

DC 3/2000
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**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

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APR 21 2000

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

Department of Water Resources
Eastern Region

1. Water Right No(s): 29-02301, 29-02255e, 29-02284, 29-11342
 Adjudication Claim No(s): A29-02301, A29-02255e, A29-02284, A29-11342 ✓

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** showing the location of the place of use of the water right(s) or claim(s).
 (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim 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 FMC Corporation
1735 Market St., Philadelphia, PA 19103
4. New Owner/Claimant(s) Astaris Idaho LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 10300 Olive Blvd.
 City, State and ZIP Code St. Louis, MO 63166
 New Telephone Number (208) 236-8658 Rob Hartman
5. Date you acquired the property 4-12-00

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. 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. See attached profiles.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) ASTARIS IDAHO LLC, a Delaware limited liability company
 or Claimant(s)

BY: [Signature]

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.

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Eastern Region

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Power and Bannock Counties - Pocatello Plant 117-1

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, **FMC Corporation**, a Delaware corporation, the Grantor, does hereby grant, bargain, sell and convey unto **Astaris Idaho LLC**, a Delaware limited liability company, the Grantee, whose address is 10300 Olive Boulevard, St. Louis, MO 63166, the following described real property, to-wit:

The property described in Exhibit A attached hereto and, by this reference, incorporated herein as if set forth in full, which property is located part in Power County and part in Bannock County, State of Idaho

TOGETHER WITH all of Grantor's right, title and interest in and to mineral and oil and gas rights thereon and thereunder,

TOGETHER WITH all water rights appurtenant thereto, including but not limited to water right numbers 29-02301, 29-02255e, 29-02284, 29-11342, Grantor's interest in the Fort Hall Irrigation Project (U.S. Department of Interior-Bureau of Indian Affairs Serial No. 7093.0002) and the Palisades Water Storage Project (Contr. No. 14-06-100-1836, U.S. Department of Interior-Bureau of Reclamation, Palisades Water Users, Inc. A01-10214), and excluding water rights covered by that certain Water Rights Quitclaim Deed recorded as Instrument No. 164923, Power County, Idaho

TOGETHER WITH i) all other and singular tenements, hereditaments, appurtenances and improvements thereon or thereunto belonging, ii) all reversionary, underlying or other right, title and interest of Grantor in and to the rights-of-way of all public roads, streets, or ways, and of all railroads or easements, abutting upon said premises or any part thereof, and iii) all right, title and interest of Grantor in and to any and all lands lying beneath, or constituting the bed of any waterway or body of water, abutting upon said premises or any part thereof.

SUBJECT TO:

(i) existing building and zoning regulations, easements, rights-of-way, subdivision and deed restrictions and reservations, and all other matters of record similar to the foregoing;

(ii) matters which a survey or inspection of the premises would reveal;

(iii) the lien for local real property taxes for the current year which are not yet due and payable;

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(iv) rights of the State of Idaho in and to that portion of said premises, if any, lying in the bed or former bed of the Portneuf River, if it is navigable; any question of location, boundary or area related to the Portneuf River, including but not limited to, any past or future change in it; any difference in the mean high water line of the Portneuf River and the meander line as shown by government survey; right, title and interest of the public in and to those portions of the premises falling within the bounds of roads or highways, all parcels; and

(v) unpatented mining claims and reservations or exceptions in patents or in Acts authorizing the issuance thereof.

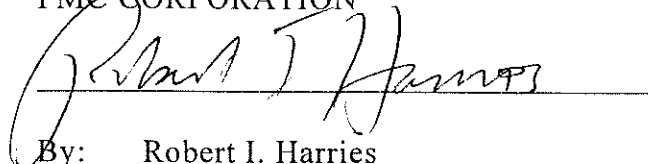
TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto Grantee and its successors and assigns forever.

Grantor does hereby covenant that it and its successors shall and will WARRANT and DEFEND the title to said premises unto Grantee and its successors and assigns forever against the lawful claims of all persons claiming by, through or under Grantor but none other, excepting, however, the matters above set forth.

NOTICE: Portions of the premises conveyed by this instrument are subject to a Consent Decree dated October 16, 1998 with the United States of America, U.S. Environmental Protection Agency, in the matter *United States of America v. FMC Corporation*, CIV98-0406-E-BLW, United States District Court for the District of Idaho. The Consent Decree provides that the owner and subsequent owners of the premises are required to comply with relevant portions of the Consent Decree and to allow access to the premises for purposes set forth in the Consent Decree.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand effective as of the 12th day of April, 2000.

FMC CORPORATION



By: Robert I. Harries

Title: Vice President

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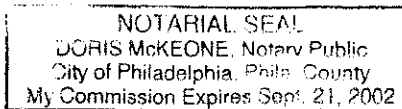
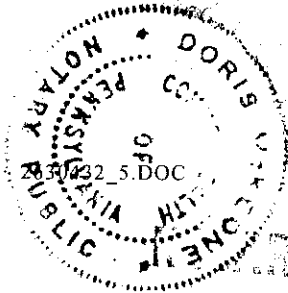
STATE OF PENNSYLVANIA)
)
 : ss.
County of Philadelphia)

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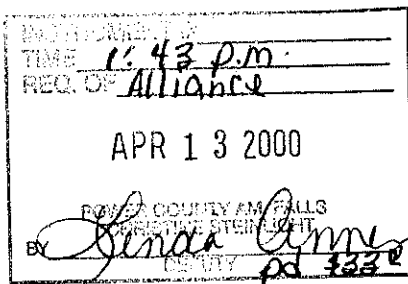
On this 11th day of April, 2000 before me, Doris McKeone, a notary public in and for said State, personally appeared Robert I. Harries, known or identified to me to be the Vice President of FMC CORPORATION, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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.

Doris McKeone
Notary Public
Residing at: _____
My Commission Expires: _____



174944



NO 20005743
RECORDED AT REQUEST OF
ALLIANCE TITLE & ESCROW
2000 APR 13 PM 12 02
OFFICIAL RECORD BOOK NO 267
BANNOCK COUNTY IDAHO
LARRY W. CHAN RECORDER
FEE 33⁰⁰ DEPUTY #

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Eastern Region

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EXHIBIT "A"

PARCEL 1

A parcel of land located in the SE ¼ of the SW ¼ of section 6, T6S, R34E, B.M., Bannock County, Idaho, shown as Parcel A on Record of Survey plat instrument #96010035 (sheet 1 of 2) recorded in the Bannock County Recorder's office, and being more particularly described as follows:

Commencing at the North ¼ corner of section 7, T6S, R34E, said corner being marked by a found 1922 US Reclamation Service brass cap monument;

Thence N 89°58'04" E along the line common to sections 6 and 7, 561.70 feet to a point on the Northeasterly deed line of instrument #391868, said point being marked by a found stone monument with an "x" on top and a 5/8 inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440" alongside;

Thence N 47°43'08" W along the Northeasterly deed line of said instrument #391868, 1429.15 feet to a ½-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440", said rebar marking the true point of beginning;

Thence S 42°16'35" W, 349.22 feet to a point on the Northeasterly bank of the Portneuf River, said point being marked by a ½-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence Northwestward along the Northeasterly bank of the Portneuf River the following six courses and distances:

N 22°36'25" W, 124.76 feet; N 41°08'13" W, 94.45 feet; N 49°30'08" W, 197.72 feet;

N 65°23'53" W, 181.96 feet; N 16°20'19" W, 90.15 feet; N 1°27'59" W, 203.42 feet to a point on the South 1/16 line of section 6, said point being marked by a ½-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence N 87°44'25" E along said South 1/16 line, 218.00 feet to a point on the Northeasterly deed line of instrument #391868, said point being marked by a found 1922 US Reclamation Service brass cap monument;

Thence S 47°43'25" E along the Northeasterly deed line of instrument #391868, 640.00 feet, more or less, to the true point of beginning.

Said parcel containing 5.07 acres, more or less.

PARCEL 2

A parcel of land located in the S ½ of section 6, and in the N ½ of the NE ¼ of section 7, T6S, R34E, B.M., Bannock County, Idaho, more particularly described as follows:

Beginning at the Northwest corner of Tract 4, instrument #36893, recorded in the Bannock County Recorder's office, said corner being a pink quartzite stone marked with an "x" on top and being referenced with a 5/8-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440" set over the "x";

Thence N 47°43'25" W along the Southwesterly deed lines of Tract 3 and Tract 1 of said instrument #36893, 1268.75 feet to the Southeasterly deed corner of instrument #652968, said corner being marked by a 5/8-inch diameter rebar with a yellow plastic cap stamped "JUB ENG";

Thence N 42°14'40" E along the Easterly deed line of said instrument #652968, 234.01 feet to a found 5/8-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence continuing N 30°57'31" W along the Easterly deed line of said instrument #652968, 1461.56 feet to a point on the Northerly deed line of instrument #286160, said point being marked by a found 5/8-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";

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Thence S 63°34'35" E along the Northerly deed line of said instrument #286160, 848.81 feet to deed corner No. 1, instrument #60430, said corner being a found basalt stone in place marked with a "+" on the Westerly face and being referenced by a found 5/8-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence S 78°47'34" E along the Northerly deed line of said instrument #60430, 1146.11 feet to deed corner No. 4, instrument #60430, said corner being a found rounded basalt stone in place marked with a "+" on top and being referenced by a found 5/8-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence S 66°58'29" E along the Northerly deed line of said instrument #60430, 835.18 feet to deed corner No. 3, instrument #60430, said corner being on the North deed line of instrument #286160, and said corner being a found oval basalt stone in place marked with a "+" on top and being referenced by a found 5/8-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence S 87°55'05" E along the North deed line of instrument #286160 and along the South 1/16 line of section 6, 859.18 feet to the South 1/16 corner on the East line of section 6, said corner being marked by a 5/8-inch diameter rebar with a yellow plastic cap stamped "LS 942";

Thence S 0°01'17" E along the East line of section 6 and along the East deed lines of instrument #286160 and 476524, 1320.58 feet to the Southeast corner of section 6, said corner being marked by a 5/8-inch diameter rebar with an aluminum cap stamped "Richard Green, LS 942";

Thence S 0°56'52" E along the East line of section 7 and along the East deed line of instrument #476524, 1446.90 feet to the Southeast deed corner of instrument #476524, said corner being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "AE ENG, PE/LS 4440";

Thence N 89°32'13" W along the South deed line of instrument #476524, 417.57 feet to a found stone with an "x" on top, said stone being referenced by a found 5/8-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence N 47°42'18" W along the Westerly deed line of said instrument #476524, 2143.09 feet to the true point of beginning.

Said parcel containing 141.2 acres, more or less.

PARCEL 3

A parcel of land located in the SW ¼ of the NE ¼, and in the SE ¼ of the NW ¼, and in US Government Lots 5 and 8, all in section 7, T6S, R34E, B.M., Power County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of the SE ¼ NW ¼ of said section 7, said corner being marked by a found 5/8-inch diameter rebar with a 2-inch diameter aluminum cap stamped "PE/LS 4440";

Thence S 0°02'23" E along the meridional centerline of section 7, and along the West deed line of Parcel B, described in instrument #166781, 350.01 feet to the Southwest deed corner of said Parcel B, said point being marked by a found ½-inch rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence S 89°32'13" E parallel with the North 1/16 line of section 7, and along the South deed line of Parcel B, 674.35 feet to the Northeast deed corner of Parcel C, described in instrument #166780, said point being marked by a found ½-inch rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence S 24°32'00" E along the Easterly deed line of said Parcel C, 81.90 feet to the Southwest deed corner of Parcel D, described in instrument #166781, said corner being marked by a found ½-inch rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence S 71°43'51" E along the Southerly deed line of said instrument #166781, 113.39 feet to the Southeast deed corner of said Parcel D, said corner being marked by a found ½-inch rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence N 21°03'32" E along the Easterly deed line of said Parcel D, and along the Westerly bank of the Portneuf River, 62.92 feet to a point on the South deed line of instrument #164682, said point being the Northeast deed corner of said Parcel D, and said point being marked by a found ½-inch rebar with a yellow plastic cap stamped "PE/LS 4440";

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Department of Water Resources
Eastern Region

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(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

05/31/94 07:37:06
Page 1

Water Right Number - A29-11342

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 24451

*** C - CURRENT OWNER ***
FMC CORPORATION

1 - ATTN: ENERGY MANAGER
2 - PO BOX 411
3 -
City- POCATELLO
Phone - 208-236-8686

State- ID Zip- 83205

Department of Water Resources
Eastern District Office

*** O - ORIGINAL OWNER ***
CITY OF POCATELLO

1 - P.O. BOX 4169
2 -
3 -
City- POCATELLO
Phone - 208-000-0000

State- ID Zip- 83205

Priority Date - - +
07/24/1952

Region - - +
15 EASTERN

Stage - - +
J - BENEFICIAL USE

Status - - +

Source - - - +
GROUNDWATER

Tributary - - - +

Twn Rng Sec Tract Lot Rflg County Point of Diversion

Diversion Name

06S 33E 12 NE SE (5) BANNOCK

Code Description Period From Period To Water Use Diversion Rate Diversion Volume

40 - MUNICIPAL

01/01

12/31

1.100

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KW Usage - +
1.100 0.0

Twn Rng Sec Tract Lot Acres Code Description County

+ - Diversion Means - 1 WELL (#11), PUMPS, PIPES

+ - Non-Irrigation Use - M/CITY OF POCATELLO

+ - Other Rights for Same Use - SEE ATTACHMENT

Remarks - - - - -
P/U WITHIN CITY OF POCATELLO & VICINITY, LOCATED IN BANNOCK AND
POWER COUNTIES.

THIS WELL IS BEING CLAIMED BASED ON BENEFICIAL USE ALTHOUGH
IT IS DESCRIBED IN LICENSE 24451.

THE LICENSE ERRONEOUSLY IDENTIFIES THE PRIORITY DATE.
SEE ATTACHMENT FOR ADDITIONAL REMARKS.

REMOVED JO BEEMAN AS ATTORNEY FOR FMC AFTER CITY OF POCATELLO/FMC
OWNERSHIP CHANGE COMPLETED IN 1992. 05/27/1994 SAS.

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JUN 2 1994

NOV 14 1993

Prefix Translation: ADJUDICATION CLAIM

+ - Decree Date - +
00/00/0000

- - -Comments - -
No Comments Found

Adjudication Rights Dates and Flags Area									
Court Report Filing	00/00/0000	Field Inspection Made	00/00/0000	Civil Case Number	39576				
Objection Filed Date	00/00/0000	Field Inspection Flag	-	Old Case Number	-				
Response Filed Date	00/00/0000	Verified Date	00/00/0000	Old Judicial District	-				
Claim Received Date	04/20/1990	Last Amended Date	00/00/0000	Temporary Right	P				
Proof Due Date	00/00/0000	Proof Made Date	00/00/0000	Water District	-				
Licensed Date	00/00/0000	Receipt Number	C076458	Federal/State Indicator	S				
Claims Tape Error Flag	-	POU Ownership Flag	N	Presumption Flag	-				
Fee Exempt Flag	-	Name Connector	-	Notice of Error Flag	-				

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Thence S 89°32'13" E along the South deed line of said instrument #164682, 82.69 feet to a point on the Easterly Bank of the Portneuf River, said point being on the Easterly deed line of instrument #164922, said point being marked by a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence Southeasterly along the Easterly bank of the Portneuf River the following six courses and distances:

S 3°37'20" W, 359.02 feet; S 6°00'46" E, 120.27 feet; S 21°19'31" E, 48.04 feet;

S 57°01'20" E, 218.85 feet; S 44°19'16" E, 129.23 feet; S 7°50'22" E, 45.66 feet to a point on the

Northerly line of the frontage road known as Batiste Lane, said point being marked by a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence Westerly along said Northerly line of Batiste Lane the following eight courses and distances:

S 86°45'14" W, 585.53 feet to a found State of Idaho right-of-way monument;

Thence N 83°08'56" W, 150.65 feet to a found State of Idaho right-of-way monument;

Thence S 89°18'25" W, 376.93 feet to a point of tangency with a 1372.40 foot radius curve, said point being marked by a found State of Idaho right-of-way monument;

Thence Northwesterly along a curve to the right, said curve having a central angle of 23°42'44", a radius of 1372.40 feet and a chord bearing of N 78°50'13" W, for an arc length of 567.97 feet to a point of non-tangency, said point being marked by a found State of Idaho right-of-way monument;

Thence N 73°14'35" W, 181.45 feet to a found State of Idaho right-of-way monument;

Thence N 66°58'13" W, 444.69 feet to a point of tangency with a 326.48 foot radius curve, said point being marked by a found State of Idaho right-of-way monument;

Thence Westerly along a curve to the left, said curve having a central angle of 53°41'54", a radius of 326.48 feet and a chord bearing of S 86°10'50" W, for an arc length of 305.98 feet to a point of non-tangency, said point being marked by a found State of Idaho right-of-way monument;

Thence S 59°19'48" W, 16.83 feet to a point on the Easterly line of Tank Farm Road, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence Northerly along said Easterly line of Tank Farm Road the following four courses and distances:

N 30°40'10" W, 9.42 feet to a point of tangency with a 656.20 foot radius curve, said point being marked by a found State of Idaho right-of-way monument;

Thence Northwesterly along a curve to the right, said curve having a central angle of 31°17'50", a radius of 656.20 feet and a chord bearing of N 15°01'15" W, for an arc length of 358.44 feet to a point of non-tangency, said point being marked by a found State of Idaho right-of-way monument;

Thence N 0°38'07" E, 159.48 feet to a found State of Idaho right-of-way monument;

Thence N 1°48'24" W, 354.04 feet to a point on the Southerly line of Tank Farm Road, said point being marked by a found State of Idaho right-of-way monument;

Thence N 89°26'17" W, 88.72 feet to a point on the Westerly line of Tank Farm Road, said point being marked by a found State of Idaho right-of-way monument;

Thence Southerly along said Westerly line of Tank Farm Road the following five courses and distances:

S 2°55'58" W, 403.93 feet to a found State of Idaho right-of-way monument;

Thence S 0°26'27" E, 109.48 feet to a point of non-tangency with a 776.20 foot radius curve, said point being marked by a found State of Idaho right-of-way monument;

Thence Southeasterly along a curve to the left, said curve having a central angle of 31°15'29", a radius of 776.20 feet and a chord bearing of S 14°45'20" E, for an arc length of 423.46 feet to a point of non-tangency, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence S 30°40'42" E, 203.18 feet to a found State of Idaho right-of-way monument;

Thence S 0°17'17" E, 66.23 feet to a point on the North line of Interstate 86 (I-86), said point being marked by a found State of Idaho right-of-way monument;

Thence Westerly along said North line of I-86, the following three courses and distances:

S 77°10'00" W, 664.78 feet to a found State of Idaho right-of-way monument;

Thence S 89°19'20" W, 312.56 feet to a point of tangency with a 11,609.10 foot radius curve, said point being marked by a found State of Idaho right-of-way monument;

Thence Westerly along a curve to the left, said curve having a central angle of 2°27'18", a radius of 11,609.10 feet and a chord bearing of S 88°05'41" W, for an arc length of 497.42 feet to a point of non-tangency, said point being on the West line of section 7, and said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

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Thence N 0°16'19" E along the West line of said section 7, 60.89 feet to the West ¼ corner of section 7, said corner being marked by a found 1-inch diameter pipe buried 2.5 feet deep with no markings;

Thence continuing N 0°14'06" E along the West line of said section 7, 1327.23 feet to the North 1/16 corner on the West line of section 7, said corner being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence S 89°26'59" E along the North 1/16 line of section 7, 2803.14 feet to the true point of beginning.

Said parcel containing 92.3 acres, more or less.

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PARCEL 4

A parcel of land located in the NE ¼ of the SW ¼ of section 7, T6S, R34E, B.M., Power County, Idaho, more particularly described as follows:

Commencing at the center ¼ corner of said section 7, said corner being marked by a found 5/8-inch diameter rebar with a 2-inch aluminum cap stamped "PE/LS 4440";
Thence S 0°00'15" W along the meridional centerline of section 7, 365.08 feet to a point on the South line of Interstate 86 (I-86),
Thence S 89°18'24" W along the South line of I-86, 670.37 feet to a found State of Idaho right-of-way monument, said monument marking the true point of beginning;
Thence N 89°18'24" E along the South line of I-86, 547.28 feet to a point on the Southeasterly deed line of instrument #69480, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";
Thence S 47°54'30" W along the Southeasterly deed line of instrument #69480, 410.09 feet to a point of non-tangency with a 7425.91 foot radius curve, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";
Thence Westerly along a curve to the left, said curve having a central angle of 1°26'12", a radius of 7425.91 feet and a chord bearing of N 86°19'06" W, for an arc length of 186.19 feet to a point of non-tangency with a 497.96 foot radius curve on the Easterly line of U.S. Highway 30 North, said point being marked by set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";
Thence Northwestery along a curve to the right, said curve having a central angle of 32°53'30", a radius of 497.96 feet and a chord bearing of N 47°07'02" W, for an arc length of 285.86 feet to a point of non-tangency on the South line of I-86, said point being marked by a found State of Idaho right-of-way monument;
Thence N 66°40'39" E, 162.78 feet to the true point of beginning.
Said parcel containing 2.81 acres, more or less.

PARCEL 5

A parcel of land located in the NW ¼ of the NW ¼ of section 13, and in the S ½ of section 12, T6S, R33E, B.M., and in the NE ¼ of the SW ¼ and Lot 8 of section 7, T6S, R34E, B.M., all in Power County, Idaho, said parcel being more particularly described as follows:

Beginning at the Northwest corner of said section 13; said corner being referenced by found BIA aluminum monuments Northeast and Southwest of the corner;
Thence N 0°07'17" E along the West line of said section 13, 621.11 feet to a point on the Southerly line of Interstate 86 (I-86);
Thence N 68°11'16" E along the Southerly line of I-86, 1889.90 feet to a point of tangency with a 11,309.10 foot radius curve, said point being marked by a found State of Idaho right-of-way monument;
Thence continuing Easterly along said Southerly line of I-86 the following six courses and distances:
Northeasterly along a curve to the right, said curve having a central angle of 21°08'58", a radius of 11,309.10 feet and a chord bearing of N 78°45'45" E, for an arc length of 4174.49 feet to a point of non-tangency, said point being marked by a found State of Idaho right-of-way monument;
Thence S 80°35'46" E, 517.65 feet to a found State of Idaho right-of-way monument;
Thence S 71°39'15" E, 301.96 feet to a point of non-tangency with a 679.41 foot radius curve, said point being marked by a found State of Idaho right-of-way monument;
Thence Easterly along a curve to the left, said curve having a central angle of 29°14'16", a radius of 679.41 feet and a chord bearing of S 86°17'19" E, for an arc length of 346.70 feet to a point of non-tangency with a 298.10 foot radius reverse curve, said point being marked by a found State of Idaho right-of-way monument;

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Thence Easterly along a curve to the right, said curve having a central angle of $56^{\circ}02'59''$, a radius of 298.10 feet and a chord bearing of $S 72^{\circ}39'03'' E$, for an arc length of 291.62 feet to a point of non-tangency on the Southerly deed line of instrument #69480, said point also being 100 feet North of the Northerly line of former U.S. Highway 30 North (US 30 N), and said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence Westerly along the Southerly deed line of instrument #69480, and along a line 100 feet North of the Northerly line of former US 30 N, along a curve to the left, said curve having a central angle of $15^{\circ}01'28''$, a radius of 5938.60 feet and a chord bearing of $S 84^{\circ}16'23'' W$, for an arc length of 1557.25 feet to a point of non-tangency on the Easterly deed line of instrument #90012584 (recorded in Bannock County), said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence $S 13^{\circ}14'21'' E$ on said Easterly deed line of instrument #90012584 and on a radial bearing to the previous curve, 100.00 feet to a point of non-tangency with a 5838.60 foot radius curve, said point being on the Northerly line of former US 30 N, and said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence Westerly along said Northerly line of former US 30 N, and along the Southerly deed lines of instrument #90012584 and #90012583 the following seven courses and distances:

Southwesterly along a curve to the left, said curve having a central angle of $3^{\circ}57'53''$, a radius of 5838.60 feet and a chord bearing of $S 74^{\circ}46'42'' W$, for an arc length of 404.00 feet to a point of non-tangency with the West line of section 7, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence $S 0^{\circ}16'19'' W$ along the West line of section 7, 33.56 feet to a point of non-tangency, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence Westerly along a curve to the left, said curve having a central angle of $0^{\circ}06'14''$, a radius of 5806.60 feet and a chord bearing of $S 72^{\circ}38'41'' W$, for an arc length of 10.51 feet to a point of tangency, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence $S 72^{\circ}35'35'' W$, 4167.23 feet to a found State of Idaho right-of-way monument with the top broken off;

Thence $S 0^{\circ}25'44'' W$, 8.40 feet to a found State of Idaho right-of-way monument with the top broken off;

Thence $S 72^{\circ}35'35'' W$, 1269.21 feet to an angle point, said angle point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence $S 72^{\circ}45'04'' W$, 130.69 feet to a point on the West line of section 7, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence $N 0^{\circ}04'57'' E$ along the West line of section 7, 221.66 feet to the true point of beginning.

Said parcel containing 124.9 acres, more or less.

PARCEL 6

A parcel of land located in the $S \frac{1}{2}$ of the $S \frac{1}{2}$ of section 12, and in the $NE \frac{1}{4}$, $SE \frac{1}{4}$, and $NW \frac{1}{4}$ of section 13, and in section 14, and in the $NE \frac{1}{4}$ of section 24, T6S, R33E, B.M., and in Lot 9 of section 7, and in Lots 1, 2, 3 and 4 of section 18, T6S, R34E, B.M., all in Power County, Idaho, said parcel being more particularly described as follows:

Beginning at the West $\frac{1}{4}$ of said section 13, said corner being marked by a found 1912 Indian Allotment brass cap monument;

Thence $S 0^{\circ}07'12'' W$ along the West line of said section 13, 617.22 feet to a found $\frac{1}{2}$ -inch diameter rebar with no markings, said rebar being the Northeast deed corner of instrument #96571;

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Thence Westerly along the Northerly deed line of said instrument #96571, the following six courses and distances:

S 43°31'41" W, 783.19 feet to a found ½-inch diameter rebar with no markings;

Thence S 85°32'37" W, 1376.05 feet to a found ½-inch diameter rebar with no markings;

Thence S 51°52'07" W, 1108.11 feet to a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence S 77°14'32" W, 868.72 feet to a found ½-inch diameter rebar with no markings;

Thence S 81°39'47" W, 691.47 feet to a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence N 72°31'23" W, 1018.82 feet to a point on the West line of section 14, said point being marked by a found ½-inch diameter rebar with no markings;

Thence N 0°08'12" E along the West line of section 14, 1969.22 feet to the West ¼ corner of said section 14, said corner being marked by a found 1912 Indian Allotment brass cap monument;

Thence continuing N 0°08'13" E along the West line of section 14, 442.12 feet to a point on the Southerly line of the Union Pacific Railroad right-of-way, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence Northeasterly along the Southerly line of the Union Pacific Railroad right-of-way, the following ten courses and distances:

N 72°35'24" E, 5538.33 feet to a point on the West line of section 13, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence N 0°04'57" E along said West line of section 13, 20.97 feet to a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence N 72°35'24" E, 2799.37 feet to a point on the meridional centerline of section 13, said point being marked by a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence N 0°02'28" E along said meridional centerline of section 13, 31.43 feet to a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence N 72°35'24" E, 2441.07 feet to a point of tangency with a 6832.35 foot radius curve, said point being marked by a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence Easterly along a curve to the right, said curve having a central angle of 2°48'05", a radius of 6832.35 feet and a chord bearing of N 73°59'26" E, for an arc length of 334.06 feet to a point of non-tangency on the East line of section 7, T6S, R34E, said point being marked by a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence S 0°16'19" W along said East line of section 7, 12.62 feet to a point on the North line of Lot 9, section 7, said point being marked by a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence S 89°32'35" E along the North line of said Lot 9, 49.82 feet to a point which is 75.00 feet Southeasterly, radial measurement, from the centerline of the Union Pacific Railroad West bound main line, said point being marked by a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence Easterly along a curve to the right, said curve having a central angle of 10°00'09", a radius of 6807.35 feet and a chord bearing of N 80°46'13" E, for an arc length of 1188.41 feet to a point of non-tangency on the East deed line of instrument #67447, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence S 72°39'19" W along the Easterly deed line of said instrument #67447, 24.22 feet to a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence S 0°16'19" W along the Easterly deed line of said instrument #67447, 1516.69 feet to the Southeast deed corner of instrument #67447, said corner being on the South line of section 7 and being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence N 89°32'22" W along the South deed line of said instrument #67447 and along the South line of said section 7, 449.42 feet to the Northeast deed corner of instrument #88431, said corner being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence S 0°19'16" W along the East deed line of said instrument #88431, 2640.51 feet to a found ½-inch diameter rebar with no markings;

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Thence continuing S 0°22'23" W along the East deed line of said instrument #88431, 2638.99 feet to a found ½-inch diameter rebar with no markings;

Thence N 87°58'45" W along the South deed line of said instrument #88431, 732.09 feet to the Southwest corner of section 18, T6S, R34E, said corner being marked by a found 1978 BLM brass cap monument;

Thence S 0°08'43" W along the line between sections 19 and 24, 2535.05 feet to the East ¼ corner of section 24, T6S, R33E, said corner being marked by a found 1978 BLM brass cap monument;

Thence N 89°35'00" W along the latitudinal centerline of said section 24, 2691.27 feet to the Center ¼ corner of said section 24, said corner being marked by a found 1912 Indian Allotment brass cap;

Thence N 0°23'13" E along the meridional centerline of said section 24, 2619.70 feet to the South ¼ corner of section 13, said corner being marked by a found 1912 Indian Allotment brass cap;

Thence N 0°39'44" E along the meridional centerline of section 13, 2625.71 feet to the Center ¼ corner of said section 13, said corner being marked by a found 1912 Indian Allotment brass cap;

Thence N 88°57'33" W along the latitudinal centerline of said section 13, 2653.28 feet to the true point of beginning. Said parcel containing 1173.4 acres, more or less (after accounting for exceptions listed below).

Excepting therefrom two parcels of land more particularly described as follows:

Exception #1

Two parcels of land previously deeded to Idaho Power Company as instruments #72098 and #89548, said parcels forming one contiguous tract in the N ½ of the NE ¼ of Section 13, T6S, R33E, B.M., Power County, Idaho, and said tract being more particularly described as follows:

Commencing at the Northwest corner of section 18, T6S, R34E, said corner being marked by a found ½-inch diameter rebar with no markings;

Thence S 87°34'25" W, 917.45 feet to a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440", said rebar marking the true point of beginning;

Thence S 17°27'13" E, 494.00 feet to a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence S 72°32'47" W, 450.00 feet to a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence N 17°27'13" W, 494.00 feet to a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence N 72°32'47" E, 450.00 feet to the true point of beginning.

Exception #2

A parcel of land previously deeded to El Paso Natural Gas Company as instrument #83915, said parcel being in the NE ¼ of the SE ¼ of Section 13, T6S, R33E, B.M., Power County, Idaho, and said parcel being more particularly described as follows:

Beginning at the East ¼ corner of said section 13, said corner being marked by a found 1912 Indian Allotment brass cap;

Thence S 0°10'46" W along the East line of said section 13, 208.80 feet to a found 1-inch diameter aluminum cap marked "Northwest Pipeline";

Thence N 89°49'45" W, 208.87 feet to a found 1-inch diameter aluminum cap marked "Northwest Pipeline";

Thence N 0°11'01" E, 208.82 feet to a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence S 89°49'22" E, 208.86 feet to the true point of beginning.

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