

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
 SEP 15 2006
 DEPARTMENT OF
 WATER RESOURCES

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s)	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	63-2896				
	63-3043				
	63-3255				
	63-7876				

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

LEONARD A. TIEGS

15951 GARRETT BLVD., NAPERVA, ID 83651

4. New Owner/Claimant(s)

Kastara Development LLC

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

372 S. Eagle Rd., Suite 375

City, State and ZIP Code

Eagle, ID 83616

New Telephone Number

(208) 472.0300

5. Date you acquired the property

1 June 06

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



06/27/06

To: DBSI Tiger 979 LLC

372 S Eagle Road, Ste 375
Eagle ID 83616

ATTN:

Re:

Our File Number: 0500038560 Ref:

Property Address: 000 Dry Lake Rd.
Nampa, ID 83686

RECEIVED
SEP 05 2006
DEPARTMENT OF
WATER RESOURCES

In connection with the above transaction, we have enclosed the following:

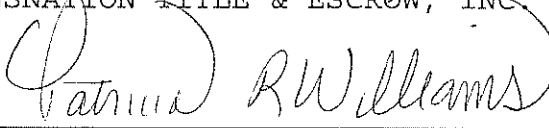
- () Date Down Endorsement
- () New Schedule A of your commitment showing lender
- () 104.1 Endorsement
- (XX) Revised Owner's Policy

Thank you for this opportunity to serve you. If we may be of any further assistance, please do not hesitate to contact us.

Cordially,

TRANSNATION TITLE & ESCROW, INC.

By


Patricia R. Williams
Title Officer

2805 Blaine St, Suite 120
Caldwell, ID 83605
(208) 455-0166, Fax (208) 453-8971

8665 W Emerald, Suite 200
Boise, ID 83704
(208) 377-3190, Fax (208) 377-0946

485 E Riverside Drive
Eagle, ID 83616
(208) 938-2544, Fax (208) 938-2545

950 W Bannock, Suite 250
Boise, ID 83702
(208) 455-0166, Fax (208) 453-8971

170 2nd St South
Nampa, ID 83651
(208) 455-0166, Fax (208) 453-8971

701 S Allen St
Meridian, ID 83642

LOAN POLICY OF TITLE INSURANCE

Revised

Issued by **Transnation Title Insurance Company**



Transnation Title Insurance Company is a member of the LandAmerica family of title insurance underwriters.

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, TRANSNATION TITLE INSURANCE COMPANY, an Arizona corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land;
5. The invalidity or unenforceability of the lien of the insured mortgage upon the title;
6. The priority of any lien or encumbrance over the lien of the insured mortgage;
7. Lack of priority of the lien of the insured mortgage over any statutory lien for services, labor or material:
 - (a) arising from an improvement or work related to the land which is contracted for or commenced prior to Date of Policy; or
 - (b) arising from an improvement or work related to the land which is contracted for or commenced subsequent to Date of Policy and which is financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance;
8. The invalidity or unenforceability of any assignment of the insured mortgage, provided the assignment is shown in Schedule A, or the failure of the assignment shown in Schedule A to vest title to the insured mortgage in the named insured assignee free and clear of all liens.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title or the lien of the insured mortgage, as insured, but only to the extent provided in the Conditions and Stipulations.

IN WITNESS WHEREOF, TRANSNATION TITLE INSURANCE COMPANY has caused its corporate name and seal to be hereunto affixed by its duly authorized officers, the Policy to become valid when countersigned by an authorized officer or agent of the Company.

TRANSNATION TITLE INSURANCE COMPANY

Attest:

[Signature]

Secretary



By:

[Signature]

President

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for services, labor or material); or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any statutory lien for services, labor or materials (or the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
7. Any claim, which arises out of the transaction creating the interest of the mortgagee insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (a) the transaction creating the interest of the insured mortgagee being deemed a fraudulent conveyance or fraudulent transfer; or
 - (b) the subordination of the interest of the insured mortgagee as a result of the application of the doctrine of equitable subordination; or
 - (c) the transaction creating the interest of the insured mortgagee being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (i) to timely record the instrument of transfer; or
 - (ii) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

Issued with Policy
No.:

POLICY OF TITLE INSURANCE

SCHEDULE A

Amount of Insurance: \$8,757,000.00

Policy No.: A37-0124820

File No.: 0500038560

Date of Policy: June 22, 2006 at 4:56 p.m.

1. Name of Insured:

DBSI TIGER 979 LLC

2. The estate or interest in the land described herein and which is covered by this policy is
fee simple and is at date of policy vested in:

DBSI TIGER 979 LLC, an Idaho Limited Liability Company

3. The land referred to in this policy is described in the said instrument, is situated in the
County of Canyon, State of Idaho, and is identified as follows:

SEE EXHIBIT "A" ATTACHED
(continued)

Countersigned: 

Authorized Officer or Agent
Patricia R. Williams

This Policy Is Valid Only If Schedule B is Attached

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

EXHIBIT "A"

PARCEL I

That portion of the Southeast quarter of the Northwest quarter of Section 5, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho. More particularly described as follows:

Commencing at the Southeast corner of the Southeast quarter of the Northwest quarter of Section 5, Township 1 North, Range 2 West; thence North along the East boundary line of said real property, a distance of 770 feet to the REAL POINT OF BEGINNING; thence West and parallel to the South boundary line of the above described real property, a distance of 70 feet; thence North and parallel to the East boundary line of the above described real property, a distance of 80 feet; thence East and parallel to the South boundary line of the above described real property, a distance of 70 feet; thence South along the East boundary line of said real property, a distance of 80 feet to the REAL POINT OF BEGINNING.

PARCEL II

Commencing at the Southwest corner of the Northwest quarter of Section 5, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho; and running thence North along the West line of said Section 5, a distance of 265 feet to the REAL POINT OF BEGINNING; thence East and at right angles, a distance of 435 feet; thence North and at right angles and parallel to the Westerly boundary line of said Section 5, a distance of 240 feet; thence West and at right angles, a distance of 435 feet to a point on the West line of said Section 5; thence South along the West boundary line of said Section 5, a distance of 240 feet to the REAL POINT OF BEGINNING.

(continued)

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

PARCEL III

That portion of the West half of the Southwest quarter of the Northwest quarter lying Southwesterly of the road described in instrument recorded August 5, 1998 as Instrument No. 9829133, of Official Records, in Section 5, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

Commencing at the Southwest corner of the Northwest quarter of Section 5, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho; and running thence North along the West line of said Section 5, a distance of 265 feet to the REAL POINT OF BEGINNING; thence East and at right angles, a distance of 435 feet; thence North and at right angles and parallel to the Westerly boundary line of said Section 5, a distance of 240 feet; thence West and at right angles, a distance of 435 feet to a point on the West line of said Section 5; thence South along the West boundary line of said Section 5, a distance of 240 feet to the REAL POINT OF BEGINNING.

(continued)

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

ALSO A PART OF PARCEL III

Lots 3 and 4 and the South half of the Northwest quarter of Section 5, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

SAVE AND EXCEPT the following described real property:

Commencing at the Southeast corner of the above described real property; thence North along the East boundary line of said real property, a distance of 770 feet to the REAL POINT OF BEGINNING; thence West and parallel to the South boundary line of the above described real property, a distance of 70 feet; thence North and parallel to the East boundary line of the above described real property, a distance of 80 feet; thence East and parallel to the South boundary line of the above described real property, a distance of 70 feet; thence South along the East boundary line of said real property, a distance of 80 feet to the REAL POINT OF BEGINNING.

SAVE AND EXCEPT in Section 5, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

Commencing at the Northeast corner of the Northwest quarter (which is also the Northeast corner of Government Lot 3) and running South along the East boundary line of the Northwest quarter, a distance of 345 feet to the REAL POINT OF BEGINNING; thence continuing South along said East boundary line, a distance of 230 feet; thence West and parallel to the North boundary line of said Section 5, a distance of 190 feet; thence North and parallel with said East boundary line, a distance of 230 feet; thence East and parallel to the North boundary line of said section 5, a distance of 190 feet to the REAL POINT OF BEGINNING.

SAVE AND EXCEPT in Section 5, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

Commencing at the Northeast corner of the Northwest quarter (which is also the Northeast corner of Government Lot 3) and running South along the East boundary line of the Northwest quarter, a distance of 115 feet to the REAL POINT OF BEGINNING; thence continuing South along said East boundary line, a distance of 230 feet; thence West and parallel to the North boundary line of said Section 5, a distance of 190 feet; thence North and parallel with said East boundary line, a distance of 230 feet; thence East and parallel to the North boundary line of said Section 5, a distance of 190 feet to the REAL POINT OF BEGINNING.

(continued)

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

SAVE AND EXCEPT

Commencing at the Southwest corner of the Northwest quarter of Section 5, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho; and running thence North along the West line of said Section 5, a distance of 265 feet to the REAL POINT OF BEGINNING; thence East and at right angles, a distance of 435 feet; thence North and at right angles and parallel to the Westerly boundary line of said Section 5, a distance of 240 feet; thence West at right angles, a distance of 435 feet to a point on the West line of said Section 5; thence South along the West boundary line of said Section 5, a distance of 240 feet to the REAL POINT OF BEGINNING.

(continued)

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

ALSO EXCEPTION THEREFROM

This right-of-way is 50 feet in width and lies in portions of the Southwest quarter of the Northwest quarter of Section 5 and of the Northeast quarter of Section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and lies in a portion of Sections 31 and 32, Township 2 North, Range 2 West, Boise Meridian, being 25 feet on each side of a centerline which centerline is more particularly described as follows:

Commencing at the center quarter corner of said Section 5; thence
South $1^{\circ}02'37''$ West along the North-South midsection line of said Section 5, a distance of 24.77 feet to the TRUE POINT OF BEGINNING for said centerline; thence
North $89^{\circ}03'52''$ West, a distance of 1,322.53 feet; thence
North $88^{\circ}50'36''$ West, a distance of 417.28 feet; thence
Northwesterly 180.22 feet along the arc of a curve to the right having a central angle of $72^{\circ}21'21''$, a radius of 142.71 feet, and a long chord which bears North $52^{\circ}39'55''$ West, a distance of 168.48 feet; thence
North $16^{\circ}29'15''$ West, a distance of 178.68 feet; thence
Northwesterly 326.19 feet along the arc of a curve to the left having a central angle of $33^{\circ}14'55''$, a radius of 562.10 feet, and a long chord which bears North $33^{\circ}06'42''$ West, a distance of 321.63 feet; thence
North $49^{\circ}44'10''$ West, a distance of 313.08 feet; thence
North $47^{\circ}59'00''$ West, a distance of 195.12 feet; thence
Northwesterly 393.93 feet along the arc of a curve to the right having a central angle of $48^{\circ}46'24''$, a radius of 462.77 feet, and a long chord which bears North $23^{\circ}35'48''$ West, a distance of 382.15 feet; thence
North $0^{\circ}47'24''$ East, a distance of 343.54 feet; thence
North $0^{\circ}57'53''$ East, a distance of 747.16 feet; thence
North $1^{\circ}07'00''$ East, a distance of 466.63 feet; thence
North $1^{\circ}24'21''$ East, a distance of 773.87 feet; thence
North $1^{\circ}18'51''$ East, a distance of 462.01 feet; thence
North $1^{\circ}33'42''$ East, a distance of 571.05 feet to the termination point for said centerline, which point bears
South $0^{\circ}59'42''$ West, a distance of 731.46 feet from the quarter corner common to Sections 31 and 32 of Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

(continued)

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

SAVE AND EXCEPT:

A parcel of land located in Government Lot 3 of Section 5, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

Commencing at the Northwest corner of said Lot 3 (North quarter corner of Section 5), marked by a 5/8 inch rebar in the intersection of Dry Lake Road and Bowmont Road; thence South 00°13'46" West, 345.00 feet along the East line of said Government Lot 3 (in Dry Lake Road) to a PK nail; thence North 89°35'02" West, 190.00 feet to the Northwest corner of that certain parcel of land described in a Warranty Deed, Instrument No. 200375709, of Official Records, between Leonard A. and Fern Hazel Tiegs and Reyes and Esperanza P. Tovar dated February 24, 1992, and being the POINT OF BEGINNING; thence South 00°13'46" West, 230.00 feet along the West line of said deed to the Southwest corner of same; thence North 89°35'02" West, 15.00 feet along the Westerly extension of the South line of said deed to a 5/8 inch rebar; thence North 00°13'46" East, 230.00 feet along a line parallel with the Westerly line of said deed to a 5/8 inch rebar set in the Westerly extension of the Northerly line of said deed; thence South 89°35'02" East, 15.00 feet along said Westerly extension of said Northerly deed line to the POINT OF BEGINNING.

SAVE AND EXCEPT:

A parcel of land located in Government Lot 3 of Section 5, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

Beginning at the Northwest corner of said Lot 3 (North quarter corner of Section 5), marked by a 5/8 inch rebar in the intersection of Dry Lake Road and Bowmont Road; thence South 00°13'46" West, 115.00 feet along the East line of said Government Lot 3 (in Dry Lake Road) to a PK nail at the Northeast corner of that certain parcel of land described in a Quit Claim Deed, Instrument No. 9921164, of Official Records, dated May 26, 1996; thence North 89°35'02" West, 190.00 feet along the Northerly line of said deed to the Northwest corner of said deed; thence South 00°13'46" West, 230.00 feet along the Westerly line of said deed to the Southwesterly corner of same; thence North 89°35'02" West, 15.00 feet along the Westerly extension of the Southerly line of said deed to a 5/8 inch rebar; thence North 00°13'46" East, 345.00 feet along a line parallel with the Westerly line of said deed to a 5/8 inch rebar set in the Northerly line of said Section 5; thence South 89°35'02" East, 205.00 feet along said Northerly section line to the POINT OF BEGINNING.

(continued)

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

PARCEL IV

North half of the Southwest quarter of Section 5, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

This right-of-way is 50 feet in width and lies in portions of the Southwest quarter and the Northwest quarter of Section 5 and of the Northeast quarter of Section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and lies in a portion of Sections 31 and 32, Township 2 North, Range 2 West, Boise Meridian being 25 feet on each side of a centerline which centerline is more particularly described as follows:

Commencing at the center quarter corner of said Section 5; thence
South 1°02'37" West along the North-South midsection line of said Section 5, a distance of 24.77 feet to the TRUE POINT OF BEGINNING for said centerline; thence
North 89°03'52" West, a distance of 1,322.53 feet; thence
North 88°50'36" West, a distance of 417.28 feet; thence
Northwesterly 180.22 feet along the arc of a curve to the right having a central angle of 72°21'21", a radius of 142.71 feet, and a long chord which bears North 52°39'55" West, a distance of 168.48 feet; thence
North 16°29'15" West, a distance of 178.68 feet; thence
Northwesterly 326.19 feet along the arc of a curve to the left having a central angle of 33°14'55", a radius of 562.10 feet, and a long chord which bears North 33°06'42" West, a distance of 321.63 feet; thence
North 49°44'10" West, a distance of 313.08 feet; thence
North 47°59'00" West, a distance of 195.12 feet; thence
Northwesterly 393.93 feet along the arc of a curve to the right having a central angle of 48°46'24" a radius of 462.77 feet, and a long chord which bears North 23°35'48" West, a distance of 382.15 feet; thence
North 0°47'24" East, a distance of 343.54 feet; thence
North 0°57'53" East, a distance of 747.16 feet; thence
North 1°07'00" East, a distance of 466.63 feet; thence
North 1°24'21" East, a distance of 773.87 feet; thence
North 1°18'51" East, a distance of 462.01 feet; thence
North 1°33'42" East, a distance of 571.05 feet to the termination point for said centerline which point bears
South 0°59'42" West, a distance of 731.46 feet from the quarter corner common to Sections 31 and 32, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

PARCEL V

All that portion of the Northeast quarter of Section 5, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, that lies South and West, of the Mora Canal right-of-way.

(continued)

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

PARCEL VI

The West half of the Southeast quarter of Section 5, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

PARCEL VII

The East half of the Southeast quarter of Section 5, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

PARCEL VIII

The South half of the Northeast quarter of Section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM the Northeast quarter of the Southeast quarter of the Northeast quarter of Section 6, Township 1 North, Range 2 West.

AND EXCEPTING THEREFROM the East half of Northwest quarter of the Southeast quarter of the Northeast quarter of Section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

PARCEL IX

Commencing at the North quarter corner of Section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho; and running South 0°01' East, 223.8 feet along the West line of Lot 2 of Section 6, Township 1 North, Range 2 West, Boise Meridian, the REAL POINT OF BEGINNING; thence continuing South along the West line of the aforementioned Lot 2 of Section 6, 1,102.0 feet; thence North 89°58' East along the South line of Lots 1 and 2, of Section 6, Township 1 North, Range 2 West, Boise Meridian, 1,825.0 feet; thence North 58°54' West, 2,132.0 feet to the POINT OF BEGINNING; all of the above described property lying in Lots 1 and 2 of Section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

PARCEL X

The Northeast quarter of the Southeast quarter of the Northeast quarter and the East half of the Northwest quarter of the Southeast quarter of the Northeast quarter, all in Section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

(continued)

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

EXCEPTING THEREFROM

This right-of-way is 50 feet in width and lies in portions of the Southwest quarter and the Northwest quarter of Section 5 and of the Northeast quarter of Section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and lies in a portion of Sections 31 and 32, Township 2 North, Range 2 West, Boise Meridian, being 25 feet on each side of a centerline which centerline is more particularly described as follows:

Commencing at the center quarter corner of said Section 5; thence South $1^{\circ}02'37''$ West along the North-South midsection line of said Section 5, a distance of 24.77 feet to the TRUE POINT OF BEGINNING for said centerline; thence North $89^{\circ}03'52''$ West, a distance of 1,322.53 feet; thence North $88^{\circ}50'36''$ West, a distance of 417.28 feet; thence Northwesterly 180.22 feet along the arc of a curve to the right having a central angle of $72^{\circ}21'21''$, a radius of 142.71 feet, and a long chord which bears North $52^{\circ}39'55''$ West, a distance of 168.48 feet; thence North $16^{\circ}29'15''$ West, a distance of 178.68 feet; thence Northwesterly 326.19 feet along the arc of a curve to the left having a central angle of $33^{\circ}14'55''$, a radius of 562.10 feet, and a long chord which bears North $33^{\circ}06'42''$ West, a distance of 321.63 feet; thence North $49^{\circ}44'10''$ West, a distance of 313.08 feet; thence North $47^{\circ}59'00''$ West, a distance of 195.12 feet; thence Northwesterly 393.93 feet along the arc of a curve to the right having a central angle of $48^{\circ}46'24''$, a radius of 462.77 feet, and a long chord which bears North $23^{\circ}35'48''$ West, a distance of 382.15 feet; thence North $0^{\circ}47'24''$ East, a distance of 343.54 feet; thence North $0^{\circ}57'53''$ East, a distance of 747.16 feet; thence North $1^{\circ}07'00''$ East, a distance of 466.63 feet; thence North $1^{\circ}24'21''$ East, a distance of 773.87 feet; thence North $1^{\circ}18'51''$ East, a distance of 462.01 feet; thence North $1^{\circ}33'42''$ East, a distance of 571.05 feet to the termination point for said centerline, which point bears South $0^{\circ}59'42''$ West, a distance of 731.46 feet from the quarter corner common to Sections 31 and 32, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

(continued)

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

PARCEL XI

This parcel is a portion of the Southeast quarter of section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

Beginning at the Northeast corner of the said Southeast quarter; thence
South 0°58'46" West along the East boundary of the said Southeast quarter, a distance of
254.31 feet; thence
South 75°29'17" West, a distance of 174.22 feet; thence
South 79°55'27" West, a distance of 241.97 feet; thence
South 88°28'35" West, a distance of 280.23 feet; thence
North 84°07'17" West, a distance of 111.48 feet; thence
North 78°38'13" West, a distance of 358.97 feet; thence
North 79°59'05" West, a distance of 185.05 feet; thence
North 82°45'12" West, a distance of 472.38 feet; thence
North 75°36'00" West, a distance of 86.72 feet; thence
North 71°12'20" West, a distance of 331.18 feet; thence
North 74°16'13" West, a distance of 279.95 feet to a point on the North boundary of the
said Southeast quarter; thence
South 89°17'47" East along the said North boundary, a distance of 2,472.21 feet to the
POINT OF BEGINNING.

PARCEL XII

This parcel is a portion of the Southeast quarter of the Northwest quarter of Section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

Beginning at the Northeast corner of the said Southeast quarter of the Northwest quarter;
thence
South 0°52'27" West along the East boundary of the said Southeast quarter of the Northwest
quarter, a distance of 300.88 feet; thence
North 67°31'05" West, a distance of 211.05 feet; thence
North 65°30'58" West, a distance of 78.97 feet; thence
North 57°38'37" West, a distance of 115.36 feet; thence
North 55°25'07" West, a distance of 234.79 feet to a point on the North boundary of the
said Southeast quarter of the Northwest quarter; thence
South 89°13'36" East along the said North boundary, a distance of 562.28 feet to the POINT
OF BEGINNING.

(continued)

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

PARCEL XIII

This parcel is a portion of Government Lot 4 of Section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

Commencing at the Northwest corner of said Government Lot 4; thence South 0°51'57" West along the West boundary of said Government Lot 4, a distance of 333.12 feet (formerly South, a distance of 330 feet); thence South 89°13'36" East (formerly East) along a line parallel with the South boundary of said Government Lot 4, a distance of 840.10 feet to the TRUE POINT OF BEGINNING; thence continuing South 89°13'36" East, a distance of 479.90 feet to a point on a line that is parallel with and 1,320.00 feet Easterly of the said West boundary of Government Lot 4; thence South 0°51'57" West along the said parallel line, a distance of 419.14 feet to a point 580.23 feet Northerly of the said South boundary of Government Lot 4; thence North 52°55'28" West, a distance of 55.73 feet; thence North 40°40'58" West, a distance of 108.42 feet; thence North 28°52'43" West, a distance of 193.15 feet; thence North 33°26'57" West, a distance of 60.62 feet; thence North 73°45'07" West, a distance of 191.69 feet; thence North 52°37'10" West, a distance of 59.97 feet to the TRUE POINT OF BEGINNING.

PARCEL XIV

Lots 3 and 4 of Section 6, Township 1 North, and Lot 4 and the Southeast quarter of the Southwest quarter of Section 31, Township 2 North, all in Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM the following

Commencing at the Northwest corner of Lot 4 of Section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and running South along the West line of Lot 4, a distance of 330 feet to the REAL POINT OF BEGINNING; thence continuing South along said West line 990 feet to the Southwest corner of Lot 4; thence East along the South line of Lot 4, a distance of 1,320 feet; thence North and parallel to the West line of Lot 4, 990 feet; thence Westerly parallel to the South line of Lot 4, 1,320 feet to the REAL POINT OF BEGINNING.

(continued)

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

All contained in Government Lot 4 of Section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

AND EXCEPTING THEREFROM that portion of Lot 3, Lot 4 and the Southeast quarter of the Northwest quarter of Section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho and Lot 4 of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, lying South and West of the following described line:

Beginning at a point that is
South 0°52'27" West along the East boundary from the Northeast corner of the said
Southeast quarter of the Northwest quarter, a distance of 300.88 feet to the REAL POINT OF
BEGINNING of said line; thence
North 67°31'05" West, a distance of 211.05 feet; thence
North 65°30'58" West, a distance of 78.97 feet; thence
North 57°38'37" West, a distance of 115.36 feet; thence
North 55°25'07" West, a distance of 234.79 feet to a point on the North boundary of said
Southeast quarter of the Northwest quarter; thence continuing
North 55°25'07" West, a distance of 23.96 feet; thence
North 54°54'28" West, a distance of 112.11 feet; thence
North 51°45'14" West, a distance of 119.19 feet; thence
North 49°17'31" West, a distance of 197.98 feet; thence
North 52°55'29" West, a distance of 513.63 feet; thence
North 52°55'28" West, a distance of 55.73 feet; thence
North 40°40'58" West, a distance of 108.42 feet; thence
North 28°52'43" West, a distance of 193.15 feet; thence
North 33°26'57" West, a distance of 60.62 feet; thence
North 73°45'07" West, a distance of 191.69 feet; thence
North 52°37'10" West, a distance of 59.97 feet; thence continuing
North 52°37'10" West, a distance of 157.29 feet; thence
North 53°23'06" West, a distance of 236.11 feet; thence
North 55°11'55" West, a distance of 273.91 feet; thence
North 60°11'41" West, a distance of 162.99 feet; thence
North 60°58'30" West, a distance of 172.60 feet to the West boundary of Government Lot 4
of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, the
POINT OF TERMINATION of said line.

ALSO EXCEPTING THEREFROM a right-of-way disclosed by instrument recorded August 16, 1966
as Instrument No. 585024, of Official Records.

(continued)

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

PARCEL XV

The Southeast quarter and the Northeast quarter of the Southwest quarter of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM a portion of the Northeast quarter of the Southeast quarter of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described by metes and bounds as follows:

Commencing at the Southeast corner of Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and running North 0°13'00" East, 1,322.91 feet along the Easterly boundary of said Section 31 to the Southeast corner of the Northeast quarter of the Southeast quarter, said Section 31; thence continuing North 0°13'00" East, 652.43 feet (formerly described as North 0°13' East, 652.2 feet) along said Easterly boundary of Section 31 to the TRUE POINT OF BEGINNING; thence continuing North 0°13'00" East, 387.10 feet (formerly described as North 0°13' East, 387.04 feet) along said Easterly boundary of Section 31 to a point which bears South 0°13'00" West, 283.38 feet from the Northeast corner of the Southeast quarter of said Section 31; thence North 51°02'40" West, 452.17 feet (formerly described as North 50°57' West, 452.24 feet) to a point on the Northerly boundary of the said Southeast quarter of Section 31, said point being North 89°51'07" West, 352.70 feet from the said Northeast corner of the Southeast quarter of Section 31; thence North 89°51'07" West, 634.99 feet (formerly described as North 89°45' West, 638.29 feet) along said Northerly boundary of the Southeast quarter of Section 31 to a point; thence South 18°30'45" West, 174.88 feet (formerly described as South 18°09' West, 170.8 feet) to a point; thence South 63°07'30" East, 590.42 feet (formerly described as South 63°33' East, 596.49 feet) to a point; thence South 64°56'40" East, 567.42 feet (formerly described as South 65°25' East, 573.19 feet) to the POINT OF BEGINNING.

PARCEL XVI

The Southwest quarter of the Southwest quarter of Section 32, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

(continued)

File No.: 0500038560

Policy No.: A37-0124820

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

PARCEL XVII

Lots 1 and 2 of Section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

Commencing at the North quarter corner of Section 6, and running South $0^{\circ}01'$ East, 223.8 feet along the West line of Lot 2 of Section 6, the REAL POINT OF BEGINNING; thence continuing South along the West line of Lot 2, a distance of 1,102.0 feet; thence North $89^{\circ}58'$ East along the South line of Lots 1 and 2, a distance of 1,825 feet; thence North $58^{\circ}54'$ West, 2,132.0 feet to the POINT OF BEGINNING.

(continued)

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

ALSO EXCEPTING THEREFROM out of Parcels XV, XVI AND XVII:

This right-of-way is 50 feet in width and lies in portions of the Southwest quarter and the Northwest quarter of Section 5 and of the Northeast quarter of Section 6, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and lies in a portion of Sections 31 and 32, Township 2 North, Range 2 West, Boise Meridian, being 25 feet on each side of a centerline which centerline is more particularly described as follows:

Commencing at the center quarter corner of said Section 5; thence
South $1^{\circ}02'37''$ West along the North-South midsection line of said Section 5, a distance of 24.77 feet to the TRUE POINT OF BEGINNING for said centerline; thence
North $89^{\circ}03'52''$ West, a distance of 1,322.53 feet; thence
North $88^{\circ}50'36''$ West, a distance of 417.28 feet; thence
Northwesterly 180.22 feet, along the arc of a curve to the right having a central angle of $72^{\circ}21'21''$, a radius of 142.71 feet, and a long chord which bears North $52^{\circ}39'55''$ West, a distance of 168.48 feet; thence
North $16^{\circ}29'15''$ West, a distance of 178.68 feet; thence
Northwesterly 326.19 feet along the arc of a curve to the left having a central angle of $33^{\circ}14'55''$, a radius of 562.10 feet, and a long chord which bears North $33^{\circ}06'42''$ West, a distance of 321.63 feet; thence
North $49^{\circ}44'10''$ West, a distance of 313.08 feet; thence
North $47^{\circ}59'00''$ West, a distance of 195.12 feet; thence
Northwesterly 393.93 feet along the arc of a curve to the right having a central angle of $48^{\circ}46'24''$, a radius of 462.77 feet, and a long chord which bears North $23^{\circ}35'48''$ West, a distance of 382.15 feet; thence
North $0^{\circ}47'24''$ East, a distance of 343.54 feet; thence
North $0^{\circ}57'53''$ East, a distance of 747.16 feet; thence
North $1^{\circ}07'00''$ East, a distance of 466.63 feet; thence
North $1^{\circ}24'21''$ East, a distance of 773.87 feet; thence
North $1^{\circ}18'51''$ East, a distance of 462.01 feet; thence
North $1^{\circ}33'42''$ East, a distance of 571.05 feet to the termination point for said centerline, which point bears
South $0^{\circ}59'42''$ West, a distance of 731.46 feet from the quarter corner common to Sections 31 and 32, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

(continued)

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

PARCEL XVIII

Lot 3 in Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM in Section 31, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

Beginning at the Northwest corner of Government Lot 3, the REAL POINT OF BEGINNING; thence South 89°06'27" East along the North boundary of said Government Lot 3, a distance of 854.95 feet; thence South 5°00'00" West, a distance of 374.96 feet; thence South 12°55'25" West, a distance of 149.02 feet; thence North 82°33'12" West, a distance of 252.41 feet; thence North 77°29'53" West, a distance of 202.42 feet; thence North 73°09'27" West, a distance of 361.75 feet to a point on the West boundary of said Government Lot 3; thence North 0°51'53" East along the said West boundary, a distance of 350.79 feet to the REAL POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM a right-of-way as disclosed by instrument recorded August 16, 1966 as Instrument No. 585024, of Official Records.

SCHEDULE B

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

GENERAL (STANDARD) EXCEPTIONS

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession, or claiming to be in possession, thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey of the land would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, imposed by the law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.
6. Taxes or assessments which are not now payable or 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; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.

SPECIAL EXCEPTIONS:

8. General taxes for the year 2006, which are a lien, payable on or before December 20 of said year and not delinquent until after said date.

(continued)

SCHEDULE B (continued)

EXCEPTIONS (continued)

9. Liens and assessments of the BOISE KUNA IRRIGATION DISTRICT, and the rights, powers, and easements of said district as by law provided. All assessments are paid current.
10. Rights of way for ditches, tunnels, telephone and transmission lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code 1947.
11. Ditch, road and public utility easements as same may exist over said premises.
12. Rights and claims in and to that portion of said premises lying within the Mora Canal right of way.
13. Rights and claims in and to that portion of said premises lying within the Lynnwood Road right of way.
14. Rights and claims in and to that portion of said premises lying within the Rim Road right of way.
15. Rights and claims in and to that portion of said premises lying within the Dearborne Road right of way.
16. Rights and claims in and to that portion of said premises lying within the Bowmont Road right of way.
17. Rights and claims in and to that portion of said premises lying within the Richardson Lane right of way.
18. Rights and claims in and to that portion of said premises lying within the Dry Lake Road right of way.
19. Rights and claims in and to that portion of said premises lying within the Farm Road right of way.
20. Rights and claims in and to that portion of said premises lying within the Morrow Canal right of way.
21. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded May 24, 1941, as Instrument No. 261666, of Official Records.
(AFFECTS SOUTHEAST OF THE NORTHEAST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
22. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded July 5, 1957, as Instrument No. 445788, of Official Records.
(AFFECTS SOUTH HALF OF THE SOUTHEAST OF THE NORTHEAST, SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)

(continued)

SCHEDULE B (continued)

EXCEPTIONS (continued)

23. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded July 5, 1957, as Instrument No. 445792, of Official Records.
(AFFECTS SOUTHEAST OF THE SOUTHWEST OF THE SOUTHEAST, SECTION 31, TOWNSHIP 2 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
24. Mineral Deed recorded March 31, 1952 as Instrument No. 387230, by and between EDWIN P. TIEGS AND ELIZABETH TIEGS, husband and wife and WARREN SHEAR, as to an undivided 1/2 interest.
(AFFECTS LOTS 1 AND 2 AND SOUTH HALF OF THE NORTHEAST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
25. Mineral Deed recorded May 13, 1952 as Instrument No. 389040, by and between WARREN SHEAR AND C.R. BENNETT, as to an undivided 3/8 interest.

Statement of Claim and Notice of Intent to Preserve recorded October 4, 1984, as Instrument No. 8423883, of Official Records.
(AFFECTS LOTS 1 AND 2 AND THE SOUTH HALF OF THE NORTHEAST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
26. Mineral Deed recorded April 9, 1955 as Instrument No. 420949, by and between WARREN SHEAR AND MILES JACKSON, as to an undivided 1/8 interest.
(AFFECTS LOTS 1 AND 2 AND THE SOUTH HALF OF THE NORTHEAST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
27. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded July 5, 1957, as Instrument No. 445781, of Official Records.
(AFFECTS SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
28. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded July 5, 1957, as Instrument No. 445785, of Official Records.
(AFFECTS NORTH HALF OF THE SOUTHWEST OF THE NORTHWEST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
29. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded July 5, 1957, as Instrument No. 445786, of Official Records.
(AFFECTS NORTH HALF OF THE NORTHWEST OF THE SOUTHWEST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
30. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded July 5, 1957, as Instrument No. 445787, of Official Records.
(AFFECTS SOUTH HALF OF THE SOUTHWEST OF THE NORTHEAST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
31. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded July 21, 1958, as Instrument No. 459257, of Official Records.
(AFFECTS SOUTHEAST OF THE NORTHWEST AND SOUTH 30 ACRES OF NORTHWEST OF THE NORTHWEST, SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)

(continued)

SCHEDULE B (continued)

EXCEPTIONS (continued)

32. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded July 21, 1958, as Instrument No. 459258, of Official Records.
(AFFECTS NORTHWEST OF THE SOUTHWEST OF THE NORTHEAST, SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
33. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded July 21, 1958, as Instrument No. 459260, of Official Records.
(AFFECTS SOUTH HALF OF THE NORTHEAST OF THE NORTHWEST, SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
34. Reserving unto the Grantor HELEN RODRIGUEZ, a widow one-half of all minerals of any nature as disclosed by Warranty Deed recorded May 26, 1959, as Instrument No. 472821, of Official Records.
(AFFECTS SOUTHEAST, SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
35. Right of way by and between LEONARD A. TIEGS AND FERN HAZEL TIEGS, husband and wife and LOUIS M. HOPKINS, a widower in favor of CLARE R. DAVENPORT AND ELAINE DAVENPORT, husband and wife, as disclosed by instrument recorded November 24, 1959 as Instrument No. 479620, of Official Records.
(AFFECTS SOUTH 10 FEET OF NORTHWEST AND NORTH 10 FEET OF NORTH HALF OF SOUTHWEST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
36. Right of Way by and between LOUIS M. HOPKINS and LUCILLE A. HOPKINS, husband and wife, in favor of CLARE R. DAVENPORT and ELAINE DAVENPORT, husband and wife, as disclosed by instrument recorded December 18, 1959, as Instrument No. 480785, of Official Records.
(AFFECTS WEST 20 FEET OF THE NORTHWEST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
37. Right of Way by and between LOUIS M. HOPKINS and LUCILLE A. HOPKINS, husband and wife, in favor of CLARE R. DAVENPORT and ELAYNE E. DAVENPORT, husband and wife, as disclosed by instrument recorded March 18, 1960, as Instrument No. 484904, of Official Records.
(AFFECTS 20 FOOT SQUARE AREA LYING IN THE SOUTHWEST CORNER OF NORTHWEST, NORTHWEST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
38. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded May 5, 1960, as Instrument No. 487190, of Official Records.
(AFFECTS NORTH HALF OF THE SOUTHEAST OF THE SOUTHEAST, SECTION 31, TOWNSHIP 2 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
39. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded September 29, 1961, as Instrument No. 507254, of Official Records.
(AFFECTS SOUTH HALF OF THE SOUTHEAST OF THE NORTHEAST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)

(continued)

SCHEDULE B (continued)

EXCEPTIONS (continued)

40. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded March 27, 1962, as Instrument No. 515051, of Official Records.
(AFFECTS NORTH HALF OF THE SOUTHEAST OF THE NORTHEAST, SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
41. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded March 21, 1963, as Instrument No. 530617, of Official Records.
(AFFECTS SOUTHEAST OF THE SOUTHWEST AND NORTH HALF OF THE SOUTHWEST OF THE SOUTHWEST, SECTION 31, TOWNSHIP 2 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
42. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded March 21, 1963, as Instrument No. 530618, of Official Records.
(AFFECTS NORTHWEST OF THE SOUTHWEST OF THE SOUTHEAST, SECTION 31, TOWNSHIP 2 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
43. Right-of-way granted to ELMER H. TIEGS permitted use by UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT for irrigation ditch and well as disclosed by document recorded April 19, 1963, as Instrument No. 532102, of Official Records.
(AFFECTS NORTHWEST OF THE SOUTHWEST, SECTION 31, TOWNSHIP 2 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
44. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded August 8, 1963, as Instrument No. 537412, of Official Records.
(AFFECTS NORTH 330 FEET OF LOT 4, SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
45. Right, Title and Interest of LIVINGSTON OIL COMPANY, a corporation, as to minerals as disclosed by Conveyance of Oil, Gas and Other Interests recorded January 14, 1964 as Instrument No. 550084, of Official Records.
46. Rental Division Order by and between TIEGS FARMS, INC. and CHAMPLIN PETROLEUM COMPANY recorded October 25, 1979, as Instrument No. 876831, of Official Records.
(AFFECTS SOUTHEAST, PORTION OF LOT 4 AND SOUTHEAST, SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
47. Rental Division Order by and between LEONARD A. AND FERN H. TIEGS, husband and wife and CHAMPLIN PETROLEUM COMPANY recorded November 26, 1979, as Instrument No. 879333, of Official Records.
(AFFECTS SOUTH HALF OF THE NORTHEAST, PORTION OF LOTS 1 AND 2 IN SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN AND NORTHEAST LYING SOUTH AND WEST OF MORA CANAL, WEST HALF OF THE SOUTHEAST, PORTION OF SOUTH HALF OF THE NORTHWEST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)

(continued)

SCHEDULE B (continued)

EXCEPTIONS (continued)

48. Terms, conditions, provisions and obligations set forth in that certain Easement Agreement for road purposes between CLARE R. DAVENPORT AND ELAYNE E. DAVENPORT, husband and wife and RICHARD KILZER AND JEAN NEHRING KILZER, husband and wife, recorded June 17, 1966, as Instrument No. 583096, of Official Records.
(AFFECTS 12 FEET IN WIDTH ALONG THE ENTIRE NORTH LINE OF THE SOUTHWEST OF THE SOUTHWEST, SECTION 32, TOWNSHIP 2 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
49. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded October 27, 1966, as Instrument No. 587290, of Official Records.
(AFFECTS WEST HALF OF THE NORTHEAST OF THE SOUTHWEST, SECTION 31, TOWNSHIP 2 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
50. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded October 27, 1966, as Instrument No. 587292, of Official Records.
(AFFECTS WEST HALF OF THE SOUTHWEST OF THE NORTHEAST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
51. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded January 12, 1970, as Instrument No. 637545, of Official Records.
(AFFECTS SOUTHWEST, NORTHEAST, SOUTHWEST, SECTION 31, TOWNSHIP 2 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
52. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded January 12, 1970, as Instrument No. 637546, of Official Records.
(AFFECTS NORTHWEST, SOUTHWEST, SECTION 31, TOWNSHIP 2 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
53. Easement as granted to THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, by instrument recorded January 21, 1982, as Instrument No. 938294, of Official Records; for operation, maintenance and repair of its lines.
(AFFECTS NORTH 10 FEET OF SOUTHWEST OF THE SOUTHWEST, SECTION 32, TOWNSHIP 2 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
54. A public right-of-way easement for the construction and maintenance of a public road and incidental purposes in favor of NAMPA HIGHWAY DISTRICT NO. 1, recorded December 3, 1985, as Instrument No. 8528506, of Official Records.
Acceptance of Public Right-of-Way Easement recorded December 3, 1985, as Instrument No. 8528507, of Official Records.
(AFFECTS SOUTHEAST OF THE SOUTHEAST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
55. An easement for irrigation pipeline and incidental purposes in favor of TIEGS FARMS, INC., recorded March 21, 1989, as Instrument No. 8904940, of Official Records.
(AFFECTS GOVERNMENT LOTS 3 AND 4 OF TOWNSHIP 2 NORTH, RANGE 2 WEST, BOISE MERIDIAN AND GOVERNMENT LOT 4 OF TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)

(continued)

SCHEDULE B (continued)

EXCEPTIONS (continued)

56. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded February 21, 1991, as Instrument No. 9103288, of Official Records.
(AFFECTS NORTHWEST OF THE NORTHWEST, SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
57. Terms, conditions, provisions and obligations set forth in that certain Easement Agreement between DRY LAKE L.L.C. and TIEGS FARMS, INC., an Idaho corporation, recorded February 19, 1999, as Instrument No. 9906327, of Official Records.
(AFFECTS NORTH HALF OF THE SOUTHWEST AND SOUTH HALF OF THE SOUTHWEST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
58. General Conveyance executed by AMAX OIL & GAS INC., a Delaware corporation to UNIVERSAL RESOURCES CORPORATION, a Texas corporation, recorded April 26, 1994, as Instrument No. 9412255, of Official Records.
(AFFECTS LOTS 1, 2, SOUTH HALF OF THE NORTHEAST, SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN)
59. Matters as disclosed by Record of Survey, recorded February 21, 2006 as Instrument No. 200611930, of Official Records.
60. Matters as disclosed by Record of Survey, recorded November 16, 2005 as Instrument No. 200576308, of Official Records.
61. A mortgage to secure payment of a note for \$3,369,793.00, and any other amounts as therein provided,
Recorded: June 2, 2006 as Instrument No. 200643042, of Official Records
Dated: June 1, 2006
Mortgagor: DBSI TIGER 979 LLC, an Idaho Limited Liability Company
Mortgagee: KASTERA LLC, an Idaho Limited Liability Company
62. A mortgage to secure payment of a note for \$5,400,000.00, and any other amounts as therein provided,
Recorded: June 2, 2006 as Instrument No. 200643043, of Official Records
Dated: June 1, 2006
Mortgagor: DBSI TIGER 979 LLC, an Idaho Limited Liability Company
Mortgagee: DOUGLAS L. SWENSON

NOTE: Right of access to and from land, if any, is not established of record and assurance of such right of access is excluded from coverage of this policy.
(AFFECTS PARCEL NO. R29902-010--0)

Revised

Form B 1191-53B

LOAN POLICY OF TITLE INSURANCE

American Land Title Association (10/17/92)

Issued by
**Transnation Title
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