

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-13660 V1

WATER RIGHT NUMBER: 22-13660 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LARRY E BURNS 721 W MAIN REXBURG, ID 83440 (208)356-3103
Current Owner	ROBERT BURNS 3363 E GLADE CIR MESA, AZ 85204 (602)832-0539

Priority Date: 05/13/1970

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/15 to 09/15	3.510 CFS	
	<u>Total Diversion:</u>	3.510 CFS	863.81 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4NW1/4	Sec. 27, Twp 07N, Rge 44E, B.M.
TETON County		
GROUND WATER	SE1/4SW1/4NW1/4	Sec. 27, Twp 07N, Rge 44E, B.M.
TETON County		
GROUND WATER	SE1/4SW1/4NE1/4	Sec. 27, Twp 07N, Rge 44E, B.M.
TETON County		

Place of UseIRRIGATION Within TETON County

T07N R44E S27	SWNE	35.0	T07N R44E S27	SENE	30.0
T07N R44E S27	SWNW	40.0	T07N R44E S27	SENE	33.0
T07N R44E S27	NWSW	37.0	T07N R44E S28	SWNE	38.0
T07N R44E S28	SENE	40.0	T07N R44E S28	SENE	10.0
T07N R44E S28	NESW	3.0	T07N R44E S28	NESE	29.0
T07N R44E S28	NWSE	35.0			

Total Acres: 330

Conditions of Approval:

1. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-13660 V1

2. This right is renumbered from former right 22-7033 .
3. C18 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.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. This right is a split from former right 22-13601 .

Remarks:

Comments:

Water Supply Bank:

AUG 13 2007

SCANNED

22-13660

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Regional Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

ROBERT BURNS
3363 E GLADE CIR
MESA AZ 85204

POCATELLO ID

03 AUG 2007 PM 1

U.S. POSTAGE

1711

8924\$

00.41

10 AUG 03 2007

0975 MAILED FROM ZIP CODE

83402

PB-352390-7

RECEIVED

AUG 13 2007

Department of Water Resources
Eastern Region

NIXIE

950 DE 1

00 08/08/07

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 93402170073

*1836-03677-03-41

85204+840201700

|||||



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

July 11, 2007

DENNIE & JANET ARNOLD
1045 N HWY 32
FELT ID 83424

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RE: Notice of Change of Water Right Ownership (NCO) for 22-13660 and Notice of Completed Administrative Proceeding (NCAP)

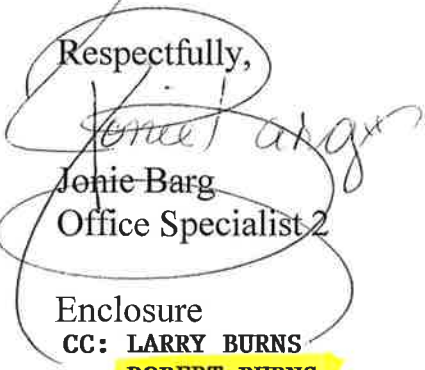
Dear Sir/Madam:

On May 25, 2007 the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,


Jonie Barg
Office Specialist 2

Enclosure

CC: LARRY BURNS

ROBERT BURNS

In Re SRBA) **Water Rights: 22-13660**

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

☐ Address change

☒ Substitution of Party MCFARLAND-ARNOLD

☐ I.C. § 42-222 transfer

☐ point of diversion	☐ place of use
☐ period of use	☐ nature of use
☐ split of water right	☐ change in ownership

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: July 26, 2007

Signature of IDWR _____

CERTIFICATE OF MAILING

I certify that on August 3, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:

Larry E Burns	Robert Burns
721 W Main	3363 E Glade Cir
Rexburg ID 83440	Mesa AZ 85204

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

Dennie K Arnold
Janet Arnold
1045 N Hwy 32
Felt ID 83424

4. One copy to:

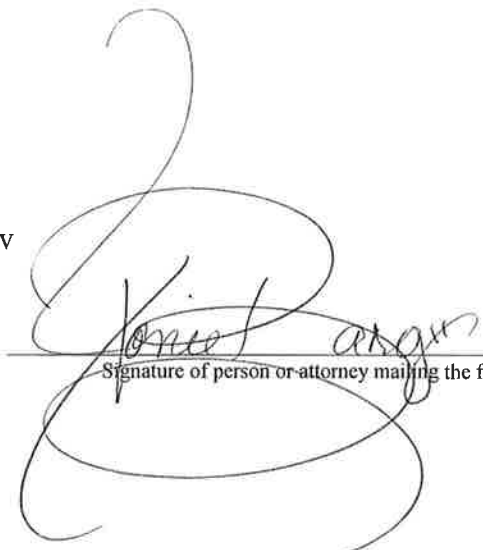
Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

This right is a split from former right 22-13601 .



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

July 11, 2007

DENNIE & JANET ARNOLD
1045 N HWY 32
FELT ID 83424

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RE: Notice of Change of Water Right Ownership (NCO) for 22-13660 and Notice of Completed Administrative Proceeding (NCAP)

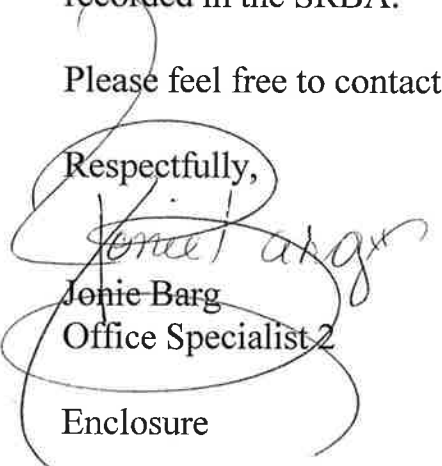
Dear Sir/Madam:

On May 25, 2007 the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,


Jonie Barg
Office Specialist 2

Enclosure

SCANNED

AUG 03 2007

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

In Re SRBA)

Water Rights: 22-13660

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party MCFARLAND-ARNOLD
- ☐ I.C. § 42-222 transfer
- | | |
|---|--|
| ☐ point of diversion | ☐ place of use |
| ☐ period of use | ☐ nature of use |
| ☐ split of water right | ☐ change in ownership |

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: July 26, 2007

Ernest Carlson

Signature of IDWR Representative

SCANNED

AUG 03 2007

CERTIFICATE OF MAILING

I certify that on August 3, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
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Dennie K Arnold
Janet Arnold
1045 N Hwy 32
Felt ID 83424

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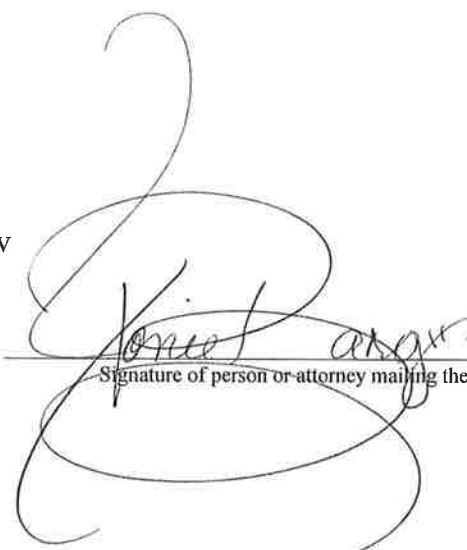
Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

SCANNED

AUG 03 2007

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

RECEIVED
MAY 25 2007
 Department of Water Resources
 Eastern Region

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>A22-07033</u>	<u>22-13660</u>				
<u>changed to</u>					
<u>22-136601</u>					
<u>changed to</u>					
<u>22-13660</u>					

OK JC

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s) DON + CAROL MCFARLAND

4. New Owner/Claimant(s) DEBBIE + JANET ARLOD
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address 1045N HWY 22

City, State and ZIP Code FELT, ID 83424

New Telephone Number 208 456-2873

5. Date you acquired the property JUN 24 1997

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AUG 03 2007

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

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

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

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

DEWEE K. ARNOLD

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

For Office Use Only

Received by _____ Date _____ Fee \$25 -
 Receipted by JC Date 5-25-07 Receipt No. E032937
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
AUG 03 2007

RECEIVED

FEB 20 2002

146822

TETON CO. ID
CLERK RECORDER

WARRANTY DEED

WARRANTY DEED made this 24 day of June, 1997, between M. DON MCFARLAND AKA DON MCFARLAND AND CAROL LYNN MCFARLAND AKA CAROL MCFARLAND, whose mailing address is 350 Falls Avenue, Twin Falls, Idaho 83301, herein referred to as Grantor (whether one or more, male and/or female), and DENNIE K. ARNOLD AND JANET ARNOLD, whose mailing address is 1045 North highway 32, Felt, Idaho 83424, herein referred to as Grantee (whether one or more male and/or female), witnesseth:

That Grantor, for and in consideration of the sum of TEN Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and does, by these presents, grant, bargain, sell, convey, and confirm unto Grantee and to his heirs and assigns forever, all the following described real estate situate in the County of Teton, State of Idaho:

TRACT 1

TOWNSHIP 7 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO
Section 27: NW $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ N $\frac{1}{2}$
Section 28: S $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$

LESS THE FOLLOWING: That portion of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the S $\frac{1}{2}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$, described by metes and bounds as follows: Commencing at the Northwest corner of said Section 28, thence South 03 degrees 24'36" East, 2691.40 feet along the West Boundary line to the West quarter corner of said Section 28; thence North 89 degrees 19'39" East, 1303.13 feet along the East-West Center quarter line to the Center-West sixteenth corner of said Section 28; thence South 03 degrees 00'45" East, 1342.78 feet along the West sixteenth corner of said Section 28; thence North 89 degrees 12'48" East, 1757.42 feet along the South sixteenth line of said Section 28, to a point monumented with a bronze marker inscribed 28G744; thence North 37 degrees 48'40" West, 944.29 feet to a point monumented with a bronze marker inscribed 28H744; thence north 36 degrees 25'30" East, 718.75 feet to a point monumented with a bronze marker inscribed 28J744; thence North 38 degrees 42'01" West, 1726.67 feet to a point monumented with a bronze marker inscribed 28K744; thence North 82 degrees 17'17" West, 1430.97 feet to a point monumented with a bronze marker inscribed 28L744; thence North 46 degrees 33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45 degrees 42'58" East 665.38 feet to a point on the North boundary line of Section 28; thence South 89 degrees 32'42" West, 545.34 feet along the north boundary line to the Northwest corner of said Section 28 to the POINT OF BEGINNING.

ALSO LESS; Commencing at the Northwest corner of Section 28, Township 7 North, Range 44 East, Boise Meridian, Teton County, Idaho, thence North 89 degrees 32'42" East, 545.34 feet to the point of beginning; thence North 89 degrees 32'42" East 218.81 feet, along the North quarter line; thence South 03 degrees 32'36" East, 909.71 feet; thence North 82 degrees 17'17" West, 335.46 feet to a bronze marker inscribed 28L744; thence North 46 degrees 33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45 degrees 42'58" East, 665.38 feet to a point on the North boundary line of Section 28, the POINT OF BEGINNING.

WARRANTY DEED

146822

Page - 1

SCANNED

AUG 03 2007

TRACT 2

Beginning at a point that is North 417.40 feet along the Section line from the East Quarter corner (Southeast corner of the Southeast Quarter of the Northeast Quarter) of Section 6 Township 6 North, Range 45, Boise Meridian, Teton County, Idaho; and running thence North 200 feet; thence West 190 feet; thence South 200 feet; thence East 190 feet to the POINT OF BEGINNING. Together with a roadway easement described as follows: Beginning at a point that is North 356.2 feet along the section line from the East Quarter Corner (Southeast corner of the Southeast Quarter of the Northeast Quarter) of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence West 349.40 feet; thence North 61.20 feet; thence East 349.40 feet; thence South 61.20 feet to the POINT OF BEGINNING. Less: State Highway 32.

TRACT 3

Beginning at a point that is North 121.20 feet along the Section line from the East Quarter corner (Southeast corner of the Southeast Quarter of the Northeast Quarter) of Section 6 Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho; and running thence West 19.85 feet to the West right-of-way monument brass cap for Highway 32 stamped Station 188+00; and running thence West 329.55 feet; thence North 296.20 feet; thence East 349.4 feet to the Section line; and thence South 296.2 feet along the Section line to the POINT OF BEGINNING. Less: State Highway 32.

TRACT 4

From the Northeast corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$, of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho, South 86 degrees 57'45" West 32.26 feet to the West side of State Highway 32 Right-of-Way. Thence South 0 degrees 13'31" East 706.09 feet to a point; thence West 160.56 feet to a point; thence South 200.00 feet to a point; thence West 227.40 feet to a point; thence South 279.61 feet to a point; thence West 526.76 feet to a point; thence North 0 degrees 20'45" West 1136.97 feet to a point approximately the center of the county road; thence North 86 degrees 57'45" East 920.10 feet along the county road to the POINT OF BEGINNING.

EXCEPTING THEREFROM: From the Northeast corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$, of Section 6 Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho, south 86 degrees 57'45" West 32.26 feet to the West side of State Highway 32 Right-of-Way. Thence South 0 degrees 13'31" East 706.09 feet to a point; thence West 160.56 feet to the TRUE POINT OF BEGINNING; thence South 200.00 feet to a point; thence West 227.4 feet to a point; thence diagonally Northwest 1047.5 feet more or less to a point which is South 86 degrees 57'45" West 952.36 feet from the Northeast corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$, of said Section 6, Township and Range aforesaid, and which point is approximately the center of the county road; and thence North 86 degrees 57'45" East along the county road 759.54 feet more or less, to a point which is North 0 degrees 13'31" West 706.09 feet, more or less from the TRUE POINT OF BEGINNING; and thence South 0 degrees 13'31" East 706.09 feet, more or less, to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: From the Northeast corner of SE¼NE¼, of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho. South 86 degrees 57'45" West 32.26 feet to the West side of State Highway 32 Right-of-Way said point being the POINT OF BEGINNING. Thence South 0 degrees 13'31" East 706.09 feet to a point; thence West 160.56 feet to a point; thence North 0 degrees 13'31" West 706.09 feet to a point; thence North 86 degrees 57'45" East along the county road 160.56 feet more or less to the POINT OF BEGINNING.

TRACT 5

From the Northeast corner of the SE¼NE¼, of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho, South 86 degrees 57'45" West 952.36 feet to the POINT OF BEGINNING; thence South 86 degrees 57'45" West 829.14 feet to a point; thence South 0 degrees 20'45" East 1093.03 feet to a point; thence East 828.24 feet to a point; thence North 0 degrees 20'45" West 1136.97 feet to the POINT OF BEGINNING.

TRACT 6

From the Northeast Corner of the SE¼NE¼, of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho. South 86 degrees 57'45" West 32.26 feet to the West side of State Highway 32 Right-of-Way; thence South 0 degrees 13'31" East 706.09 feet to a point; thence West 160.56 feet to the POINT OF BEGINNING; thence South 200.00 feet to a point; thence West 227.4 feet to a point; thence diagonally Northwest 1047.5 feet more or less to a point which is South 86 degrees 57'45" West 952.36 feet from the Northeast corner of SE¼NE¼, of said Section 6, Township and Range aforesaid, and which point is approximately the center of the county road; and thence North 86 degrees 57'45" East along the county road 759.54 feet, more or less, to a point which is North 0 degrees 13'31" West 706.09 feet, more or less from the TRUE POINT OF BEGINNING; and thence South 0 degrees 13'31" East 706.09 feet, more or less, to the TRUE POINT OF BEGINNING.

SUBJECT TO County road right of way along North property line.

RESERVING to Grantor a 50 foot wide easement for ingress and egress to Grantor's real property lying west of the property herein described, which easement's Southern boundary line is more particularly described as follows, to wit:

Beginning at the TRUE POINT OF BEGINNING, as more particularly described above, and thence West to the western boundary of the property herein described.

TOGETHER with a 50 foot wide easement for ingress and egress to Grantor's real property herein described which is the subject of this Contract of Sale, which easement's southern boundary line is more particularly described as follows, to-wit:

Beginning at the TRUE POINT OF BEGINNING, as more particularly described above, and thence East 160.56 feet, to the West side of State Highway 32 Right-of-Way.

146822

WARRANTY DEED

Page - 3

SCANNED

AUG 03 2007

TRACT 7

Beginning 318 feet South of the East Quarter Corner of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 80 feet, more or less to the North Boundary line of the original townsite plat of the City of Felt; thence West 272 feet; thence North 80 feet, more or less to a point directly West of the point of beginning; thence East 272 feet to the POINT OF BEGINNING.

TOGETHER with an easement to use, repair, and replace the existing waterline situated on and across the grantor's retained property located immediately to the north of the above described property, specifically described as follows:

Beginning at the East Quarter Corner of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence South 318 Feet; thence West 417.4 feet; thence North 318 feet; thence East 417.4 feet to the POINT OF BEGINNING.

TRACT 8

Lots 1, 28, 29, and 30 of Block 4 of the Felt City Townsite, as per the recorded plat thereof.

TRACT 9A

Lots 1 and 6 and the North 25 feet of Lots 2, 3, 4 and 5 all in Block 3 of the Felt Townsite, County of Teton, State of Idaho.

TOGETHER with all water, water rights, water licences, ditches and ditch rights thereunto belonging or in anywise appertaining, specifically including, but not limited to the following:

Water License No. 22-07033 for 6.000 cfs diversion rate, 1463.80 A.F.A. for with a point of Diversion in Section 27, T7N, R44 E.B.M. to be applied on 564 acres

SUBJECT TO:

1. Taxes and assessments for the year 1996 and all subsequent years.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Unpatented mining claims, reservations or exceptions in patents or in acts authorizing the issuance thereof.
4. All reservations, restrictions, easements, road and road rights of way, ditch and ditch rights of way, zoning restrictions, governmental regulations and protective covenants of record.

146822

WARRANTY DEED

Page - 4

SCANNED

AUG 03 2007

5. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.
6. A Mortgage dated June 12, 1992 to secure an indebtedness in the principal sum of \$6,351,458.50, and any other amounts and/or obligations secured thereby.
Recorded: July 15, 1992, Instrument No. 110558
Mortgagor: Don McFarland and Carol McFarland
Mortgagee: Key Bank of Idaho
MODIFICATION AND EXTENSION, recorded July 13, 1993, Recorder's No. 113226, Records of Teton County, Idaho.
MODIFICATION AGREEMENT, recorded May 4, 1995, Recorder's No. 119948, Records of Teton county, Idaho.
EXTENSION AND AMENDMENT TO COMMERCIAL/AGRICULTURAL PROMISSORY NOTE, recorded September 19, 1996, Recorder's No. 125106, Records of Teton County, Idaho.

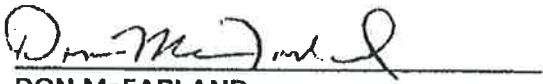
TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, specifically including the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity.

TO HAVE AND TO HOLD, all and singular the above-described premises together with the appurtenances unto grantee and to his heirs and assigns forever.

And Grantor and his heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, his heirs, and assigns against Grantor and his heirs and against all and every person and persons whomsoever lawfully claiming the same.

This deed is intended and does convey all the right, title and interest of the grantors in and to the above described property which they may have obtained after the execution of this deed by virtue of a certain contract of sale executed on the same date as this deed was executed, wherein, the grantees herein are sellers and the grantors herein are buyers of the above described property.

IN WITNESS WHEREOF, Grantor has hereunto set his hand on the day and year first above written.


DON McFARLAND


CAROL McFARLAND

146822

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 24 day of June, 1997, before me, the undersigned, Anita McMurtry,
a Notary Public in and for the State of Idaho, personally appeared **Don McFarland and Carol McFarland**, known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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



Anita McMurtry
NOTARY PUBLIC FOR IDAHO
Residing at: Blackfoot
My Commission Exp.: 5/20/2000

146822

WARRANTY DEED

Page - 6
SCANNED

AUG 03 2007

AUG 03 2007

PAGE - 3 CANNED

NOTICE OF CONTRACTUAL INTEREST IN PROPERTY

LESS THE FOLLOWING: That portion of the NW 1/4 and the NE 1/4 SW 1/4 and the S 1/2 NE 1/4 and the N 1/2 SE 1/4, described by metes and bounds as follows: Commencing at the Northwest corner of said Section 28, thence South 03 degrees 24'36" East, 2691.40 feet along the West Boundary line to the West quarter corner of said Section 28; thence North 89 degrees 19'39" East, 1303.13 feet along the East-West Center quarter line to the Center-West sixteenth corner of said Section 28; thence South 03 degrees 00'45" East, 1342.78 feet along the West sixteenth corner of said Section 28; thence North 89 degrees 12'48" East, 1767.42 feet along the South sixteenth line of said monumented with a bronze marker inscribed 28G744; thence North 37 degrees 48'40" West, 944.29 feet to a point monumented with a bronze marker inscribed 28H744; thence north 36 degrees 25'30" East, 718.75 feet to a point monumented with a bronze marker inscribed 28J744; thence North 38 degrees 42'01" West, 1726.67 feet to a point monumented with a bronze marker inscribed 28K744; thence North 82 degrees 17'17" West, 1430.97 feet to a point monumented with a bronze marker inscribed 28L744; thence North 46 degrees 33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45 degrees 42'58" East 665.38 feet to a point on the North boundary line of Section 28; thence South 89 degrees 32'42" West, 545.34 feet along the north boundary line to the Northwest corner of said Section 28 to the POINT OF BEGINNING.

ALSO LESS: Commencing at the Northwest corner of Section 28, Township 7 North, Range 44 East, Boise Meridian, Teton County, Idaho, thence North 89 degrees 32'42" East, 545.34 feet to the point of beginning; thence North 89 degrees 32'42" East 218.81 feet, along the North quarter line; thence South 03 degrees 32'36" East, 909.71 feet; thence North 82 degrees 17'17" West, 335.46

Section 27: NW 1/4 SW 1/4; S 1/2 N 1/4
Section 28: S 1/2 NE 1/4; NW 1/4; NE 1/4 SW 1/4; N 1/2 SE 1/4

IDAHO
TOWNSHIP 7 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY,

TRACT 1

As of the 1st day of March, 1996, the Seller executed in favor of Buyer a Real Estate Purchase Agreement providing for the sale and conveyance of the property hereafter described from the Seller to the Buyer upon the performance of the terms, conditions and provisions of the Agreement by the Buyer. The property involved is located in Teton County, Idaho, and is specifically described as follows, to-wit:

M. DON McFARLAND and CAROL LYNN McFARLAND, husband and wife, of P.O. Box 268, Eden, Idaho 83325, hereinafter termed "Seller", and DENNIE K. ARNOLD and JANET ARNOLD, husband and wife, of 1045 North Highway 32, Felt, Idaho 83424, hereinafter termed "Buyer", do hereby give notice as follows:

NOTICE OF CONTRACTUAL INTEREST
IN PROPERTY

127514

RECEIVED
JUN 26 1997
TETON CO. ID
CLERK RECORDED

feet to a bronze marker inscribed 28L744; thence North 46 degrees 33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45 degrees 42'58" East, 665.38 feet to a point on the North boundary line of Section 28, the POINT OF BEGINNING.

TRACT 2

Beginning at a point that is North 417.40 feet along the Section line from the East Quarter corner (Southeast corner of the Southeast Quarter of the Northeast Quarter) of Section 6 Township 6 North, Range 45, Boise Meridian, Teton County, Idaho; and running thence North 200 feet; thence West 190 feet; thence South 200 feet; thence East 190 feet to the POINT OF BEGINNING. Together with a roadway easement described as follows: Beginning at a point that is North 356.2 feet along the section line from the East Quarter Corner (Southeast corner of the Southeast Quarter of the Northeast Quarter) of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence West 349.40 feet; thence North 61.20 feet; thence East 349.40 feet; thence South 61.20 feet to the POINT OF BEGINNING. Less: State Highway 32.

TRACT 3

Beginning at a point that is North 121.20 feet along the Section line from the East Quarter corner (Southeast corner of the Southeast Quarter of the Northeast Quarter) of Section 6 Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho; and running thence West 19.85 feet to the West right-of-way monument brass cap for Highway 32 stamped Station 188+00; and running thence West 329.55 feet; thence North 296.20 feet; thence East 349.4 feet to the Section line; and thence South 296.2 feet along the Section line to the POINT OF BEGINNING. Less: State Highway 32.

TRACT 4

From the Northeast corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$, of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho, South 86 degrees 57'45" West 32.26 feet to the West side of State Highway 32 Right-of-Way. Thence South 0 degrees 13'31" East 706.09 feet to a point; thence West 160.56 feet to a point; thence South 200.00 feet to a point; thence West 227.40 feet to a point; thence South 279.61 feet to a point; thence West 526.78 feet to a point; thence North 0 degrees 20'45" West 1136.97 feet to a point approximately the center of the county road; thence North 86 degrees 57'45" East 920.10 feet along the county road to the POINT OF BEGINNING.

EXCEPTING THEREFROM: From the Northeast corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6 Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho, south 86 degrees 57'45" West 32.26 feet to the West side of State Highway 32 Right-of-Way. Thence South 0 degrees 13'31" East 706.09 feet to a point; thence West 160.56 feet to the TRUE POINT OF BEGINNING; thence South 200.00 feet to a point; thence West 227.4 feet to a point; thence diagonally Northwest 1047.5 feet more or less to a point which is South 86 degrees 57'45" West 952.36 feet from

the Northeast corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$, of said Section 6, Township and Range aforesaid, and which point is approximately the center of the county road; and thence North 86 degrees 57'45" East along the county road 759.54 feet more or less, to a point which is North 0 degrees 13'31" West 706.09 feet, more or less from the TRUE POINT OF BEGINNING; and thence South 0 degrees 13'31" East 706.09 feet, more or less, to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: From the Northeast corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$, of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho. South 86 degrees 57'45" West 32.26 feet to the West side of State Highway 32 Right-of-Way said point being the POINT OF BEGINNING. Thence South 0 degrees 13'31" East 706.09 feet to a point; thence West 160.56 feet to a point; thence North 0 degrees 13'31" West 706.09 feet to a point; thence North 86 degrees 57'45" East along the county road 160.56 feet more or less to the POINT OF BEGINNING.

TRACT 5

From the Northeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho, South 86 degrees 57'45" West 952.36 feet to the POINT OF BEGINNING; thence South 86 degrees 57'45" West 829.14 feet to a point; thence South 0 degrees 20'45" East 1093.03 feet to a point; thence East 828.24 feet to a point; thence North 0 degrees 20'45" West 1136.97 feet to the POINT OF BEGINNING.

TRACT 6

From the Northeast Corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho. South 86 degrees 57'45" West 32.26 feet to the West side of State Highway 32 Right-of-Way; thence South 0 degrees 13'31" East 706.09 feet to a point; thence West 160.56 feet to the POINT OF BEGINNING; thence South 200.00 feet to a point; thence West 227.4 feet to a point; thence diagonally Northwest 1047.5 feet more or less to a point which is South 86 degrees 57'45" West 952.36 feet from the Northeast corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$, of said Section 6, Township and Range aforesaid, and which point is approximately the center of the county road; and thence North 86 degrees 57'45" East along the county road 759.54 feet, more or less, to a point which is North 0 degrees 13'31" West 706.09 feet, more or less from the TRUE POINT OF BEGINNING; and thence South 0 degrees 13'31" East 706.09 feet, more or less, to the TRUE POINT OF BEGINNING.

SUBJECT TO County road right of way along North property line.

RESERVING to Grantor a 50 foot wide easement for ingress and egress to Grantor's real property lying west of the property herein described, which easement's Southern boundary line is more particularly described as follows, to wit:

Beginning at the TRUE POINT OF BEGINNING, as more particularly described above, and thence West to the western boundary of the property herein described.

127014

TOGETHER with a 50 foot wide easement for ingress and egress to Grantor's real property herein described which is the subject of this Contract of Sale, which easement's southern boundary line is more particularly described as follows, to wit:

Beginning at the TRUE POINT OF BEGINNING, as more particularly described above, and thence East 160.56 feet, to the West side of State Highway 32 Right-of-Way.

TRACT 7

Beginning 318 feet South of the East Quarter Corner of Section 6, Township 8 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 80 feet, more or less to the North Boundary line of the original townsite plat of the City of Felt; thence West 272 feet; thence North 80 feet, more or less to a point directly West of the point of beginning; thence East 272 feet to the POINT OF BEGINNING.

TOGETHER with an easement to use, repair, and replace the existing waterline situated on and across the grantor's retained property located immediately to the north of the above described property, specifically described as follows:

Beginning at the East Quarter Corner of Section 6, Township 8 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence South 318 Feet; thence West 417.4 feet; thence North 318 feet; thence East 417.4 feet to the POINT OF BEGINNING.

TRACT 8

Lots 1, 28, 29, and 30 of Block 4 of the Felt City Townsite, as per the recorded plat thereof.

TRACT 9A

Lots 1 and 6 and the North 25 feet of Lots 2, 3, 4 and 5 all in Block 3 of the Felt Townsite, County of Teton, State of Idaho.

TOGETHER with all water, water rights, water licences, ditches and ditch rights thereunto belonging or in anywise appertaining, specifically including, but not limited to the following:

Water License No. 22-07033 for 6,000 cfs diversion rate, 1463.80 A.F.A. for with a point of Diversion in Section 27, T7N, R44 E.B.M. to be applied on 564 acres

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining.

For further particulars relating to the terms, conditions and provisions of the Agreement, all persons are referred to the respective parties. Please send tax notices to Arnold and any Notice of Tax Sale to McFarland.

NOTICE OF CONTRACTUAL INTEREST IN PROPERTY 127514

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SCANNED

AUG 03 2007

127514

McFarland

Arnold

M. Don McFarland
M. DON MCFARLAND

DENNIE K. ARNOLD
DENNIE K. ARNOLD

CAROL LYNN MCFARLAND
CAROL LYNN MCFARLAND

JANET ARNOLD
JANET ARNOLD

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 24 day of June, 1997, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared DENNIE K. ARNOLD and JANET ARNOLD, known to me to be the persons whose name was subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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



127514
FILED

AT THE REQUEST OF

First American

DATE June 26, 1997

Dea. J. Drake

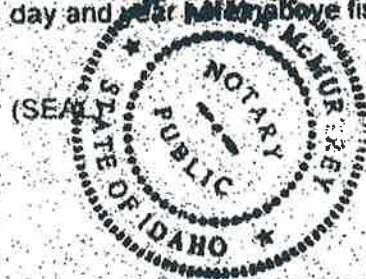
ss. Dea. J. Drake

STATE OF IDAHO)
) ss.
County of Bonneville)

Antonia M. Murley
NOTARY PUBLIC FOR IDAHO
Residing at: Burley, ID
My Commission Exp: 5/20/2000

On this 24 day of June, 1997, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared M. DON MCFARLAND and CAROL LYNN MCFARLAND, known to me to be the persons whose name was subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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



Antonia M. Murley
NOTARY PUBLIC FOR IDAHO
Residing at: Burley, ID
My Commission Exp: 5/20/2000

NOTICE OF CONTRACTUAL INTEREST IN PROPERTY

127514

SCANNED
PAGE - 5
AUG 03 2007

SCANNED
JAN 03 2007

NOTARY PUBLIC for Idaho
Residing at Rexburg, Idaho.
My Commission Expires: 7-11-97



On this 25th day of July, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared SONIA STEED, wife of GARY STEED, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she 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.

County of Madison.
STATE OF IDAHO,

[Signature]
Sonia Steed

DATED this 25th day of July, 1991.

[Signature]
JAN 8 1992
JAN 8 1992

TOGETHER with any and all improvements and appurtenances thereto, rents, issues and profits thereof, and made a part hereof by reference.
Described on Exhibits "A" and "B" attached hereto and

FOR VALUE RECEIVED, SONIA STEED, wife of Gary Steed, of 4187 East 500 North, Rigby, Idaho 83442, does hereby remise, release and forever quitclaim unto DON McFARLAND and CAROL McFARLAND, husband and wife, of P.O. Box 268, Eden, Idaho 83325, the following described real property in Teton County, Idaho, to-wit:

QUITCLAIM DEED

TETON Co. ID.
Clerk/Recorder

JAN 08 1992

FILED
109410

NOTARY
PUBLIC
STATE OF IDAHO

The following described premises, in Teton County, to-wit:

LEGAL L. BURNS PROPERTY UNDER NO. 11394

TOWNSHIP 7 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

Section 27: NW1/4SW1/4; S1/2NE1/2

Section 28: S1/2NE1/4; NW1/4; NE1/4SW1/4; N1/2SE1/4

ALSO: Beginning at a point that is North 417.40 feet along the Section line from the East Quarter corner (Southeast corner of the Southeast Quarter of the Northeast Quarter) of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho; and running thence North 200 feet; thence West 190 feet; thence South 200 feet; thence East 190 feet to the Point of Beginning. Together with a roadway easement described as follows: Beginning at a point that is North 156.2 feet along the section line from the East Quarter corner (Southeast corner of the Southeast Quarter of the Northeast Quarter) of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence West 349.40 feet; thence North 61.20 feet; thence East 349.40 feet; thence South 61.20 feet to the Point of Beginning.

LESS THE FOLLOWING: That portion of the NW1/4 and the NE1/4SW1/4 and the S1/2NE1/4 and the N1/2SE1/4, described by metes and bounds as follows: Commencing at the Northwest corner of said Section 28, thence South 03 degrees 24'36" East, 2691.40 feet along the West Boundary line to the West quarter corner of said Section 28; thence North 89 degrees 19'39" East, 1303.13 feet along the East-West center quarter line to the Center-West sixteenth corner of said Section 28; thence South 03 degrees 00'45" East, 1342.78 feet along the West sixteenth line to the Southwest sixteenth corner of said Section 28; thence North 89 degrees 12'58" East, 1757.42 feet along the South sixteenth line of said Section 28; thence North 29 degrees 49'37" West, 308.39 feet to a point monumented with a bronze marker inscribed 28G744; thence North 37 degrees 48'40" West, 944.29 feet to a point monumented with a bronze marker inscribed 28H744; thence North 36 degrees 25'30" East, 718.75 feet to a point monumented with a bronze marker inscribed 28J744; thence North 38 degrees 42'01" West, 1726.67 feet to a point monumented with a bronze marker inscribed 28K744; thence North 82 degrees 17'17" West, 1430.97 feet to a point monumented with a bronze marker inscribed 28L744; thence North 46 degrees 33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45 degrees 42'58" East 665.38 feet to a point on the North boundary line of Section 28; thence South 89 degrees 32'42" West, 545.34 feet along the North boundary line to the Northwest corner of said Section 28 to the Point of Beginning.

ALSO LESS: Commencing at the Northwest corner of Section 28, Township 7 North, Range 44 East, Boise Meridian, Teton County, Idaho, thence North 89 degrees 32'42" East, 545.34 feet to the point of beginning; thence North 89 degrees 32'42" East 218.81 feet, along the North quarter line; thence South 03 degrees 32'36" East, 909.71 feet; thence North 82 degrees 17'17" West, 335.46 feet to a bronze marker inscribed 28L744; thence North 46 degrees 33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45 degrees 42'58" East, 665.38 feet to a point on the North boundary line of Section 28, the Point of Beginning.

1--EXHIBIT "A" TO QUITCLAIM DEED.

NED

AUG 03 2007

TOGETHER WITH all water and water rights, appurtenant, belonging, or appertaining thereto, including those particular water rights evidenced by State of Idaho Water License Number 22-7033, with a priority date of May 13, 1970.

ALSO TOGETHER WITH components of an irrigation system presently located on the above-described premises, including 200 HP U.S. motor and Johnston turbin pump; 3 Valley Electric self-propelled circular systems; Two - 1297 foot and one - 1245 foot in length serial numbers 13412, 13413, and 13414. Together with all columns, panels and components to the irrigation pump, motors and circles; and one mile of eight inch to ten inch buried steel mainline.

SUBJECT TO existing county road rights-of-way and all other easements, rights-of-way, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions, of record, and payment of accruing present year taxes and assessments.

2--EXHIBIT "A" TO QUITCLAIM DEED

SCANNED

03 2007

The following described premises, in Teton County, Idaho, to-wit:

From the Northeast corner of SE1 NE1/4 of Section 6, Township 6 North, Range 45 East Boise Meridian, Teton County, Idaho, S. 86° 57' 45" West 32.26 feet to the West side of State Highway 32 Right-of-Way. Thence South 0° 13' 31" East 706.09 feet to a point; thence West 160.56 feet to the TRUE POINT OF BEGINNING; thence South 200.00 feet to a point; thence West 227.4 feet to a point; thence diagonally Northwest 1047.5 feet more or less to a point which is South 86° 57' 45" West 952.36 feet from the Northeast corner of SE4NE1/4 of said Section 6, Township and Range aforesaid, and which point is approximately the center of the county road; and thence North 86° 57' 45" East along the county road 759.54 feet, more or less, to a point which is North 0° 13' 31" West 706.09 feet, more or less from the TRUE POINT OF BEGINNING; and thence South 0° 13' 31" East 706.09 feet, more or less, to the TRUE POINT OF BEGINNING. Contains 5.7 acres more or less.

Subject to county roadway of sight along north property line.

Reserving to Seller a 50 foot wide easement for ingress and egress to Seller's real property lying west of the property which is the subject of this contract of sale, which easement's southern boundary line is more particularly described as follows, to-wit:

Beginning at the TRUE POINT OF BEGINNING, as more particularly described above, and thence West to the western boundary of the property transferred to Buyer by this Contract of Sale.

Together with a 50 foot wide easement for ingress and egress to Buyer's real property which is the subject of this Contract of Sale, which easement's southern boundary line is more particularly described as follows, to-wit:

Beginning at the TRUE POINT OF BEGINNING, as more particularly described above, and thence East 160.56 feet, to the West side of State Highway 32 Right-of-Way.

EXHIBIT "B" TO QUITCLAIM DEED

CORRECTION DEED

This correction deed made on the _____ day of February, 1990, by Lyle R. Smith and Jo K. Smith, husband and wife, of Rural Route, Felt, Idaho, referred to as "Grantor", to the Federal Land Bank of Spokane, a corporation, whose mailing address is West 601 First Avenue, TAF-C5, Spokane, Washington 99220, referred to as "Grantee".

RECITALS

a. Grantor conveyed to Grantee by warranty deed in lieu of foreclosure dated March 30, 1987, and recorded April 22, 1987 as Instrument #100696, in the office of the Recorder of Deeds of Teton County, State of Idaho, a copy of which is attached to and made a part of this instrument as fully and to the same effect as if set forth in full in this instrument in its entirety;

b. In the deed incorporated in this deed, by mistake of the parties, the words "thence North 46°33'58" West, 576.92 feet to point monumented with a bronze marker inscribed 28L744;" were included in the description and were not intended to be included by the parties.

c. To prevent difficulties hereafter, and to permit recordation of a deed that reflects the true agreement of the parties in every respect, the parties desire to correct the error;

CORRECTION OF CONVEYANCE

Therefore, Grantor, in consideration of \$1.00 and other good and valuable consideration, the receipt of which is acknowledged, gives, grants, bargains, sells, conveys and forever quitclaims to Grantee, Grantee's heirs and assigns forever, that parcel of real property located in Teton County, State of Idaho, and described on Exhibit "A", together with all appurtenances.

DATED this 21 day of February, 1990.

Lyle R. Smith
Lyle R. Smith
Jo K. Smith
Jo K. Smith

105614

FILED

AT THE REQUEST OF

Lyle Smith

AT _____ MINUTES PAST 2 P. M.

DATE Feb. 21, 1990

E. Wayne Schuss

CLERK OF RECORDER

BY Nora Hill

DEPUTY

CORRECTION DEED/1



AUG 03 2007

STATE OF IDAHO

County of Blaine

} ss.

On this 21 day of February, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared Lyle R. Smith and Jo K. Smith, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

A circular notary seal for the State of Idaho, featuring the state seal in the center and the words "NOTARY PUBLIC STATE OF IDAHO" around the perimeter.
Arthur P. Magliaro
NOTARY PUBLIC

Residence: Blaine, ID

My Commission Expires: 12-31-93

CORRECTION DEED/2

SCANNED

AUG 03

Township 7 North, Range 44 East, Boise Meridian, Teton County, Idaho
Section 26: E $\frac{1}{4}$; E $\frac{1}{4}$ W $\frac{1}{4}$
Section 23: SE $\frac{1}{4}$; E $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$; W $\frac{1}{4}$ NE $\frac{1}{4}$
Section 27: NW $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{4}$ N $\frac{1}{4}$
Section 28: S $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{4}$ SE $\frac{1}{4}$

LESS THE FOLLOWING: That portion of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the S $\frac{1}{4}$ NE $\frac{1}{4}$ and the N $\frac{1}{4}$ SE $\frac{1}{4}$, described by metes and bounds as follows: Commencing at the Northwest corner of said Section 28, thence South 03°24'36" East, 2691.40 feet along the West Boundary line to the West quarter corner of said Section 28; thence North 89°19'39" East, 1303.13 feet along the East-West center quarter line to the Center-West sixteenth corner of said Section 28; thence South 03°00'45" East, 1342.78 feet along the West sixteenth line to the Southwest sixteenth corner of said Section 28; thence North 89°12'58" East, 1757.42 feet along the South sixteenth line of said Section 28; thence North 29°49'37" West, 308.39 feet to a point monumented with a bronze marker inscribed 28G744; thence North 37°48'40" West, 944.29 feet to a point monumented with a bronze marker inscribed 28H744; thence North 36°25'30" East, 718.75 feet to a point monumented with a bronze marker inscribed 28J744; thence North 38°42'01" West, 1726.67 feet to a point monumented with a bronze marker inscribed 28K744; thence North 82°17'17" West, 1430.97 feet to a point monumented with a bronze marker 28L744; thence North 46°33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45°42'58" East 665.38 feet to a point on the North boundary line of Section 28; thence South 89°32'42" West, 545.34 feet along the North boundary line to the Northwest corner of said Section 28 to the Point of Beginning.

ALSO LESS: Commencing at the Northwest corner of Section 28, Township 7 North, Range 44 East, Boise Meridian, Teton County, Idaho, thence North 89°32'42" East, 545.34 feet to the point of beginning; thence North 89°32'42" East 218.81 feet, along the North quarter line; thence South 03°32'36" East, 909.71 feet; thence North 82°17'17" West, 335.46 feet to a bronze marker inscribed 28L744; thence North 46°33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45°42'58" East, 665.38 feet to a point on the North boundary line of Section 28, the Point of Beginning.

TRACT 2:

Beginning at a point that is North 121.20 feet along the Section line from the East Quarter corner (Southeast corner of the Southeast Quarter of the Northeast Quarter) of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho; and running thence West 19.85 feet to the West right-of-way monument brass cap for Highway 32 stamped Station 188+00 and 50 feet; and running thence West 329.55 feet; thence North 296.20 feet, thence East 159.40 feet; thence North 200.00 feet; thence East 190.00 feet to the Section line; and thence South 496.20 feet along the Section line to the point of beginning.

TOGETHER with all water and water rights of every kind and description

SCANNED

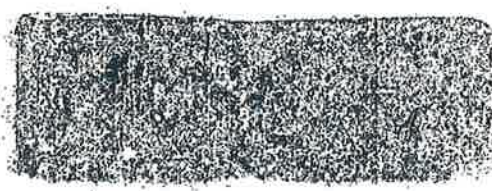
AUG 08 2007

and however evidenced, used upon or appurtenant to said property, which in any manner entitles Grantor to water.

TOGETHER with a Johnston Turbine Pump, 100 HP GE Motor and Johnston Turbine Pump, 200 HP US Motor and Johnstone Turbine Pump and 3 Valley electric self-propelled circular systems (2) 1297 foot and (1) 1245 foot lengths Serial Nos. 13412, 13413, 13414, and 2 miles of 8-10 inch buried steel mainline, together with all columns, panels, and all components, and any replacements thereof, all of which are hereby declared to be appurtenant thereto.

TOGETHER with any and all grain storage facilities located on said property, including but not limited to Varco Pruden steel storage building with ventilation system, and any replacements thereof, all of which are hereby declared to be appurtenant thereto.

TOGETHER with any and all fuel storage tanks, buried or unburied, located on said property, and any replacements thereof, all of which are hereby declared to be appurtenant thereto.



SCANNED
AUG 03 2007

(Optional)
Recorded ☐
Microfilmed ☐
Indexed ☐Platted ☐
Deed Card ☐
Compared ☐Key Punched ☐
Master File ☐
Abstracted ☐To Treasurer ☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED
(CORPORATE FORM)

THE FEDERAL LAND BANK OF SPOKANE, a corporation
organized and existing under the laws of the State of Wash. with its principal office at W. 601 1st Ave.,
Spokane of County of Spokane, State of Wash.,
grantor, hereby CONVEYS or GRANTS and WARRANTS TO ROBERT W. BURNS and LOLA BURNS,
husband and wife,

of 3363 E. Glade Circle, Mesa, Arizona 85204

grantee
for the sum of

Ten and no/100 and other valuable consideration-----DOLLARS,
the following described tract(s) of land in Teton County,
State of Idaho:

See attached.

102665

FILED

 FILMED ☒
 INDEXED ☒
 AT THE REQUEST OF PLATTEE ☒

American Land
 55 MINUTES PAST 2 P. M.
 DATE June 14, 1988
E. Wayne Schies
 CLERK OF RECORDER
 BY *Bonnie Reese*

Location of above described property

House No.

Street

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was
duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meet-
ing duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its
duly authorized officers this 2nd day of June, A. D. 1988

(CORPORATE SEAL)

THE FEDERAL LAND BANK OF SPOKANE
(CORPORATE NAME)

By *Grant W. Boehme*
 Grant W. Boehme
 Senior Loan Officer

State of Idaho
 County of Madison

ss.

On the 2nd day of June, A. D. 1988
 personally appeared before me Grant W. Boehme
 who being by me duly sworn did say, for himself, that he, the said Grant W. Boehme
 is the Senior Loan Officer
 of The Federal Land Bank of Spokane, a corporation, and that the within and
 foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board
 of directors and said Grant W. Boehme
 duly acknowledged to me that said corporation executed the same and that the seal affixed is the
 seal of said corporation.



John L. Lasham
 (NOTARY PUBLIC)

My residence is Rexburg, Idaho
 My commission expires 6/15/91

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name

Address

City & State

Zip

 SCANNED
 AUG 03 2007

Federal Land Bank of Spokane to Robert V. Burns and Lola Burns

Township 7 North, Range 44 East, Boise Meridian, Teton County, Idaho

Section 27: NW $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ N $\frac{1}{2}$

Section 28: S $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$

ALSO: Beginning at a point that is North 417.40 feet along the Section line from the East Quarter corner (Southeast corner of the Southeast Quarter of the Northeast Quarter) of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho; and running thence North 200 feet; thence West 190 feet; thence South 200 feet; thence East 190 feet to the Point of Beginning. Together with a roadway easement described as follows: Beginning at a point that is North 356.2 feet along the section line from the East Quarter corner (Southeast corner of the Southeast Quarter of the Northeast Quarter) of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence West 349.40 feet; thence North 61.20 feet; thence East 349.40 feet; thence South 61.20 feet to the Point of Beginning.

LESS THE FOLLOWING: That portion of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the S $\frac{1}{2}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$, described by metes and bounds as follows: Commencing at the Northwest corner of said Section 28, thence South 03°24'36" East, 2691.40 feet along the West Boundary line to the West quarter corner of said Section 28; thence North 89°19'39" East, 1303.13 feet along the East-West center quarter line to the Center-West sixteenth corner of said Section 28; thence South 03°00'45" East, 1342.78 feet along the West sixteenth line to the Southwest sixteenth corner of said Section 28; thence North 89°12'58" East, 1757.42 feet along the South sixteenth line of said Section 28; thence North 29°49'37" West, 308.39 feet to a point monumented with a bronze marker inscribed 28G744; thence North 37°48'40" West, 944.29 feet to a point monumented with a bronze marker inscribed 28H744; thence North 36°25'30" East, 718.75 feet to a point monumented with a bronze marker inscribed 28J744; thence North 38°42'01" West, 1726.67 feet to a point monumented with a bronze marker inscribed 28K744; thence North 82°17'17" West, 1430.97 feet to a point monumented with a bronze marker 28L744; thence North 46°33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45°42'58" East 665.38 feet to a point on the North boundary line of Section 28; thence South 89°32'42" West, 545.34 feet along the North boundary line to the Northwest corner of said Section 28 to the Point of Beginning.

ALSO LESS: Commencing at the Northwest corner of Section 28, Township 7 North, Range 44 East, Boise Meridian, Teton County, Idaho, thence North 89°32'42" East, 545.34 feet to the point of beginning; thence North 89°32'42" East 218.81 feet, along the North quarter line; thence South 03°32'36" East, 909.71 feet; thence North 82°17'17" West, 335.46 feet to a bronze marker inscribed 28L744; thence North 46°33'58" West, 576.92 feet to point monumented with a bronze marker inscribed 28L744; thence North 46°33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45°42'58" East, 665.38 feet to a point on the North boundary line of Section 28, the Point of Beginning.

INITIALS:

FLB By: Law 12

Dated: 6/2/88

SCANNED

AUG 03 2007

0 3 2007
CANNED

JAN 11 1992

TETON CO. ID.
Clerk Recorder

WARRANTY DEED

FOR VALUE RECEIVED, Don McFarland and Gary Steed, dba McFarland-Steed Partnership, hereinafter called "Grantors," hereby grant, bargain, sell and convey unto Don and Carol McFarland, husband and wife, whose mailing address is P.O. Box 268, Eden, Idaho, 83325, hereinafter called "Grantees," the following described premises, in Teton County, Idaho, to-wit:

See Exhibit "A" attached hereto and made a part hereof by reference thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and to the Grantees' heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that the Grantors are the owners in fee simple of said premises; that they are free from encumbrances except as described above and that Grantors will warrant and defend the same from all lawful claims whatsoever.

DATED this 25th day of July, 1991.

Don McFarland
Gary Steed



109411
FILED
AT THE REQUEST OF
Don McFarland
Gary Steed
July 8, 1992
Don A. Baker
Notary Public
WARRANTY DEED \1

ALSO LESS: Commencing at the Northwest corner of Section 28, Township 7 North, Range 44 East, Boise Meridian, Teton County, Idaho, thence North 89 degrees 32'42" East, 545.34 feet to the point of beginning; thence North 89 degrees 32'42" East, 218.81 feet, along the North quarter line; thence South 03 degrees 32'36" East, 909.71 feet; thence North 82 degrees 17'17" West, 335.46 feet to a bronze marker inscribed 28L744; thence North 46 degrees 33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45 degrees 42'58" East, 665.38 feet to a point on the North boundary line of Section 28, the point of beginning.

LESS THE FOLLOWING: That portion of the NW1/4 and the NE1/4SW1/4 and the S1/2NE1/4 and the N1/2SE1/4, described by metes and bounds as follows: Commencing at the Northwest corner of said Section 28, thence South 03 degrees 24'36" East, 2691.40 feet along the West boundary line to the West quarter corner of said Section 28; thence North 89 degrees 19'39" East, 1303.13 feet along the East-West quarter line to the Center-West sixteenth corner of said Section 28; thence South 03 degrees 00'45" East, 1342.78 feet along the West sixteenth line to the Southwest sixteenth corner of said Section 28; thence North 89 degrees 12'58" East, 1757.42 feet along the South sixteenth line of said Section 28; thence North 29 degrees 49'37" West, 308.39 feet to a point monumented with a bronze marker inscribed 28G744; thence North 37 degrees 48'40" West, 944.29 feet to a point monumented with a bronze marker inscribed 28H744; thence North 36 degrees 25'30" East, 718.75 feet to a point monumented with a bronze marker inscribed 28J744; thence North 38 degrees 42'01" West, 1726.67 feet to a point monumented with a bronze marker inscribed 28K744; thence North 82 degrees 17'17" West, 1430.97 feet to a point monumented with a bronze marker inscribed 28L744; thence North 46 degrees 33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45 degrees 42'58" East, 665.38 feet to a point on the North boundary line of Section 28; thence South 89 degrees 32'42" West, 545.34 feet along the North boundary line to the Northwest corner of said Section 28 to the point of beginning.

ALSO: Beginning at a point that is North 47.40 feet along the Section line from the East quarter corner of the Southeast Quarter of the Northeast Quarter of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence West 349.40 feet; thence North 61.20 feet; thence East 349.40 feet; thence South 61.20 feet to the point of beginning.

TOWNSHIP 7 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO
Section 27: NW1/4SW1/4; S1/2NE1/2
Section 28: S1/2NE1/4; NW1/4; NE1/4SW1/4; N1/2SE1/4

TOGETHER WITH all water and water rights, appurtenant, belonging, or appertaining thereto, including those particular water rights evidenced by State of Idaho Water License Number 22-7033, with a priority date of May 13, 1970.

ALSO TOGETHER WITH components of an irrigation system presently located on the above-described premises, including 200 HP U.S. motor and Johnston turbin pump; 3 Valley Electric self-propelled circular systems; Two - 1297 foot and one - 1245 foot in length serial numbers 13412, 13413, and 13414. Together with all columns, panels and components to the irrigation pump, motors and circles; and one mile of eight inch to ten inch buried steel mainline.

SUBJECT TO existing county road rights-of-way and all other easements, rights-of-way, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions, of record, and payment of accruing present year taxes and assessments.

39761

STATE OF IDAHO)
(ss.
County of Hodges)

On this 3rd day of January, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared Don McFarland, known to me to be a partner of McFarland-Steed Partnership, the corporation whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of the partnership.

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



Rex Berry
NOTARY PUBLIC FOR IDAHO
Residing at: Rex Berry
My Commission Expires: 8-26-92

STATE OF IDAHO)
(ss.
County of Hodges)

On this 25th day of July, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared Gary Steed, known to me to be a partner of McFarland-Steed Partnership, the corporation whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of the partnership.

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



Rex Berry
NOTARY PUBLIC FOR IDAHO
Residing at: Rex Berry
My Commission Expires: 8-26-92

(wardeed2.mcf\jwa\mah)

WARRANT DEED\2

SCANNED

AUG 03 2007

WARRANTY DEED

FOR VALUE RECEIVED, Lola J. Burns, sole Trustee of the Burns Family Trust, hereinafter called "Grantor," hereby grants, bargain, sells and conveys unto Don McFarland and E. Gary Steed, d/b/a McFarland-Steed Partnership, whose mailing address is Box 268, Eden, Idaho 83325, hereinafter called "Grantee," the following described premises, in Teton County, Idaho, to wit:

See Exhibit "A" attached hereto and made a part hereof by reference thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances and all water rights unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

105910
FILED

DATED this 12 day of April, 1990.

AT THE REQUEST OF

First American

BURNS FAMILY TRUST

AT 11 MINUTES PAST 11 a.m.

DATE May 3, 1990

E. Wayne Schiess
CLERK OF RECORDER



By Lola J. Burns
Lola J. Burns sole Trustee

BY Ana Hill

DEPUTY CLERK OF RECORDER
STATE OF CALIFORNIA

County of SAN DIEGO

On this 12TH day of APRIL, 1990, before me, the undersigned, a Notary Public in and for said State,

WARRANTY DEED\1

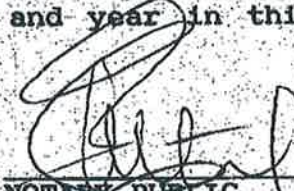
SCANNED

AUG 03 2007

personally appeared Lola J. Burns, known to me to be the sole Trustee of the Burns Family Trust, the Trust whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same on behalf of the Trust.

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




NOTARY PUBLIC
Residence: SAN DIEGO COUNTY
My Commission Expires: 5-30-91

(WarrDeed.LJB,JWS/d1)

WARRANTY DEED\2

SCANNED

AUG 03 2007

TOWNSHIP 7 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO
 Section 27: NW1/4SW1/4; S1/2N1/2
 Section 28: S1/2NE1/4; NW1/4; NE1/4SW1/4; N1/2SE1/4

ALSO: Beginning at a point that is North 417.40 feet along the Section line from the East Quarter corner (Southeast corner of the Southeast Quarter of the Northeast Quarter) of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho; and running thence North 200 feet; thence West 190 feet; thence South 200 feet; thence East 190 feet to the Point of Beginning. Together with a roadway easement described as follows: Beginning at a point that is North 356.2 feet along the section line from the East Quarter corner (Southeast corner of the Southeast Quarter of the Northeast Quarter) of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence West 349.40 feet; thence North 61.20 feet; thence East 349.40 feet; thence South 61.20 feet to the Point of Beginning.

LESS THE FOLLOWING: That portion of the NW1/4 and the NE1/4SW1/4 and the S1/2NE1/4 and the N1/2SE1/4, described by metes and bounds as follows: Commencing at the Northwest corner of said Section 28, thence South 03 degrees 24'36" East, 2691.40 feet along the West Boundary line to the West quarter corner of said Section 28; thence North 89 degrees 19'39" East, 1303.13 feet along the East-West center quarter line to the Center-West sixteenth corner of said Section 28; thence South 03 degrees 00'45" East, 1342.78 feet along the West sixteenth line to the Southwest sixteenth corner of said Section 28; thence North 89 degrees 12'58" East, 1757.42 feet along the South sixteenth line of said Section 28; thence North 29 degrees 49'37" West, 308.39 feet to a point monumented with a bronze marker inscribed 28G744; thence North 37 degrees 48'40" West, 944.29 feet to a point monumented with a bronze marker inscribed 28H744; thence North 36 degrees 25'30" East, 718.75 feet to a point monumented with a bronze marker inscribed 28J744; thence North 38 degrees 42'01" West, 1726.67 feet to a point monumented with a bronze marker inscribed 28K744; thence North 82 degrees 17'17" West, 1430.97 feet to a point monumented with a bronze marker inscribed 28L744; thence North 46 degrees 33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45 degrees 42'58" East 665.38 feet to a point on the North boundary line of Section 28; thence South 89 degrees 32'42" West, 545.34 feet along the North boundary line to the Northwest corner of said Section 28 to the Point of Beginning.

ALSO LESS: Commencing at the Northwest corner of Section 28, Township 7 North, Range 44 East, Boise Meridian, Teton County, Idaho, thence North 89 degrees 32'42" East, 545.34 feet to the point of beginning; thence North 89 degrees 32'42" East 218.81 feet, along the North quarter line; thence South 03 degrees 32'36" East, 909.71 feet; thence North 82 degrees 17'17" West, 335.46 feet to a bronze marker inscribed 28L744; thence North 46 degrees 33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45 degrees 42'58" East, 665.38 feet to a point on the North boundary line of Section 28, the Point of Beginning.

TOGETHER WITH all water and water rights, appurtenant, belonging, or appertaining thereto, including those particular water rights evidenced by State of Idaho Water License Number 22-7033, with a priority date of May 13, 1970.

ALSO TOGETHER WITH components of an irrigation system presently located on the above-described premises, including 200 HP U.S. motor and Johnston turbin pump; 3 Valley Electric self-propelled circular systems; Two - 1297 foot and one - 1245 foot in length serial numbers 13412, 13413, and 13414. Together with all columns, panels and components to the irrigation pump, motors and circles; and one mile of eight inch to ten inch buried steel mainline.

SUBJECT TO existing county road rights-of-way and all other easements, rights-of-way, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions, of record, and payment of accruing present year taxes and assessments.

39761

SCANNED

AUG 03 2007

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:
Earl W. Husted, Esq.
16855 W. Bernardo Dr., #304
San Diego, California 92127

MAIL TAX STATEMENTS TO:
Mrs. Lola Burns
6575 Shannon Road
Riverside, CA 92504

311 SYSTEMS

104234

FILED

AT THE REQUEST OF



Holland & Hart
30 MINUTES PAST 12 P. M.

May 9, 1989
E. Wayne Schress
Nora Hill

WARRANTY DEED

FOR NO CONSIDERATION, Robert V. Burns and Lola Burns, husband and wife, hereby convey or grant and warrant to Robert V. Burns and Lola Burns as trustees of the Burns Family Trust under declaration of trust dated October 8, 1984, the following described tract(s) of land in Teton County, State of Idaho:

See Exhibit "A" attached hereto
and incorporated herein by this reference

DATED: *April 6, 1989*

Lola Burns
Lola Burns, grantor

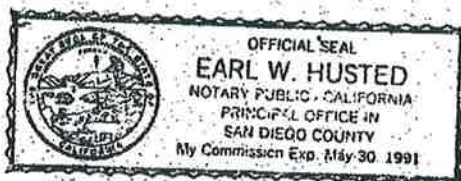
Robert V. Burns
Robert V. Burns, grantor

By: *Lola Burns*
Lola Burns, the attorney
in fact of Robert V. Burns

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On this *6th* day of *April*, 1989, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Lola Burns known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same.

WITNESS my hand and official seal.



[Signature]
Notary Public in and for said
County and State
Residing at San Diego, Calif.
My commission expires: *5-30-91*

SCANNED

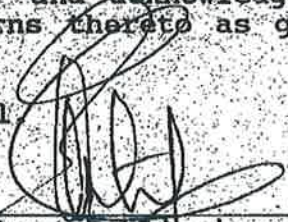
AUG 03 2007

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On this 6th day of April, 1989, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Lola Burns, personally known to me to be the person whose name is subscribed to this instrument as the attorney in fact of Robert V. Burns, and acknowledged that she subscribed the name of Robert V. Burns thereto as grantor, and her own name as his attorney in fact.

WITNESS my hand and official seal.




Notary Public in and for said
County and State
Residing at San Diego, Calif.
My commission expires: 5-30-91

SCANNED

AUG 03 2007

Exhibit "A"

Township 7 North, Range 44 East, Boise Meridian, Teton County, Idaho
Section 27: NW $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ N $\frac{1}{2}$

Section 28: S $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$

ALSO: Beginning at a point that is North 417.40 feet along the Section line from the East Quarter corner (Southeast corner of the Southeast Quarter of the Northeast Quarter) of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho; and running thence North 200 feet; thence West 190 feet; thence South 200 feet; thence East 190 feet to the Point of Beginning. Together with a roadway easement described as follows: Beginning at a point that is North 355.2 feet along the section line from the East Quarter corner (Southeast corner of the Southeast Quarter of the Northeast Quarter) of Section 6, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence West 349.40 feet; thence North 61.20 feet; thence East 349.40 feet; thence South 61.20 feet to the Point of Beginning.

LESS THE FOLLOWING: That portion of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the S $\frac{1}{2}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$, described by metes and bounds as follows: Commencing at the Northwest corner of said Section 28, thence South 03°24'36" East, 2691.40 feet along the West Boundary line to the West quarter corner of said Section 28; thence North 89°19'39" East, 1303.13 feet along the East-West center quarter line to the Center-West sixteenth corner of said Section 28; thence South 03°00'45" East, 1342.78 feet along the West sixteenth line to the Southwest sixteenth corner of said Section 28; thence North 89°12'58" East, 1757.42 feet along the South sixteenth line of said Section 28; thence North 29°49'37" West, 308.39 feet to a point monumented with a bronze marker inscribed 28G744; thence North 37°48'40" West, 944.29 feet to a point monumented with a bronze marker inscribed 28H744; thence North 36°25'30" East, 718.75 feet to a point monumented with a bronze marker inscribed 28J744; thence North 38°42'01" West, 1726.67 feet to a point monumented with a bronze marker inscribed 28K744; thence North 82°17'17" West, 1430.97 feet to a point monumented with a bronze marker 28L744; thence North 46°33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45°42'58" East 665.38 feet to a point on the North boundary line of Section 28; thence South 89°32'42" West, 545.34 feet along the North boundary line to the Northwest corner of said Section 28 to the Point of Beginning.

ALSO LESS: Commencing at the Northwest corner of Section 28, Township 7 North, Range 44 East, Boise Meridian, Teton County, Idaho, thence North 89°32'42" East, 545.34 feet to the point of beginning; thence North 89°32'42" East 218.81 feet, along the North quarter line; thence South 03°32'36" East, 909.71 feet; thence North 82°17'17" West, 335.46 feet to a bronze marker inscribed 28L744; thence North 46°33'58" West, 576.92 feet to point monumented with a bronze marker inscribed 28L744; thence North 46°33'58" West, 576.92 feet to a point monumented with a bronze marker inscribed 28M744; thence North 45°42'58" East, 665.38 feet to a point on the North boundary line of Section 28, the Point of Beginning.

SCANNED

AUG 03 2007

No. 2059 P. 1

Idaho Dept. of Water Resources

May. 22. 2007 2:16PM

Page 1

CS222207

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-13601 #1

WATER RIGHT NUMBER: 22-13601 V1

Owner Type	Name and Address
Original Owner	LYLE R SMITH
Original Owner	FELT, ID 83424 ROBERT BURNS 3363 E GLADE CIR MESA, AZ 85204 (602)832-0539
Current Owner	LARRY E BURNS 721 W MAIN REXBURG, ID 83440 (208)356-3103

Priority Date: 05/13/1970

Basis: License

Status: Parent

Source Tributary

GROUND WATER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	05/15 to 09/15	4.470 CFS	
	Total Diversion:	4.470 CFS	1,089.40 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4NW1/4	Sec. 2, Twp 07N, Rge 44E, B.M.
TETON County		
GROUND WATER	SE1/4SW1/4NW1/4	Sec. 2, Twp 07N, Rge 44E, B.M.
TETON County		
GROUND WATER	SE1/4SW1/4NE1/4	Sec. 2, Twp 07N, Rge 44E, B.M.
TETON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 44E 27			35.0	30.0			40.0	33.0	25.0	3.0			30.0	35.0			266.0
07N 44E 28			38.0	40.0				10.0	3.0				29.0	35.0			155.0

Total Acres: 420

SCANNED
AUG 03 2007

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-13601 V1

Conditions of Approval:

1. C18 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(b), Idaho Code.
2. C05 Right Includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. SPLIT RIGHT: SEE RIGHT NOS. 22-13660 and 22-13661.
4. This right is renumbered from former right 22-7033.
5. C03 Right Includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Remarks:Comments:Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			11/01/2006	tgabraith	Parent

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	11/1/2006 9:06:10 AM	tgabraith	Updated shape
POD	11/1/2006 9:06:25 AM	tgabraith	Updated PLS
POD	11/1/2006 9:06:43 AM	tgabraith	Updated shape
POD	11/1/2006 9:07:05 AM	tgabraith	Updated PLS
POD	11/1/2006 9:07:25 AM	tgabraith	Updated shape
POU	11/1/2006 9:25:35 AM	tgabraith	Updated shape for Active POU

SCANNED

AUG 03 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

January 22, 2007

RECEIVED

MAY 25 2007

Department of Water Resources
Eastern Region

DENNIE ARNOLD
1045 N HWY 32
FELT ID 83424

Can send when
Term Line? get
back
→ renumbered
to 22-13660

RE: OWNERSHIP CHANGE FOR WATER RIGHT 22-13601

Dear Mr. Arnold:

I spoke with you on the telephone a few weeks ago and I recall you said Larry Burns is deceased, and you purchased this water right from Robert Burns.

Please provide a death certificate for Larry and warranty deed from Robert, and fill out the enclosed form, and we will update this record with the correct ownership.

Respectfully,

Jennifer Crabtree

Jennifer Crabtree
Technical Records Specialist

Deadline
June

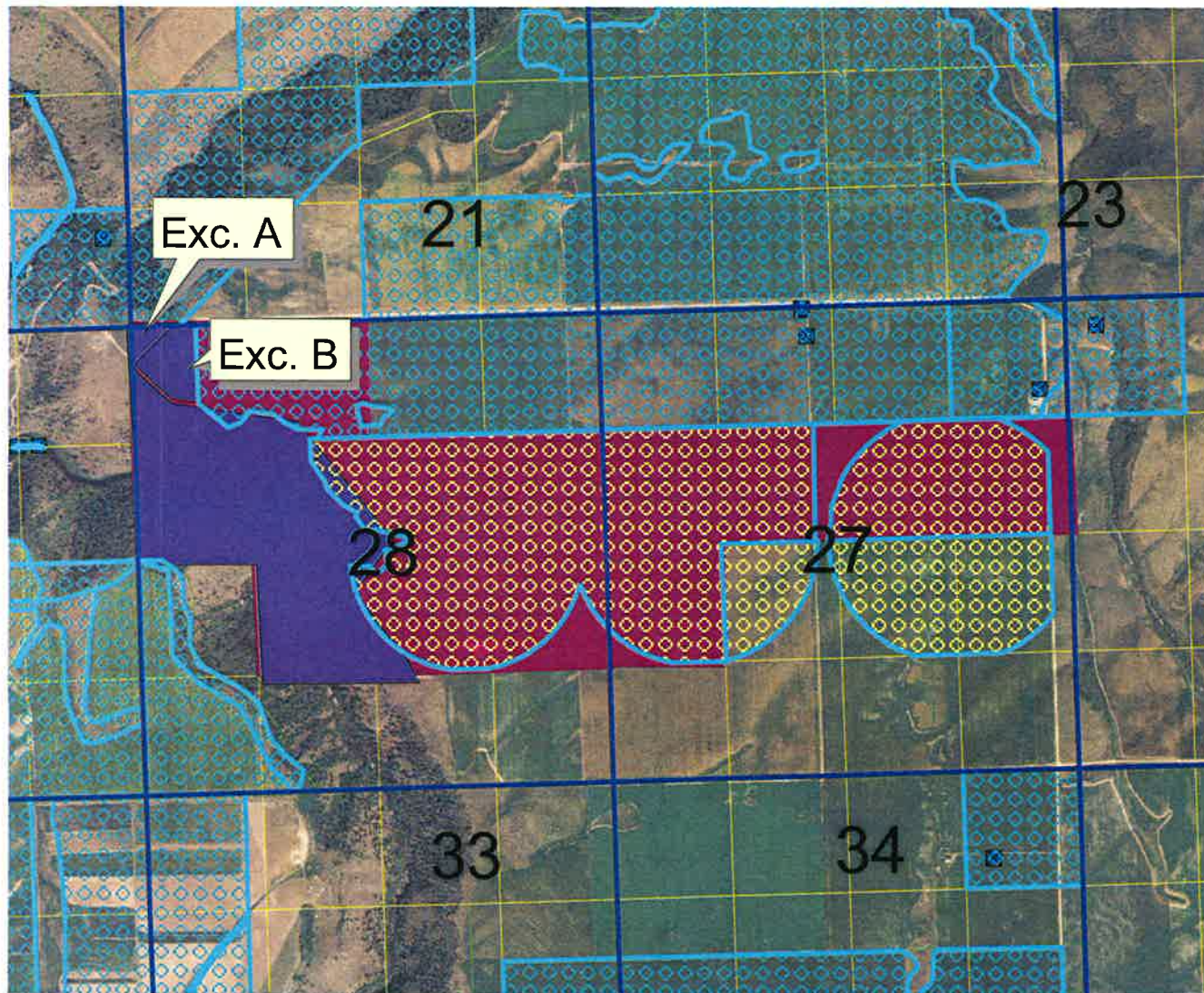
Enclosure

SCANNED

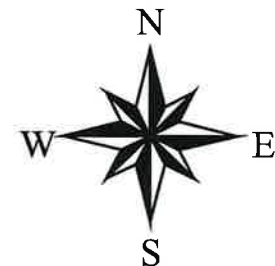
AUG 03 2007

22-13660 McFarland to Arnold

SCAILED
AUG 11 2007



-  Sections
-  Recommendation POU
-  Eceptions.shp
-  Including.shp
-  QQ
-  Teton taxlots
-  GCDB07N44E GCDB
-  Recommendation POD



0.6 0 0.6 1.2 Miles



Idaho Department of Water Resources

SRBA Recommendation:

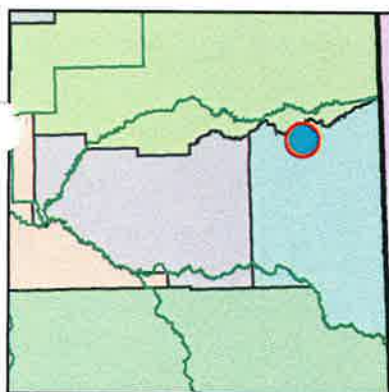
22-13660

(Irrigation)

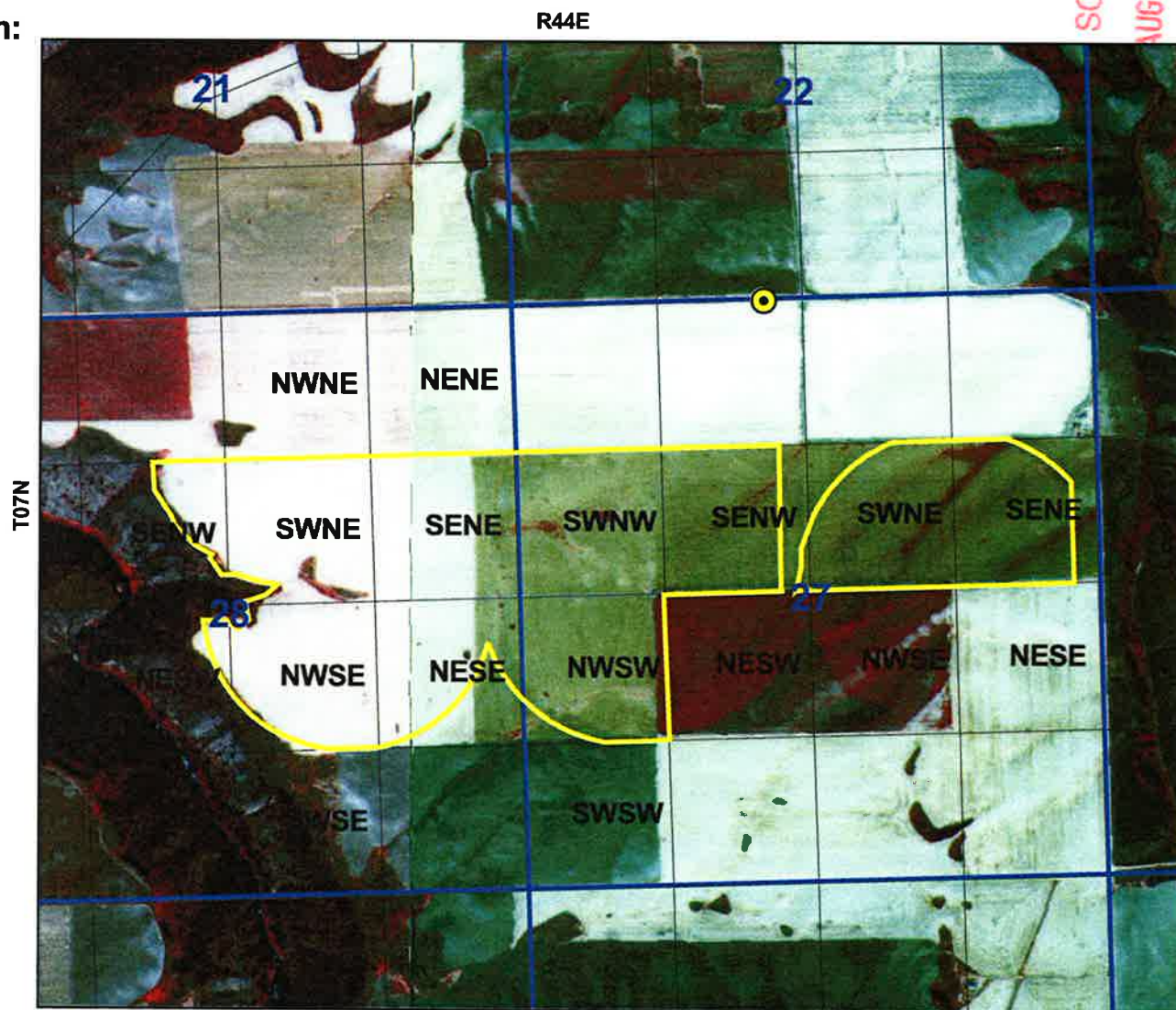
SCANNED
AUG 03 2007

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22



Prepared by J. Crabtre
On Friday, December 15, 2006
1987/88 Aerial Photography