

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 13-8038**AMENDED**

1. Name of applicant(s) Donald, Lynette Kenny and Sparrow Farms LLC Phone 480-381-3669
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address 249 N Westwood City Mesa
 State AZ ZIP 85201 Email kenneyd999@gmail.com
2. Name of representative, if any Richard Stewart Phone 208-851-0710
 Mailing address 3365 W 800 S City Weston
 State ID ZIP 83286 Email rcstew@plmw.com
- a. ☒ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.

3. Source of water supply Spring which is a tributary of Unnamed Stream
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
15S	38E	25		SW	SW	SW	Franklin	Spring	

5. Water will be used for the following purposes:
- Amount 0.04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Water runs from spring into a corrugated pipe that directs water into a cistern. Water is pumped from cistern to three homes.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100 Receipted by JJ Receipt No. E044398 Date 9/24/18

AMENDED

13-8038

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households 3 homes, in-house use only
 - Other; describe fully. _____

9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	38E	25												D					

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? No irrigation. In-house, culinary use only.

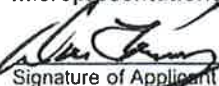
11. a. Who owns the property at the point of diversion? Sparrow Farms LLC (Rick Sparrow, agent)
- b. Who owns the land to be irrigated or place of use? Donald, Lynette Kenny and Sparrow Farms LLC
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Co-applicants

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Domestic use for three homes from an interconnected system was developed in the 1970s. The original use from the spring also included water for a dairy. This application is intended to document only the historical domestic use. The three homes are owned by the applicants.

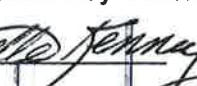
13. Time required for completion of works and application of water to proposed beneficial use is _____ years (minimum 1 year).

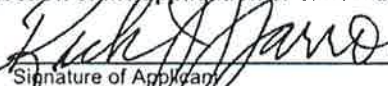
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant

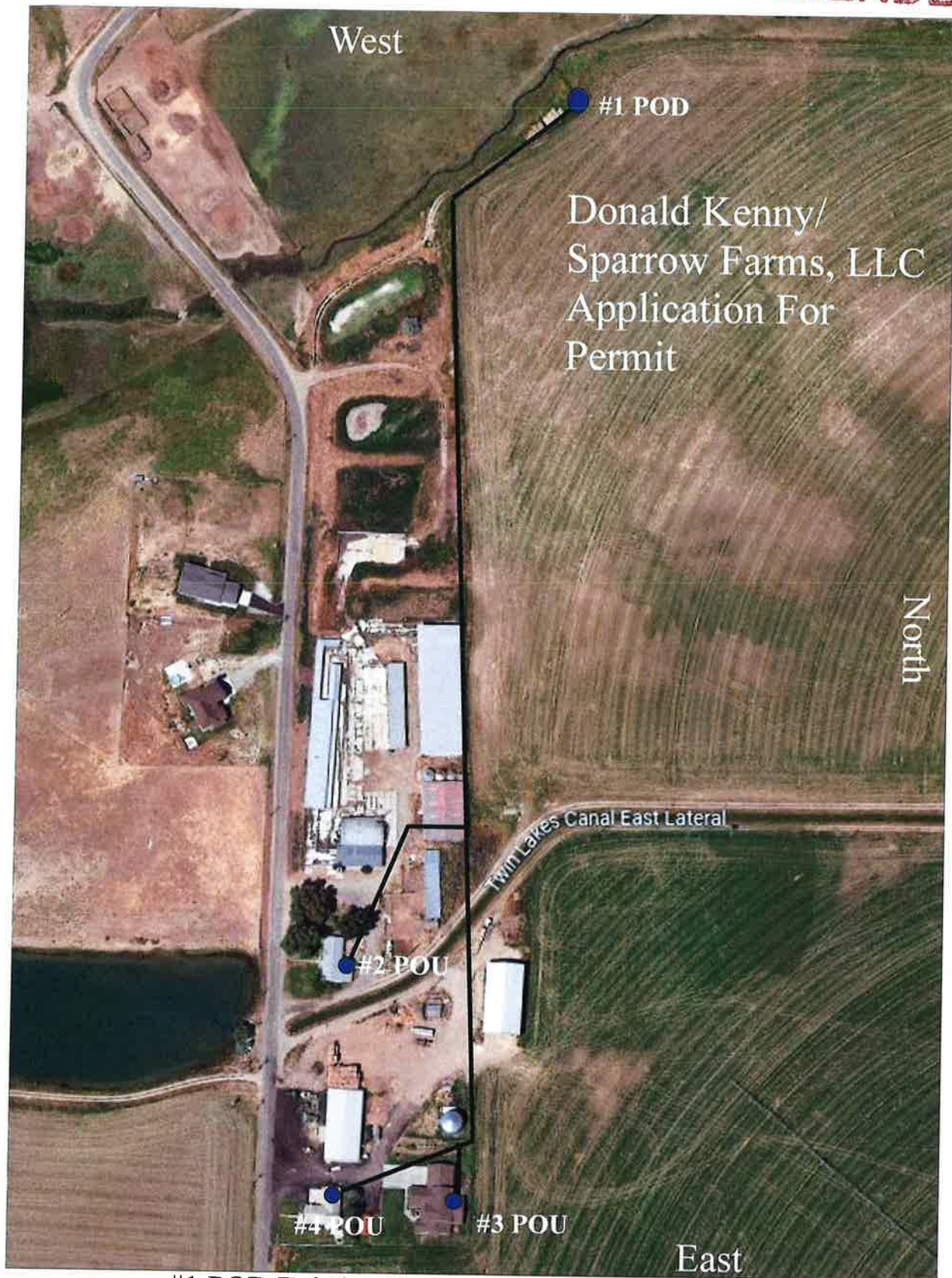
Donald and Lynette Kenny
Print Name (and title, if applicable)


Signature of Applicant


Sparrow Farms, LLC (Rick Sparrow)
Print Name (and title, if applicable)

12/9/19

AMENDED



Legend

- #1 POD Existing Spring 42 degrees 04'59N 111 degrees 58' 00" W
- #2 POU Existing Home 42 degrees 04'56N 111 degrees 58' 00" W
- #3 POU Existing Home 42 degrees 04'56N 111 degrees 57' 56" W
- #4 POU Existing Home 42 degrees 04'57N 111 degrees 57' 56" W
- Existing Pipelines —————



0003531622

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$100.00 - Make Checks Payable to Secretary of State

*For Office Use Only***-FILED-**

File #: 0003531622

Date Filed: 6/5/2019 8:53:04 AM

Certificate of Organization Limited Liability Company					
Standard or Expedited Service (select one)	Standard (filing fee \$100)				
1. Limited Liability Company Name					
Entity name	SPARROW FARMS LLC				
2. The complete street address of the principal office is:					
Principal Office Address	3292 W 800 S WESTON, ID 83286				
3. The mailing address of the principal office is:					
Mailing Address	1942 N MAIN ST LOGAN, UT 84341-1707				
4. Registered Agent Name and Address					
Registered Agent	Registered Agent MICHAEL PHILLIPS Physical Address: 3292 W 800 S WESTON, ID 83286 Mailing Address: 1942 N MAIN ST LOGAN, UT 84341-1707				
5. Governors					
<table border="1"><thead><tr><th>Name</th><th>Address</th></tr></thead><tbody><tr><td>RICK J SPARROW</td><td>1942 N MAIN N LOGAN, UT 84341</td></tr></tbody></table>		Name	Address	RICK J SPARROW	1942 N MAIN N LOGAN, UT 84341
Name	Address				
RICK J SPARROW	1942 N MAIN N LOGAN, UT 84341				
Signature of Organizer:					
<u>RICK J SPARROW</u>	<u>06/05/2019</u>				
Sign Here	Date				

B0272-2069 06/05/2019 8:55 AM Received by ID Secretary of State Lawrence Denney

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
28 West Oneida/PO Box 148
Preston, ID 83263

279543

1.7

Recorded at the request of
First American Title
Time: *2:01* Amount \$ *15.00*

NOV 12 2019

CAMILLE LARSEN, RECORDER
By *[Signature]* Deputy
Franklin County, Idaho

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **735529-PR (hb)**

Date: **November 06, 2019**

For Value Received, **Blue Skies Ranch LLC, a Utah limited liability company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Sparrow Farms LLC, an Idaho limited liability company**, hereinafter called the Grantee, whose current address is **1942 N Main, North Logan, UT 84341**, 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.

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Date: 11/06/2019

Warranty Deed
- continued

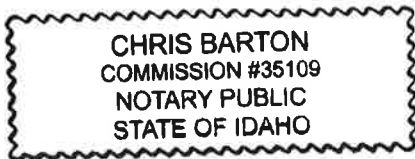
File No.: 735529-PR (hb)

Blue Skies Ranch LLC, a Utah limited liability
company

By: [Signature]
Name: Charles Harker
Title: Member

STATE OF IDAHO)
SS.
COUNTY OF FRANKLIN)

On this 8th Day of November, 2019, before me, a Notary Public in and for said State, personally appeared CHARLES HARKER, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Blue Skies Ranch LLC, a Utah limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.



[Signature]
Notary Public of IDAHO
Residing at: PRESTON
Commission Expires: 11/13/2024

Date: 11/06/2019

Warranty Deed
- continued

File No.: 735529-PR (hb)

EXHIBIT A**PARCEL A****Parcel 1**

The North Half of the Southeast quarter of Section 25, Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho. (01535.03)

ALSO, beginning at a point 390 feet West of the Southeast corner of the Northeast quarter of Section 25, Township 15 South, Range 38 East of the Boise Meridian, and running thence North 760 feet; thence East 390 feet; thence South 760 feet; thence West 390 feet to Beginning.

ALSO, Beginning at a point 390 feet West of the Southeast corner of the Northeast quarter of Section 25; thence running West 460 feet; thence North 100 feet; thence East 360 feet; thence North 660 feet; thence East 100 feet; thence South 760 feet to the Point of Beginning. (01537.00)

EXCEPTING THEREFROM:

A parcel of land located in the Southeast quarter of the Northeast quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 25, Township 15 South, Range 38 East, Boise Meridian, Franklin County, Idaho and more particularly described as follows: Beginning at the East quarter corner of said Section 25, from which the Southeast corner of Section 25 bears South 00° 11' 56" East;
Thence North 00° 12' 50" West 8.00 feet along the East boundary line of Section 25 to a 5/8" rebar and cap labeled "A.L.S. PLS 9163";
Thence West 331.96 feet to a 5/8" rebar and cap;
Thence South 300.00 feet to a 5/8" rebar and cap;
Thence South 40° 02' 18" East 480.77 feet to a 5/8" rebar and cap at the West right of way line of the county road;
Thence North 89° 48' 04" East 25.00 feet to a 5/8" rebar and cap at the east boundary line of said Section 25;
Thence North 00° 11' 56" West 660.00 feet along said East boundary line to the Point of Beginning.

ALSO EXCEPTING THEREFROM:

A parcel of land located in the Southeast quarter of the Northeast quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 25, Township 15 South, Range 38 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:
Commencing at the East quarter corner of said Section 25, from which the Northeast corner of Section 25 bears North 00° 12' 50" East;
Thence North 00° 12' 50" West 8.00 feet along the East boundary line of Section 25 to a 5/8" rebar and cap labeled "A.L.S. PLS 9163", the Point of Beginning;
Thence North 00° 12' 50" West 82.26 feet along the East boundary line of Section 25 to a 5/8" rebar and cap;
Thence North 89° 22' 25" West 175.00 feet to a 5/8" rebar and cap;
Thence North 89° 57' 00" West 156.67 feet to a 5/8" rebar and cap;
Thence South 84.31 feet to a 5/8" rebar and cap;

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Warranty Deed
- continued

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Thence East 331.96 feet to the Point of Beginning.

Parcel 2: A parcel of land located in Section 36, Township 15 South, Range 38 East, Boise Meridian, Franklin County, Idaho and further described as follows:

Beginning at the Northwest corner of said Section 36; thence North 89°47'31" East 125.51 feet along North line of said Section 36 to a 5/8 inch rebar with cap labelled "A.A. HUDSON, PLS 4735" set on the Easterly right of way line of the Union Pacific Railroad, the TRUE POINT OF BEGINNING; thence North 89°47'31" East 60.15 feet along said Section line to a 5/8 inch rebar with cap set on a 812.28 foot radius, nontangent curve whose center bears North 56°07'40" East, said point also set on the Westerly right of way line of the county road; thence along said right of way line through the following courses:

Southeasterly along said curve through a central angle of 15°59'08", a distance of 226.63 feet, (chord = South 41°51'55" East, 225.89 feet) to a 5.8 inch rebar with cap; South 49°51'29" East 248.16 feet to a 5/8 inch with cap set at the beginning of a 144.68 foot radius curve concave to the North; Southeasterly along said curve through a central angle of 82°10'35", a distance of 207.50 feet, (chord = North 89°03'12" East, 190.17 feet) to a 5/8 inch rebar with cap; North 47°57'53" East 313.22 feet to a 5/8 inch rebar with cap; thence leaving said right of way line and meandering along the bank of a reservoir through the following courses, (all angle points along the reservoir are monumented with 5/8 inch rebar and cap):

South 34°23'26" East 253.92 feet; South 18°29'24" East 184.39 feet; South 07°18'19" East 135.39 feet; South 16°57'43" East 203.77 feet; South 18°19'15" East 73.40 feet; South 20°13'24" East 157.50 feet; South 05°46'42" East 189.68 feet; South 40°19'55" East 42.30 feet; South 32°08'21" West 55.18 feet; South 02°08'17" West 254.46 feet; South 38°21'05" East 70.14 feet; South 27°55'46" West 30.55 feet; South 00°30'28" East 201.15 feet; South 35°32'49" East 47.53 feet; South 11°32'18" West 71.54 feet; South 00°04'47" West 40.94 feet; South 21°51'39" East 65.26 feet; South 17°01'57" West 57.83 feet; South 06°12'07" West 76.80 feet; South 83°47'53" East 20.00 feet; South 06°12'07" West 40.00 feet; North 83°47'53" West 20.00 feet; South 06°12'07" West 20.52 feet; South 21°54'19" East 64.77 feet; South 16°16'06" East 87.78 feet; thence leaving said bank and going South 83°14'42" West 164.25 feet to a 5/8 inch rebar with cap; thence South 89°47'53" West 478.14 feet to a 5/8 inch rebar with cap set on the Easterly right of way line of said Railroad; thence North 13°56'20" West 1231.61 feet along said Railroad right of way line to the beginning of a 17,288.73 foot radius curve concave to the Southwest; thence Northwesterly along said curve through a central angle of 01°42'36", a distance of 515.99 feet, (chord = North 14°47'38" West, 515.97 feet); thence North 15°38'56" West 752.42 feet along said right of way line to the TRUE POINT OF BEGINNING. (1616.04)

Parcel 2A

TOGETHER WITH an easement for ingress and egress for installation, maintenance, repair, replacement, and use, of an irrigation pumping system and main line. The easement shall be 20 feet wide, 10 feet on each side, of the following-described centerline:

Beginning at the Northwest corner of said Section 36, thence North 89°47'31" East 2039.66 feet along said Section line; thence South 02°03'41" East 29.24 feet to a point on the centerline of a private road and the South right of way line of the county road, the TRUE POINT OF BEGINNING of this easement; thence South 02°03'41" East 52.44 feet; thence South 16°32'36" East 91.58 feet to the beginning of a 294.93 foot radius tangent curve

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concave to the Southwest; thence Southeasterly along said curve through a central angle of 19°14'38", a distance of 99.06 feet, (chord = South 06°55'16" East, 98.59 feet); thence South 02°42'03" West 1942.06 feet; thence South 09°27'49" East 121.38 feet; thence South 84°17'56" West 69.40 feet; thence North 02°45'50" East 49.77 feet; thence North 29°15'32" West 88.18 feet; thence South 82°17'38" West 36.66 feet; thence South 18°13'31" West 40.25 feet; thence South 61°46'23" West 69.34 feet; thence South 43°11'20" West 127.80 feet to the beginning of a 115.01 foot radius tangent curve concave to the Northwest; thence Southwesterly along said curve through a central angle of 46°59'37", a distance of 94.33 feet, (chord = South 66°41'10" West 91.71 feet); thence North 89°49'01" West 136.86 feet; thence North 65°16'30" West 102.18 feet to a point on the boundary of the reservoir parcel. The sidelines of this easement are to lengthen and shorten as required to terminate on said boundary.

Parcel 3

Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho.

Section 26: The West 60 rods of the Southeast quarter of the North West quarter (SE¼NW¼) (03327.00)

Parcel 3A

ALSO INCLUDING a 16 foot right-of-way and easement running 8 feet on either side of an existing private gravel farm road which turns North off of 800 South and runs northward through the middle of Section 26, then West, and then North again, through an existing 12-foot wire gate along a four-wire fence line which runs along the North boundary of property described in Warranty Deed recorded December 15, 1999 under Instrument No. 208513, the right-of-way and easement shall be for ingress and egress and for installation of underground utilities to grantors' dam, without fences or other obstructions except the above-described existing wire gate This easement includes the right to repair and gravel the road.

Parcel 3B

ALSO INCLUDING a 15 foot right-of-way and easement running 7 feet on either side of an existing ditch which runs from Dam through the North 30 rods of property described in Warranty Deed recorded December 15, 1999 under Instrument No. 208513, this easement and right-of-way includes access over and across adjoining property for access to the ditch, and for repair, cleaning disposal of debris and operation of the ditch.

Parcel 4

Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho.

Section 26: Beginning at the Northeast corner of the Southeast Quarter of Section 26, and running thence West 89 feet; thence South 403 feet; thence West to the Oregon Short Line Railroad right of way; thence Southeasterly following along said right of way to a point 120 feet West and 1980 feet South of the place of beginning; thence East 120 feet to the Section line; thence North on Section line 1980 feet to the place of beginning. (01541.00)

Parcel 5

Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho.

Section 25: S½SE¼. (01536.00)

EXCEPTING THEREFROM: A parcel of land located in the Southeast quarter in the Southeast quarter of Section 25, Township 15 South, Range 38 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Beginning at the Southeast corner of said Section 25 from which the South quarter corner of Section 25 bears South 89° 39' 50" West; thence South 89° 39' 50" West 759.50 feet along the South boundary of Section 25 to a 5/8" rebar and cap labeled "Allen Land Surveying, PLS 9163"; thence North 00° 07' 22" West 141.10 feet to a 5/8" rebar and cap; thence North 58° 41' 15" East 206.14 feet to a 5/8" rebar and cap; thence North 89° 39' 50" East 593.15 feet to a 5/8" rebar and cap set at the East boundary of Section 25; thence South 00° 07' 22" East 247.20 feet along said East boundary to The Point of Beginning.

Parcel 6

Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho. Commencing at the Southeast corner of the Southwest Quarter of Section 25, thence North 160 rods, thence West 1120 feet, more or less, to the West line of Twin Lakes Canal Company right of way; thence South along said right of way 2240 feet; thence Southeasterly along the West line of said right of way to South line of said Section 25, thence East on said Section line 736 feet, more or less, to place of beginning. (01538.00)

Parcel 7

Commencing at the Southwest corner of Section 25, Township 15 South, Range 38 East of the Boise Meridian, running thence North 160 rods; thence East 1520 feet, more or less, to the West line of Twin Lakes Canal Company, right of way, thence South along the West line of Twin Lakes Canal Company, right of way, thence South along the West line of said right of way 2240 feet, more or less, thence Southeasterly along West line of said right of way to the South line of said Section 25; thence West 1904 feet, more or less, to the Place of Beginning. (1539.00)

EXCEPTING THEREFROM: Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho.

Section 25: Commencing at a point 829 feet East of the Southwest corner of Section 25, and running thence North 280 feet; thence East 850 feet; thence South 40 feet; thence East 150 feet, more or less, to the West line of Twin Lakes Canal Company right of way, thence Southeasterly along West line of said right of way to the South line of said Section 25; thence West 1075 feet, more or less, to Place of Beginning.

EXCEPT the following: Beginning at the Southwest corner of said Section 25, thence South 89°38'59" East 900.84 feet (East 829.0 feet by record) to the TRUE POINT OF BEGINNING which is a 5/8 inch rebar with cap labelled AA HUDSON PLS 4735 set at a fence corner; thence along a fence through the following three courses with each angle point monumented with a 5/8 inch rebar with cap; North 38°23'08" West 260.48 feet; North 84°44'45" East 569.44 feet; North 87°21'47" East 86.97 feet to a 5/8 inch rebar with cap set at a fence corner; thence along the North edge of a concrete wall through the following seven courses; South 02°20'36" East 7.38 feet; North 85°25'21" East 173.75 feet; North 79°34'41" East 16.53 feet; North 66°45'29" East 3.67 feet; North 74°39'59" East 6.12 feet; South 79°45'47" East 6.68 feet; South 62°17'00" East 6.07 feet to the Northwest corner of a building; thence North 04°39'24" West 4.00 feet to a 5/8 inch rebar with cap; thence North

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85°17'07" East 84.13 feet to a 5/8 inch rebar with cap; thence South 05°00'28" East 39.91 feet to a 5/8 inch rebar with cap; thence North 85°41'15" East 124.91 feet to a 5/8 inch rebar with cap set on the Westerly right of way of the Twin Lakes Canal; thence along said right of way through the following five courses;

South 34°07'05" East 13.55 feet; South 50°18'24" East 43.41 feet; South 38°56'09" East 27.36 feet; South 32°36'54" East 19.56 feet; South 22°17'02" East 146.99 feet to a 5/8 inch rebar with cap set on the Northerly right of way of the county road; thence along said Northerly right of way South 89°56'58" West 809.18 feet to the P.C. of a 275.00 feet radius curve concave to the Southeast; thence Southwesterly along said curve through a central angle of 29°53'09", a distance of 143.44 feet (chord bearing=South 75°00'24" West 141.82 feet) to a 5/8 inch rebar with cap; thence North 89°33'39" West 93.03 feet to the TRUE POINT OF BEGINNING.

The basis of bearings for this survey and description is North along the East side of Section 25.

FROM : DON KENNEY
SENT BY: HAO;

PHONE NO. : 480-461-8351
435 /b/ 09/06;

Dec. '30 2002 03:34PM P2
DEC-30-02 13:00; PAGE 2/2

219985 1-2

When recorded, return to:
Gary N. Anderson
HILLYARD, ANDERSON & OLSEN, P.C.
175 East 100 North
Logan, UT 84321

Recorded at the request of
Earth's Edge, LLC

3:32
a.m. JAN 06 2003 p.m.

Tax Notice should be sent to:

~~Deirdra Smith~~

~~6012 Lake Karibab Blvd. West~~

~~Wickenburg, AZ 85606~~

Don Kenney
249 N. Westwood
Mesa, AZ 85201

V. ELLIOTT LARSEN, RECORDER
By Shawna Geddes Deputy
FRANKLIN COUNTY, IDAHO

SPECIAL WARRANTY DEED

Earth's Edge Jersey's, L.L.C., Grantor, hereby CONVEYS and WARRANTS against all claiming by, through and under to Donald Allen Kenney and Lynette Berry Kenney as joint tenants with full rights of survivorship, Grantees, for the sum of Ten Dollars (\$10.00 and other valuable consideration), the following described tract of land in Franklin County, State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO

WITNESS, the hand of said Grantor, this 31 day of December 2002.

EARTH'S EDGE JERSEY'S, L.L.C.

Deirdra Smith
By: DEIDRA SMITH

Its: Manager

STATE OF ARIZONA)

County of Coconino) ss.

On the 31st day of December 2002, personally appeared before me DEIDRA SMITH, EARTH'S EDGE JERSEY'S, L.L.C., Manager, the signer of the within instrument, who duly acknowledged to me that she executed the same.

Linda Russell
NOTARY PUBLIC



FROM : DON KENNEY
SEN' BY: HAU;

PHONE NO. : 488-461-8351
435 / 53 88WD;

Dec. 30 2002 03:35PM-P5
TALU JIU

219985 2-2

EXHIBIT "A"

The land referred to in this Commitment is described as follows:

A parcel of land located in Section 25, Township 15 South, Range 38 East of the Boise Meridian, Franklin County, and further described as follows:

Beginning at the Southwest corner of said Section 25, thence South $89^{\circ}39'39''$ East 900.84 feet (East 825.0 feet by record) to the TRUE POINT OF BEGINNING which is a 5/8 inch rebar with cap labelled AA HODSON PLS 4735 set at a fence corner; thence along a fence through the following three courses with each angle point monumented with a 5/8 inch rebar with cap; North $38^{\circ}23'08''$ West 260.48 feet; North $84^{\circ}44'45''$ East 569.44 feet; North $87^{\circ}21'47''$ East 86.97 feet to a 5/8 inch rebar with cap set at a fence corner; thence along the North edge of a concrete wall through the following seven courses: South $02^{\circ}10'36''$ East 7.38 feet; North $85^{\circ}25'21''$ East 173.75 feet; North $79^{\circ}34'41''$ East 16.53 feet; North $66^{\circ}45'29''$ East 3.67 feet; North $74^{\circ}38'53''$ East 6.12 feet; South $79^{\circ}45'47''$ East 6.68 feet; South $62^{\circ}17'00''$ East 6.07 feet to the Northwest corner of a building; thence North $04^{\circ}39'24''$ West 4.00 feet to a 5/8 inch rebar with cap; thence North $85^{\circ}17'07''$ East 84.13 feet to a 5/8 inch rebar with cap; thence South $05^{\circ}00'28''$ East 39.81 feet to a 5/8 inch rebar with cap; thence North $85^{\circ}41'18''$ East 124.01 feet to a 5/8 inch rebar with cap set on the Westerly right of way of the Twin Lakes Canal; thence along said right of way through the following five courses: South $34^{\circ}07'05''$ East 13.55 feet; South $56^{\circ}18'24''$ East 43.41 feet; South $38^{\circ}56'09''$ East 27.36 feet; South $32^{\circ}36'54''$ East 19.56 feet; South $22^{\circ}17'02''$ East 146.99 feet to a 5/8 inch rebar with cap set on the Northerly right of way of the county road; thence along said Northerly right of way South $80^{\circ}56'80''$ West 809.18 feet to the P.C. of a 275.00 feet radius curve concave to the Southeast; thence Southwesterly along said curve through a central angle of $29^{\circ}53'09''$, a distance of 143.44 feet (chord bearing - South $75^{\circ}03'24''$ West 141.82 feet) to a 5/8 inch rebar with cap; thence North $89^{\circ}33'39''$ West 93.03 feet to the TRUE POINT OF BEGINNING

The basis of bearings for this survey and description is North along the East side of Section 25.