORDS OF LEMHI COUNTY, IDAHO.
10. THE RIGHT, TITLE AND INEREST OF THE PUBLIC IN AND TO THOSE PORTIONS OF THE ABOVE DESCRIBED PREMISES FALLING WITHIN THE BOUNDS OF ROADS OR HIGHWAYS, DEDICATED AND OR OTHERWISE USED BY THE PUBLIC, AND SUBJECT TO ALL EASEMENTS AND RESTRICTIONS ATTENDANT AND PERTINENT TO SAID HIGHWAYS.
11. *Check
w/ Home*
REAL ESTATE MORTGAGE, DATED DECEMBER 6, 1996, FROM WILLIAM B. ROBISON AND NORMA RAE ROBISON, HUSBAND AND WIFE, TO FARM CREDIT SERVICES BEXBURG, IN THE AMOUNT OF \$154,700.00 AND INTEREST, RECORDED DECEMBER 9, 1996, UNDER INSTRUMENT NO. 231980, RECORDS OF LEMHI COUNTY, IDAHO.

The following numbered exceptions _____ will be eliminated in an ALTA Extended Coverage Policy.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

AUGUST 16, 1993

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

WILLIAM B ROBISON
841 N 3900 E
RIGBY ID 83442

RE: CHANGE IN OWNERSHIP FOR A74-00050B, -02210, -01129,
-01130, -01131, AND -00380B

Dear Mr. Robison:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jr Thompson

for Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notice(s) of Claim

File: P

cc: Southern Montana Abstract & Title Company

MICROFILMED

APR 19 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DATE OF CLOSING: 7/9/1993

POOR ORIGINAL AUG 14 1993

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet. See attached sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
 Assigned by IDWR: A74-0050B, A74-02210, A74-01129, A74-01130
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
A74-01131, A74-00380B
Christopher and Barbara Boling
HC 68 Box 4A
Leadore, Idaho 83464
- ☐ New Owner/Claimant (Purchaser):
William B. and Norma Rae Robison
- ☐ New Mailing Address:
~~308 North 4200 East~~ 841 No. 3900 East
Rigby, Idaho 83442
- ☐ New Telephone Number: () _____
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: copy of warranty deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): William B. Robison Date 7/9/93
Norma Rae Robison Date 7/9/93
- ☐ Signature of Former Owner/Claimant(s): Christopher A. Boling Date 7/9/93
Barbara Boling Date 7/9/93

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry
 Date: _____ By: _____
 Further Action Needed:

Further Action Taken
 Date: _____ By: _____
 Final Review and Data-Entry
 Date: _____ By: _____
 Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

MICROFILMED

APR 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MAY 13, 1993

CHRISTOPHER BOLING
HC 68 BOX 4A
LEADORE ID 83464

RE: CHANGE IN OWNERSHIP FOR A74-01129, -01130, 01131,
AND -00380B

Dear Mr. Boling:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

J. Thompson

for Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: Notices of Claim

cc: Kenneth and Betty Kelly/copy letter/C/O form
L. T. Stevenson/copy letter

MICROFILMED

APR 19 1994

DOOR ORIGINAL



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

MAY 12 1993

DATE OF CLOSING: 11 Sept. '93

LEGAL DESCRIPTION OF PROPERTY: Township attached Range _____
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, Department of Water Resources
 Lot _____, Block _____, Subdivision/Townsite _____, BM, Eastern District Office

If you have additional legal descriptions, please attach separate sheet.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

- [] Water Right Number(s)
Assigned by IDWR:

A74-01129; A74-01130; A74-01131

- [] Name and Address of Former
Owner/Claimant(s)(Seller):

A74-00380B (orig??)Kenneth & Betty Kelly2617 E. Aire Libre LanePhoenix, Arizona 85032

- [] New Owner/Claimant
(Purchaser):

Christopher & Barbara Boling

- [] New Mailing Address:

POB 341 HC 68 Box 4A
Leadore, Idaho 83464

- [] New Telephone Number:

(208) 768-2607

- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

Addresses were changed on A74-02210 and
A74-00050B in name of Christopher & Barbara Boling

- [] Attach proof of
ownership, describe
proof attached:

Copy of warranty deed(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

Sign Here

Signature of New
Owner/Claimant(s)Christopher A. Boling
Barbara E. BolingDate 5/7/93Date 5/7/93

- [] Signature of Former
Owner/Claimant(s):

Date _____

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

APR 19 1994