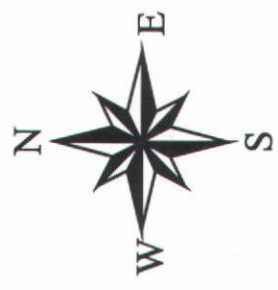


IDAHO DEPARTMENT OF WATER RESOURCES

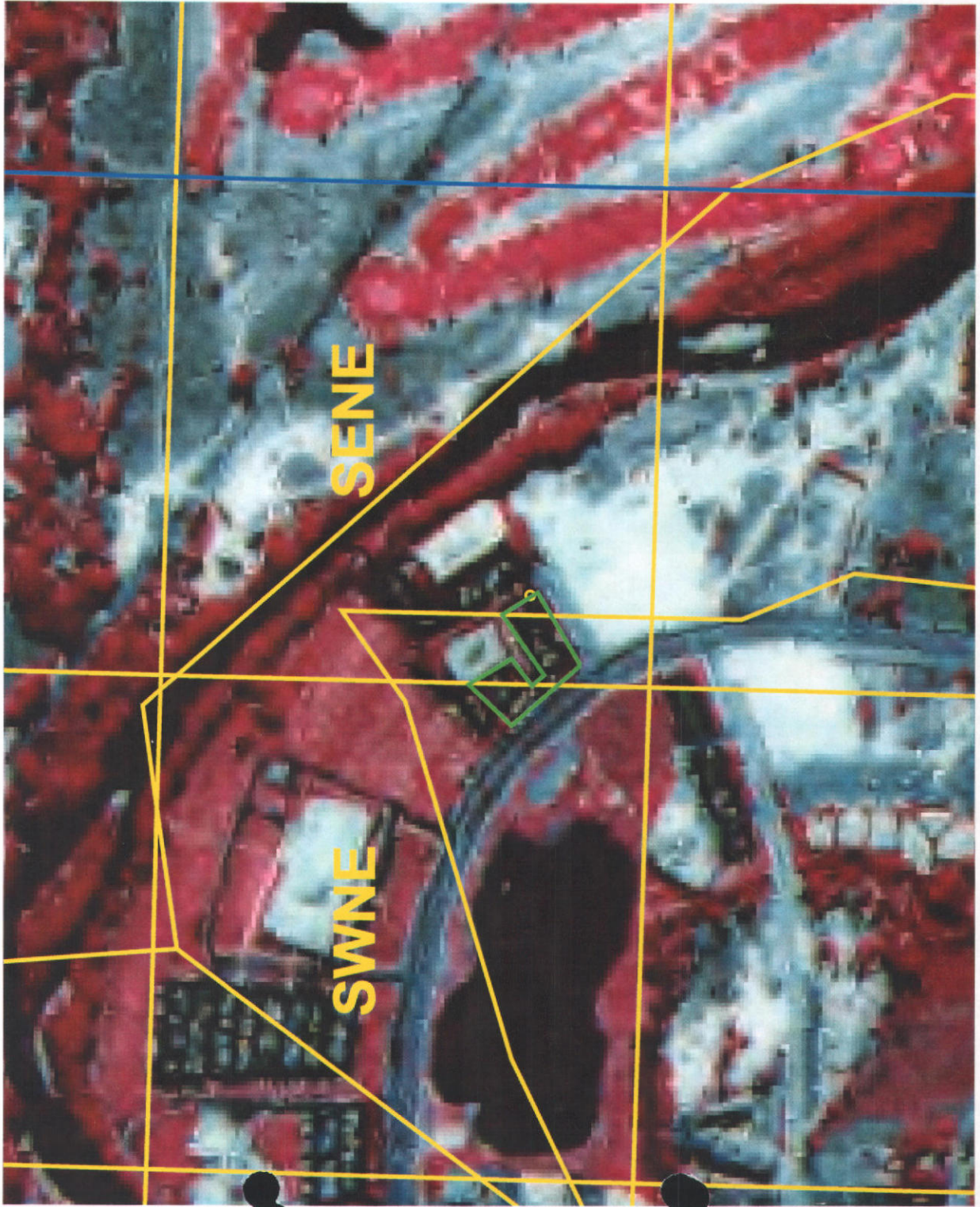
Claim: 63-08868
Date Prepared: 08-01-03
Prepared By: Gene Gibson

T03N, R02E
S14

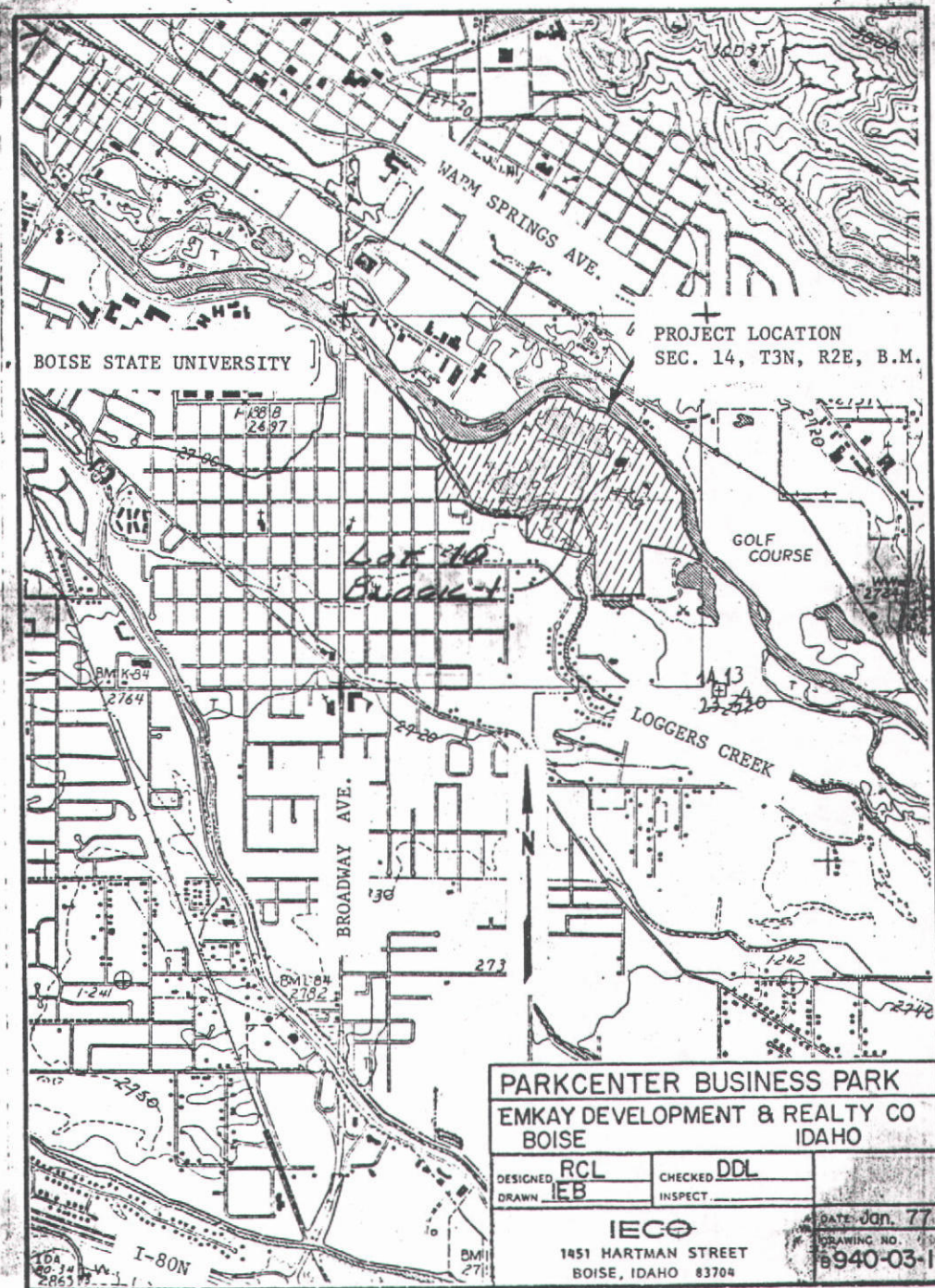


- Point of Diversion
- Place of use
- Section
- 1/4 1/4

1987 NAPP



11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

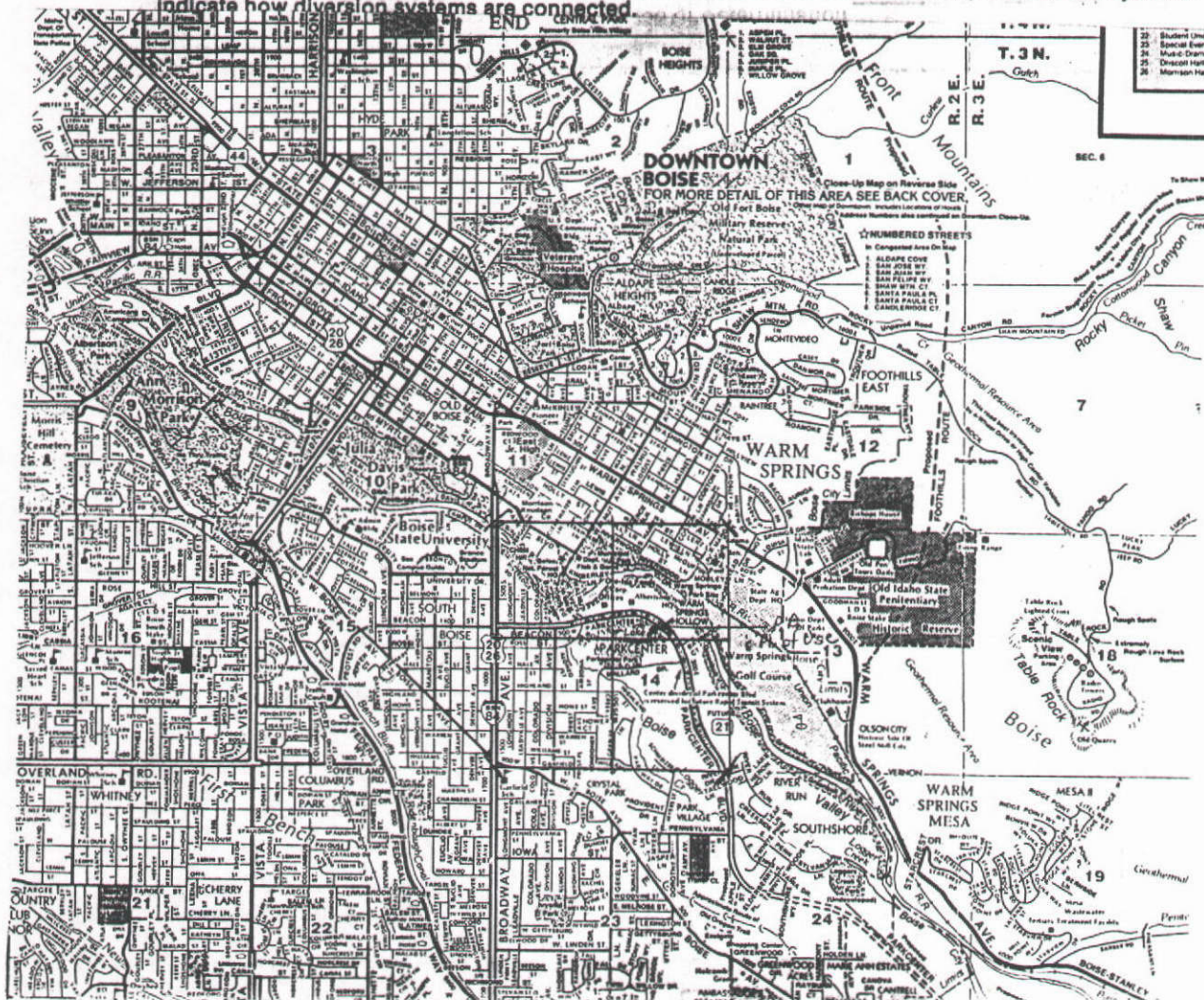


Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

C. L. Delander
(Applicant)
District Manager

10. Other water rights on these lands NONE
11. Other water right diverted from same p.d. NONE
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



or Map of Irrigated Acreage Attached

14. Remarks Mrs. Potter stated the well was first pumped at 80 gpm.
Irrigation is the lawn area surrounding the J. A. Albertson Bldg.

15. Recommended Amendments
- | | | |
|---|--|--|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☒ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |

16. Examiner's/Consultant's Signature Jan Grover Date 10/31/84

Consultant's License Number _____

IDWR Director's Authorization to Conduct
Beneficial Use Examination _____

Date _____

MICROFILMED
DO NOT SEAL

AUG 23 1989

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-08868
Date Received: 9/ 8/1989
Receipt No: W005784
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ALSCOTT REAL ESTATE LLC 208-424-3840
Address: PO BOX 70001
BOISE ID 83701-0101

2. Date of Priority: MAY 16, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	14	SW	NE			ADA

5. Description of diverting works:
WELL WITH PUMP & PIPELINE TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		4.50
COOLING	01/01	12/31	0.100		5.80

7. Total Quantity Appropriated is:
0.130 C.F.S. (and/or) 10.30 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
COOLING FOR ONE BUILDING.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	14	SW	NE		IRR	1.0
			SW	NE		COOL	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	1.0
					Total Acres	1.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE.

14. Remarks:

Place of use also known as Lot 10, Block 1, Parkcenter
Business Park.
CHANGE OF OWNERSHIP 3/6/98 BY JG.

15. Basis of Claim: LICENSE

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-08868
Date Received: 9/08/1989
Receipt No: W005784
Received By: DE JN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. A. ALBERTSON
Address: 380 E. PARKCENTER BLVD.
BOISE, ID 83706-0000

2. Date of Priority: MAY 16, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	14	SW	NE			ADA

5. Description of diverting works:
WELL WITH PUMP & PIPELINE TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		4.50
COOLING	01/01	12/31	0.100		5.80

7. Total Quantity Appropriated is:
0.130 C.F.S. (and/or) 10.30 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
COOLING FOR ONE BUILDING.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	14	SW	NE		IRR	1.0
			SW	NE		COOL	

Section Acres 1.0

A63-08868

Page 1

Date: 09/12/89

MICROFILMED

AUG 24 1992

10. Place of Use: Continued

Total Acres 1.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE.

14. Remarks:

Place of use also known as Lot 10, Block 1, Parkcenter
Business Park.

15. Basis of Claim: LICENSE

MICROFILMED

AUG 24 1992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-08868

Date Received: ~~8/25/1989~~ 9/8/89

Receipt No: W005784

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. A. ALBERTSON
Address: 380 E. PARKCENTER BLVD.
BOISE, ID 83706-0000

2. Date of Priority: MAY 16, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	14	SW	NE			ADA

5. Description of diverting works:
WELL WITH PUMP & PIPELINE TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		4.50
COOLING	01/01	12/31	0.100		5.80

7. Total Quantity Appropriated is:
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8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
COOLING FOR ONE BUILDING.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	14	SW	NE		IRR	1.0
			SW	NE		COOL	

Section Acres 1.0

A63-08868

Page 1

Date: 08/25/89

MICROFILMED

AUG 24 1992

10. Place of Use: Continued

Total Acres 1.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE.

14. Remarks:
Place of use also known as Lot 10, Block 1, Parkcenter
Business Park.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Owner _____ of _____ Title _____

J. A. Albertson Enterprises _____, that I have signed the foregoing Organization document in the space below as Owner _____ of _____ Title _____

J. A. Albertson Enterprises _____ and that the statements contained in the Organization foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Owner, J. A. Albertson Enterprises
Title and Organization

9/06/89

Date

State of Idaho)

County of Ada)

SS.

Subscribed and sworn (or affirmed) before me this 6th day

of September 19 89

[Signature]
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 1-11-95

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

RECEIVED

FEB 06 1998

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

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

1. Water Right No(s).: _____
 Adjudication Claim No(s).: 463-08868

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant J. A. Albertson
380 E Park Blvd Boise

4. New Owner/Claimant(s) ALSCOTT Real Estate LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address PO Box 70001
 City, State and ZIP Code Boise ID 83701-0101
 New Telephone Number (208) 424-3840

5. Date you acquired the property ☒ AUGUST 3, 1995

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate 1 Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses Cooling

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) ALSCOTT Real Estate LLC by ALSCOTT Inc., Manager
Tom Whist Pres. ALSCOTT
 (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..

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

WARRANTY DEED

Alscott Limited Partnership #1, a Texas Limited Partnership, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Alscott Real Estate, LLC, an Idaho Limited Liability Company, herein referred to as grantee, whose current address is

Suite 100
380 E. Park Center Blvd.
Boise, Idaho 83706

the following described real property situated in Boise, Ada County, State of Idaho, together with all improvements thereon and appurtenances thereunto appertaining:

Lots 4, 5, 6, 9, 10, 11 & 12, Block 66, Boise City Original Town Site according to the plat thereof, filed in Book 2 of Plats at Page 1, Records of Ada County, Idaho

Lot 10, Block 1A, Parkcenter Subdivision No. 2, Boise, Ada County, Idaho

Grantor, for itself and its successors and assigns, hereby covenants that it is the owner in Fee Simple of said premises and that it does warrant and will defend the quiet and peaceful enjoyment of said premises by Grantee, its successors and assigns forever against the claims of all persons.

Alscott Limited Partnership #1 hereby assigns and transfers to Alscott Real Estate, LLC, its successors and assigns, all right, title and interest of every kind and nature held by it in and to all leases associated with the above described property and all right, title and interest in and to all deposits (whether for security or otherwise), rents, issues, profits, revenues, royalties, and benefits of every nature of and from these leases effective on the date of execution of this instrument and Alscott Real Estate, LLC agrees to accept the assignment of these Leases and agrees to assume and to be bound by the Leases in the same manner as if it had originally executed the Leases and to perform from the effective date of this Assignment forward the lessor's covenants or obligations arising from or related to the Leases and to notify all lessees of the assignment of the leases.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument on this 22 day of July, 1997, effective the 3rd day of July, 1995..

GRANTOR


Alscott Limited Partnership #1, a Texas
Limited Partnership
By: Alscott, Inc., the General Partner of Alscott

ATTEST:


Thomas J. Wilford, Secretary

WARRANTY DEED

- 1 -

Limited Partnership #1

Alscott Real Estate, LLC, an Idaho Limited Liability Company, accepts the assignment and agrees to be bound by the terms of all leases.

Attest:


Alscott, Inc., Managing Member
Alscott Real Estate, LLC

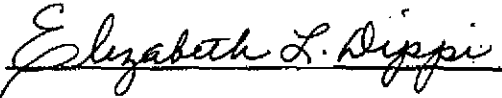
By: Thomas J. Wilford, President, Alscott, Inc.

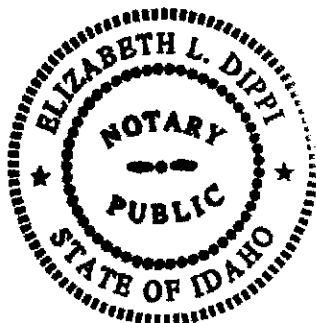

Thomas J. Wilford, Secretary, Alscott
Inc.

STATE OF IDAHO }
)ss
County of Ada)

On this 22nd day of July, 1997, before me, a Notary Public in and for the State of Idaho, personally appeared Thomas J. Wilford known or identified to me to be to be President and the Secretary of Alscott, Inc., the Corporation that executed the above instrument as a General Partner of Alscott Limited Partnership #1, a Texas Limited Partnership, and is the person who executed the instrument on behalf of the corporation and acknowledged to me that such corporation executed the instrument as such General Partner and acknowledged that he attested this instrument on behalf of the corporation.

IN WITNESS I have hereunto set my hand and affixed my notary seal the date last above written.


Notary Public in and for the State of Idaho,
Residing at Boise, Idaho
My Commission expires: Jan. 11, 2001



WARRANTY DEED

97057733

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

alscott Real Estate

97 JUL 22 AM 9 13

FEE 6.00 REC'D Swallao
RECORDED AT THE REQUEST OF

WARRANTY DEED BOISE

Kathryn Albertson, a single woman, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto **Alscott Limited Partnership #1, a Texas Limited Partnership**, herein referred to as grantee, whose current address is

Suite 100
380 E. Park Center Blvd.
Boise, Idaho 83706

the following described real property situated in Boise, Ada County, State of Idaho, together with all improvements thereon and appurtenances thereunto appertaining.

Lots 4, 5, 6, 9, 10, 11 & 12, Block 66, Boise City Original Town Site according to the Plat thereof, filed in Book 2 of Plats at Page 1, Records of Ada County, Idaho

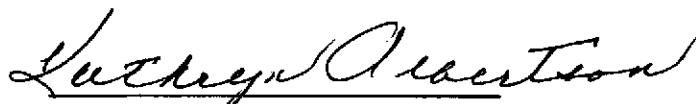
Lot 10, Block 1A, Parkcenter Subdivision No. 2, Boise, Ada County, ID

Grantor, for herself, her heirs, successors and assigns, hereby covenants that she is the owner in fee simple of said premises and that she does warrant and will defend the quiet and peaceable possession of said premises by Grantee, its successors and assigns forever, against the lawful claims of all persons.

Kathryn Albertson hereby assigns and transfers to **Alscott Limited Partnership #1**, its successors and assigns, all right, title and interest of every kind and nature held by her in and to all leases associated with the above described property and all right, title and interest in and to all deposits (whether for security or otherwise), rents, issues, profits, revenues, royalties, and benefits of every nature of and from these leases effective on the date of execution of this instrument and Alscott Limited Partnership #1 agrees to accept the assignment of these Leases and agrees to assume and to be bound by the Leases in the same manner as if it had originally executed the Leases and to perform from the effective date of this Assignment forward the lessor's covenants or obligations arising from or related to the Leases and to notify all lessees of the assignment of the leases.

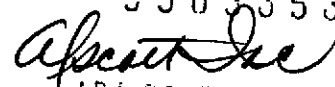
IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this instrument on this 3 day of August, 1995.

GRANTOR:


Kathryn Albertson

WARRANTY DEED
BOISE

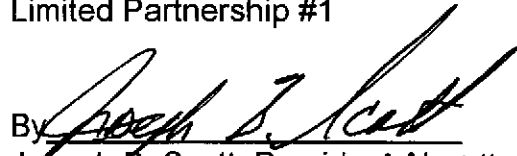
- 1 -

95053531

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

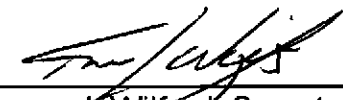
'95 AUG 3 PM 2 51
FEE 9.00
RECORDED AT REQUEST OF 

Alscott Limited Partnership #1 accepts the assignment and agrees to be bound by the terms of all leases.

Alscott, Inc., A General Partner of Alscott
Limited Partnership #1

By 
Joseph B. Scott, President Alscott, Inc
Vice President

Attested by:

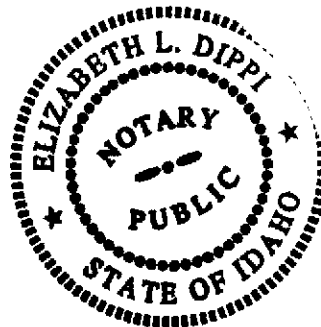
By 
Thomas J. Wilford, Secretary Alscott, Inc

STATE OF IDAHO }
)ss
County of Ada)

On this 3rd day of August, 1995, before me, a Notary Public in and for the State of Idaho, personally appeared Kathryn Albertson, a widow, known or identified to me to be the person whose name is subscribed to the above and foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS I have hereunto set my hand and affixed my notary seal the date last above written.

Elizabeth L. Dippi
NOTARY PUBLIC in and for the State of Idaho.
Residing at Boise, Idaho
My commission expires Jan. 11, 2001.

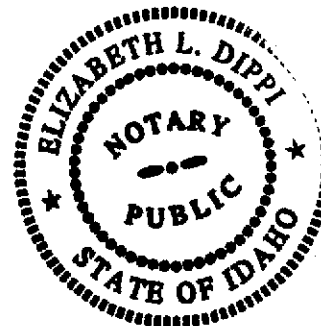


STATE OF IDAHO }
)ss
County of Ada)

On this 3rd day of August, 1995, before me, a Notary Public in and for the State of Idaho, personally appeared Joseph B. Scott, known or identified to me to be the Vice President of Alscott, Inc., the Corporation that executed the instrument as a General Partner of Alscott Limited Partnership #1, a Texas Limited Partnership, the person who executed the instrument on behalf of the corporation, and acknowledged to me that such corporation executed the instrument as such General Partner and Thomas J. Wilford, known or identified to me as the Secretary of Alscott, Inc. acknowledged that he attested said instrument on behalf of said corporation.

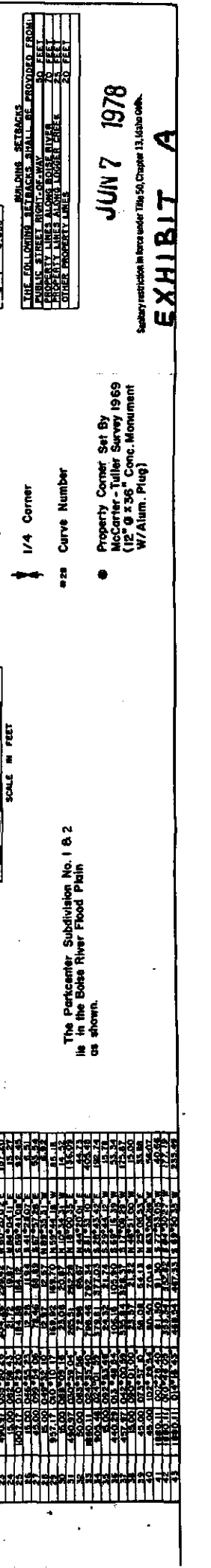
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notary seal the date last above written.

Elizabeth L. Dippi
NOTARY PUBLIC in and for the State of Idaho.
Residing at Boise, Idaho
My commission expires Jan. 11, 2001.



WARRANTY DEED
BOISE

Subdivision of a Portion of Section 14, T.3N., R.2E.,
S.8.M., Boise City, Ada County, Idaho and Being all or
Part of Lots 2, 4, 6, 9, 10 and 11 of Said Section 14.



Property Corner Set By
McCarter - Tuller Survey 1969
(12" $\varnothing$ x 36" Conc. Monument
W/Alum. Plug)

Contrary restriction in force under Title 50, Chapter 13, Idaho Code.

EXHIBIT A

MINUTES OF QUARTERLY MEETING OF THE
BOARD OF DIRECTORS OF
ALSCOTT, INC.

THE quarterly board meeting of the Board of Directors of Alscott, Inc., an Idaho Corporation was held at the Corporate offices at 380 East ParkCenter Blvd., Suite 100, Boise, Idaho on the 28th day of April 1997 at 9:30 a.m.

The following directors were present at the meeting:

Kathryn Albertson
J.B. Scott
Thomas J. Wilford

The meeting was called to order and presided over by Kathryn Albertson, President, with Thomas Wilford, Secretary/Treasurer, keeping the minutes.

The following items of business were discussed:

1. Tom Wilford discussed the actual December 31, 1996 financial statements and preliminary March 31, 1997 financial statements. J.B. Scott, Vice President, reported on major events of the prior quarter including:

A. Status of lease of substantially all of Riverview Place to Albertson's, Inc.

B. Personnel issues as summarized in monthly status report.

C. Status of sales contract for West Park Plaza, Billings, Montana.

D. Farm operating statement and cost containment program.

E. Formation of DSRG, Inc. REIT and transfer of ADS, LLC interest to UPREIT for partnership units. Completed 1/29/97. J.B. Scott updated for the first board meeting held by telephone 4/8/97.

2. Tom Wilford revisited the organization of Alscott Limited Partnership #1, (ALP#1) Alscott Real Estate, LLC (ALR), Alscott Investments, LLC (ALI) and Alscott Farms, LLC (ALF) with Alscott, Inc. as the managing general partner and discussed 1997 management agreement.

3. Kathryn Albertson asked for an update on the 501 Baybrook Court building. J.B. Scott led a discussion of the status of the construction. Kathryn Albertson reiterated her intention to pay for that portion of the building occupied by the Foundation. Tom Wilford noted that Mrs. Albertson has paid the Foundation portion of construction costs through March 31, 1997.

4. It was noted that there are many occasions when it is necessary for the Corporation, Alscott, Inc., to sign documents on behalf of the Alscott Limited Partnership No. 1 and the various entities of which it is the manager, occasionally documents which only the President can sign and to sign a variety of other documents on behalf of Alscott, Inc. After discussion it was determined that it would be in the best interest of the corporation if any one of the officers could sign any document on behalf of the corporation singly. The following motion was then duly moved, seconded and carried:

RESOLVED, that any officer of the corporation, President, Vice-President and/or Secretary and/or Treasurer may sign any document on behalf of the corporation singly without the signature of any other officer of the corporation.

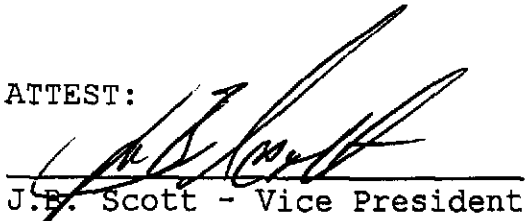
5. On motion by Kathryn Albertson and seconded by J.B. Scott, and Thomas J. Wilford the following were elected unanimously:

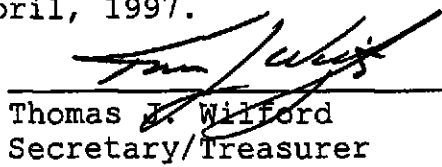
Chairman of the Board	J.B. Scott
President	Thomas J. Wilford
Vice President	Kathryn Albertson
Secretary/Treasurer	Thomas J. Wilford

Thereupon, no further business coming before the meeting, upon Motion duly made and approved unanimously, said meeting was declared adjourned.

DATED THIS 28th day of April, 1997.

ATTEST:


J.B. Scott - Vice President


Thomas J. Wilford
Secretary/Treasurer

MANAGEMENT AGREEMENT

WHEREAS, Alscott, Inc. has facilities adequate for management of the accounts of the undersigned Limited Liability Companies, Alscott Real Estate, LLC, Alscott Farms, LLC and Alscott Investment LLC and is willing to undertake management and management of the accounts and records of the undersigned Limited Liability Companies; and

WHEREAS, the companies recognize that Alscott, Inc. is the designated manager of all of the Limited Liability Companies; and

WHEREAS, the undersigned companies request that Alscott, Inc., as part of its responsibility as manager of the companies, undertake specific administrative tasks as indicated below;

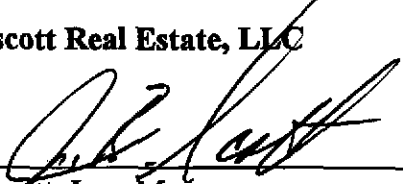
NOW, THEREFORE, Alscott, Inc. does agree to undertake administration, including administration of designated accounts and payrolls and to perform other administrative services for the companies as requested and that these shall include:

1. Managing employees, which shall include:
 - a. Interviewing, selecting, and training employees;
 - b. Setting and adjusting their rate of pay and hours of work;
 - c. Planning, apportioning, and directing their work;
 - d. Maintaining any records necessary for use in supervision or control;
 - e. Appraising their productivity and efficiency for the purpose of recommending promotions or other changes in status;
 - f. Handling complaints and grievances and disciplining them when necessary; and
 - g. Providing for the safety of the employees and the property of the companies.

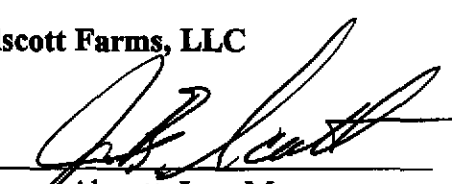
2. Providing services for the common benefit of the associated group of companies, such as:
 - a. Maintaining the headquarters office of Alscott, Inc. for the benefit of all companies with the expense of this maintenance allocated to the companies in a proportion to be established by Alscott, Inc. on the basis of experience with the affairs of the companies.
 - b. Providing insurance protection through common policies with the expense of the policies allocated to the companies in a portion to be established by Alscott, Inc. on the basis of experience with the affairs of the companies.
3. Paying certain direct costs of the companies:
 - a. Paying the wages associated costs of permanent (as opposed to temporary) employees of specific companies with the costs allocated directly to the companies with the understanding that this will include worker's compensation, the cost of which will be based upon the activity and experience of the specific company by which an employee is employed. Alscott, Inc. does agree to obtain and maintain General public liability insurance, automobile, worker's compensation, employer's liability and occupational disease insurance with reasonable amounts of coverage. Upon request by a member of any company, Alscott, Inc. shall furnish evidence of such insurance by providing a certificate of insurance.
 - b. Paying the employee benefits package of specific companies with the costs allocated directly to the company by which the employee is employed.
4. The method of allocation will be furnished to the members of the affected companies and any objections to the allocation will be considered by Alscott, Inc. and necessary adjustments made by it.

5. This contract shall not be assigned without the agreement of all parties to the contract.
6. This agreement may be amended or modified in writing by an agreement signed by all parties hereto.
7. The undersigned companies do agree to compensate Alscott, Inc. for its efforts by paying its necessary and reasonable expenses and paying to Alscott, Inc. the sum of 10% of such costs. This compensation will be the subject to revision and specifically will be reconsidered after a period of three (3) months with the intention of providing for reasonable compensation for the services rendered and with the understanding that further adjustment may be necessary after additional experience and, in particular, in the event there is an increase or decrease in services rendered.
8. This agreement is a fully integrated contract and contains all stipulations and agreements among the parties.

Alscott Real Estate, LLC

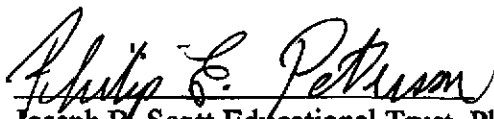

Alscott, Inc., Manager

Alscott Farms, LLC


Alscott, Inc., Manager

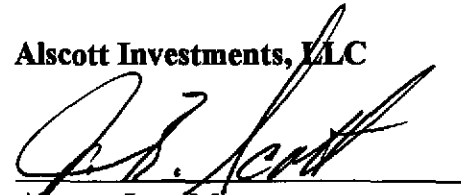

Alscott Limited Partnership #1, Member


Alscott Limited Partnership #1, Member


Joseph B. Scott Educational Trust, Philip
E. Peterson, Trustee, Member


Kathryn Robertson, Member

Alscott Investments, LLC


Alscott, Inc., Manager

Kathryn Oaeston
Alscott Limited Partnership #1, Member

Philip E. Peterson
Joseph B. Scott Educational Trust, Philip
E. Peterson, Trustee, Member

Accepted:
Alscott, Inc.

John Scott

Attest:

Thomas J. Wilford
Thomas J. Wilford, Secretary

11/06/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-8868

NAME AND ADDRESS: A L SCOTT REAL ESTATE LLC
PO BOX 70001
BOISE ID 83707-0101

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.130 CFS
10.300 AFY

PRIORITY DATE: 05/16/1977

POINT OF DIVERSION:

T03N R02E S14 SWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COOLING	01/01 12/31	0.100 CFS 5.80 AFY
IRRIGATION	03/15 11/15	0.030 CFS 4.50 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: COOLING Within ADA County

T03N R02E S14 SWNE

IRRIGATION Within ADA County

T03N R02E S14 SWNE 1.0

1 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

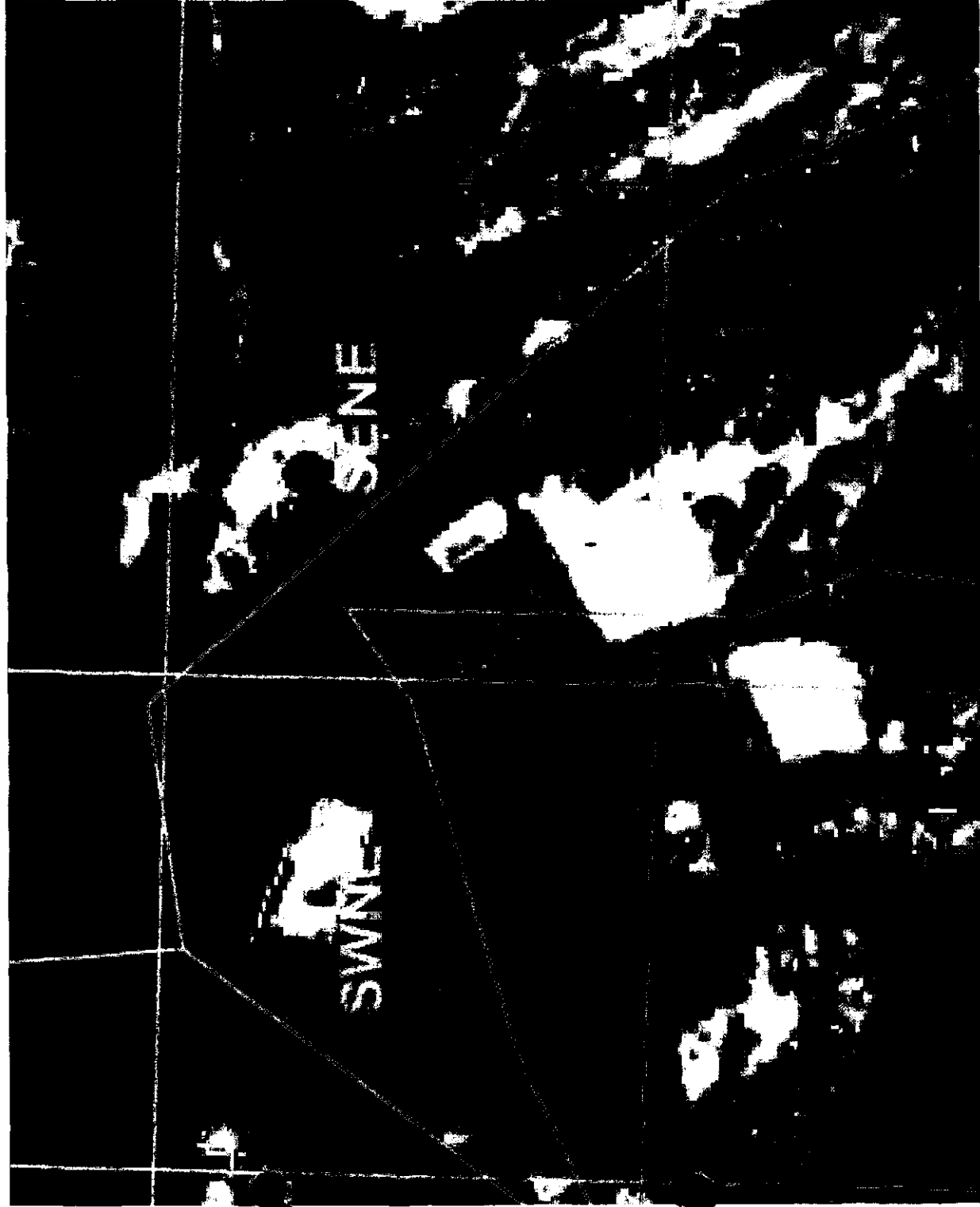
Place of use also known as Lot 10, Block 1a, Parkcenter Subdivision Number 2.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

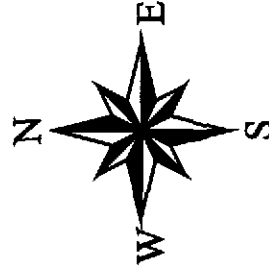
EXPLANATORY MATERIAL: License

IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-08868
Date Prepared: 08-01-03
Prepared By: Gene Gibson



T03N, R02E
S14



● Point of Diversion

□ Place of use

□ Section

1/4 1/4

1987 NAPP

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 63-08868

Priority: May 16, 1977

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.13 CFS
10.3 AF

This is to certify, that J. A. ALBERTSON
380 E. PARKCENTER BLVD.
BOISE, ID 837060000

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 16, 1977; and
has submitted Proof of Beneficial Use on June 28, 1982. An examination indicates
that the works have a diversion capacity of .390 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.03 CFS	4.5 AF
COOLING	01/01 to 12/31	0.10 CFS	5.8 AF
Totals		0.13 CFS	10.3 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNE, Sec. 14, Township 03N, Range 02E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	02E	14	SWNE 1			1

Total number of acres irrigated: 1

PLACE OF USE: COOLING, same as IRRIGATION use

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
5. Place of use also known as Lot 10, Block 1, Parkcenter Business Park.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 24th
day of AUGUST, 1989.

Acting for R. Keith Higginson, Director

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AUG 23 1989

Identification No. _____

Application No. 63-8868

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT APPROVED

To Appropriation the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant EMKAY Development & Realty Co. Phone: 345-5000
post office address M-K Plaza 1, Boise, Idaho 83706
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 14 Township T3N
Range R2E B.M. Ada County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into Boise River or Injection Well at a point in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 14 Township 3N Range 2E B.M. _____
4. Water will be used for the following purposes:
Amount 0.05-1.0 for Irrigation purpose from April 1 to Oct. 31 (both dates inclusive)
Amount 1.02 for Heating & Cooling purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.12-1.07 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pumped well

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 10 inches; proposed depth of well is 40-600 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 5,000-50,000.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 14 Township 3N
Range 2E B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: Heating & Cooling of Buildings

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
T3N	R2E	14			2.5														2.5

Total number of acres to be irrigated 2.5

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion EMKAY DEVELOPMENT & REALTY CO.

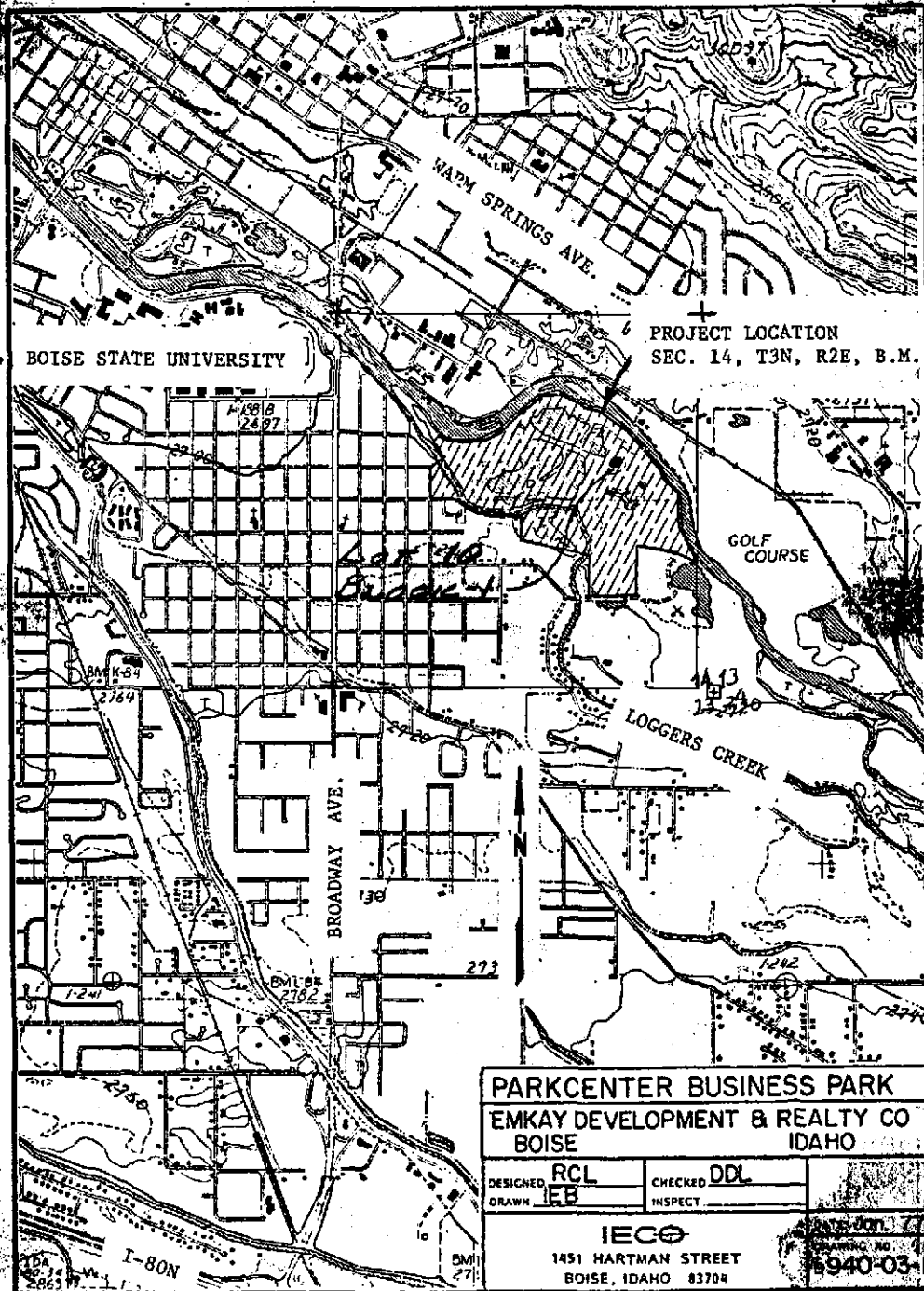
b. Who owns the land to be irrigated or place of use EMKAY DEVELOPMENT & REALTY CO.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

Lot 10 Block 1 Parkcenter Business Park.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

C. L. Anderson
 (Applicant)

District Manager

Proposed Priority 5/23/77

Received by JP Date 5-16-77 Time 4:31

Preliminary check by W. M. Fee \$ 35.00

Received by JP Date 5-23-77 # 8868

Publication prepared by JP Date May 26, 1977

Published in Idaho Statesman

Publication dates June 2, 1977 & June 9, 1977

Publication approved JP Date June 20, 1977

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JP

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8868, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 82.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 15 day of July, 19 77.

[Signature]
Deputy Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$\frac{5 \text{ hp} \times 8.8 \times .80}{21' + (30 \div .4333)} = \frac{35.2}{90.2} = 0.39 \text{ cfs}$$

b) Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____

c) Volume Calculations for Other Uses:

2. Overlap Review

a) Other water rights with same place of use: 63-01238, 63-0185, 63-8870,
63-8861, 63-10305, 63-8866, 63-8867

b) Other water rights with same point of diversion: 63-10305, 63-8866,
63-8867, 63-8870

c) Analysis: 63-8870 - will be relinquished
63-8861 - being licensed, different system
63-10305 - new permit, Boise City Parks, no
overlap.
63-8866 - being licensed, different system
63-8867 - " same as above "

MINUTEMAN

AUG 23 1989

10 day

- Date 7/17/87

FEB 26 1985

BENEFICIAL USE FIELD REPORT

Department of Water Resources

Permit No. 163-8870

Phone No. 342-2712

1. Owner: J. A. Albertsons Enterprises Phone No. 342-2712
Current Address: 380 E. PARK CENTER BLVD., BOISE, ID 83706
DAVID PORTER, EXEC.
2. Accompanied by: LEVDAINE - MAINTENANCE PERSONNEL EXAM. DATE: 4/24/84
Address: SAME Phone No. 342-2712
Relationship to Permit Holder: _____
3. Source: GROUNDWATER tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		5			
SUBMERSED PUMP & MOTOR - ALL THE RECORDS WERE CHECKED BY MR. PORTER, BUT ALL HE COULD FIND WAS THE HP & DEPTH OF PUMP.					

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
SUBMERSED PUMP & MOTOR W/PUMP SET AT 31'.
ALL UNDERGROUND SPRINKLER SYSTEM W/ROP-UPS.
WELL LOCATED DIRECTLY BEHIND J.A. ALBERTSON BLDG. AND
COMMONLY CALLED PARK CENTER WELL. WATER IS ALSO RAN
THROUGH THE AIR CONDITIONING SYSTEM FOR THE BLDG.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE REQUIRED						

7. Measurements ☐ Additional data/computation sheets attached

SEE THEORETICAL CALCULATION.

- | 8. Point(s) of Diversion: | Indicate Method of Determination |
|---------------------------|----------------------------------|
|---------------------------|----------------------------------|

[illegible]

- | | | |
|----|------------------|---|
| 9. | Place(s) of Use: | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination |
|----|------------------|---|

[illegible]

10. Other water rights on these lands NONE
11. Other water right diverted from same p.d. NONE

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe I.D. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



— or Map of Irrigated Acreage Attached

14. Remarks Mr. Potter stated the well was first pumped at 80 gpm.
Irrigation is the lawn area surrounding the J. A. Albertson Bldg.

15. Recommended Amendments
- | | | |
|---|--|--|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☒ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |
16. Examiner's/Consultant's Signature Jean Grover Date 10/31/84
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct Beneficial Use Examination _____
- Date _____

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 AUG 23 1989

RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity

4. Permit Holder: She Don 219A

Address: _____

5. Source: _____ tributary to _____

6. Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Irrigation</i>	<i>4/1</i>	<i>10/31</i>	<i>0.03 cfs</i>	<i>4.5 afa/ann.</i>
<i>Cooling</i>	<i>1/1</i>	<i>12/31</i>	<i>0.40 cfs</i>	<i>N/A</i>
<i>(NO H.T.G. USE)</i>				

Allowable Maximums: 0.40 Cps 4.3 af for

7. Point(s) of Diversion: *Same as Item 219A* *orig. & reg*

[illegible]

8. Place(s) of Use *Home*

[illegible]

9. Recommended Conditions/Remarks: _____

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____

11. Examiner's Signature Jan G. Hall Date 10/21/87

Checked in Regional Office by 6h5 **WEDG:WED** 2/25/85

Approved in State Office by _____ Date _____

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AUG 23 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

63-8870
Permit No.

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$\frac{5HP \times 8.8 \times .80}{21' + (30PSI \div .4333)} = \frac{35.2}{90.2} = .39 \text{ cfs} \quad \text{kw } 7/17/87$$

b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4.5 \text{ af/ann.} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 12.7 \text{ af/ann.} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 4.5 \text{ af/ann.} \end{aligned}$$

c) Volume Calculations for Other Uses:

Cooling has no af/ann. amount.

2. Overlap Review

a) Other water rights with same place of use: NONE

b) Other water rights with same point of diversion: NONE

c) Analysis:

MICROFILMED

AUG 23 1989

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag: Presumption Flag:	