

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 02 2020
Department of Water Resources
Eastern Region

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, and 42-222, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested: Application for Transfer No. 83930 in the name of E & M Trust

2. Name of protestant: W. Pauline Beckstead Survivor's Trust, u/t/d Feb. 22, 2017

3. Protestant's Representative for service (If different than protestant)

Fredrick H. Olsen

4. Service mailing address: 330 Nelson Avenue, Preston, Idaho 83263

5. Service telephone no. 801-349-7410 Email Address: fred@fredrickolsen.com

6. Basis of protest (including statement of facts and law upon which the protest is based)

See attached documentation.

(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest?

Withdrawal and denial of the transfers and changes requested in Application No. 83930 relating to water rights Nos. 13-60B, 13-61B and 13-3-274.

8. I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 31st day of March, 2020.

Pauline Beckstead
Protestant

Fredrick H. Olsen
Protestant's Representative

NOTE:

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
6. Specifically describe the nature of the protest.
7. Describe the relief being sought by the protestant.

FOR DEPARTMENT USE ONLY

Received by CA de Date 4/2/2020 Time 12:00 pm
\$25.00 fee Receipted by CA de # E045792 Date 4/2/2020

Attachment to:

Notice of Protest

of W. Pauline Beckstead Survivors's Trust dated March 31, 2020

On October 25, 2006, David and Pauline Beckstead acquired a 61.46 acres of land from Exchange 06-3364 LLC and on November 6, 2006 and October 28, 2011 David Beckstead acquired 4.01 acres and 6.70 acres, respectively from Val B. Sharp and Jeralyn Sharp. Both Exchange 06-3364 and Val B. Sharp and Jeralyn Sharp acquired the land sold to the David and Pauline Beckstead from the Lyman J. Sharp Family Trust. The total acreage of land acquired so by the David and Pauline Beckstead is 72.17 acres and all of such property is located in the Northeast quarter of Section 12, Township 16 South, Range 39 East, Boise Meridian, Franklin County, Idaho. Copies of deeds for each of these transactions are attached.

David and Pauline Beckstead transferred the 72.17 acres of land referenced above to the David and Pauline Beckstead Revocable Trust on May 19, 2017 and subsequent to David's death such property was transferred on December 21, 2018 to the W. Pauline Beckstead Survivor's Trust. Copies of deeds for each of these transactions are attached.

The conveyance documents to David and Pauline Beckstead did not specifically address water rights. Consequently, under Idaho law, the water rights related to the acquired property are to be split proportionately to the amount of land acquired.

Not fully understanding the requirements of the State of Idaho Department of Water Resources, David and Pauline Beckstead did not file a Notice of Change in Water Rights Ownership in connection with the acquisition of the land parcels identified above. However, a Notice of Change in Water Right Ownership is being filed with the State of Idaho Department of Water Resources by W. Pauline Beckstead relating to such property acquisitions.

It is our understanding that the water right Nos. 13-60B, 16-61B and 16-274 owned by Lyman J. Sharp were used and attached to his farm property having a total of 80.99 acres located in the Northeast quarter of Section 12, Township 16 South, Range 39 East, Boise Meridian, Franklin County, Idaho. Members of the Sharp family continue to own 8.82 acres of the Lyman J. Sharp farm.

Based upon the above, it is our contention that the W. Pauline Beckstead Survivor's trust owns 72.17/80.99 or 89% of the water rights associated with water rights Nos. 13-60B, 16-61B and 16-274.

1-6

276397

When recorded, return to:

K. Kristine B. Olsen
556 E Walnut Brook Drive
Murray, Utah 84107

Recorded at the request of
Kristine Olsen
Time 11:44 Amount \$ 15.00

DEC 21 2018

SHAUNA T. GEDDES, RECORDER
By C. Carter Deputy
Franklin County, Idaho

Send Tax notices to:

W. Pauline Beckstead, Trustee
1498 South 800 East
Preston, Idaho 83623

QUITCLAIM DEED

W. PAULINE BECKSTEAD, in her capacity as TRUSTEE OF THE DAVID AND PAULINE BECKSTEAD REVOCABLE TRUST, dated February 22, 2017, Grantor, hereby conveys and quitclaims to W. PAULINE BECKSTEAD, TRUSTEE OF THE W. PAULINE BECKSTEAD SURVIVOR'S TRUST, u/d February 22, 2017, Grantee, the following described real property in Franklin County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT A AND INCORPORATED HEREIN BY THIS REFERENCE.

WITNESS the hand of said Grantor this 21st day of December 2018.

W. Pauline Beckstead
W. Pauline Beckstead, Trustee of the
David and Pauline Beckstead
Revocable Trust, dated February 22,
2017

STATE OF IDAHO)
) ss.
COUNTY OF FRANKLIN)

W. PAULINE BECKSTEAD, known to me (or proved on the basis of sufficient identification) to be the trustee of the trust that executed the above instrument or the person who executed the instrument on behalf of said trust, personally appeared before me and acknowledged that such trust executed the same, the 21st day of December 2018.

Susan Blair
Notary Public



EXHIBIT A**276397****(Legal Description)**

The following described real property in Franklin County, State of Idaho, more particularly described as follows to wit:

Parcel # RP0 2633 (part)

Parcel # RP0 2671.00

Township 16 South, Range 39 East of the Boise Meridian.

Section 3: SW 1/4 SE 1/4, SE 1/4 SW 1/4, EXCEPT the North 2 rods for road right-of-way.

Section 10: NW 1/4 NE 1/4, NE 1/4 NW 1/4

EXCEPTING THEREFROM THE FOLLOWING:

(Instrument 213266)

Sections 3 and 10:

Beginning at the Northeast corner of the SW 1/4 SW 1/4 of Section 3, said corner is identified with a steel stake with cap set between two railroad ties set as posts, and running thence East 950 feet along centerline of County Road to the intersection of the road and the Cub River Lewiston Irrigation Canal. This point is the center of the South end of the East culvert; thence East along centerline of County Road 206 feet to the TRUE POINT OF BEGINNING; thence continuing East along said centerline 30 feet to the Northwest corner of land described in Warranty Deed to Tim B. Golightly and Natalie W. Golightly, Trustees of the Golightly Family Trust, U/A/D November 1, 1997, and recorded June 2, 1998, under Instrument No. 202504; thence South 1268 feet to the Southwest corner of said Golightly land, thence East 14 feet; thence South 1325 feet; thence West 1200 feet to the West line of the NE 1/4 NW 1/4 of Section 10, thence North 940 feet, more or less, to the centerline of the Cub River Lewiston Canal, thence in a Northeasterly direction along the centerline of said canal 390 feet, more or less, to the North line of Section 10; thence East along said North line to a point that is South of the True Point of Beginning; thence North 1320 feet, more or less, to the centerline of County Road and the True Point of Beginning. SUBJECT to existing easements for roads highways, ditches, canals, laterals, and power and transmission lines.

EXCEPTING THE FOLLOWING TRACTS:

Township 16 South, Range 39 East of the Boise Meridian.

Section 3: Commencing at a point 180 feet East and 33 feet South of the Northwest corner of the SE 1/4 of SW 1/4 of said Section 3, running thence East 208 feet; thence South 208 feet; thence West 208 feet; thence North 208 feet to the point of beginning.

Section 3: Beginning at the Southwest corner of said Section 3; thence North $51^{\circ}17'51''$ East 1928.94 feet to the TRUE POINT OF BEGINNING which is 1/2 inch rebar with cap labeled RLS 4735 said point is by record South 33 feet and East 180 feet from the Northwest corner of the SE 1/4 of the SW 1/4 of said Section 3; thence South $00^{\circ}00'37''$ West 207.97 feet (South 208.00 feet by record) to a 1/2 inch rebar with cap; thence South $89^{\circ}26'28''$ East 207.89 feet (South $89^{\circ}25'13''$ West 208.00 feet by record) to a 1/2 inch rebar with cap; thence South $09^{\circ}50'55''$ West 397.71 feet to a 5/8 inch rebar with cap; thence South $88^{\circ}28'30''$ West 318.71 feet to a 5/8 inch rebar with cap set at a fence corner; thence North $00^{\circ}07'10''$ West 612.15 feet along said fence to the South right of way line of the county road; thence South $89^{\circ}25'13''$ East 180.07 feet to the TRUE POINT OF BEGINNING.

SUBJECT to a 30-foot right-of-way retained by David W. Beckstead and Pauline W. Beckstead along the West border of the above property, where I joins with the real property of Larin Bodily, for and as a farm access road running between the county road known as 2000 South and land lying South of the above-described real property. This right-of-way shall be for the use of David W. Beckstead and Pauline W. Beckstead and their successors and authorized agents only. Grantees and their successors and authorized agents shall also have use of this right-of-way.

Section 3: Commencing at a point 2 rods South and 250 feet West of the Northeast Corner of the SW 1/2 SE 1/4 of said Section 3, running thence West 120 feet, thence South 180 feet; thence East 120 feet, thence North 180 feet to the point of beginning.

EXCEPTING THEREFROM THE FOLLOWING:**(Instrument 183734)**

Section 3: Commencing at a point 2 rods South of the Northeast corner of the S W 1/4 SE 1/4 of said Section 3; and running thence West 190 feet;

thence South 267 feet; thence East 190 feet; thence North 267 feet to the point of beginning.

(Instrument 191941)

Beginning at the Northeast corner of the SW 1/4 SW 1/4 of Section 3, said corner is identified with a steel stake with cap set between two railroad ties set as posts. And running thence East 950 feet along centerline of County Road to the intersection of the road and the Cub River Lewiston Irrigation culvert and is the TRUE POINT OF BEGINNING; running thence East along centerline of County Road 580 feet, thence South 1268 feet, thence West 330 feet, thence South 1325 feet, thence West 1200 feet to the West line of the NE 1/4 NW 1/2 of Section 10, thence North 940 feet to the centerline of the Cub River Lewiston Canal, thence in a Northeasterly direction along the centerline of said canal to the True Point of Beginning.

(Instrument 201008)

Section 3: Commencing at a point 2 rods South and 200 feet West of the Northwest corner of the SE 1/4 SE 1/4 of said Section 3, and running thence South 305 feet; thence East 200 feet; thence South 325 feet; thence West 290 feet; thence North 450 feet; thence East 40 feet; thence North 180 feet; thence East 50 feet to the point of beginning. Containing 2.63 acres, more or less.

Parcel # RP0 2633.00 (part)

Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Section 3: Commencing at a point 2 rods South and 330 feet West of the Northwest corner of the SE 1/4 of SE 1/4 of said Section 3, and running thence West 40 feet; thence South 180 feet; thence East 40 feet; thence North 180 feet to the point of beginning.

Parcel # RP0 2676.04

A parcel of land located in the Northeast quarter of Section 12, Township 16 South, Range 39 East, Boise Meridian, Franklin County, Idaho and more particularly described as follows:

Beginning at the Southwest corner of the Northeast quarter said Section 12 from which the East quarter corner of Section 12 bears North 89°10'45" East;
Thence North 00°02'55" West 1352.93 feet along the locally accepted West boundary of said Northeast quarter to a 5/8" rebar and cap labeled "Allen Land Surveying PLS 9163";
thence East 677.02 feet to a 5/8" rebar and cap;
thence South 89°51'01" East 649.15 feet along a fence line to a 5/8" rebar and cap;
thence North 89°40'23" East 344.25 feet along a fence line to a 5/8" rebar and cap;

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thence North 88°54'44" East 328.71 feet along a fence line to a 5/8" rebar and cap;
 thence South 00°06'04" East 1330.78 feet along a fence line to a 5/8" rebar and cap at the South
 boundary of the Northeast quarter of Section 12; thence South 89°10'45" West 2000.46 feet
 along said South boundary to the Point of Beginning.

Together with a sixty (60) foot wide access and utility easement, the East boundary of said
 easement described as follows:

Commencing at the Southwest corner of the Northeast quarter of Section 12, Township 16
 South, Range 39 East, Boise Meridian, Franklin County, Idaho, from which the East quarter
 corner of Section 12 bears North 89°10'45" East;
 thence North 00°02'55" West 1352.93 feet along the locally accepted West boundary of said
 Northeast quarter to a 5/8" rebar and cap labeled "Allen Land surveying, PLS 9163";
 thence East 60.00 feet to the Point of Beginning;
 thence North 00°02'55" West 664.30 feet;
 thence North 00°40'12" West 106.80 feet;
 thence North 01°08'15" East 500.34 feet to the South right of way line of 2200 South.
 Easement subject to Easements to Mountain Fuel Resources, Inc. recorded as Instrument Nos.
 161799 and 161805.

Parcel # RP0 2676.02

A parcel of land located in the Northeast Quarter of Section 12, Township 16 South, Range 39
 East, Boise Meridian, Franklin County, Idaho and more particularly described as follows:

Commencing at the North Quarter Corner of said Section 12;
 Thence South 614.00 Feet to the point of beginning;
 Thence South 687.50 Feet, to 5/8" rebar and cap;
 Thence East 254.00 Feet;
 Thence North 687.50 Feet;
 Thence West 254.00 Feet to the point of beginning.

Parcel # RP0 2676.05

A parcel of land located in the Northeast Quarter of Section 12, Township 16 South, Range 39

East, Boise Meridian, Franklin County, Idaho and more particularly described as follows:

Commencing at the north quarter corner of said section 12;

Thence south 614 feet;

Thence east 254 feet to point of beginning;

Thence south 687.5 feet;

Thence east 423 feet more or less to a 5/8 inch rebar and cap which is also the southeast corner of property described in the record of survey #233455 recorded April 20, 2006;

Thence following the east survey line north 00.2115 east 687.5 feet;

Thence west 427.5 feet to point of beginning.

When recorded, return to:

Robert S. Tippet
3165 East Millrock Drive, Suite 500
Salt Lake City, Utah 84121

Send tax notices to:

David and Pauline Beckstead, Trustees
1498 South 800 East
Preston, Idaho 83623

270965 1-19

Recorded at the request of
Bennett-Tweller, Johnson, Deere
Time 11:31 Amount \$64⁰⁰

JUN 02 2017

SHAUNA T. GEDDES, RECORDER
By C. Carter Deputy
Franklin County, Idaho

QUITCLAIM DEED

DAVID W. BECKSTEAD and W. PAULINE BECKSTEAD, in their capacities as individuals, Grantors, hereby convey and quitclaim to DAVID W. BECKSTEAD and W. PAULINE BECKSTEAD, TRUSTEES OF THE DAVID AND PAULINE BECKSTEAD REVOCABLE TRUST, dated February 22, 2017, Grantees, the following described real property in Franklin County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT A, AND INCORPORATED HEREIN BY THIS REFERENCE.

WITNESS the hands of said Grantors this 19 day of May 2017.

D. W. Beckstead

David W. Beckstead

W. Pauline Beckstead

W. Pauline Beckstead

STATE OF IDAHO }
 } ss.
COUNTY OF FRANKLIN }

DAVID W. BECKSTEAD and W. PAULINE BECKSTEAD, known to me (or proved on the basis of sufficient identification) to be the persons whose names appear above, personally appeared before me and acknowledged the foregoing instrument this 19 day of May 2017.



Kim Gilbert

Notary Public

Ex 01026-22

EXHIBIT A
(Legal Descriptions)

1. **Parcel # RP0 1983.00**
Parcel # RP0 1985.00
Parcel # RP0 1986.00
Parcel # RP0 1989.01
Parcel # RP0 1990.00
Parcel # RP0 4449.00

A parcel of land located in the NW 1/4 of Section 35, Township 15 South, Range 39 East of the Boise Meridian, being more fully described as follows:

Commencing at the Northwest Quarter of Section 35; thence South along the West line of Section 35, 709.50 feet; thence North 88°53'39" East 920.83 feet, to the TRUE POINT OF BEGINNING, and running

thence North 88°53'39" East 272.62 feet;
 thence North 84°52'43" East 57.57 feet;
 thence North 48°15'09" East 149.07 feet;
 thence North 64°08'45" East 110.54 feet;
 thence North 51°27'38" East 101.51 feet;
 thence North 32°08'28" East 24.49 feet;
 thence South 89°39'39" East 30.23 feet;
 thence North 89°57'56" East 1075.89 feet;
 thence South 0°14'06" West along the Quarter Section line 4919.63 feet;
 thence North 84°51'53" West 994.33 feet; thence North 0°10'00" East 2628.55 feet;
 thence West 736.49 feet;
 thence North 1959.77 feet,
 to the true point of beginning.

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

EXCEPTING THEREFROM THE FOLLOWING:

Parcel# RP0 1989.03
Instrument# 211672

Township 15 South, Range 39 East of the Boise Meridian, Section 35; Commencing at the Northwest Quarter of Section 35 and running thence South along the West line of Section 35, 709.50 feet; Thence North 88°53'39" East, 920.83 feet to the point of true beginning. Thence North 88°53'39" East, 272.62 feet; Thence North 84°52'43" East, 57.57 feet; Thence North 48°15'09" East, 149.07 feet; Thence North 64°08'45" East, approximately 60 feet to a point

where Preston City 200 East meets this coordinate; Thence South along the West Side of the future 200 East Street approximately 775 feet; Thence West approximately 500 feet; Thence North approximately 626 feet to the point of beginning.
Together with 15 shares of Preston/Whitney Canal Co. and an appropriate partial ownership in the Buried Sprinkler System including the pump.

Together with a right-of-way along the south edge of this property including out to State Highway 34.

2. Parcel # RP0 1992.00
Parcel # RP0 1992.01

Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Section 35: Commencing at a point 40 rods South of the Northeast corner of the Southeast Quarter of said Section 35, and running thence West 160 rods, thence South 30 rods, thence East 160 rods, thence North 30 rods to the place of beginning.

EXCEPTING THEREFROM: Commencing at a point 922 feet South of the Northeast corner of the Southeast Quarter of Section 35, and running thence West 209 feet; thence South 208 feet; thence East 209 feet; thence North 208 feet to the place of beginning.

3. Parcel # RP0 1993.01
Parcel # RP0 1993.02

Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Section 35: Commencing at a point 70 rods South of the Northeast corner of the Southeast Quarter of said Section 35, and running thence West 160 rods, thence South 30 rods, thence East 160 rods, thence North 30 rods to the place of beginning.

4. Parcel # RP0 2023.00
Parcel # RP0 2605.00

A parcel of land located in Sections 1 and 36 of Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho and more particularly described as follows:

Commencing at the Northwest corner of Section 1; thence South $44 \frac{37}{160}$ rods; thence East 2334 feet, more or less, thence North $504 \frac{261}{320}$ feet more or less, to the bank of Lewiston Canal; thence West 26 feet; thence Northwesterly along said bank of said canal to a point 8 rods North of place of beginning; thence South 8 rods to Place of Beginning.

EXCEPTING THEREFROM: Right of Way along canal 1 rod in width.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

TOGETHER WITH FIVE (5) SHARES OF THE CAPITAL STOCK OF CUB RIVER IRRIGATION COMPANY.

**5. Parcel # RP0 2028.00
Parcel # RP0 2023.01**

Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Section 36: Beginning at a point 132 feet, more or less, North from the Southwest corner of Section 36 and running thence North 635.2 feet; thence East 828 feet; thence South 692.2 feet, more or less, to the North bank of the Lewiston Cub River Canal; thence South 70°25' West 64.6 feet; thence South 83°20' West 71.2 feet; thence North 81°45' West 387 feet; thence North 83°30' West 316 feet, more or less, to the Point of Beginning.

ALSO, beginning at a point 767.2 feet North from the Southwest corner of Section 36 and running thence North 552.8 feet; thence East 828 feet; thence South 552.8 feet; thence West 828 feet to the Point of Beginning.

TOGETHER with such water rights as may exist appurtenant to this property, including one-fifth share of the Tanner-Beckstead Ditch Company.

6. Parcel # RP0 2025.00

Commencing at the Southwest corner of the Northwest quarter of the southwest quarter of section 36, Township 15 South, Range 39 East of the Boise Meridian, Idaho; running thence North 785 feet thence East 277 feet; thence South 785 feet; thence West 277 feet to the place of beginning.

7. Parcel # RP0 2027.00

Commencing at the Northwest Corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section Thirty-Six (36) Township Fifteen (15) South, Range Thirty-nine (39) East of the Boise Meridian and running thence East 1023 feet; thence South 1320 feet; thence West 746 feet; thence North 785 feet; thence West 277 feet; thence North 535 feet to the place of the beginning and continuing Twenty-six (26) acres of land. Reserving One (1) acre on the North end taken up by the County Road, leaving a net acreage contained herein of twenty-five(25) acres of land, more or less.

8. Parcel # RP0 2219.00
Parcel # RP0 2331.00

Parcel 1

Township 15 South, Range 40 East of the Boise Meridian, Franklin County, Idaho, to-wit:
 Section 25: Beginning at the Southwest corner of the SE 1/4 of said Section 25, and running
 thence West 337 feet; thence North 51°30' East 388 feet; thence North 27°45' East 340 feet;
 thence South 56°40' East 363 feet; thence South 30° East 402 feet; thence West 612 feet to the
 place of beginning.

Parcel 2

Section 36: N 1/2 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, W 1/2 NW 1/4 NE 1/4.

EXCEPTING THEREFROM: Beginning at the Northwest corner of the NW 1/4 of said Section
 36, running thence East 150 feet; thence South 120 feet, more or less to Sugar Creek; thence
 Westerly down the said creek to a point on the West Line of NW 1/4 NW 1/4 of said Section 36;
 thence North 80 feet, more or less, to the point of beginning.
 Subject to that certain Boundary Line Agreement dated May 26, 2005, as recorded on June 7,
 2005 as Instrument # 230049.

Parcel 3

Township 15 South, Range 40 East of the Boise Meridian.
 Section 36: Beginning at the Northwest corner of the NW 1/4 of said Section 36, running
 thence East 150 feet; thence South 120 feet, more or less, to Sugar Creek; thence Westerly down
 the said creek to a point on the West line of NW 1/4 NW 1/4 of said Section 36; thence North 80
 feet, more or less, to point of beginning.

9. Parcel # RP0 2607.00

Township 16 South, Range 39 East of the Boise Meridian.

Section 1: Commencing 103 rods North from the Southwest corner of the Northwest
 Quarter of the Southwest Quarter of said Section 1; thence running East
 273 feet, thence South 335 feet, thence West 273 feet, thence North 335
 feet to the place of beginning.

TOGETHER WITH an easement for a septic tank drain field running
 southward from the above-described property, across the Northwest corner
 of adjacent real property.

10. Parcel # RP0 2607.02

Commencing 40 rods North from the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 1 in Township 16 South of Range 39 East of the Boise Meridian; thence running East 160 rods, thence North 63 rods, thence West 160 rods, thence South 63 rods to the place of beginning.

Together with 6 1/4 shares of the capital stock of the Cub River Irrigation Company.

LESS AND EXCLUDING: Commencing 103 rods North from the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 1; thence running East 273 feet, thence South 335 feet, thence West 273 feet, thence North 335 feet to the place of beginning, comprising the home and its curtilage area.

SUBJECT TO: An easement for a septic tank drain field running southward from the property described in the "Less and Excluding" portion of the above description, across the Northwest corner of the property described in the first paragraph of the above description.

11. Parcel # RP0 2608.01
Parcel # RP0 2608.02

Parcel 1

Commencing at the Southwest corner of Section One (1) in Township Sixteen (16) South, Range Thirty-Nine (39) East of the Boise Meridian, in Idaho, and running thence East 26 1/2 rods to the true point of beginning; thence East 26 1/2 rods; thence North 120 rods; thence West 26 1/2 rods; thence South 120 rods to the place of beginning, containing twenty (20) acres, more or less.

Including 1 1/3 shares of water stock in the Lewiston-Cub River Irrigation Company.

Parcel 2

Beginning at the Southeast corner of the Southwest quarter of the Southwest quarter of Section One, Township 16 South Range 39 East of the Boise Meridian, and running thence North 120 rods; thence West 27 rods; thence South 120 rods; thence East 27 rods to the place of beginning.

Including 1 1/3 shares of water stock in Lewiston-Cub River Irrigation Company.

12. Parcel # RP0 2616.01

The Northeast quarter of the Southeast quarter of Section 2, Township 16 South, Range 39 East, Boise Meridian. EXCEPTING: Commencing at the Southeast corner of NE 1/4 SE 1/4 of said Section 2, thence running West 150 feet; thence North 355 feet; thence East 150 feet; thence

South 355 feet, to place of beginning.

ALSO, Commencing 40 rods West of the Northeast corner of NE 1/4 SE 1/4 of said Section 2, thence running West 4 rods; thence North 32 rods, more or less, to county road, thence East 4 rods, thence South 32 rods, more or less, to place of beginning.

13. Parcel # RP0 2621.00

The Southeast Quarter of the Southeast Quarter of Section 2, Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

**14. Parcel # RP0 2633 (part)
Parcel # RP0 2671.00**

Township 16 South, Range 39 East of the Boise Meridian.

Section 3: SW 1/4 SE 1/4, SE 1/4 SW 1/4, EXCEPT the North 2 rods for road right-of-way.

Section 10: NW 1/4 NE 1/4, NE 1/4 NW 1/4

EXCEPTING THEREFROM THE FOLLOWING:

(Instrument 213266)

Sections 3 and 10:

Beginning at the Northeast corner of the SW 1/4 SW 1/4 of Section 3, said corner is identified with a steel stake with cap set between two railroad ties set as posts, and running thence East 950 feet along centerline of County Road to the intersection of the road and the Cub River Lewiston Irrigation Canal. This point is the center of the South end of the East culvert; thence East along centerline of County Road 206 feet to the TRUE POINT OF BEGINNING; thence continuing East along said centerline 30 feet to the Northwest corner of land described in Warranty Deed to Tim B. Golightly and Natalie W. Golightly, Trustees of the Golightly Family Trust, U/A/D November 1, 1997, and recorded June 2, 1998, under Instrument No. 202504; thence South 1268 feet to the Southwest corner of said Golightly land, thence East 14 feet; thence South 1325 feet; thence West 1200 feet to the West line of the NE 1/4 NW 1/4 of Section 10, thence North 940 feet, more or less, to the centerline of the Cub River Lewiston Canal, thence in a Northeasterly direction along the centerline of said canal 390 feet, more or less, to the North line of Section 10; thence East along said North line to a point that is South of the True Point of Beginning; thence North 1320 feet, more or less, to the centerline of County Road and the True Point of Beginning. SUBJECT to existing easements for roads highways, ditches, canals, laterals, and power and transmission lines.

EXCEPTING THE FOLLOWING TRACTS:

Township 16 South, Range 39 East of the Boise Meridian.

Section 3: Commencing at a point 180 feet East and 33 feet South of the Northwest corner of the SE 1/4 of SW 1/4 of said Section 3, running thence East 208 feet; thence South 208 feet; thence West 208 feet; thence North 208 feet to the point of beginning.

Section 3: Beginning at the Southwest corner of said Section 3; thence North $51^{\circ}17'51''$ East 1928.94 feet to the TRUE POINT OF BEGINNING which is 1/2 inch rebar with cap labeled RLS 4735 said point is by record South 33 feet and East 180 feet from the Northwest corner of the SE 1/4 of the SW 1/4 of said Section 3; thence South $00^{\circ}00'37''$ West 207.97 feet (South 208.00 feet by record) to a 1/2 inch rebar with cap; thence South $89^{\circ}26'28''$ East 207.89 feet (South $89^{\circ}25'13''$ West 208.00 feet by record) to a 1/2 inch rebar with cap; thence South $09^{\circ}50'55''$ West 397.71 feet to a 5/8 inch rebar with cap; thence South $88^{\circ}28'30''$ West 318.71 feet to a 5/8 inch rebar with cap set at a fence corner; thence North $00^{\circ}07'10''$ West 612.15 feet along said fence to the South right of way line of the county road; thence South $89^{\circ}25'13''$ East 180.07 feet to the TRUE POINT OF BEGINNING.

SUBJECT to a 30-foot right-of-way retained by David W. Beckstead and Pauline W. Beckstead along the West border of the above property, where I joins with the real property of Larin Bodily, for and as a farm access road running between the county road known as 2000 South and land lying South of the above-described real property. This right-of-way shall be for the use of David W. Beckstead and Pauline W. Beckstead and their successors and authorized agents only. Grantees and their successors and authorized agents shall also have use of this right-of-way.

Section 3: Commencing at a point 2 rods South and 250 feet West of the Northeast Corner of the SW 1/2 SE 1/4 of said Section 3, running thence West 120 feet, thence South 180 feet; thence East 120 feet, thence North 180 feet to the point of beginning.

EXCEPTING THEREFROM THE FOLLOWING:

(Instrument 183734)

Section 3: Commencing at a point 2 rods South of the Northeast corner of the S W 1/4 SE 1/4 of said Section 3; and running thence West 190 feet;

thence South 267 feet; thence East 190 feet; thence North 267 feet to the point of beginning.

(Instrument 191941)

Beginning at the Northeast corner of the SW 1/4 SW1/4 of Section 3, said corner is identified with a steel stake with cap set between two railroad ties set as posts. And running thence East 950 feet along centerline of County Road to the intersection of the road and the Cub River Lewiston Irrigation culvert and is the TRUE POINT OF BEGINNING; running thence East along centerline of County Road 580 feet, thence South 1268 feet, thence West 330 feet, thence South 1325 feet, thence West 1200 feet to the West line of the NE 1/4 NW 1/2 of Section 10, thence North 940 feet to the centerline of the Cub River Lewiston Canal, thence in a Northeasterly direction along the centerline of said canal to the True Point of Beginning.

(Instrument 201008)

Section 3: Commencing at a point 2 rods South and 200 feet West of the Northwest corner of the SE 1/4 SE 1/4 of said Section 3, and running thence South 305 feet; thence East 200 feet; thence South 325 feet; thence West 290 feet; thence North 450 feet; thence East 40 feet; thence North 180 feet; thence East 50 feet to the point of beginning. Containing 2.63 acres, more or less.

15. Parcel # RP0 2633.00 (part)

Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Section 3: Commencing at a point 2 rods South and 330 feet West of the Northwest corner of the SE 1/4 of SE 1/4 of said Section 3, and running thence West 40 feet; thence South 180 feet; thence East 40 feet; thence North 180 feet to the point of beginning.

16. Parcel # RP0 2676.04

A parcel of land located in the Northeast quarter of Section 12, Township 16 South, Range 39 East, Boise Meridian, Franklin County, Idaho and more particularly described as follows:

Beginning at the Southwest corner of the Northeast quarter said Section 12 from which the East quarter corner of Section 12 bears North 89°10'45" East;

Thence North 00°02'55" West 1352.93 feet along the locally accepted West boundary of said Northeast quarter to a 5/8" rebar and cap labeled "Allen Land Surveying PLS 9163";

thence East 677.02 feet to a 5/8" rebar and cap;

thence South 89°51'01" East 649.15 feet along a fence line to a 5/8" rebar and cap;

thence North 89°40'23" East 344.25 feet along a fence line to a 5/8" rebar and cap;

thence North 88°54'44" East 328.71 feet along a fence line to a 5/8" rebar and cap;
 thence South 00°06'04" East 1330.78 feet along a fence line to a 5/8" rebar and cap at the South
 boundary of the Northeast quarter of Section 12; thence South 89°10'45" West 2000.46 feet
 along said South boundary to the Point of Beginning.

Together with a sixty (60) foot wide access and utility easement, the East boundary of said
 easement described as follows:

Commencing at the Southwest corner of the Northeast quarter of Section 12, Township 16
 South, Range 39 East, Boise Meridian, Franklin County, Idaho, from which the East quarter
 corner of Section 12 bears North 89°10'45" East;

thence North 00°02'55" West 1352.93 feet along the locally accepted West boundary of said
 Northeast quarter to a 5/8" rebar and cap labeled "Allen Land surveying, PLS 9163";

thence East 60.00 feet to the Point of Beginning;

thence North 00°02'55" West 664.30 feet;

thence North 00°40'12" West 106.80 feet;

thence North 01°08'15" East 500.34 feet to the South right of way line of 2200 South.

Easement subject to Easements to Mountain Fuel Resources, Inc. recorded as Instrument Nos.
 161799 and 161805.

17. Parcel # RP0 2607.01
Parcel # RP0 2620.00

Parcel 1

Commencing at the Southeast Corner of the Southwest Quarter of Section 1, Township 16 South,
 Range 39 East of the Boise Meridian, and running thence North 120 rods; thence West 80 rods;
 thence South 120 rods; thence East 80 rods to the place of beginning.

Parcel 2

Commencing at the Southeast Corner of the Northeast Quarter of the Southeast Quarter of
 Section 2, Township 16 South, Range 39 East of the Boise Meridian; thence West 150 feet;
 thence North 355 feet; thence East 150 feet; thence South 355 feet to the place of beginning.

18. Parcel # RP0 2619.00

The West 30 Rods of the Southwest Quarter of the Southeast Quarter of Section 2, Township 16
 South, Range 39 East of the Boise Meridian; Less land taken for highway and canal purposes.
 Together with appurtenances.

19. Parcel # RP0 1997.00

Beginning at the Southeast corner of Lot 1, in Section 2, Township 16 South, Range 39 East of the Boise Meridian, and running thence North 1280 feet to the South bank of the Lewiston-Cub River Irrigation Company Canal, thence Northwesterly along the South Bank of said Canal to a point 1402 feet North and 660 feet West of the place of beginning, thence South 1402 feet thence East 660 feet to the place of beginning, containing 20 acres, more or less, situated in Section 2, Township 16 South, Range 39 East of the Boise Meridian and in Section 35, Township 15 South, Range 39 East of the Boise Meridian.

20. Parcel # RP0 2334.00
Parcel # RP0 2752.00

Township 15 South, Range 40 East of the Boise Meridian.
 Section 36: SE 1/4 SW 1/4, SW 1/4 SE 1/4

Township 16 South, Range 40 East of the Boise Meridian.

Section 1: Lots 1, 2, 3, and 4, N 1/2 SE 1/4, N 1/2 SW 1/4, SW 1/4 SW 1/4.
 Also commencing at the NW corner SE 1/4 SW 1/4 of said Section 1, running thence E 332 feet; thence SWesterly to a point 289 feet S and 289 feet E of the place of beginning; thence SWesterly to a point 382 feet S of the place of beginning; thence N 382 feet to the place of beginning.
 EXCEPTING therefrom: Commencing at the SE corner NE 1/4 SE 1/4 said section 1, running thence N 300 feet to the Maple Creek Canyon road; thence Swesterly along said canyon road to a point which is 253 feet W of the place of beginning; thence E 253 feet to the place of beginning.

ALSO EXCEPTING THEREFROM THE FOLLOWING:

(Instrument 176729)

Section 1:

Commencing at a point 357.6 feet South of the East Quarter corner of Section 1, and running thence South 526.6 feet along the East line of said Section 1, to the North side of Maple Creek Road, said point being 655.8 feet North of the West Quarter corner of Section 6, thence South 52°59' West 65 feet along said road, thence North 14°31'25" West 456.06 feet, thence North 53°14' East 207.56 feet to the point of beginning.

(Instrument 183956)

Section 1:

Commencing at a point 884.2 feet South of the East Quarter corner of Section 1, said point being the North side of Maple Creek Road, also being 655.8 feet North of the West quarter corner of Section 6, thence South 52°59' West 65 feet along said road, thence South 51°40' West 40 feet

along said road, thence South 65°33' West 132 feet along said road, to the TRUE POINT OF BEGINNING, thence South 37°49' West 123 feet along said road, thence North 30°29'15" West 392.77 feet, thence North 40°00' East 52.29 feet, thence North 45°12' East 181.53 feet, thence South 15°20'25" East 424.39 feet to the TRUE POINT OF BEGINNING.

(Instrument 187073)

Section 1:

Commencing at a point 884.2 feet South of the East Quarter corner of Section 1, said point being the North side of Mapleton Canyon road, also being 655.8 feet North of the West Quarter corner of Section 6, thence South 52°59' West 65 feet along said road to the TRUE POINT OF BEGINNING, thence South 51°40' West 40 feet along said road, thence South 65°33' West 132 feet along said road, thence North 15°20'25" West 424.39 feet, thence North 53°14' East 186.55 feet, thence South 14°31'25" East 456.06 feet to the TRUE POINT OF BEGINNING.

(Instrument 181721)

Section 1: Commencing at a point 884.2 feet South of the East quarter corner of Section 1, said point being the North side of Maple Creek Road, also being 655.8 feet North of the West quarter corner of Section 6; thence South 52°59' West 65 feet along said road, thence South 51°40' West 40 feet, along said road, thence South 65°33' West 132 feet along said road, thence South 37°49' West 123 feet along said road, to the TRUE POINT OF BEGINNING; thence South 29°33' West 158 feet along said road, thence North 60°07'50" West 405.19 feet, thence North 40°00' East 357.85 feet, thence South 30°29'15" East 392.77 feet to the TRUE POINT OF BEGINNING.

21. Parcel # RP0 2615.00

Beginning at the Southeast corner of Lot 1, in Section 2, Township 16 South, Range 39 East of the Boise Meridian, and running thence North 1280 feet to the South Bank of the Lewiston-Cub River Irrigation Company Canal, thence Northwesterly along the South Bank of said Canal to a point 1402 feet North and 660 feet West of the place of beginning, thence South 1402 feet; thence East 660 feet to the place of beginning, containing 20 acres, more or less.

22. Parcel # RP0 1726.02

Township 15 South, Range 39 East of the Boise Meridian.

Section 11: Commencing at a point 70 rods North of the Southeast corner of the

Southeast quarter and running thence North 90 rods, thence West 80 rods, thence South 90 rods, thence East 80 rods to the point of beginning.

23. Parcel # RP0 1995.00
Parcel # RP0 2617.00

Beginning at a point on the South Bank of the Lewiston-Cub River Company's Canal at a point 150 feet North of the Southeast corner of Section 35, Township 15 South, Range 39 East of the Boise Meridian, and running thence North 645 feet; thence West 233 feet; thence North 195 feet; thence West 2390.5 feet; thence South 60 rods; thence East 119 rods; thence North 272 feet, more or less, to the South bank of the said Company's Canal; thence Southeasterly along the South bank of said Canal six hundred sixty feet, more or less, to the place of beginning;

Also: That portion of the following described tract not included in the foregoing description: Beginning at the Southwest corner of the Southeast quarter of Section 35, Township 15 South, Range 39 East of the Boise Meridian, thence running North 976 feet; thence East 33 feet; thence South 976 feet; thence West 33 feet to the point of beginning, containing .74 of an acre, more or less;

Also: All of the land situated and lying North of the road included within the following description: "The West half of Lot Number one, and all of Lot number two, Section 2, Township 16 South, Range 39 East of the Boise Meridian."

24. Parcel # RP0 2330.00

The West-half of the Southwest Quarter (W 1/2 SW 1/4) Section 36, Township 15 South, Range 40 East, Boise Meridian, containing 80.0 acres, more or less.

25. Parcel # RP0 2676.02

A parcel of land located in the Northeast Quarter of Section 12, Township 16 South, Range 39 East, Boise Meridian, Franklin County, Idaho and more particularly described as follows:

Commencing at the North Quarter Corner of said Section 12;
 Thence South 614.00 Feet to the point of beginning;
 Thence South 687.50 Feet, to 5/8" rebar and cap;
 Thence East 254.00 Feet;
 Thence North 687.50 Feet;
 Thence West 254.00 Feet to the point of beginning.

26. Parcel # RP0 2676.05

A parcel of land located in the Northeast Quarter of Section 12, Township 16 South, Range 39

East, Boise Meridian, Franklin County, Idaho and more particularly described as follows:

Commencing at the north quarter corner of said section 12;
 Thence south 614 feet;
 Thence east 254 feet to point of beginning;
 Thence south 687.5 feet;
 Thence east 423 feet more or less to a 5/8 inch rebar and cap which is also the southeast corner of property described in the record of survey #233455 recorded April 20, 2006;
 Thence following the east survey line north 00.2115 east 687.5 feet;
 Thence west 427.5 feet to point of beginning.

27. Parcel # RP0 1904.00
Parcel # RP0 4816.01

Bradley Beckstead & Wavel Erickson Property (Instrument 132465)

Commencing at the Northeast corner of Section 28, Township 15 South, Range 39 East of the Boise Meridian, and running thence South 669 feet; thence West 256 feet; thence South 271 feet; thence West 426 feet; thence North 510.5 feet; thence East 406.5 feet; thence North 429.5 feet; thence East 275.5 feet to the place of beginning.

Excepting and reserving therefrom a right of way for a road 30 feet wide beginning at the highway on the Northernmost boundary of the herein described property and thence running in a Southerly direction to a point 669 feet South and within 256 feet West of the East boundary of the said herein described property.

Excepting therefrom the following described parcel:

Instrument# 249763 (part)

Township 15 South, Range 39 East of the Boise Meridian

Section 28: Commencing at a point 981 feet South and 121.5 feet West of the Northeast corner of Section 28 and running thence South 27°0' West 117 feet; thence South 85°0' West 342 feet; thence North 9°15' West 270 feet; thence North 61°31' East 330 feet; thence North 6°30' East 183.75 feet; thence North 26°0' East 118.8 feet; thence South 15°0' East 287.2 feet; thence South 301.8 feet to the place of beginning.

28. Parcel # RP0 1905.00
Parcel # RP0 1903.01

Township 15 South, Range 39 East of the Boise Meridian.

Section 28: Commencing at a point 1216 feet West and 280 feet North of the Southeast corner of the Northeast quarter of section 28 and running thence North 100 feet; thence South 52°40' West 339.6 feet; thence North 436.5 feet; thence North 33° West 115.5 feet; thence North 37° West 145 feet; thence North 56° West 277 feet;

thence North 350.5 feet; thence West 603 feet; thence Northwesterly to a point 100 feet North and 70 feet East of the Southwest corner of the NW 1/4 of the NE 1/4 of Section 28; thence North 932 feet; thence Northeasterly to a point 300 feet East of the Northwest corner of the NW 1/4 of the NE 1/4; thence East 708.5 feet; thence South 1192.5 feet; thence South 63° East 404.6 feet; thence North 88°30' East 349 feet; thence North 55° East 372 feet; thence North 85° East 75 feet; thence South 13°40' West 942 feet; thence South. 56°32' West 540.2 feet to the place of beginning; containing 50.13 Acres.

29. Parcel # RP0 1905.01

COMMENCING at a point 669 feet South and 61.5 feet West of the Northeast corner of Section 28, Township 15 South, Range 39 East of the Boise Meridian, and running thence South 322 feet; thence West 31.5 feet; thence South 27°0' West 137 feet; thence South 85°0' West 464 feet; thence South 55°0' West 372 feet; thence South 88°30' West 349 feet; thence North 63°0' West 404.6 feet; thence North 772.5 feet; thence East 949.5 feet; thence South 520 feet; thence East 426 feet; thence North 271 feet; thence East 194.5 feet to the point of beginning.

EXCEPTING THEREFROM THE FOLLOWING PARCEL:

Parcel# RP0 4815.00

TRACT II Section 28 - Commencing at a point 981 feet South and 121.5 feet West of the Northeast Corner of Section 28, Township 15 South, Range 39 East of the Boise Meridian, and running South 27°0' West 117 feet; thence South 85°0' West 342 feet; thence North 9°15' West 270 feet; thence North 61°30' East 330 feet; thence North 6°30' East 183.75 feet; thence North 26°0' East 118.8 feet; thence South 15°0' East 287.2 feet; thence South 301.8 feet to the place of beginning.

**30. Parcel # RP0 2182.00
Parcel # RP0 2246.00**

Township 15 South, Range 40 East of the Boise Meridian, Franklin County, Idaho:

Section 21: W 1/2 NW 1/4; SE 1/4 NW 1/4; SW 1/4; SW 1/4 SE 1/4
EXCEPTING THEREFROM:

Commencing at a point 22 rods, more or less, East of the Southwest corner of the Northwest Quarter, running thence North 12 feet; thence East 12 feet; thence South 12 feet; thence West 12 feet to the place of beginning.

Section 28: NW 1/4; W 1/2 NE 1/4

31. Parcel # RP0 2949.00

Commencing at a point 10 rods South of the Northwest corner of the Northeast quarter of the Southeast quarter of Section 21, Township 16 South, Range 40 East of the Boise Meridian, running thence East 28 rods; thence South 20 rods; thence West 91 rods; thence North 20 rods; thence East 63 rods to the place of beginning.

Also: Commencing at a point 48 rods South and 36 rods East of the Northwest corner of the Northwest quarter of the southeast quarter of Section 21, Township 16 South, Range 40 East of the Boise Meridian, running thence East 44 rods, thence North 6 rods, 8 feet; thence East 29 rods; thence North 13 rods; thence West 90 rods; thence South 16 rods; thence East 1 rod; thence South 8 rods; thence Northeast 17 rods; more or less to the place of beginning.

Also: Commencing at a point 10 1/2 rods South and 19 1/2 rods East of the Northwest corner of the Southeast quarter of Section 21, Township 16 South, Range 40 East of the Boise Meridian, running thence West 60 rods; thence West bearing to the South 20 rods to a point 13 2/3 rods South of the North boundary line of the Northeast quarter of the Southwest quarter of said Section 21, which point is 20 rods East of the West boundary line of the Northeast quarter of the Southwest quarter of said Section 21; thence South bearing to the West 22 rods to a point 17 rods East of the West boundary line of the Northeast quarter of the Southwest quarter of said Section; thence East 46 7/8 rods to a point 39 1/2 rods South from the North Boundary Line of the Northeast quarter of the Southwest quarter of said Section; thence East bearing to the South 16 rods to a point 47 rods from the North boundary line of the Northeast quarter of the Southwest quarter of said Section; thence Northeast 22 1/2 rods to a point 96 rods East from the East boundary line of the Northeast quarter of the Southwest quarter of said Section; thence North bearing to the East 28 rods, to the place of beginning, containing 14 3/4 acres, more or less.

Commencing at a point 265 feet South of the Northeast corner of the Southeast quarter of Section 21, Township 16 South, Range 40 East of the Boise Meridian, Idaho, and running thence South 42°40' West 500 feet; thence South 21°14' West 495 feet; thence South 42°18' West 300 feet; thence North 85°00' West 600 feet; thence North 13°30' East 248 feet; thence South 89°00' West 580 feet; thence South 1°25' West 604 feet; thence North 87°32' West 1137 feet; thence North 20°21' East 342 feet; thence North 87°13' West 1092 feet; thence North 318 feet; thence West 99 feet; thence North 424 feet; thence South 84°28' East 1110 feet; thence South 48°00' East 164 feet; thence North 87°03' East 333 feet; thence South 41°50' East 173 feet; thence East 360 feet; thence North 79°58' East 1028 feet; thence North 6°07' East 422 feet; thence East 945 feet; to the place of beginning, containing 64.70 acres, more or less.

Together with 918.5 shares of capital stock in Maple Creek Irrigation Company.

32. Parcel # RP0 2967.00

Parcel # RP0 2984.00

Parcel # RP0 2988.00

Parcel # RP0 2950.00

NW 1/4, and the N 1/2 of the SW 1/4, and the W 1/2 of the NE 1/4, and the NW 1/4 of the SE 1/4 of Section 27, Township 16 South, Range 40 East, Boise Meridian.

SW 1/4 of the SW 1/4 of Section 22, Township 16 South, Range 40 East, Boise Meridian.

NE 1/4 of the NE 1/4 of Section 28, Township 16 South, Range 40 East, Boise Meridian.

Commencing at the Southeast corner of Section 21, Township 16 South, Range 40 East, Boise Meridian, thence West 80 rods, thence North 75 rods, thence East 40 rods, thence Northeast 80 rods to a point 143 rods North of the point of beginning, thence South 143 rods to place of beginning.

33. Parcel # RP0 2752.06
Parcel # RP0 3032.00

Township 16 South, Range 40 East of the Boise Meridian:

Section 1: Commencing at a point 1479.53 feet South of the Northeast corner of Section 1, and running thence South 66°35' West 59.16 feet, thence South 14°31' East 216.58 feet, thence North 233.18 feet to the point of beginning.

Township 16 South, Range 41 East of the Boise Meridian:

Section 6: Commencing at a point on the S side of Canyon road which is 40 rods, more or less, N of the SW corner of Lot 2, said section 6; running thence NEasterly along S side of said road to a point 36 rods, more or less, S of the NE corner NW 1/4 of said Section 6; thence N 36 rods, more or less, thence W to the NW corner of Lot 1 said Section 6; thence S 100 rods, more or less, to the place of beginning.

EXCEPTING THEREFROM THE FOLLOWING:

(Instrument 175572)

A parcel of land lying and being situated in the NE 1/4 NW 1/4 and NW 1/4 NW 1/4 of Section 6, Fractional Township 16 South, Range 41 East, Boise Meridian, Idaho, and being described as follows, to-wit:

Beginning at the North 1/4 corner of Section 6, Township 16 South, Range 41 East, Boise Meridian; thence North 89°58' West along the North line of said Section 6 a distance of 1717.24 feet; thence South 13°18.5' West 291.87 feet; thence South 14°57.5' West 903.78 feet; thence South 66°35' West 802.04 feet; thence South 14°31' East 486.21 feet to a point on centerline of Maple Creek Road; thence Easterly along said centerline to a point on the East line of said NE 1/4 NW 1/4 of said Section 6; thence North 0°04' West 573.57

feet more or less along East line of said Section 6 to the place of beginning and containing approximately 52.97 acres.

Said parcel of land subject to all rights of way for public utilities and public roads as the same now exist over and across the herein described property.

34. Parcel # RP0 1903.00
Parcel # RP0 4814.01

Township 15 South, Range 39 East, Boise Meridian:

Section 28: Commencing at a point 1980 feet South of the NE corner of Section 28 and running thence South 660 feet, thence West 1216 feet, thence North 280 feet, thence North 56°32' East 540.2 feet, thence North 13°40' East 146.5 feet, to a railroad tie set for the North edge of a steel gate, thence South 76°20' East 54.5 feet, thence South 48°10' West 48.8 feet, thence East 667.8 feet, between two mink sheds to the East property line and place of beginning. Containing 15.4 acres, more or less.

35. Parcel # RP0 4817.00
Parcel # RP0 4818.02

Cache Valley Auction, Inc. Property (Instrument # 137093)

Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Section 28: Commencing at a point 275.5 feet West of the Northeast corner of Section 28, running thence South 429.5 feet; thence West 406.5 feet; thence North 429.5 feet; thence East 406.5 feet to the point of beginning.

Also, commencing at a point 830.5 feet West of the Northeast corner of Section 28, running thence East 148.5 feet; thence South 420 feet; thence West 148.5 feet; thence North 420 feet to the place of beginning.

36. Parcel # RP0 1996.00

Township 15 South, Range 39 East of the Boise Meridian.

Section 35: Commencing at a point on the South bank of the Lewiston-Cub River Company's Canal at a point 150 feet North of the Southeast corner of Section 35, Township 15 South, Range 39 East Boise Meridian, and running thence North 645 feet to the point of beginning; thence West 233 feet, thence North 195 feet, thence East 233 feet, thence South 195 feet to the point of beginning the description of the tract.

37. Parcel # RP0 2616.00

Beginning at a point on the south bank of the Lewiston-Cub River Company's Canal at a point 150 feet north of the southeast corner of Section thirty-five (35) Township fifteen (15) South of Range thirty-nine (39), East of the Boise Meridian, and running thence North fifty (50) rods and fifteen (15) feet, thence west one hundred fifty-nine (159) rods, thence south sixty (60) rods, thence east one hundred nineteen (119) rods, thence north two hundred seventy-two (272) feet, more or less, to the south bank of the said Irrigation Company's canal; thence southeasterly along the south bank of said canal six hundred sixty (660) feet, more or less to the place of beginning.

Also, the west half of Lot Number one, and all of Lot Number Two, Section two, Township sixteen (16), South of Range thirty-nine (39) east of the Boise Meridian.

Also one (1) share of the capital stock of the cub River Irrigation Company, together with a two-fifths interest of the waters of Tanner-Beckstead ditch (Warm Creek ditch), together with the hereditaments and appurtenances thereunto belonging or in otherwise appertaining.

ALSO:

Commencing at a point 80 rods West of the Southeast corner of Section 2, Township 16 South, Range 39 East of the Boise Meridian; thence running North 160 rods; thence West 78 rods; thence South 80 rods; thence East 28 rods; thence South 80 rods; thence East 50 rods to the place of beginning.

38. Parcel # RP0 1726.00

The Southeast quarter of Section Eleven (11) in Township Fifteen (15) South of Range Thirty-nine (39) East of the Boise Meridian, in Franklin County, Idaho.

39. Parcel # RP0 2218.00

Commencing at a point 200 feet North of the Southwest corner of the NW 1/4 NW 1/4 Section 25, Township 15 South, Range 40 East, Boise Meridian, thence running Northeasterly following the West boundary line of County road right of way 225 feet; thence Westerly at a right angle from said right of way 116 feet; thence Southwesterly parallel to county road 225 feet; thence Easterly to point of beginning.

Return to: _____

235729

Recorded at the request of

Val Sharp

____ a.m. NOV 06 2006 p.m. 4:20

V. ELLIOTT LARSEN, RECORDER

By Camille Sharp Deputy

FRANKLIN COUNTY, IDAHO

QUIT CLAIM DEED

For Value received Val B. Sharp and Jeralyn Sharp

_____, Grantor(s),
do(es) hereby convey, release, remise and forever quit claim unto _____
David W. Beckstead

1498 S. 800 E., Preston, Grantee(s),
the following described premises, to-wit:

Aparcel of land located in the Northeast Quarter of Section 12, Township
16 South, Range 39 EAST, Boise Meridian, Franklin County, Idaho, and more
particularly described as follows;
Commencing at the North Quarter Corner of said Section 12;
Thence South 614.00 Feet to the point of beginning,
Thence South 687.50 Feet, to 5/8" rebar and cap,
Thence East 254.00 Feet,
Thence North 687.50 Feet,
Thence West 254.00 Feet to the point of beginning.

together with their appurtenances.

Dated: 11-6-06

X Val B. Sharp

X Jeralyn Sharp

State of IDAHO
County of Franklin

On this 6 day of November, 2006, before me, a Notary Public in and for said State, personally
appeared Val B Sharp and Jeralyn Sharp

known or identified to me to be the person(s) whose
name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same. In
witness whereof I have set my hand and affixed my official seal the day and year in this certificate first above written.

MARY JO ROBERTS
Notary Public
State of Idaho

MJR Roberts
Notary Public State of IDAHO
Residing at: Preston, ID
Commission Expires: 3/5/07

253858 1-2

253112 1-2

Recorded at the request of
Val B. Sharp
Time 2:25Recorded at the request of
Val B. Sharp

WHEN RECORDED MAIL TO:

JAN 25 2012

a.m. OCT 28 2011 p.m. 2:001498 So. 800 East
Preston, ID 83263SHAUNA T. GEDDES, RECORDER
BY Ruth Rawlings Deputy
FRANKLIN COUNTY, IDAHOSHAUNA T. GEDDES, RECORDER
By Ruth Rawlings Deputy
FRANKLIN COUNTY, IDAHOcorrected
QUIT CLAIM DEEDVal B. Sharp and Jeralyn Sharp, Grantor
of Franklin County, State of Idaho

hereby Quit Claims

to David W. Beckstead, Grantee
of Franklin County, State of Idaho

for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION,

the following described tract of land in Franklin County, State of Idaho.see Exhibit Arerecorded to correct Legal descriptionWITNESS, the hands of said grantors, this 28th day of October, 2011.Val B. Sharp
Jeralyn SharpState of Idaho)
County of Franklin)ss:On this 28th day of October, 2011, personally appeared before me, Val B. Sharp & Jeralyn Sharp,
who duly acknowledged to me that they executed the same.Residing: PRESTON, ID
Expire: 11-16-12Shauna T. Geddes
Notary Public

Exhibit A

A parcel of land located in the northeast quarter of section 12 township 16 south range 39 east Boise Meridian, Franklin County Idaho and more particularly described as follows.

Commencing at the north quarter corner of said section 12.

Thence south 614 feet

Thence east 254 feet to point of beginning

Thence south 687.5 feet

Thence east 423 feet more or less to a 5/8 inch rebar and cap which is also the southeast corner of property described in the record of survey #233455 recorded April 20, 2006.

Thence following the east survey line north 00.2115 east 687.5 feet

Thence west 427.5 feet to point of beginning

235613

SPECIAL WARRANTY DEED

For Value Received Exchange 06-3364 LLC, an Idaho Limited Liability Company, Hereinafter called Grantor, hereby grants, bargains, sells and conveys unto David W. Beckstead and Pauline Beckstead, husband and wife, whose address is: 1498 S 800 E, Preston, ID 83263. Hereinafter called the Grantee, the following described premises situated in Franklin County, Idaho, to-wit:

A parcel of land located in the Northeast quarter of Section 12, Township 16 South, Range 39 East, Boise Meridian, Franklin County, Idaho and more particularly described as follows:
Beginning at the Southwest corner of the Northeast quarter said Section 12 from which the East quarter corner of Section 12 bears North 89° 10' 45" East;
Thence North 00° 02' 55" West 1352.93 feet along the locally accepted West boundary of said Northeast quarter to a 5/8" rebar and cap labeled "Allen Land Surveying, PLS 9163"
thence East 677.02 feet to a 5/8" rebar and cap;
thence South 89° 51' 01" East 649.15 feet along a fence line to a 5/8" rebar and cap;
thence North 89° 40' 23" East 344.25 feet along a fence line to a 5/8" rebar and cap;
thence North 88° 54' 44" East 328.71 feet along a fence line to a 5/8" rebar and cap;
thence South 00° 06' 04" East 1330.78 feet along a fence line to a 5/8" rebar and cap at the South boundary of the Northeast quarter of Section 12; thence South 89° 10' 45" West 2000.46 feet along said South boundary to the Point of Beginning.
Together with a sixty (60) foot wide access and utility easement, the East boundary of said easement described as follows:
Commencing at the Southwest corner of the Northeast quarter of Section 12, Township 16 South, Range 39 East, Boise Meridian, Franklin County, Idaho, from which the East quarter corner of Section 12 bears North 89° 10' 45" East;
thence North 00° 02' 55" West 1352.93 feet along the locally accepted West boundary of said Northeast quarter to a 5/8" rebar and cap labeled "Allen Land surveying, PLS 9163";
thence East 60.00 feet to the Point of Beginning;
thence North 00° 02' 55" West 664.30 feet;
thence North 00° 40' 12" West 106.80 feet;
thence North 01° 08' 15" East 500.34 feet to the South right of way line of 2200 South. Easement subject to Easements to Mountain Fuel Resources, Inc. recorded as Instrument Nos. 161799 and 161805.

Grantor does hereby covenant with Grantee, his heirs, successors and assigns, that Grantor will warrant and defend the said granted premises against the lawful claims and demands of all persons claiming by, through and under Grantor, but against no other claims and no other persons, including predecessors in title.

Dated: October 25, 2006

Exchange 06-3364, LLC., an Idaho Limited Liability Company
Exchange Services, Inc., Member

Misty Peterson
By: Misty Peterson, It's: Vice President

STATE OF IDAHO

:ss

COUNTY OF Bingham

Recorded at the request of
FIRST AMERICAN TITLE

11:30 a.m. OCT 26 2006 p.m.

V. ELLIOTT LARSEN, RECORDER
By C. Jones Deputy
FRANKLIN COUNTY, IDAHO

On this 25th day of October, 2006, before me, the undersigned personally appeared Misty Peterson, known or identified to me to be the Vice President of the corporation who executed the instrument on behalf of said corporation as member of Exchange 06-3364, LLC., an Idaho Limited Liability Company, and acknowledged to me that she executed the same as Vice President of the corporation, as member of Exchange 06-3364, LLC., an Idaho Limited Liability Company.



Pamela Winters
Notary Public for Idaho
Residing at Blackfoot
Commission Expires 8/11/10

233318 1-2

recorded at the request of

Lyman J. Sharp

a.m. APR 10 2006 p.m. 12:46

QUITCLAIM DEED

V. ELLIOTT LARSEN, RECORDER
By Ruth K. Rawlings Deputy
FRANKLIN COUNTY, IDAHO
2006, by

THIS QUITCLAIM DEED, Executed this 10 day of April

first party, Lyman J. Sharp Family Trust

whose post office address is 573 South 1800 East Preston, ID 83263

to second party, Val B. Sharp

whose post office address is 1208 East 2200 South Preston, ID 83263

WITNESSETH, That the said first party, for good consideration and for the sum of \$ 4000.00 paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of State of Idaho, to wit: Exhibit A

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Witness

Harold J. Sharp

First Party

Witness

Val B. Sharp

Second Party

STATE OF Idaho }
COUNTY OF Franklin }

On April 10 2006 before me, Linda W. Hampton, notary, personally appeared Harold J. Sharp and Val B. Sharp, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal.

Signature

Linda W. Hampton

Affiant Known Unknown
ID Produced Drivers License Shown
(Seal)

LINDA W HAMPTON
Notary Public
State of Idaho

*Exhibit A*PARCEL J

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 16 SOUTH, RANGE 39 EAST, BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 12, FROM WHICH THE NORTHEAST CORNER OF SECTION 12 BEARS NORTH 89° 00' 46" EAST;
THENCE NORTH 89° 00' 46" EAST 450.00 FEET ALONG THE NORTH BOUNDARY OF SECTION 12 TO A 5/8" REBAR AND CAP LABELED "ALLEN LAND SURVEYING, PLS 9163". THE POINT OF BEGINNING.

THENCE NORTH 89° 00' 46" EAST 204.40 FEET ALONG SAID NORTH BOUNDARY TO A 5/8" REBAR AND CAP.

THENCE SOUTH 02° 00' 00" WEST 45.00 FEET TO A 5/8" REBAR AND CAP.

THENCE SOUTH 62° 52' 30" EAST 68.20 FEET TO A 5/8" REBAR AND CAP.

THENCE SOUTH 04° 35' 00" WEST 141.00 FEET TO A 5/8" REBAR AND CAP.

THENCE SOUTH 85° 34' 00" WEST 27.19 FEET TO A 5/8" REBAR AND CAP.

THENCE SOUTH 00° 21' 15" WEST 1092.90 FEET TO A 5/8" REBAR AND CAP.

THENCE WEST 677.02 FEET TO A 5/8" REBAR AND CAP AT THE LOCALLY ACCEPTED WEST BOUNDARY OF SAID NORTHEAST QUARTER;

THENCE NORTH 00° 02' 55" WEST 663.92 FEET ALONG SAID WEST BOUNDARY TO A 5/8" REBAR AND CAP;

THENCE NORTH 00° 40' 12" WEST 106.14 FEET ALONG SAID WEST BOUNDARY TO A 5/8" REBAR AND CAP AT THE SOUTH BOUNDARY OF THE PARCEL OF LAND DESCRIBED IN INSTRUMENT NUMBER 202043;

THENCE NORTH 89° 00' 46" EAST 469.66 FEET ALONG SAID SOUTH BOUNDARY TO A 5/8" REBAR AND CAP AT THE SOUTHEAST CORNER OF SAID PARCEL;

THENCE NORTH 00° 59' 14" WEST 530.00 FEET ALONG THE EAST BOUNDARY OF SAID PARCEL TO THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 14.88 ACRES.

SUBJECT TO A THIRTY FOOT WIDE COUNTY ROADWAY AND UTILITY EASEMENT, BEING SOUTH OF, AND COINCIDENT WITH, THE CENTERLINE OF 2200 SOUTH

ALSO SUBJECT TO A SIXTY (60) FOOT WIDE ACCESS AND UTILITY EASEMENT, THE EAST BOUNDARY OF SAID EASEMENT DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 16 SOUTH, RANGE 39 EAST, BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO, FROM WHICH THE EAST QUARTER CORNER OF SECTION 12 BEARS NORTH 89° 10' 45" EAST;

THENCE NORTH 00° 02' 55" WEST 1352.93 FEET ALONG THE LOCALLY ACCEPTED WEST BOUNDARY OF SAID NORTHEAST QUARTER TO A 5/8" REBAR AND CAP LABELED "ALLEN LAND SURVEYING, PLS 9163";

THENCE EAST 60.00 FEET TO THE POINT OF BEGINNING

THENCE NORTH 00° 02' 55" WEST 664.30 FEET;

THENCE NORTH 00° 40' 12" WEST 106.80 FEET;

THENCE NORTH 01° 08' 15" EAST 500.34 FEET TO THE SOUTH RIGHT OF WAY LINE OF 2200 SOUTH

Also together with 2/7ths of the waters heretofore
decreed to Christian Monson out of the water of
Spring Creek.

Also subject to a fifty (50) foot easement along the west
boundry for David W. Beckstead

233623 1-3

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
28 West Oneida
Preston, ID 83263

Recorded at the request of
FIRST AMERICAN TITLE

____ a.m. MAY 05 2006 p.m. 3:05

V. ELLIOTT LARSEN, RECORDER
By Camille Ray Deputy
FRANKLIN COUNTY, IDAHO

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 158211-PR (mh)

Date: May 02, 2006

For Value Received, **Harold J. Sharp Trustee of The Lyman J. Sharp Family Trust** ~~and Jerilyn Sharp~~, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Exchange 06-3364 LLC, an Idaho Limited Liability Company**, hereinafter called the Grantee, whose current address is **580 Jensen Grove, Blackfoot, Idaho 83221**, the following described premises, situated in **Franklin County, Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Lyman J. Sharp Family Trust

Harold J. Sharp
Harold J. Sharp, Successor Trustee

Val H. Sharp, Individual

Jerilyn Sharp, Individual

EXHIBIT A

A parcel of land located in the Northeast quarter of Section 12, Township 16 South, Range 39 East, Boise Meridian, Franklin County, Idaho and more particularly described as follows:

Beginning at the Southwest corner of the Northeast quarter said Section 12 from which the East quarter corner of Section 12 bears North 89° 10' 45" East;

Thence North 00° 02' 55" West 1352.93 feet along the locally accepted West boundary of said Northeast quarter to a 5/8" rebar and cap labeled "Allen Land Surveying, PLS 9163" thence East 677.02 feet to a 5/8" rebar and cap;

thence South 89° 51' 01" East 649.15 feet along a fence line to a 5/8" rebar and cap;

thence North 89° 40' 23" East 344.25 feet along a fence line to a 5/8" rebar and cap;

thence North 88° 54' 44" East 328.71 feet along a fence line to a 5/8" rebar and cap;

thence South 00° 06' 04" East 1330.78 feet along a fence line to a 5/8" rebar and cap at the South boundary of the Northeast quarter of Section 12; thence South 89° 10' 45" West

2000.46 feet along said South boundary to the Point of Beginning.

Together with a sixty (60) foot wide access and utility easement, the East boundary of said easement described as follows:

Commencing at the Southwest corner of the Northeast quarter of Section 12, Township 16 South, Range 39 East, Boise Meridian, Franklin County, Idaho, from which the East quarter corner of Section 12 bears North 89° 10' 45" East;

thence North 00° 02' 55" West 1352.93 feet along the locally accepted West boundary of said Northeast quarter to a 5/8" rebar and cap labeled "Allen Land surveying, PLS 9163";

thence East 60.00 feet to the Point of Beginning;

thence North 00° 02' 55" West 664.30 feet;

thence North 00° 40' 12" West 106.80 feet;

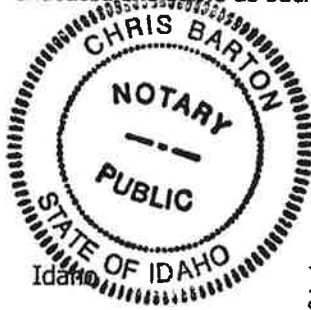
thence North 01° 08' 15" East 500.34 feet to the South right of way line of 2200 South.


Easement subject to Easements to Mountain Fuel Resources, Inc. recorded as Instrument Nos. 161799 and 161805.

STATE OF Idaho)
)
COUNTY OF Franklin)

233623-3

On this ~~Third~~ ^{FOURTH} day of May, 2006, before me, a Notary Public in and for said State, personally appeared **Harold J. Sharp**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Successor Trustee of the **Lyman H. Sharp Family Trust** Trust, and acknowledged to me that he executed the same as such Successor Trustee.




Notary Public of Idaho
Residing at: Preston, Idaho
Commission Expires: 11/13/06

STATE OF Idaho)
)
COUNTY OF Franklin)

On this **Third day of May, 2006**, before me, a Notary Public in and for said State, personally appeared **Val B. Sharp and Jeralyn Sharp**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public of Idaho
Residing at: Preston, Idaho
Commission Expires: _____