



Daniel W. Anderson
Sundown Development, L.L.C.
1466 North Highway 89, Suite 240
Farmington, Utah 84025

RECEIVED

JUN 05 2008

**DEPARTMENT OF
WATER RESOURCES**

WA

June 2, 2008

IDAHO DEPARTMENT OF WATER RIGHTS STATE OFFICE
322 East Front Street
Sixth floor
P.O. Box 83720
Boise, Idaho 83721-0098

Re: Water Rights Ownership Applications

Greetings:

I represent Foundation for Advanced Research, a California non-profit organization ("FAR") which has acquired real property in Council, Adams County, Idaho, including all appurtenant water rights. One transaction involved the sale of approximately 48.91 acres located at approximately 1850 Johnson Creek Road, purchased from Carol Lee Jones. The other transaction involved the purchase by FAR of approximately 81.72 acres from Michael Zabinski located at approximately 1805 Johnson Creek Road.

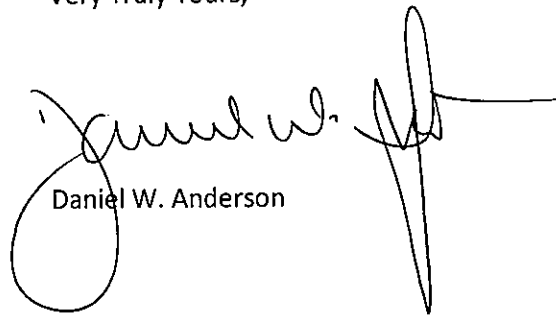
Enclosed herewith are the executed applications to change the ownership of the water rights appurtenant to said properties to FAR. Included are the following:

1. Check payable to Idaho Department of Water Rights in the amount of \$50 to cover the application fees;
2. Application for change of water rights pertaining to the Jones property (including a copy of the warranty deed, bill of sale, plat map and prior water rights ownership certificate); and

3. Application for change of water rights pertaining to the Zabinski property (including the warranty deed, bill of sale, plat map and prior water right ownership certificate).

Please issue new certificates pertaining to the water rights for both properties in the name of Foundation for Advanced Research and provide copies to me at your earliest convenience. If you have any questions, please call me at your earliest convenience.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Daniel W. Anderson", with a large, stylized flourish extending to the right.

Daniel W. Anderson

RECEIVED

JUN 05 2008

DEPARTMENT OF
WATER RESOURCES

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.

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
67-14781	11				

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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) Michael Zabinski

P.O. Box 402 Cambridge, Idaho 83610

4. New Owner/Claimant(s) Foundation for Advanced Research

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

New Mailing Address 8800 So. Kings Hill Drive, #10

City, State and ZIP Code Cottonwood Heights, Utah

New Telephone Number (801) 560-8484

5. Date you acquired the property

June 2, 2009 (See attached Deed & Bill of Sale)

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s) FOUNDATION FOR ADVANCED RESEARCH, a California
non-profit organization (file if applicable)
Jessie Lee [Signature] attorney-in-fact (file if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S). AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt. _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ to _____

WHEN RECORDED MAIL TO:

Foundation for Advanced Research
8800 South Kings Hill Drive, #D
Cottonwood Heights, Utah 84121
Attn: Clinton M. Walker

Parcel Nos. RP 15N02013003 A
RP 15N02W020450 A

GENERAL WARRANTY DEED

MICHAEL ZABINSKI, an unmarried man, having an address of P.O. Box 402 Cambridge, Idaho, 83610, Grantor, for the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, hereby CONVEYS and WARRANTS to FOUNDATION FOR ADVANCED RESEARCH, a California non-profit corporation, having an address of 8800 South Kings Hill Drive in Cottonwood Heights, Utah 84121, Grantee, the following land and all the water rights appurtenant thereto and the improvements thereon, located in Council, Adams County, State of Idaho, more particularly described in Exhibit A attached hereto (the "Property").

This deed and the conveyance hereby made are subject to the following:

1. Taxes and assessments for the year 2008 which are now a lien but not yet due;
and
2. All restrictive covenants, easements and rights of way of record.

This Deed is executed this 28 day of June, 2008.

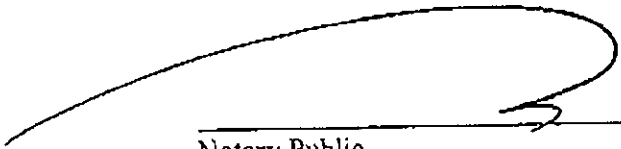
GRANTOR:

Michael Zabinski
Michael Zabinski

STATE OF IDAHO)
ALA : ss.
COUNTY OF ADAMS)

On this 28 day of June, 2008, personally appeared before me Michael Zabinski, an unmarried man, personally known to me, or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that he executed the foregoing document and acknowledged to me that he executed the same for its stated purpose.





Notary Public

4/16/09

EXHIBIT A

PARCEL I

A Portion of Tract M of Cuddy Mountain Ranches as shown on the Official Plat thereof, recorded as Instrument No. 92497, on file in the Office of the County Recorder of Adams County, Idaho and more particularly described as follows:

In Township 15 North, Range 2 West, Boise Meridian, Adams County, Idaho:
Tract M of Cuddy Mountain Ranches, which is also the same as;
Section 1: Lot 4
Section 2: Lot 1

SAVE AND EXCEPT the following parcel of land:

Beginning at the southeast corner of Lot 1, T.15N., R.2W., B.M., Adams County, Idaho, which point is on the South line of said Tract M of Cuddy Mountain Ranches;

Thence N 00°12'30" E along the East line of said Lot 1 a distance of 677.6 feet;
Thence S 89°14'54"W, parallel to the South line of said Lot 1, a distance of 659.6 feet;
Thence S 00°12'30"W, parallel to the East line of said Lot 1, a distance of 677.6 feet to a point on the South line of said Lot 1;
Thence N 89°14'54"E along the South line of said Lot 1, a distance of 659.6 feet to the Point of Beginning.

PARCEL II

A portion of Lot 1, Section 2, Township 15 North, Range 2 West, Boise Meridian, Adams County, Idaho, within Tract M of Cuddy Mountain Ranches as shown on the Official Plat thereof, recorded as Instrument No. 92497, on file in the Office of the County Recorder of Adams County, Idaho and more particularly described as follows:

Beginning at the southeast corner of Lot 1, T.15N., R.2W., B.M., Adams County, Idaho, which point is on the South line of said Tract M of Cuddy Mountain Ranches;

Thence N 00°12'30" E along the East line of said Lot 1 a distance of 677.6 feet;
Thence S 89°14'54"W, parallel to the South line of said Lot 1, a distance of 659.6 feet;
Thence S 00°12'30"W, parallel to the East line of said Lot 1, a distance of 677.6 feet to a point on the South line of said Lot 1;
Thence N 89°14'54"E along the South line of said Lot 1, a distance of 659.6 feet to the Point of Beginning.

**BILL OF SALE
(With Warranties)**

KNOW ALL MEN BY THESE PRESENTS:

That MICHAEL ZABINSKI, an unmarried man, with an address of P.O. Box 402 in Cambridge Idaho 83610 ("Seller"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and in accordance with the Real Estate Purchase Contract with an offer reference date of November 7, 2007, as amended, between Seller and, following an assignment from LEWCO Investments, L.L.C., a Utah limited liability company, FOUNDATION FOR ADVANCED RESEARCH, a California non-profit corporation, ("Buyer"), the receipt whereof is hereby acknowledged, has bargained, sold, assigned and transferred, and by these presents does bargain, sell, assign and transfer unto said Buyer any and all of the water rights, appurtenant or otherwise (including but not limited to Right Number 67-14781 V1 as registered with the Idaho Department of Water Resources) and all equipment, fixtures and other tangible property owned by Seller and which is now located upon or affixed to the property located at approximately 1805 Johnson Creek Road in Adams County, Idaho, consisting of approximately 81.72 acres, as more particularly described in Exhibit A hereto (the "Personal Property").

TO HAVE AND TO HOLD SAID PERSONAL PROPERTY unto Buyer and Buyer's legal representatives, successors and assigns forever.

Seller, upon the consideration recited above, warrants ownership of and good title to said Personal Property, the right to sell the same and that there are no liens, encumbrances or charges thereon or against the same.

IN WITNESS WHEREOF, the Seller has executed this Bill of Sale effective this 2nd
day of June, 2008.

SELLER:

Michael Zabinski
Michael Zabinski

EXHIBIT A

PARCEL I

A Portion of Tract M of Cuddy Mountain Ranches as shown on the Official Plat thereof, recorded as Instrument No. 92497, on file in the Office of the County Recorder of Adams County, Idaho and more particularly described as follows:

In Township 15 North, Range 2 West, Boise Meridian, Adams County, Idaho:
Tract M of Cuddy Mountain Ranches, which is also the same as;

Section 1: Lot 4

Section 2: Lot 1

SAVE AND EXCEPT the following parcel of land:

Beginning at the southeast corner of Lot 1, T.15N., R.2W., B.M., Adams County, Idaho, which point is on the South line of said Tract M of Cuddy Mountain Ranches;

Thence N 00°12'30" E along the East line of said Lot 1 a distance of 677.6 feet;

Thence S 89°14'54"W, parallel to the South line of said Lot 1, a distance of 659.6 feet;

Thence S 00°12'30"W, parallel to the East line of said Lot 1, a distance of 677.6 feet to a point on the South line of said Lot 1;

Thence N 89°14'54"E along the South line of said Lot 1, a distance of 659.6 feet to the Point of Beginning.

PARCEL II

A portion of Lot 1, Section 2, Township 15 North, Range 2 West, Boise Meridian, Adams County, Idaho, within Tract M of Cuddy Mountain Ranches as shown on the Official Plat thereof, recorded as Instrument No. 92497, on file in the Office of the County Recorder of Adams County, Idaho and more particularly described as follows:

Beginning at the southeast corner of Lot 1, T.15N., R.2W., B.M., Adams County, Idaho, which point is on the South line of said Tract M of Cuddy Mountain Ranches;

Thence N 00°12'30" E along the East line of said Lot 1 a distance of 677.6 feet;

Thence S 89°14'54"W, parallel to the South line of said Lot 1, a distance of 659.6 feet;

Thence S 00°12'30"W, parallel to the East line of said Lot 1, a distance of 677.6 feet to a point on the South line of said Lot 1;

Thence N 89°14'54"E along the South line of said Lot 1, a distance of 659.6 feet to the Point of Beginning.