

FEB 05 2018

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, [see #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
11-2187	Yes ☐	Yes ☐	27-7057	Yes ☐	Yes ☐
11-2188	Yes ☐	Yes ☐	27-7417	Yes ☐	Yes ☐
11-7429	Yes ☐	Yes ☐	27-7499	Yes ☐	Yes ☐
11-7546	Yes ☐	Yes ☐	27-7500	Yes ☐	Yes ☐
11-7547	Yes ☐	Yes ☐	See Attachment A	Yes ☐	Yes ☐

2. Previous Owner's Name: Nu-West Industries, Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Itafos Conda LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 109 North Post Oak Lane, Suite 145 Houston TX 77024
Mailing address City State ZIP
- 713-242-8444 legal@itafos.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: January 12, 2018
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
☐ \$25 per *undivided* water right.
☐ \$100 per *split* water right.
☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Brian S. Scharan Chief Executive Officer 02/01/2018
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by ⑩ Date 2/5/2018 Receipt No. C104618 Receipt Amt. 425.00
Active in the Water Supply Bank? Yes ☐ No ☒ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☒
Name on W-9 _____ Approved by _____ Processed by _____ Date _____

Attachment A
Notice of Change in Water Right Ownership
Itafos Conda LLC

Water Right/Claim No.	Split?	Leased to Water Supply Bank?
27-7501	No	No
27-7502	No	No
27-7503	No	No
27-7504	No	No
27-7505	No	No
27-7506	No	No
27-7540	No	No
27-12283	No	No

Instrument # 200319

CARIBOU COUNTY, IDAHO

01-12-2018 14:46:09 No. of Pages: 33

Recorded for: FIRST AMERICAN TITLE CO, INC - SODA

Denise Horsley Fee: \$24.00

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

After recording, return to:

Varin Wardwell LLC
242 N. 8th St., Suite 220
PO Box 1676
Boise, ID 83701
Attention: Anne C. Kunkel

WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, NU-WEST INDUSTRIES, INC. ("Grantor"), hereby grants, bargains, sells, and conveys unto ITAFOS CONDA LLC, a Delaware limited liability company, whose current address is 109 Post Oak Lane, Suite 145, Houston, Texas, 77024 ("Grantee"), that certain real property located in Caribou County, Idaho, as more particularly described in Exhibit A attached hereto and incorporated herein ("Property").

TOGETHER WITH all of Grantor's right, title and interest in and to all water and water rights appurtenant to the Property, specifically including, but not limited to, the water rights set forth on Exhibit B attached hereto and incorporated herein (the "Water Rights"), ditch or irrigation company shares, streets, alleys and rights of way adjacent thereto, all mineral rights appurtenant thereto, and all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the Premises, as well in law as in equity.

TO HAVE AND TO HOLD the Property, with its appurtenances, unto Grantee, its successors, heirs and assigns, forever.

SUBJECT TO the following: (a) general taxes and assessments, which are not yet due and payable; (b) the Permitted Liens set forth in that certain Asset Purchase Agreement, dated November 6, 2017, by and between the Grantor and Grantee (the "APA") (but only to the extent such Permitted Liens are in respect of the Property); and (c) the Non-Permitted Title Liens set forth in the APA which are not removed prior to Closing (as that term is defined in the APA) pursuant to Sections 6.6(b) and 6.6(c) of the APA and set forth on Exhibit C, attached hereto and incorporated herein (the "Approved Exceptions") (collectively, (a), (b) and (c), the "Permitted Exceptions").

Grantor does hereby covenant to and with Grantee, and its successors and assigns forever, that Grantor is owner in fee simple of the Property; that Grantor has a good right to convey the fee simple interest in the Property; that the Property is free from any and all liens, claims, encumbrances or other defects of title, except the Permitted Exceptions; and that Grantor shall and will warrant and defend the same against all lawful claims whatsoever.

[end of text]

E-RECORDED

simplifile®

ID: 200319
County: Caribou County Idaho
Date: 1-12-2018 Time: 14:46:09pm

After recording, return to:

Varin Wardwell LLC
242 N. 8th St., Suite 220
PO Box 1676
Boise, ID 83701
Attention: Anne C. Kunkel

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TOGETHER WITH all of Grantor's right, title and interest in and to all water and water rights appurtenant to the Property, specifically including, but not limited to, the water rights set forth on Exhibit B attached hereto and incorporated herein (the "Water Rights"), ditch or irrigation company shares, streets, alleys and rights of way adjacent thereto, all mineral rights appurtenant thereto, and all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the Premises, as well in law as in equity.

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Grantor does hereby covenant to and with Grantee, and its successors and assigns forever, that Grantor is owner in fee simple of the Property; that Grantor has a good right to convey the fee simple interest in the Property; that the Property is free from any and all liens, claims, encumbrances or other defects of title, except the Permitted Exceptions; and that Grantor shall and will warrant and defend the same against all lawful claims whatsoever.

[end of text]

IN WITNESS WHEREOF, the parties have executed the within instrument as of the 12th
day of January, 2018

GRANTOR:

NU-WEST INDUSTRIES, INC.

By: [Signature]

Name: GARY J. DANIEL

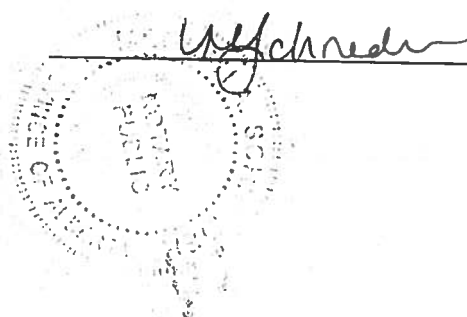
Title: CORPORATE SECRETARY

PROVINCE OF ALBERTA)

CITY OF CALGARY

SS.

On this 4 day of January, 2018, before me, Meghan A. Schneider, a Notary Public in and for said Province, personally appeared Gary J. Daniel, known or identified to me to be the Corporate Secretary of Nu-West Industries, Inc., the corporation that executed the foregoing instrument, and acknowledged to me that he/she executed this instrument on behalf of said corporation.



MEGHAN A. SCHNEIDER

Barrister & Solicitor,

Notary Public and Commissioner for Oaths
in and for the Province of Alberta.

My commission expires at the pleasure
of the Lieutenant Governor in Council.

Notary Public of

Residing at: Calgary, Alberta

Commission Expires: At the pleasure of the
Lieutenant Governor in Council

EXHIBIT A
Legal Description

PARCEL I:
Tract 1:

Township 8 South, Range 42 East of the Boise Meridian:

A tract of land located in Sections 9 and 16, township and range aforesaid, more particularly described as follows:

Beginning at the Northeast corner of said Section 16;
Thence South 89°22'44" West 1324.20 feet (S 89°22'54" W 1323.72 ft. rec.) to a found monument at the Northwest corner of the NE¼NE¼ of said Section 16, which is the TRUE POINT OF BEGINNING, and running
Thence South 00°44'21" East 665.96 feet to a point on the Westerly right of way of Monsanto Co. Haul Road right of way;
Thence South 28°19'30" West 224.91 feet along said right of way to the PC of a 3°51'54" curve to the left;
Thence along said curve through a central angle of 19°07'37", a distance of 494.86 feet to a fence line (Chord = S 17°49'19" W 492.56 ft.);
Thence South 89°13'54" West 1620.71 feet along said fence to a fence corner;
Thence North 24°27'11" West 559.55 feet;
Thence North 04°48'32" West 291.00 feet (N 04°48'07" W 291.27 ft. rec.);
Thence North 29°54'15" West 187.77 feet (N 29°55'57" W 187.79 ft. rec.);
Thence North 04°07'54" East 156.87 feet (N 04°16'42" E 156.77 ft. rec.);
Thence North 00°25'25" East 107.41 feet (N 00°09'09" E 107.48 ft. rec.);
Thence North 14°46'49" West 112.77 feet (N 14°40'46" W 99.43 ft. rec.);
Thence North 89°38'24" East 1159.26 feet (N 89°15'05" E rec.);
Thence North 00°27'07" West 6635.22 feet (N 00°27'11" W 6639.82 ft. rec.);
Thence North 00°11'35" West 834.41 feet (N 00°09'04" W 835.44 ft. rec.);
Thence North 37°01'52" West 329.31 feet (N 37°05'55" W 329.32 ft. rec.), thence leaving said fence and going;
Thence North 89°45'16" East 396.37 feet;
Thence South 00°09'04" East 1098.15 feet (S 00°09'04" E 1098.96 ft. rec.);
Thence South 89°45'16" West 99.65 feet (S 89°45'16" W 99.00 ft. rec.);
Thence South 00°00'44" East 1303.87 feet (S 00°00'44" E 1304.77 ft. rec.);
Thence West 29 feet;
Thence South 00°30'53" East 3449.16 feet (S 00°30'53" E 3451.55 ft. rec.);
Thence South 00°31'39" East 1881.77 feet (S 00°31'39" E 1883.06 ft. rec.);
Thence North 89°19'10" East 98.16 feet (N 89°15'05" E 99 ft. rec.);
Thence North 00°30'53" West 1878.74 feet (N 00°31'39" E 1876.90 ft. rec.);
Thence North 00°30'00" West 1608.96 feet (N 00°30'53" W 1608.5 ft. rec.);
Thence South 89°58'25" East 2257.17 feet (S 89°59'57" E 2267.09 ft. rec.), to the Westerly right of way line of the Monsanto Co. Haul Road;
Thence along said right of way line South 00°02'46" East 1130.78 feet (S 01°15' E rec.), to the Point of Spiral of a 03°04'50" curve to the right;
Thence 1107.02 feet along said curve with 197.04 foot spirals on each end to the PT (Chord = S 13°58'14" W 1092.52 ft.);
Thence South 27°59'14" West 1423.50 feet (S 26°57' W rec.) to an angle point in said right of way;
Thence South 28°19'30" West 27.60 feet to a point on the North line of the NE¼NE¼ of said

Section 16;
Thence South 89°22'44" West 369.70 feet,
To the TRUE POINT OF BEGINNING.

PARCEL I:
Tract 2:

A tract of land located in Sections 10, 11, 15 and 16, township and range aforesaid, more particularly described as follows:

Beginning at the Northeast corner of said Section 16, and running
Thence North 1645.23 feet along the West line of said Section 10, to a point on the Easterly right of way line of Monsanto Co. Haul Road, said point is on a 2°55'24" curve left, whose center point bears North 72°36'16" West;
Thence Northeasterly along said curve through a central angle of 06°43'33" a distance of 230.06 feet (Chord = N 14°01'54" E 229.93 ft.);
Thence East 150.45 feet (E 206.46 ft. rec.) to a found 1/2" rebar;
Thence North 89°42'28" East 718.50 feet (N 89°42'56" E 717.97 ft. rec.);
Thence North 14°23'16" East 155.80 feet (N 14°30'47" East 156.19 ft. rec.);
Thence North 02°21'49" East 152.68 feet (N 02°11'53" E 152.43 ft. rec.);
Thence North 00°25'38" East 268.29 feet (N 00°25'23" E 268.34 ft. rec.);
Thence North 11°15'36" East 207.81 feet (N 11°15'14" E 207.84 ft. rec.);
Thence South 89°57'53" East 264.57 feet (S 89°57'58" E 256.36 ft. rec.);
Thence North 89°22'02" East 1367.94 feet (N 89°20'53" E 1367.82 ft. rec.);
Thence South 88°37'03" East 2632.30 feet (S 88°39'06" E 2630.64 ft. rec.);
Thence South 00°55'10" East 1298.52 feet (S 00°40'41" E 1296 ft. rec.);
Thence South 87°53'47" East 1286.39 feet (S 87°39'18" E 1283.86 ft. rec.);
Thence South 00°05'50" West 1301.77 feet (S 00°20'19" W 1299.17 ft. rec.);
Thence North 87°28'38" West 1275.05 feet (N 87°29'52" W 1276.32 ft. rec.), to the Southeast corner of said Section 10;
Thence North 00°41'34" West 64.99 feet (N 00°41'41" W 65 ft. rec.);
Thence North 85°22'37" West 1463.90 feet (N 85°23'22" West 1463.95 ft. rec.);
Thence South 00°00'45" West 174.99 feet (S 175 ft. rec.);
Thence North 89°41'12" West 1191.49 feet (N 89°41'57" W 1191.53 ft. rec.);
Thence South 89°33'12" West 1103.05 feet (S 89°32'27" W 1103.09 ft. rec.);
Thence South 00°34'10" East 750.13 feet (S 00°36'59" E 750.44 ft. rec.), to the Northerly right of way line of the County Road;
Thence along said right of way line South 70°31'37" West 234.12 feet (S 70°37'00" W 234.46 ft. rec.), to a found monument;
Thence South 70°31'37" West 41.37 feet (S 71°09'18" W 64.85 ft. rec.) to the PC of a 1383.49 foot radius tangent curve to the right;
Thence Southwesterly along said curve through a central angle of 24°34'51" a distance of 593.54 feet to the Southeasterly corner of Intermountain Gas Co. tract (Chord = S 82°49'04" W 589.00 ft.);
Thence North 07°32'40" East 62.00 feet (N 85 ft. rec.);
Thence North 82°22'00" West 42.50 feet (W 30 ft. rec.);
Thence South 07°32'40" West 48.35 feet (S 85 ft. rec.);
Thence North 82°22'00" West 19.00 feet;
Thence South 07°28'27" West 14.96 feet to a point on said Northerly right of way which is on a 1383.49 foot radius nontangent curve whose center point bears North 07°56'36" East;
Thence Northwesterly along said curve through a central angle of 07°29'32" a distance of 180.91 feet to a found monument (Chord = N 78°38'17" W 180.78 ft.);
Thence continuing Northwesterly along said curve through a central angle of 00°45'33", a

distance of 18.33 feet to the PT of a curve (Chord = N 74°05'18" W 18.33 ft.);
Thence North 74°05'39" West 521.19 feet along said right of way line to the PC of a 1285.11 foot radius tangent curve to the left;
Thence Southwesterly along said curve through a central angle of 70°30'27" a distance of 1581.44 feet to a point of intersection with the Easterly right of way line of the Monsanto Co. Haul Road (Chord = S 70°39'07" W 1483.53 ft.), said point is on a 1382.39 foot radius nontangent curve to the right;
Thence Northeasterly along said curve through a central angle of 12°21'10" a distance of 298.04 feet to the PT (Chord = N 21°08'17" E 297.46 ft.);
Thence North 28°19'30" East 1013.83 feet along said haul road to an angle point;
Thence North 27°59'14" East 27.33 feet to a point on the North line of said Section 16;
Thence North 89°22'44" East 840.41 feet (E 841 ft. rec.);
To the Point of Beginning.

EXCEPT THEREFROM, any portion thereof lying within the right of way of the Oregon Short Line Railroad company railroad as disclosed by Release and Quit Claim Deed executed by El Paso Products Services Company, a Texas corporation, by instrument dated May 19, 1972, recorded November 3, 1976, under Recorder's Instrument No. 88856, in the microfilm records of Caribou County, Idaho.

PARCEL I:

Tract 3:

A tract of land located in Section 16, township and range aforesaid, more particularly described as follows:

Beginning at the Northeast corner of said Section 16, Thence South 00°12'34" East 1308.39 feet to the TRUE POINT OF BEGINNING,
Thence South 89°34'34" West 592.01 feet along an existing fence;
Thence North 00°40'50" West 452.77 feet (N 00°40'50" W rec.) to a point on the South right of way line of the Conda Branch of the Oregon Short Line Railroad, said point is on a 1095.91 foot radius nontangent curve whose center point bears South 10°01'40" East;
Thence Southeasterly along said curve through a central angle of 22°10'35" a distance of 424.17 feet, to the PCS (Chord = S 88°55'38" E 421.53 ft.);
Thence along a 3°27'02" spiral right through a distance of 131.99 feet, to the PT (chord = S 75°37'44" E 131.99 ft.);
Thence South 74°28'43" East 48.38 feet along said right of way line;
Thence South 00°12'34" East 394.76 feet,
to the TRUE POINT OF BEGINNING.

PARCEL I:

Tract 4: Parcel A:

Township 8 South, Range 42 East of the Boise Meridian:

Sections 3 and 10: Beginning at the Northwest corner of said Section 10; Thence South 89°57'59" East 624.13 feet (South 89°59'02" East 623.54 feet by record) along the North line of said Section 10 to a 3/4" cap set on the Easterly right of way line of the Oregon Short Line Railroad (OSLRR), said point being 8.5 feet perpendicular to the centerline of the main track, the True Point of Beginning;
Thence South 89°57'59" East 693.22 feet (South 89°59'02" East 693.80 feet by record) along said North line of Section 10 to the West 1/16th corner on said North line;
Thence North 00°11'01" East 1161.75 feet (North 0°11'31" East 1186 feet by record) to a cap set on the East right of way line of said OSLRR, said right of way being 10 feet

perpendicular to the center of the main track, said point being on a 1920.08 foot radius nontangent curve concave to the Northwest whose center point bears North 74°33'33" West;

Thence Northeasterly along said curve through a central angle of 12°54'48", a distance of 432.75 feet to the point of curve to spiral (Chord = North 08°59'03" East 431.83 feet);

Thence along a 02°14'39" spiral to the left through a distance of 150.41 feet to the point of tangency (Chord = North 01°01'51" East 150.39 feet);

Thence North 00°16'58" East 181.05 feet (North 0°54'30" West a distance of 180.22 feet by record) to the point of spiral;

Thence along a 03°00'38" spiral to the right through a distance of 149.51 feet to the point of spiral to curve, (Chord = North 01°17'11" East 149.49 feet) with a 1422.70 foot radius curve to the right;

Thence Northeasterly along said curve through a central angle of 20°38'15", a distance of 512.44 feet to the point of curve to spiral (Chord = North 13°36'31" East 509.68 feet);

Thence along a 01°44'43" spiral to the right through a distance of 86.65 feet (Chord = North 25°20'59" East 86.64 feet) to a cap;

Thence South 89°23'44" East 30.94 feet to a found brass cap monument;

Thence South 89°23'44" East 1064.57 feet (North 89°43'01" East 1069.86 feet by record) to the Center Quarter corner of said Section 3 (a found brass cap monument marked C 1/4 bears South 86°33'45" East 5.30 feet);

Thence South 00°17'16" West 2632.08 feet (South 00°29'43" East 2631.95 feet by record) to the Quarter Corner between Sections 3 and 10;

Thence South 00°13'02" East 2640.43 feet (South 00°13'37" East 2641.01 feet by record) to a found brass cap monument property corner;

Thence South 89°22'02" West 1367.94 feet (South 89°20'53" West 1367.82 feet by record) to a found property corner;

Thence North 89°57'53" West 264.57 feet (North 89°57'58" West 265.36 feet by record);

Thence South 11°15'36" West 207.81 feet (South 11°15'14" West 207.84 feet by record);

Thence South 00°25'38" West 268.29 feet (South 00°25'23" West 268.34 feet by record);

Thence South 02°21'49" West 152.68 feet (South 02°11'53" West 152.43 feet by record);

Thence South 14°23'16" West 155.80 feet (South 14°30'47" West 156.19 feet by record);

Thence South 89°42'28" West 718.50 feet (South 89°42'56" West 717.97 feet by record) to a found 1/2" rebar;

Thence North 06°08'14" East 484.48 feet (North 06°06'41" East 484.14 feet by record) to a point that is 258 feet distance East from the West line of said Section 10, measured along a straight line drawn at right angles to said West line thereon that is 2350 feet distant North from the Southwest corner of said Section 10 by record;

Thence North 350.00 feet;

Thence North 89°22'47" West 47.37 feet (West 41.50 feet more or less by record) to a point that is by record 8.5 feet East of Track 4-B and is 64.50 feet East of the Centerline of the main track of said OSLRR;

Thence North 00°27'20" West 1124.99 feet (North 0°55' West 1206 feet parallel with the centerline of Track 4-B 1153 feet, more or less by record) to the point of curvature of a 2227.3 foot radius curve to the right;

Thence Northeasterly along said curve through a central angle of 14°15'05", a distance of 554.00 feet to the point of tangency, (Chord = North 06°40'12" East 552.58 feet);

Thence North 13°47'45" East 18.80 feet to the point of curvature of a 467.80 foot radius curve to the left;

Thence Northeasterly along said curve through a central angle of 04°48'04", a distance of 39.20 feet to the point of tangency (Chord = North 11°23'43" East 39.19 feet);

Thence North 08°59'43" East 233.50 feet (North 11°42' East 237.12 feet by record) to the point of curvature of a 450.80 foot radius curve to the right;

Thence Northeasterly along said curve through a central angle of 08°10'21", a distance of

64.30 feet to the point of tangency (Chord = North 13°04'54" East 64.25 feet);
Thence North 07°57'13" East 113.36 feet (Northeasterly 104 feet more or less, by record) to a point that is by record 8.5 feet Easterly from the headblock of Tract 4-B, and is 8.5 feet Easterly from the centerline of the main track at the record location of the headblock of said Tract 4-B, said point is on a 2283.51 foot radius nontangent curve to the right whose center point bears South 62°52'35" East;
Thence Northeasterly along said curve through a central angle of 10°35'12", a distance of 421.93 feet to the point of curve to spiral (Chord = North 29°25'02" East 421.33 feet);
Thence along a 1°30'14" spiral to the right through a distance of 119.88 feet to the point of tangency, (Chord = North 35°42'48" East 119.87 feet);
Thence North 36°12'52" East 4.04 feet,
To the TRUE POINT OF BEGINNING.

PARCEL I:

Tract 4, Parcel B:

Sections 3, 4 and 9: Beginning at the Northeast corner of said Section 9, and running
Thence South 1165.02 feet along the East line of said Section 9, to a point on the Monsanto Company Haul Road right of way as described in Instrument No. 41906, recorded in the official records of Caribou County, Idaho, said point being on a 1959.86 foot radius nontangent curve concave to the Southeast, whose center point bears South 84°17'03" East;
Thence Southwesterly along said curve through a central angle of 02°40'44", a distance of 91.64 feet (Chord = South 04°22'34" West 91.63 feet) to the point of curvature to spiral;
Thence along a 2°57'40" spiral to the left through a distance of 202.58 feet (Chord = South 00°59'16" West 202.56 feet) to the point of tangency;
Thence South 383.56 feet to a 2" AL. cap marking the Northeast corner of Nu-West Industrial Parcel No. 1;
Thence North 89°58'25" West 2257.17 feet (South 89°59'57" East 2267.09 feet by record);
Thence South 00°30'00" East 1608.96 feet (North 00°30'35" West 1608.5 feet by record);
Thence South 00°30'53" East 1878.74 feet (North 00°31'39" East 1876.90 feet by record);
Thence South 89°19'10" West 98.16 feet (North 89°15'05" East 99.00 feet by record);
Thence North 00°31'39" West 1881.77 feet (South 00°31'39" East 1883.06 feet by record);
Thence North 00°30'53" West 3449.16 feet (South 00°30'53" East 3451.55 feet by record);
Thence East 29.00 feet (West 29 feet by record);
Thence North 00°00'44" West 1303.87 feet (South 00°00'44" East 1304.77 feet by record);
Thence North 89°45'16" East 99.65 feet (South 89°45'16" West 99.00 feet by record);
Thence North 00°09'04" West 1098.15 feet (South 00°09'04" East 1098.96 feet by record);
Thence South 89°45'16" West 388.39 feet (North 89°45'16" East by record) to a point on the latitudinal center section line of said Section 4;
Thence North 00°03'47" West 2872.12 feet along said center line to the North Quarter corner of said Section 4;
Thence North 89°17'48" East 2656.91 feet to the Northeast corner of said Section 4;
Thence North 89°59'11" East 1326.97 feet along the North line of said Section 3 to the 1/16th corner;
Thence South 00°11'05" West 2661.46 feet to the Center East 1/16th corner;
Thence South 00°11'01" West 397.85 feet to a point on the right of way fence of the Monsanto Company Haul Road, said point being on a 1970.41 foot radius nontangent curve concave to the Southeast whose center point bears South 79°29'29" East;
Thence Southwesterly along said curve through a central angle of 10°51'46", a distance of 373.58 feet (Chord = South 05°04'38" West 373.02 feet) to the point of tangency;
Thence South 00°21'15" East 111.83 feet to the point of curvature of a 2241.83 foot radius curve to the right;
Thence Southwesterly along said curve through a central angle of 13°51'09", a distance of

542.01 feet (Chord = South 06°34'19" West 540.69 feet) to the point of compound curvature with a 1859.86 foot radius curve to the right;
Thence Southwesterly along said curve through a central angle of 19°39'43", a distance of 638.24 feet (Chord = South 23°19'45" West 635.11 feet) to a point of curve to spiral;
Thence along a 03°02'24" spiral to the right through a distance of 197.36 feet (Chord = South 35°11'12" West 197.33 feet) to the point of spiral;
Thence South 36°12'00" West 597.79 feet (South 34°57' West by record) to the South line of said Section 3;
Thence North 89°57'59" West 512.06 feet,
To the Point of Beginning.

PARCEL 1
Tract 5A

A parcel of land located in Lot 3 of Section 3, Township 8 South, Range 42 East, Boise Meridian, Caribou County, Idaho and further described as follows:
Beginning at the Southwest corner of said Lot 3,
Thence North 00°11'05" East 1327.57 feet along the West line of said Lot 3;
Thence South 89°59'11" East 775.17 feet along the North line of said Section 3 to a point on the westerly right of way line of the Monsanto Haul Road as described in Instrument Number 42600 in the official records of Caribou County, said point being on a 4° transition spiral to the right;
Thence Southwesterly along said spiral through an angle of 02°57'36", (chord = S 40°47'16" W 177.66 feet) to the Point of Spiral to Curve of a 1482.39 foot radius curve concave to the Southeast, whose center point bears South 51°42'30" East;
Thence Southwesterly along said curve through a central angle of 43°19'21", a distance of 1120.87 feet to the Point of Curve to Spiral (chord = South 16°41'49" West 1094.36 feet);
Thence along a 4° transition spiral to the right through a central angle of 02°07'48", a distance of 149.81 feet (chord = South 07°09'24" East 149.79 feet) to the south line of said Lot 3;
Thence North 89°33'29" West 368.29 feet along the said south line to the Point of Beginning.

PARCEL 1
Tract 5B

A parcel of land located in Lot 3 of Section 3, Township 8 South, Range 42 East, Boise Meridian, Caribou County, Idaho and further described as follows:
Beginning at the Southwest corner of said Lot 3;
Thence South 89°33'29" East 475.04 feet along the south line of said Lot 3 to the True Point of Beginning, a point on the Easterly right of way line of the Oregon Short Line Railroad right of way as described in Instrument Number 88855 in the official records of Caribou County, said point being on a 30 MPH spiral to the right;
Thence Northeasterly along said spiral through a central angle of 01°40'50", a distance of 83.70 feet (chord = North 08°01'00" West 83.67 feet) to the Spiral to Curve Point with a 1422.69 foot radius nontangent curve concave to the Northeast, whose radius point bears North 83°22'33" East;
Thence Northeasterly along said curve through a central angle of 46°00'30", a distance of 1142.43 feet (chord = North 16°24'18" East 1111.98 feet) to the Point of Curve to Spiral of a 30 MPH spiral to the right;
Thence Northeasterly along said spiral through a central angle of 03°00'58", a distance of 150.01 feet (chord = North 41°26'03" East 149.98 feet) to the Point of Tangency;
Thence North 42°26'03" East 93.95 feet to a point on the north line of said Lot 3;
Thence North 89°59'11" East 405.00 feet along said north line to the north Quarter corner of

said Section 3;

Thence South 00°17'16" West 1338.11 feet to the southeast corner of said Lot 3;

Thence North 89°33'29" West 863.33 feet along the south line of said Lot 3 to the True Point of Beginning.

PARCEL 1

Tract 6:

1. Easement created by Easement granted by Monsanto Company, a Delaware corporation, to El Paso Products Company, a corporation; dated December 8, 1967, recorded December 29, 1967, Recorder's Instrument No. 62411, records of Caribou County, Idaho.

A Parcel of land in Section 16, Township 8 South, Range 42 East of the Boise Meridian, Caribou County, Idaho, described as follows:

Commencing at the point of intersection of the East line of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 16 and the North right of way line of the public road known as Conda Road, Thence in a Westerly direction along the North right of way line of Conda Road to the point of intersection with the West right of way line of the Monsanto's private Haul Road and the place of BEGINNING, and running

Thence in a Northerly direction along the West right of way line of the Monsanto's private Haul Road 90 feet;

Thence in an Easterly direction and parallel with the North right of way line of the Conda Road for a distance of 30 feet;

Thence in a Southerly direction and parallel with the West right of way line of Monsanto's private Haul Road 90 feet to the North right of way line of the Conda Road;

Thence in a Westerly direction 30 feet,

To the Point of Beginning.

2. Easement created by Easement granted by Monsanto Company, a corporation, to El Paso Products Company, a corporation, dated December 8, 1967, recorded December 29, 1967, Recorder's Instrument No. 62412, records of Caribou County, Idaho.

A Parcel of land in Section 16, Township 8 South, Range 42 East of the Boise Meridian, Caribou County, Idaho, described as being a strip of land 25 feet in width lying 12 $\frac{1}{2}$ feet on each side of a centerline described as follows:

Beginning at a point on the North line of said Section 16, 966.5 feet West of the Northeast corner of said Section 16, and running

Thence South 28°22' West, parallel to and 12.5 feet Westerly from the Westerly right of way fence of Monsanto's Haul Road 757 feet, more or less, to a point on the East 1/16th line of said Section, said point being 663.5 feet South of the North line of said Section 16.

3. Easement as created by State of Idaho Easement granted by the State of Idaho, by and through the State Board of Land Commissioners and Murrie C. Godfrey and Rhea Godfrey, husband and wife, to El Paso Products Company, dated February 13, 1968, recorded June 26, 1968, Recorder's Instrument No. 63974, records of Caribou County, Idaho. Said easement affects the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, T. 8 S., R. 42 E., B.M., more particularly described as follows:

Parcel No. 1.

A strip of land 25 feet wide in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 16, aforesaid, said strip of land

being 12.5 feet left and 12.5 feet right of the following described centerline:

Beginning at a point on the East 1/16th line of said Section, said point being 663.5 feet South of the North line of said Section, and running
Thence South 28°22' West parallel to and 12.5 feet Westerly from the Westerly right of way fence of Monsanto Haul Road 294.8 feet;
Thence South 29°00' West 237.9 feet, to the point of curvature of a 75 foot radius curve to the left;
Thence along said curve 53.6 feet;
Thence South 12°32' East 81.9 feet, more or less, to the point of intersection of said centerline with the Westerly right of way line of the Monsanto Haul Road.

Parcel No. 2.

A tract of land in the NW¼NE¼ of Section 16, aforesaid, more particularly described as follows:

Beginning at a point on the East 1/16th line of said Section, said point being 689.9 feet South of the North line of said Section, and running
Thence South 28°22' West along the Westerly right of way fence of the Monsanto Haul Road 271.6 feet to the TRUE POINT OF BEGINNING, said point being the point of curvature of a 1055.3 foot radius curve to the left;
Thence North 12°32' West 51.7 feet, to the point of curvature of a 62.5 foot radius curve to the right;
Thence along said curve 44.6 feet, to the point of tangency of said curve;
Thence North 29°00' East 237.9 feet, more or less,
To the TRUE POINT OF BEGINNING.

4. Easement as created by Easement granted by Monsanto Company, a corporation, to Mountain Fuel Supply Company, a corporation, dated December 22, 1967, recorded January 12, 1968, Instrument No. 62566, records of Caribou County, Idaho.

A Parcel of land in the SW¼SW¼ of Section 3, Township 8 South, Range 42 East of the Boise Meridian, Caribou County, Idaho, more particularly described as follows:

Beginning at a Brass Cap Monument marking the location of the Southwest corner of said Section, running Thence East 523 feet; Thence North 7 feet, to the TRUE POINT OF BEGINNING, said point is on the West right of way boundary of the Monsanto Haul Road;
Thence North 38°00' East 23 feet;
Thence South 76°00' East 110 feet, to the North boundary of former MFS property;
Thence West 22 feet, along the former MFS boundary to within 8'6" of the center of the railroad;
Thence South 38°00' West 17 feet, again along the former MFS boundary;
Thence North 76°00' West 91 feet,
To the TRUE POINT OF BEGINNING.

5. Easement as created by Pole Line Easement granted by Monsanto Company, a Delaware corporation, to Mountain Fuel Supply Company, a corporation, dated December 22, 1967, recorded January 12, 1968, Recorder's Instrument No. 62567, records of Caribou County, Idaho.

A Parcel of land in the SW¼SW¼ of Section 3, Township 8 South, Range 42 East of the Boise Meridian, Caribou County, Idaho, more particularly described as follows:

Beginning at a Brass Cap Monument marking the location of the Southwest corner of said

Section 3, aforesaid and running Thence East 523 feet; Thence North 7 feet, to the TRUE POINT OF BEGINNING, said point is on the West right of way boundary of the Monsanto Haul Road, and running
Thence North 38°00' East 23 feet;
Thence South 76°00' East 110 feet, to the North boundary of the former MFS property;
Thence West 22 feet, along said former MFS boundary to within 8'6" of the center of the railroad;
Thence South 38°00' West 17 feet, again along said former MFS boundary;
Thence North 76°00' West 91 feet,
To the TRUE POINT OF BEGINNING.

6. Easement as created by Easement granted by Monsanto Company, a Delaware corporation, to Mountain Fuel Supply Company, a corporation, dated December 22, 1967, recorded January 12, 1968, Recorder's Instrument No. 62568, records of Caribou County, Idaho.

A Parcel of land in the SW¼NW¼ of Section 10, Township 8 South, Range 42 East of the Boise Meridian, Caribou County, Idaho, more particularly described as follows:

Beginning at a Brass Cap Monument marking the location of the Southwest corner of said Section 10 aforesaid; Thence North 3488.0 feet along the Section line to the TRUE POINT OF BEGINNING, said point is on the West right of way boundary of the Monsanto Haul Road, and running
Thence North 1°15' East 24.0 feet along said right of way;
Thence East 100.0 feet;
Thence South 0°55' East 24.0 feet;
Thence West 100.0 feet,
To the POINT OF BEGINNING.

7. Easement as created by Modification of Easement and Grant of Easement, granted by Monsanto Company, a Delaware corporation, to Nu-West Industries, Inc., a Delaware corporation, by Easement dated August 31, 1995, recorded September 26, 1995, Recorder's Instrument No. 150853, records of Caribou County, Idaho.

Easement Property 1:

A parcel of land in Section 10, Township 8 South, Range 42 East of the Boise Meridian, described as being 100 feet in width lying 50 feet on each side of the centerline being more particularly described as follows:

Beginning at the Northwest corner of Section 10, T. 8 S., R. 42 E., Boise Meridian:
Thence South along the West line of said Section a distance of 3389.17 feet;
Thence North 86°15'20" East a distance of 63.46 feet to a point on the East right of way line of the Monsanto Haul Road, the True Point of Beginning of the right-of-way hereby granted:
Thence South 86°15'20" West 100.52 feet to a point on the West line of said Monsanto Haul Road.

Easement Property 2:

A parcel of land in Section 10, Township 8 South, Range 42 East of the Boise Meridian, described as being 100 feet in width lying 50 feet on each side of the centerline being more particularly described as follows:

Beginning at the Northwest corner of Section 10, T. 8 S., R. 42 E., Boise Meridian,
Thence South 3498.51 feet along the West line of said Section 10:
Thence North 89°13'31" East 43.08 feet to a point on the East right-of-way line of the
Monsanto Haul Road; the True Point of Beginning of the Right-of-Way hereby granted:
Thence South 89°13'31" West 102.91 feet to a point on the West right of way line of the
Monsanto Haul Road.

PARCEL II:

Township 8 South, Range 42 East of the Boise Meridian:

Section 3: A parcel of land in the SW¼SW¼ of said Section 3, described as follows:

Commencing at a found brass cap monumenting the Southwest corner of said Section 3, as
shown on that certain Record of Survey, Instrument No. 148049, Caribou County records,
from which found brass cap monumenting the Southeast corner of said SW¼ of Section 3
bears South 89°57'59" East 2634.70 feet; Thence South 89°57'59" East 637.12 feet along
the Southerly boundary of said SW¼SW¼ of Section 3 to a point on the Easterly right of
way of the Monsanto Co. Haul Road and the O.S.L.R.R., the REAL POINT OF BEGINNING,
Thence North 36°11'55" East 733.08 feet along said Easterly right of way to a point of
curvature;

Thence continuing along said Easterly right of way 538.30 feet along a curve to the left
having a radius of 1850 feet, a central angle of 16°40'17", tangents of 271.0 feet and long
chord which bears North 27°51'46" East 536.40 feet to a point on the Easterly boundary of
said SW¼SW¼ of Section 3;

Thence along said Easterly boundary South 00°11'00" West 1066.19 feet to the Southeast
corner of said SW¼SW¼ of said Section 3;

Thence along said Southerly boundary of said SW¼SW¼ of Section 3, North 89°57'59" West
680.23 feet,

To the Point of Beginning.

Section 9: A parcel of land in the SE¼ of Section 9, more particularly described as follows:

Commencing at a found brass cap monumenting the Southeast corner of said Section 9, the
real point of beginning as shown on that certain Record of Survey Instrument No. 138153,
Caribou County, from which the Northeast corner of said SE¼ of said Section 9 bears North
00°01'10" East 2652.34 feet, and running

Thence South 89°23'59" West 837.95 feet to a point on the Easterly right of way line of
Monsanto Co. Haul Road;

Thence North 28°01'27" East 1412.26 feet along said Easterly right of way to a point of
curvature;

Thence continuing along said right of way on a curve to the left 458.05 feet having a radius
of 2370 feet a central angle of 11°04'25" tangents of 229.74 feet and a long chord which
bears North 22°29'15" East 457.34 feet to a point on the Easterly boundary of said SE¼ of
Section 9;

Thence South 00°01'10" West 1660.46 feet along said Easterly boundary,

To the Point of Beginning.

Section 10: A tract of land in the NW¼ of Section 10, more particularly described as follows:

Commencing at a found brass cap monumenting the Northwest corner of said Section 10,
the Real Point of Beginning, as shown on that certain Record of Survey Instrument No.
148049, Caribou County records, from which a found brass cap monumenting the Southwest

corner of said NW¼ of Section 10 bears South 00°00'00" East 2651.90 feet;
Thence South 89°57'59" East 512.11 feet along the Northerly boundary of said NW¼ of Section 10 to a found aluminum cap on the Westerly right of way of Monsanto Co. Haul Road;
Thence along the existing right of way fence South 35°57'57" West 226.68 feet to a point of non-tangent curve;
Thence continuing along said right of way fence 1276.80 feet along a curve to the left having a radius of 1965 feet to a central angle of 37°13'44", tangents of 661.85 feet and long chord which bears South 17°35'03" West 1254.45 feet to a point on the Westerly boundary of said NW¼ Section 10;
Thence North 00°00'00" West 1379.62 feet along said Westerly boundary,
To the Point of Beginning.

Section 16: A tract of land in the NE¼NE¼ of Section 16, more particularly described as follows:

Commencing at a found brass cap monumenting the Northeast corner of said Section 16, as shown on that certain Record of Survey Instrument No. 138153, Caribou County records;
Thence South 89°23'59" West 951.87 feet along the Northerly boundary of said NE¼NE¼ of said Section 16 to a point on the Westerly right of way line of said Monsanto Co. Haul Road, the REAL POINT OF BEGINNING,
Thence continuing South 89°23'59" West 372.33 feet to the Northwest corner of said NE¼NE¼ of Section 16;
Thence South 00°43'06" East 679.64 feet to a point on said Westerly right of way;
Thence along said right of way North 28°01'27" East 774.27 feet,
To the Point of Beginning.

PARCEL III:

Tract 1:

A parcel of land located in Section 9, Township 8 South, Range 42 East, Boise Meridian, Caribou County, Idaho and further described as follows:

Beginning at the Northwest corner of said Section 9, from which the West Quarter corner of Section 9 bears South 00°17'08" East 2656.87 feet; Thence South 00°17'08" East 1328.44 feet along the West line of said Section 9, also being the centerline of State Highway 34;
Thence North 89°12'09" East 45.00 feet to a 5/8" rebar with cap labeled, "A.A. Hudson, PLS 13173" set on the East right of way line of said State Highway 34, the True Point of Beginning;
Thence North 89°12'09" East 1810.25 feet along the North line of the S½NW¼ of said Section 9, to a 5/8" rebar with cap set on a fence line;
Thence South 01°48'13" West 144.99 feet along said fence line to a 5/8" rebar with cap;
Thence South 30°03'39" West 1398.54 feet along said fence line to a 5/8" rebar with cap set at a fence corner;
Thence North 89°42'42" West 128.75 feet along said fence line to a 5/8" rebar with cap set at a fence corner;
Thence North 24°36'58" West 227.52 feet along said fence line to a 5/8" rebar with cap;
Thence North 41°43'40" West 345.61 feet along said fence line to a 5/8" rebar with cap;
Thence North 36°27'10" West 283.62 feet to a 5/8" rebar with cap;
Thence North 36°36'28" West 627.77 feet to a 5/8" rebar with cap set at a fence corner;
Thence North 87°16'47" West 113.03 feet along said fence line to a 5/8" rebar with cap set on said East right of way line;
Thence North 00°17'08" West 100.07 feet along said right of way line to a found right of way

monument;

Thence North 89°42'52" East 5.00 feet along said right of way line to a 5/8" rebar with cap;
Thence North 00°17'08" West 27.20 feet along said right of way line,
To the True Point of Beginning.

PARCEL III:

Tract 2:

A parcel of land located in Section 9, Township 8 South, Range 42, East, Boise Meridian, Caribou County, Idaho and further described as follows:

Beginning at the Northwest corner of said Section 9, from which the West Quarter corner of Section 9 bears South 00°17'08" East 2656.87 feet; Thence South 00°17'08" East 1328.44 feet along the West line of said Section 9 to the Northwest corner of the S½NW¼ of Section 9, Township 8 South, Range 42, East of the Boise Meridian; Thence North 89°12'09" East 1855.25 feet along the North line of said S½NW¼ to a 5/8" rebar with cap labeled, "A.A. Hudson, PLS 13173" set on a fence line, the True Point of Beginning;
Thence North 89°12'09" East 996.69 feet to a 5/8" rebar with cap set on a fence line, also being the West line of that parcel of land owned by Nu-West as recorded under Instrument No. 134123 in the official records of Caribou County, Idaho;
Thence South 00°35'04" East 3174.90 feet along said fence line to a 5/8" rebar with cap set at a fence corner;
Thence North 31°33'46" West 746.64 feet along said fence line to a 5/8" rebar with cap;
Thence North 18°23'37" West 1302.27 feet along said fence line to a 5/8" rebar with cap set at a fence corner ;
Thence South 87°28'45" West 663.95 feet along said fence line to a 5/8" rebar with cap;
Thence South 49°49'25" West 478.30 feet along said fence line;
Thence North 36°00'23" West 61.81 feet along said fence line;
Thence South 75°59'49" West 117.40 feet along said fence line to a 5/8" rebar with cap set at a fence corner;
Thence North 15°42'07" West 258.69 feet along said fence line to a 5/8" rebar with cap set at a fence corner;
Thence North 89°34'44" East 187.92 feet along said fence line to a 5/8" rebar with cap;
Thence South 89°42'42" East 128.75 feet along said fence line to a 5/8" rebar with cap;
Thence North 30°03'39" East 1398.54 feet along said fence line to a 5/8" rebar with cap;
Thence North 01°48'13" East 144.99 feet along said fence line,
To the Point of Beginning.

PARCEL III:

Tract 3:

A parcel of land located in Section 4, Township 8 South, Range 42 East, Boise Meridian, Caribou County, Idaho, and further described as follows:

Beginning at the Southwest corner of said Section 4, from which the South Quarter corner of Section 4 bears North 89°13'43" East 2643.72 feet;
Thence North 00°08'55" East 1405.93 feet along the West line of said Section 4;
Thence North 89°21'20" East 45.00 feet to a found rebar with cap labeled, PLS 4735 set on the East right of way line of Highway 34, said point also being the Southwest corner of that parcel of land owned by Nu-West Industries, Inc., as recorded under Instrument No. 170352, in the official records of Caribou County;
Thence North 89°21'20" East 2792.14 feet along the South line of said Nu-West parcel to a found rebar with cap labeled, PLS 4735 set on the West line of that parcel of land owned by Nu-West Industries, Inc., as recorded under Instrument No. 134123, in the official records of

Caribou County;

Thence South 00°10'11" East 1399.55 feet along said West line, said line also being a fence line to a found rebar with cap labeled, PLS 13173 set on the South line of said Section 4;

Thence South 89°13'43" West 201.30 feet along said South line to the South Quarter corner of said Section 4;

Thence South 89°13'43" West 2598.71 feet along said South line to a found rebar with cap labeled, PLS 13173 set on said East right of way line of Highway 34;

Thence South 89°13'43" West 45.00,

To the True Point of Beginning.

ALSO, A parcel of land located in Section 9, Township 8 South, Range 42 East, Boise Meridian, Caribou County, Idaho, and further described as follows:

Beginning at the Northwest corner of said Section 9 from which the West Quarter corner of Section 9 bears South 00°17'08" East 2656.87 feet; Thence North 89°13'43" East 45.00 feet along the North line of said Section 9 to a 5/8" rebar with cap labeled, "A.A. Hudson, PLS 13173" set on the East right of way line of State Highway 34, the True Point of Beginning; Thence North 89°13'43" East 2598.71 feet along the North line of said Section 9 to the North Quarter corner of said Section 9;

Thence North 89°13'43" East 201.30 feet along said North line to a 5/8" rebar with cap set on a fence line, also being the West line of that parcel of land owned by Nu-West as recorded under Instrument Number 134123 in the official records of Caribou County, Idaho;

Thence South 00°35'04" East 1327.10 feet along said fence line to a 5/8" rebar with cap set on the South line of the N½N½ of Section 9;

Thence South 89°12'09" West 2806.94 feet along said South line to a 5/8" rebar with cap set on said East right of way line of State Highway 34;

Thence North 00°17'08" West 1328.42 feet along said right of way line,
To the True Point of Beginning.

PARCEL III:

Tract 4:

A parcel of land located in Section 9, Township 8 South, Range 42, East, Boise Meridian, Caribou County, Idaho, and further described as follows:

Beginning at the Southwest corner of said Section 9 from which the West Quarter corner of Section 9 bears North 00°17'08" West 2656.87 feet; Thence North 89°01'28" East 40.00 feet to a found 5/8" rebar with cap labeled, "A.A. Hudson, PLS 13173" set on the East right of way line of State Highway 34; Thence North 88°46'23" East 1807.45 feet to the beginning of a fence line, the True Point of Beginning;

Thence North 18°54'12" West 1015.72 feet along said fence line to a fence angle point;

Thence North 09°30'33" West 359.02 feet along said fence line to a fence angle point;

Thence North 31°43'17" West 443.15 feet along said fence line to a fence angle point;

Thence North 12°14'56" West 704.87 feet along said fence line to a fence corner;

Thence North 49°49'25" East 422.79 feet along said fence line to a found 5/8" rebar with cap;

Thence North 87°28'45" East 663.95 feet along said fence line to a found 5/8" rebar with cap;

Thence South 18°23'37" East 1302.27 feet along said fence line to a found 5/8" rebar with cap;

Thence South 31°33'46" East 746.64 feet along said fence line to a found 5/8" rebar with cap set on a fence line, also being the West line of that parcel of land owned by Nu-West as recorded under Recorder's Instrument No. 134123, in the official records of Caribou County; Thence South 00°35'04" East 802.22 feet along said fence line to a found 5/8" rebar with

cap set on the South line of said Section 9;
Thence South 89°30'59" West 1025.37 feet,
To the True Point of Beginning.

PARCEL III:
Tract 5:

A parcel of land located in Section 9, Township 8 South, Range 42 East, Boise Meridian,
Caribou County, Idaho and further described as follows:

Beginning at the West Quarter corner of said Section 9, from which the Northwest corner of
Section 9 bears North 00°17'08" West 2656.87 feet; Thence North 00°17'08" West 24.39
feet along the West line of said Section 9; Thence North 89°45'59" East 40.00 feet to a found
5/8" rebar set on the East right of way line of State Highway 34, the True Point of
Beginning;
Thence North 88°26'24" East 165.66 feet to a found 5/8" rebar;
Thence South 59°08'38" East 79.53 feet to a rebar & cap labeled, "A.A. Hudson, PLS 13173";
Thence North 88°58'32" East 553.02 feet to a 5/8" rebar with cap set at a fence corner;
Thence South 15°42'07" East 202.43 feet along a fence line to a found 5/8" rebar with cap;
Thence South 89°28'55" West 840.48 feet to a found 5/8" rebar with cap set on said East
right of way line;
Thence North 00°17'08" West 228.87 feet along said right of way,
To the True Point of Beginning.

PARCEL III:
Tract 6:

A parcel of land located in Section 9, Township 8 South, Range 42 East, Boise Meridian,
Caribou County, Idaho, and further described as follows:

Beginning at the West Quarter corner of said Section 9, from which the Northwest corner of
Section 9 bears North 00°17'08" West 2656.87 feet; Thence North 00°17'08" West 24.39
feet along the West line of said Section 9; Thence North 89°45'59" East 40.00 feet to a found
5/8" rebar set on the East right of way line of State Highway 34, the True Point of
Beginning;
Thence North 00°17'08" West 594.75 feet along said right of way line to a 5/8" rebar with
cap labeled "A.A. Hudson, PLS 13173";
Thence North 89°42'52" East 296.76 feet to a 5/8" rebar with cap;
Thence North 69°05'20" East 200.82 feet to a 5/8" rebar with cap;
Thence South 36°27'10" East 283.62 feet to a 5/8" rebar with cap set on a fence line;
Thence South 41°43'40" East 345.61 feet along said fence line to a 5/8" rebar with cap;
Thence South 24°36'58" East 227.52 feet along said fence line to a 5/8" rebar with cap set
at a fence corner;
Thence South 89°34'44" West 187.92 feet along said fence line to a 5/8" rebar with cap;
Thence South 88°58'32" West 553.02 feet to a 5/8" rebar with cap;
Thence North 59°08'38" West 79.53 feet to a found 5/8" rebar;
Thence South 88°26'24" West 165.66 feet,
To the True Point of Beginning.

PARCEL III:
Tract 7:

A parcel of land located in Section 9, Township 8 South, Range 42 East, Boise Meridian,

Caribou County, Idaho, and further described as follows:

Beginning at the West Quarter corner of said Section 9, from which the Northwest corner of Section 9 bears North 00°17'08" West 2656.87 feet; Thence North 00°17'08" West 1201.48 feet along the West line of said Section 9; Thence North 89°35'29" East 40.00 feet to a 5/8" rebar with cap labeled, "A.A. Hudson, PLS 13173" set on the East right of way line of State Highway 34, the True Point of Beginning;
Thence South 87°16'47" East 113.03 feet along a fence line to a 5/8" rebar with cap set at a fence corner;
Thence South 36°36'28" East 627.77 feet to a 5/8" rebar with cap;
Thence South 69°05'20" West 200.82 feet to a 5/8" rebar with cap;
Thence South 89°42'52" West 296.76 feet to a 5/8" rebar with cap set on said East right of way line;
Thence North 00°17'08" West 582.46 feet along said right of way line,
To the True Point of Beginning.

PARCEL III:
Tract 8:

Township 7 South, Range 42 East of the Boise Meridian:

Section 33: E½SW¼, S½SE¼, NW¼SE¼.

EXCEPT THEREFROM Beginning at the Southwest corner of said Section 33, from which the South Quarter Corner of said Section 33 bears North 89°38'57" East 2650.88 feet;
Thence North 89°38'57" East 45.00 feet to a 5/8" rebar with cap labeled "A.A. Hudson, PLS 4735" set on the Easterly right of way line of State Highway 34; Thence North 89°38'57" East 1236.33 feet to a 5/8" rebar with cap set at a fence line, the True Point of Beginning;
Thence North 00°01'34" East 991.50 feet along said fence line to a 5/8" rebar with cap;
Thence North 89°38'57" East 1375.92 feet to a 5/8" rebar with cap set on the East line of the Southwest Quarter of said Section 33;
Thence South 00°23'38" West 991.56 feet to the South Quarter corner of said Section 33;
Thence South 89°38'57" West 1369.55 feet,
To the True Point of Beginning.

Section 34: S½SW¼.

EXCEPT THEREFROM, a parcel of land being 50 feet on the Westerly side and 70 feet on the Easterly side of the following described centerline with a linear distance of 2479.07 feet, more particularly described as follows:

Beginning at a point on the centerline which is North 525 feet and East 2640 feet from the Southwest corner of Section 34, Township 7 South, Range 42 East of the Boise Meridian;
Thence Southwesterly 132.90 feet on a 4°00' curve right with a 200 foot spiral on the South end to the P.T. of the curve;
Thence South 41°35' West 589.55 feet to the P.S. of a curve left;
Thence 1447.38 feet on a 4°00' curve with a 200 foot spiral on each end to a point on the curve and centerline which is East 1750 feet and South 1320 feet from the Southwest corner of Section 34, Township 7 South, Range 42 East of the Boise Meridian.

PARCEL IV:

A parcel of land located in Section 9 and 16, Township 8 South, Range 42 East, Boise

Meridian, Caribou County, Idaho, and further described as follows:

Beginning at the Southwest corner of said Section 9 from which the West Quarter Corner of Section 9 bears North 00°17'08" West 2656.87 feet;

Thence North 89°01'28" East 40.00 feet to a found 5/8" rebar with cap labeled, "A.A.

Hudson, PLS 13173" set on the East right of way line of State Highway 34, and True Point of Beginning;

Thence North 00°17'08" West 2451.88 feet along said right of way line to a found 5/8" rebar with cap labeled, PLS 4735 set on the Southwest corner of that parcel of land owned by Greg Torgesen and Irene Torgesen, as recorded under Recorder's Instrument No. 167695, records of Caribou County, Idaho;

Thence North 89°28'55" East 840.48 feet along the South line of said Torgesen parcel to a 5/8" rebar with cap labeled, PLS 4735 set on a fence line;

Thence South 15°42'07" East 56.26 feet along said fence line to a found 5/8" rebar with cap;

Thence North 75°59'49" East 117.40 feet along said fence line;

Thence South 36°00'23" East 61.81 feet along said fence line;

Thence North 49°49'25" East 55.51 feet along said fence line to a fence corner;

Thence South 12°14'56" East 704.87 feet along said fence line to a fence angle point;

Thence South 31°43'17" East 443.15 feet along said fence line to a fence angle point;

Thence South 09°30'33" East 359.02 feet along said fence line to a fence angle point;

Thence South 18°54'12" East 1015.72 feet along said fence line to the end of said fence line;

Thence South 89°30'59" West 134.31 feet to a found 5/8" rebar with cap labeled, PLS 4735;

Thence South 14°53'00" East 112.92 feet to a found 5/8" rebar with cap labeled, PLS 3626;

Thence South 107.39 feet to a found 5/8" rebar with cap labeled, PLS 3626;

Thence South 04°07'01" West 156.79 feet to a found 5/8" rebar with cap labeled, PLS 3626;

Thence South 30°03'26" East 187.74 feet to a found 5/8" rebar;

Thence South 04°57'43" East 291.04 feet to a found 5/8" rebar;

Thence South 24°33'55" East 554.62 feet to a found 5/8" rebar with cap set on the South line of the NE¼NW¼ of said Section 16;

Thence South 89°05'05" West 754.15 feet along said South line to a found 5/8" rebar with cap set on the Southwest corner of said NE¼NW¼;

Thence North 00°21'06" West 1326.04 feet along the West line of said NE¼NW¼ to a found 5/8" rebar with cap set on the Northwest corner of said NE¼NW¼;

Thence South 89°01'28" West 1278.24 feet along the North line of said Section 16,

To the Point of Beginning.

PARCEL V:

A parcel of land located in Section 10 and 15, Township 8 South, Range 42 East, Boise Meridian, Caribou County, Idaho and further described as follows:

Beginning at the Northwest corner of said Section 15, from which the West Quarter corner of Section 15 bears South 00°30'58" East 2650.67 feet;

Thence South 00°30'58" East 331.12 feet along the West line of said Section 15 to the True Point of Beginning;

Thence South 00°30'58" East 60.88 feet along said West line;

Thence North 40°26'45" East 122.03 feet along the East line of that parcel of land owned by Oregon Short Line Railroad Company as recorded under instrument no. 88851, in the official records of Caribou County;

Thence North 20°01'35" East 211.79 feet along said East line;

Thence North 00°07'42" West 1489.83 feet along said East line, said line is 155.00 feet East of and parallel to the West line of said Section 10;

Thence North 05°58'36" East 968.47 feet along said East line;

Thence North 00°07'42" West 350.00 feet along said East line, said line is 258.00 feet East of

and parallel to said West line of Section 10;
Thence South 89°52'18" West 32.49 feet to a point being 8.0 feet East of the centerline of Track Number 4B;
Thence North 00°39'25" West 1206.00 feet along said East line, also being 8.0 feet East of the centerline of Track Number 4B to the beginning of a 2283.51 foot radius curve concave to the Southeast;
Thence Northeasterly along said curve through a central angle of 12°36'57" a distance of 502.80 feet (chord = North 05°39'03" East 501.79 feet) along said East line;
Thence North 11°57'32" East 237.12 feet along said East line to the beginning of a 1901.58 foot radius curve concave to the Southeast;
Thence Northeasterly along said curve through a central angle of 01°46'00" a distance of 58.63 (chord = North 12°50'32" East 58.63 feet) along said East line;
Thence North 13°43'32" East 111.15 feet along said East line to a point on a 2267.01 foot radius non-tangent curve concave to the Southeast whose center bears South 67°13'29" East, said point being 25.00 feet East of the design centerline of Track number 14B;
Thence Southwesterly along said curve through a central angle of 21°55'53" a distance to 867.76 feet (chord = South 11°48'34" West 862.47 feet), said curve and the following seven courses, being 25.00 feet East of the design centerline of said Track number 14B, to the beginning of a spiral curve to the left;
Thence along said spiral curve a distance of 119.38 feet (chord = South 00°09'29" East 119.37 feet);
Thence South 00°39'25" East 1465.79 feet to the beginning of a 483.37 foot radius curve concave to the Northwest;
Thence Southwesterly along said curve through a central angle of 08°10'00" a distance of 68.90 feet (chord = South 03°25'35" West 68.84 feet);
Thence South 07°30'35" West 996.36 feet to the beginning of a 433.37 foot radius curve concave to the Southeast;
Thence Southwesterly along said curve through a central angle of 08°10'00" a distance of 61.77 feet (chord = South 03°25'35" West 61.72 feet);
Thence South 00°39'25" East 1352.50 feet to the beginning of a 483.37 foot radius curve concave to the Northwest;
Thence Southwesterly along said curve through a central angle of 29°11'50" a distance of 246.32 feet (chord = South 13°56'30" West 243.66 feet),
To the True Point of Beginning.

PARCEL VI:

Township 8 South, Range 42 East of the Boise Meridian:

Section 15: W½W½.

EXCEPT THEREFROM that part of the NW¼NW¼ lying North of the Conda Road and more particularly described as follows:

Beginning at a point, said point being the common Section corner of Sections 9, 10, 15 and 16, Township 8 South, Range 42 East of the Boise Meridian, and running
Thence North 89°55' East along the common Section line of said Sections 10 and 15, a distance of 1327.57 feet to a point;
Thence South 00°05' West a distance of 770.22 feet to a point on the Northerly right of way line of Conda Road;
Thence South 81°53' West along said Northerly right of way line of Conda Road a distance of 325.39 feet to a point;
Thence 550.86 feet along said Northerly right of way line of Conda Road and along the arc of

a curve to the right whose central angle is 22°02' and whose radius is 1432.50 feet and whose chord bears North 87°06' West a distance of 547.49 feet to a point;
Thence North 76°05' West and continuing along the said Northerly right of way line of Conda Road a distance 468.74 feet to a point in the common Section line of said Section 15 and 16;
Thence North 00°13' East along said common section line of said Sections 15 and 16, a distance of 673.81 feet,
To the Point of Beginning.

ALSO EXCEPT THEREFROM, Beginning at a point on the West line of Section 15, 909 feet South of the Northwest corner of said Section 15;
Thence East along the South boundary of the railroad right of way to a point on the $W\frac{1}{2}W\frac{1}{2}$ of said Section 15;
Thence South along the said East line a distance of 1954 feet;
Thence due West 1320 feet, more or less, to the West line of the $W\frac{1}{2}$ of said Section 15;
Thence North along said West line 2056 feet, more or less,
To the Point of Beginning.

Section 16: $SE\frac{1}{4}SE\frac{1}{4}$.

PARCEL VII:

Township 8 South, Range 42 East of the Boise Meridian:

Section 16: All that portion of the $SW\frac{1}{4}NE\frac{1}{4}$ lying Westerly of the Westerly right of way of the Union Pacific Rail Road.

ALSO, All that portion of the $SE\frac{1}{4}NW\frac{1}{4}$ lying Easterly of the center of the rim rock.

PARCEL VIII:

Township 8 South, Range 42 East of the Boise Meridian:

Section 16: The South 1010 feet of the $N\frac{1}{2}SE\frac{1}{4}$ lying East of the Easterly right of way line of the Monsanto Haul Road.

ALSO, All that portion of the $NW\frac{1}{4}SE\frac{1}{4}$ lying West of the Westerly right of way line of the Union Pacific Railroad.

ALSO, All that portion of the $SW\frac{1}{4}NE\frac{1}{4}$ of said Section 16, lying South of Conda Road and West of the Westerly right of way line of the Union Pacific Railroad.

PARCEL IX:

Township 8 South, Range 42 East of the Boise Meridian:

Section 16: $W\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$.

EXCEPT THEREFROM, the following seven (7) tracts more particularly described as follows:

1. A tract of land along the Railroad right of way of the Conda Spur situated in the $SW\frac{1}{4}NE\frac{1}{4}$ and the $NW\frac{1}{4}SE\frac{1}{4}$ of said Section 16, the same being a 100-foot wide strip of land extending 50 feet on each side of the following described centerline and its parallel to, adjacent to and immediately Easterly to the Railroad, and described as follows:

Beginning at a point on the Railroad right of way fence line, which is South 1768 feet and West 1644 feet from the Northeast Corner of said Section 16, and running
Thence Southwesterly 374 feet on a 4°00' curve right, whose radius is 1432.40 feet to a point which is the P.T. of a curve;
Thence South 27°45' West 868.07 feet to a point which is the P.C. of a curve left;
Thence 909.29 feet on a 1°32'36" curve whose radius is 3719.72 feet to a point which is the P.T. of a curve;
Thence South 13°43' West 227 feet to a point which is South 1320 feet and East 177 feet from the Northeast Corner of the SW¼ of said Section 16.

2. Beginning at a point which is West 1575 feet and South 1320 feet from the Northeast Corner of said Section 16, and running
Thence South 3°20' West 74 feet;
Thence North 30°00' East 86 feet;
Thence West 39 feet, more or less,
To the Point of Beginning.

3. The South 1010 feet of the N½SE¼ lying East of the Easterly right of way line of the Monsanto Haul Road.

4. All that portion of the NW¼SE¼ lying West of the Westerly right of way line of the Union Pacific Railroad.

5. All that portion of the SW¼NE¼ lying South of the County Road and West of the Westerly right of way line of the Union Pacific railroad.

6. All that portion of the SW¼NE¼ lying Westerly of the Westerly right of way of the Union Pacific Railroad.

7. All that portion of the SE¼NW¼ lying Easterly of the center of the rim rock.

PARCEL X:

Township 8 South, Range 42 East of the Boise Meridian:

Section 16: SW¼, SW¼SE¼.

EXCEPTING THEREFROM, the following two (2) tracts, more particularly described as follows:

1. A strip of land extending 50 feet on each side of the following described center line:
Commencing at a point which is North 1320 feet and East 177 feet from the South Quarter Corner of said Section 16, and running
Thence South 13°43' West 1360 feet to a point which is West 145 feet from the South Quarter Corner of said Section 16.

2. A strip of land 100 feet wide, being 50 feet on each side of the following described center line across the various forty-acre subdivision of Section 16:

SE¼SW¼. Beginning at Station 270+60, a point on the South boundary of said Section 16, South 89°57' West 261 feet from the South Quarter Corner;
Thence North 13°41' East 1099.4 feet to Station 281+59.4, a point on the East boundary of

said SE $\frac{1}{4}$ SW $\frac{1}{4}$, 1059.5 feet North of the Southeast corner.

SW $\frac{1}{4}$ SE $\frac{1}{4}$. Thence North 13°41' East 268.2 feet to Station 284+27.6 feet, to a point on the North boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, 63.7 feet North 89°57' East from the Northwest corner.

NW $\frac{1}{4}$ SE $\frac{1}{4}$. Thence North 13°41' East 297.7 feet to the P.C. of a 1°30' curve at Station 287+25.3;

Thence on a curved line to the right with a radius of 3819.8 feet, a distance of 935 feet to Station 296+60.9, to the P.T. of said curve;

Thence North 27°43' East 179.1 feet to Station 298+40, a point on the North boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 771.5 feet West of the Northeast corner.

SW $\frac{1}{4}$ NE $\frac{1}{4}$. Thence North 27°43' East 1357.8 feet to Station 311+97.8;

Thence on the spiral of a 5° curve to the right 9 Fifteen-foot chords, total angle 3°22½' to Station 313+32.8, a point on the North boundary 73.8 feet West of the Northeast corner.

NW $\frac{1}{4}$ NE $\frac{1}{4}$. Thence on a curve line to the right with a radius of 1146.3 feet, 127 feet to Station 314+60, a point on the East boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ 89.7 feet North of the Southeast corner.

Section 21: N $\frac{1}{2}$ NW $\frac{1}{4}$.

EXCEPT THEREFROM, any portion lying within State Highway No. 34, the Monsanto Haul Road, and the Union Pacific Railroad.

PARCEL XI:

Township 8 South, Range 42 East of the Boise Meridian:

Section 21: Beginning at the Northeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 21, and running

Thence West 660 feet; Thence South 2640 feet;

Thence East 660 feet; Thence North 2640 feet,

To the Point of Beginning.

PARCEL XII:

Township 8 South, Range 42 East of the Boise Meridian:

Section 21: N $\frac{1}{2}$ NE $\frac{1}{4}$

Section 22: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$.

PARCEL XIII:

Township 7 South, Range 42 East of the Boise Meridian:

Section 32: E $\frac{1}{2}$ SE $\frac{1}{4}$.

Township 8 South, Range 42 East of the Boise Meridian:

Section 5: Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

PARCEL XIV:

A parcel of land located in Section 9, Township 7 South, Range 42 East, Boise Meridian, Caribou County, Idaho and further described as follows:

Beginning at the West Quarter Corner of said Section 9, from which the Southwest corner of Section 9 bears South 01° 06' 55" West 2629.98 feet;

Thence North 01° 06' 55" East 1314.99 feet along the west line of said Section 9 to the Northwest corner of the SW¼NW¼ of said Section 9;

Thence North 89° 47' 00" East 1223.11 feet along the North line of said SW¼NW¼;

Thence South 23° 27' 14" East 16.21 feet;

Thence South 29° 12' 41" East 40.73 feet;

Thence South 24° 48' 33" East 40.58 feet;

Thence South 18° 09' 15" East 40.78 feet;

Thence South 04° 27' 49" East 40.63 feet;

Thence South 06° 41' 06" West 40.19 feet;

Thence South 43° 32' 56" West 40.02 feet;

Thence South 89° 20' 48" West 40.79 feet;

Thence North 74° 44' 48" West 40.32 feet;

Thence North 69° 59' 58" West 40.77 feet;

Thence North 60° 14' 07" West 40.28 feet;

Thence North 52° 42' 00" West 40.87 feet;

Thence North 65° 15' 13" West 40.85 feet;

Thence South 78° 51' 13" West 40.53 feet;

Thence South 47° 56' 02" West 40.02 feet;

Thence South 23° 19' 15" West 40.64 feet;

Thence South 07° 46' 09" West 40.75 feet;

Thence South 03° 04' 18" East 40.83 feet;

Thence South 03° 51' 01" East 40.24 feet;

Thence South 08° 39' 34" East 40.22 feet;

Thence South 14° 06' 25" East 40.27 feet;

Thence South 12° 08' 01" East 40.25 feet;

Thence South 21° 09' 45" East 40.02 feet;

Thence South 24° 35' 53" East 40.29 feet;

Thence South 26° 55' 18" East 40.65 feet;

Thence South 27° 42' 40" East 40.16 feet;

Thence South 30° 00' 25" East 40.56 feet;

Thence South 30° 27' 14" East 40.48 feet;

Thence South 35° 05' 31" East 40.97 feet;

Thence South 35° 39' 57" East 40.57 feet;

Thence South 36° 19' 23" East 40.52 feet;

Thence South 34° 51' 36" East 40.81 feet;

Thence South 34° 39' 56" East 40.07 feet;

Thence South 39° 37' 50" East 40.10 feet;

Thence South 44° 54' 40" East 40.15 feet;

Thence South 47° 59' 22" East 40.11 feet;

Thence South 49° 12' 14" East 40.90 feet;

Thence South 57° 00' 52" East 40.14 feet;

Thence South 62° 45' 48" East 40.44 feet;

Thence South 69° 29' 56" East 40.22 feet;

Thence South 80° 30' 17" East 40.70 feet;

Thence South 86° 48' 52" East 40.76 feet;

Thence South 79° 10' 33" East 40.77 feet;
Thence South 69° 57' 29" East 40.69 feet;
Thence South 54° 48' 01" East 40.83 feet;
Thence South 77° 21' 02" East 485.63 feet;
Thence South 02° 27' 28" West 55.94 feet;
Thence South 84° 09' 22" East 71.30 feet;
Thence North 09° 02' 57" East 55.58 feet;
Thence South 84° 05' 53" East 207.64 feet;
Thence South 66° 36' 59" East 211.62 feet to a point on the westerly right of way line of Highway 34, said point being on a 1192.09 foot radius curve concave to the Southeast whose center bears South 73° 12' 43" East;
Thence southwesterly along said curve through a central angle of 01° 14' 39" a distance of 25.88 feet (chord = South 16° 09' 58" West 25.88 feet) along said right of way line;
Thence South 89° 45' 31" West 2576.83 feet along the latitudinal centerline of said Section 9,
To the True Point of Beginning.

ALSO, Beginning at the South quarter corner of Section 9, from which the Southeast corner of Section 9 bears North 89° 43' 10" East 2538.30 feet;
Thence North 00° 56' 52" East 858.76 feet along the meridional centerline of said Section 9 to a point on the easterly right of way line of the Old Highway 34, said point being on a 994.93 foot radius non-tangent curve concave to the northwest whose center bears North 75° 03' 02" West;
Thence northeasterly along said curve through a central angel of 16° 29' 38" a distance of 286.41 feet (chord = North 06° 42' 09" East 285.43 feet) along said right of way line;
Thence North 01° 32' 40" West 519.24 feet along said right of way line;
Thence South 23° 53' 25" East 58.10 feet;
Thence South 24° 48' 13" East 40.20 feet;
Thence South 30° 57' 04" East 81.18 feet;
Thence South 33° 11' 18" East 40.52 feet;
Thence South 34° 26' 33" East 40.06 feet;
Thence South 36° 39' 12" East 4.39 feet;
Thence South 55° 32' 48" East 170.93 feet;
Thence South 81° 16' 39" East 40.74 feet;
Thence South 88° 04' 18" East 40.12 feet;
Thence North 81° 22' 46" East 36.29 feet;
Thence South 03° 51' 06" East 855.16 feet;
Thence South 33° 45' 07" East 9.25 feet;
Thence South 48° 50' 55" East 40.51 feet;
Thence South 41° 19' 43" East 40.49 feet;
Thence South 03° 26' 26" East 40.07 feet;
Thence South 04° 59' 34" East 40.21 feet;
Thence South 11° 28' 47" East 40.16 feet;
Thence South 17° 15' 10" East 40.67 feet;
Thence South 17° 06' 44" East 40.60 feet;
Thence South 11° 45' 49" East 40.42 feet;
Thence South 02° 54' 40" West 40.70 feet;
Thence South 02° 37' 45" West 40.13 feet;
Thence South 00° 57' 12" East 40.33 feet;
Thence South 04° 10' 29" West 40.80 feet;
Thence South 07° 01' 20" East 13.57 feet to a point on the South line of said Section 9;
Thence South 89° 43' 10" West 581.75 feet along said South line,
To the True Point of Beginning.

PARCEL XV:

A parcel of land located in Section 9, Township 7 South, Range 42 East, Boise Meridian, Caribou County, Idaho and further described as follows:

Beginning at the West quarter corner of said Section 9, from which the Southwest corner of Section 9 bears South 01° 06' 55" West 2629.98 feet;

Thence North 89° 45' 31" East 2576.83 feet along the latitudinal centerline of said Section 9 to a point on the Westerly right of way line of Highway 34, said point being on a 1192.09 foot radius non-tangent curve concave to the Southeast whose center bears South 74° 27' 21" East;

Thence Southwesterly along said curve through a central angle of 17° 05' 19" a distance of 355.54 feet (chord = South 06° 59' 59" West 354.23 feet);

Thence South 01° 32' 40" East 493.41 feet along said right of way line;

Thence South 12° 42' 52" West 756.84 feet along said right of way line;

Thence South 80° 02' 29" West 419.30 feet;

Thence South 89° 03' 50" West 53.68 feet;

Thence North 34° 20' 40" West 402.63 feet;

Thence North 02° 37' 31" East 559.04 feet;

Thence North 44° 26' 18" East 178.70 feet;

Thence North 21° 21' 50" East 40.78 feet;

Thence North 12° 05' 52" East 40.36 feet;

Thence North 01° 42' 34" West 40.49 feet;

Thence North 07° 34' 45" West 40.53 feet;

Thence North 10° 26' 38" West 40.03 feet;

Thence North 08° 16' 05" West 40.33 feet;

Thence North 08° 21' 21" West 40.31 feet;

Thence North 08° 22' 10" West 40.55 feet;

Thence North 12° 16' 49" West 40.73 feet;

Thence North 16° 26' 23" West 40.75 feet;

Thence North 23° 09' 13" West 40.56 feet;

Thence North 36° 40' 27" West 40.37 feet;

Thence North 50° 46' 08" West 40.31 feet;

Thence North 63° 01' 39" West 40.70 feet;

Thence North 75° 25' 30" West 40.64 feet;

Thence North 89° 54' 23" West 40.43 feet;

Thence South 70° 36' 13" West 40.20 feet;

Thence South 63° 27' 43" West 40.96 feet;

Thence South 55° 12' 06" West 40.38 feet;

Thence South 40° 51' 13" West 40.71 feet;

Thence South 31° 31' 07" West 40.19 feet;

Thence South 32° 41' 46" West 41.04 feet;

Thence South 37° 49' 57" West 40.80 feet;

Thence South 43° 19' 52" West 40.30 feet;

Thence South 36° 08' 26" West 40.68 feet;

Thence South 44° 14' 26" West 40.39 feet;

Thence South 34° 51' 04" West 40.37 feet;

Thence South 34° 54' 15" West 40.35 feet;

Thence South 33° 08' 11" West 40.56 feet;

Thence South 20° 17' 22" West 40.19 feet;

Thence South 19° 18' 20" West 40.52 feet;

Thence South 15° 43' 30" West 40.79 feet;

Thence South 22° 16' 46" West 40.49 feet;
Thence South 27° 48' 17" West 40.49 feet;
Thence South 47° 54' 52" West 40.55 feet;
Thence South 65° 58' 15" West 40.40 feet;
Thence South 77° 31' 30" West 40.31 feet;
Thence South 86° 12' 02" West 40.11 feet;
Thence South 89° 40' 21" West 40.93 feet;
Thence North 81° 02' 39" West 40.58 feet;
Thence North 59° 25' 24" West 40.53 feet;
Thence North 28° 43' 48" West 40.37 feet;
Thence North 13° 13' 16" West 40.97 feet;
Thence North 15° 05' 10" West 38.52 feet;
Thence North 82° 24' 20" West 309.52 feet;
Thence North 87° 33' 22" West 601.21 feet to a point on the West line of said Section 9;
Thence North 01° 06' 55" East 522.64 feet along said West line,
To the True Point of Beginning.

PARCEL XVI:

Township 8 South, Range 42 East of the Boise Meridian:

Section 4: Beginning at the Northwest corner of said Section 4, from which the North Quarter corner of said Section 4 bears North 89°38'57" East 2650.88 feet;
Thence North 89°38'57" East 45.00 feet to a 5/8" rebar with cap labeled A.A. HUDSON, PLS 4735 set on the Easterly right of way line of State Highway 34, the True Point of Beginning;
Thence North 89°38'57" East 2605.88 feet to the North Quarter corner of said Section 4;
Thence South 00°14'20" West 2871.78 feet (North 00°03'47" East 2872.12 feet by record) to a found property corner (LS 4735);
Thence South 89°59'34" West 7.90 feet to a found property corner (LS 3626) set on a fence line;
Thence South 36°43'49" East 329.27 feet (North 37°05'55" West 329.32 feet by record) along said fence to a found property corner (LS 3626);
Thence South 00°04'55" West 772.56 feet (North 00°11'35" West by record) along said fence to a 5/8" rebar with cap;
Thence South 89°21'20" West 2792.14 feet to a 5/8" rebar with cap set on said Easterly right of way line;
Thence North 00°08'56" East 3923.67 feet along said right of way line,
To the True Point of Beginning.

Township 7 South, Range 42 East of the Boise Meridian:

Section 33: Beginning at the Southwest corner of said Section 33, from which the South Quarter corner of said Section 33 bears North 89°38'57" East 2650.88 feet;
Thence North 89°38'57" East 45.00 feet to a 5/8" rebar with cap labeled A.A. HUDSON, PLS 4735 set on the Easterly right of way line of State Highway 34;
Thence North 89°38'57" East 1236.33 feet to a 5/8" rebar with cap set at a fence line, the True Point of Beginning;
Thence North 00°01'34" East 991.50 feet along said fence line to a 5/8" rebar with cap;
Thence North 89°38'57" East 1375.92 feet to a 5/8" rebar with cap set on the East line of the Southwest Quarter of said Section 33;
Thence South 00°23'38" West 991.56 feet to the South Quarter corner of said Section 33;
Thence South 89°38'57" West 1369.55 feet,
To the True Point of Beginning.

PARCEL XVII:

Tract 1:

Township 7 South, Range 42 East of the Boise Meridian:

Section 33: Beginning at the Southwest corner of said Section 33, from which the South Quarter corner bears North 89°38'57" East;

Thence North 89°38'57" East 45.00 feet to a 5/8" rebar with cap labeled, A.A. Hudson, PLS 4735 set on the easterly right of way line of State Highway 34, the TRUE POINT OF BEGINNING;

Thence North 00°25'05" East 237.70 feet to a point 45 feet easterly of centerline Station 465+00 of Idaho State Highway Project S.A.P. 111(10) of May 15, 1953;

Thence North 02°26'39" West 100.12 feet to a point 40 feet easterly of Station 466+00 of said Highway Project;

Thence North 00°25'05" East 2290.58 feet to a 5/8" rebar with cap set on the North line of Lot 8 of said Section 33;

Thence South 89°39'24" East 1223.33 feet along said line to a fence line;

Thence South 00°01'34" West 2613.35 feet along said fence line to a 5/8" rebar with cap;

Thence South 89°38'57" West 1236.33 feet along the South line of said Section 33,
To the True Point of Beginning.

PARCEL XVII:

Tract 2:

Township 7 South, Range 42 East of the Boise Meridian:

Section 33: Beginning at the Southwest corner of said Section 33, from which the South Quarter Corner of said Section 33 bears North 89°38'57" East 2650.88 feet;

Thence North 89°38'57" East 45.00 feet to a 5/8" rebar with cap labelled A.A. Hudson, PLS 4735 set on the Easterly right of way line of State Highway 34;

Thence North 89°38'57" East 1236.33 feet to a 5/8" rebar with cap set at a fence line, the TRUE POINT OF BEGINNING;

Thence North 00°01'34" East 2613.35 feet along said fence line to a 5/8" rebar with cap set on the North boundary line of Lot 8 of said Section 33;

Thence South 89°39'24" East 65.41 feet along said North boundary line to the Northeast corner of said Lot 8;

Thence South 00°19'08" West 1306.35 feet along the East boundary line of Lot 8;

Thence South 00°19'14" West 1306.35 feet along the East boundary line of Lot 9 of said Section 33 to a 5/8" rebar with cap;

Thence South 89°38'57" West 52.02 feet along the South boundary line of said Lot 9,
To the TRUE POINT OF BEGINNING.

EXCEPT THEREFROM, all that portion previous conveyed under Warranty Deed, dated February 3, 2004, recorded February 4, 2004, Instrument No. 170352.

PARCEL XVIII:

Township 7 South, Range 43 East of the Boise Meridian:

Section 10: Beginning at the Northeast corner of the SW¼ of said Section 10, said point being North 0°01'15" West (Basis of Bearings) 2624.70 feet from the South Quarter corner of Section 10, and running

Thence South 0°01'15" East 1500 feet along the East line of the SW¼ of Section 10;
Thence North 88°47'45" West 250 feet;
Thence North 0°01'15" West 1500 feet to the North line of said SW¼ of Section 10;
Thence South 88°47'45" East along said North line 250 feet,
To the Point of Beginning.

Section 14: W½W½.

Section 15: E½E½, ALSO, Beginning at the Northeast corner of the NW¼NE¼ of Section 15, said point being South 88°47'43" East (Basis of Bearings) 1308.28 feet from the North Quarter corner of Section 15, and running
Thence South 400 feet along the East line of the NW¼NE¼ of Section 15;
Thence North 88°47'43" West 400 feet;
Thence North 400 feet to the North line of Section 15;
Thence South 88°47'43" East along said North line 400 feet,
To the Point of Beginning.

Section 22: All.

EXCEPT THEREFROM, the following five (5) described tracts more particularly described as follows:

1. A strip of land 50 feet wide in the SW¼ of Section 22, the centerline of which is described as follows:

Beginning at a point on the arc of a spiral curve to the left, which point is on the East line of the SW¼ of said Section 22 and bears North a distance of 86.5 feet from the Southeast corner of the SW¼ of said Section 22;
Thence along the arc of the spiral curve whose total central angle is 32°58' and whose degree of curvature of 4°00' a distance of 343.96 feet to the point of tangency;
Thence North 87°18' West a distance of 1720.04 feet to a point where the strip of land becomes 100 feet wide;
Thence North 87°18' West a distance of 205.51 feet to a point of spiral of a spiral curve to the left;
Thence along the arc of the spiral curve whose total central angle is 17°50' and whose degree of curvature is 5°00' a distance of 361.49 feet to a point on the West line of the SW¼ of said Section 22, which point bears North a distance of 142.80 feet from the Southwest corner of Section 22.

2. ALSO, EXCEPT a tract lying across the SW¼ of said Section 22, which is bounded on the North by the above described tract in the SW¼ of Section 22 and on the South by the South line of the SW¼ of Section 22.

3. A strip of land 110 feet wide in Sections 22 and 27, the centerline of which is described as follows:

Beginning at a point on the East line of the W½NE¼ of said Section 27, which point bears South a distance of 625.8 feet from the Northeast corner of said W½NE¼ of Section 27;
Thence North 54°20' West a distance of 320 feet to a point at which the strip of land becomes 50 feet wide;
Thence North 54°20' West a distance of 544.79 feet to a point of spiral on a spiral curve to the left;
Thence along the arc of the spiral curve to the left whose total central angle is 32°58' and

whose degree of curvature is 4°00' a distance of 690.21 feet to a point on the West line of the SE¼ of Section 22, which point bears North 86.5 feet from the Southwest corner of the SE¼ of said Section 22.

4. A part of the N½ of Section 22, described as follows:

Beginning at the Northwest corner of said Section 22;
Thence South 89°47'20" East 2742.80 feet along an existing fence line to a point;
Thence South 00°32'02" West 2448.04 feet to a point on an existing fence line;
Thence North 88°34'16" West 2802.55 feet along said fence line to a point on the West line of said Section 22;
Thence North 01°57'34" East 2389.56 feet along said West line of said Section 22,
To the Corner of Beginning.

5. A part of the E½E½ of Section 15 and the NE¼ of Section 22, described as follows:

Beginning at the Southwest corner of the E½E½ of said Section 15, and running
Thence North 00°04'32" East 923.65 feet along the West line of said E½E½ of Section 15 to a point;
Thence South 89°27'58" East 1027.05 feet to a point;
Thence South 02°01'47" East 1003.69 feet to a point on an East/West fence line;
Thence South 89°57'37" West 1063.89 feet along said fence line to a point at the intersection of said fence line with a Southerly prolongation of said West line;
Thence North 00°04'32" East 89.72 feet along said Southern prolongation
To the Corner of Beginning.

Section 23: NW¼, SW¼, SE¼.

EXCEPT THEREFROM, Beginning at the Northeast corner of the SE¼ of said Section 23, and running
Thence South 00°48'47" West 2675.62 feet along the East line of said SE¼ to the Southeast corner thereof;
Thence North 45°12'59" West 623.23 feet to a point;
Thence North 23°06'00" West 1820.80 feet to a point;
Thence North 10°03'57" East 157.31 feet to a point on the South edge of the "main haul road";
Thence North 79°09'02" West 276.58 feet along said South edge to a point;
Thence North 62°42'16" West 186.58 feet along said South edge to a point;
Thence North 70°17'56" West 205.91 feet along said South edge to a point;
Thence South 00°33'28" West 269.68 feet to a point;
Thence South 42°23'27" West 396.50 feet to a point;
Thence North 37°08'30" West 917.40 feet to the Northwest corner of said SE¼;
Thence North 89°19'38" East 2622.54 feet along the North line of the SE¼ of said Section 32,
To the Corner of Beginning.

Section 26: NW¼, NE¼.

EXCEPT THEREFROM, the following three (3) described tracts more particularly described as follows:

1. A small triangular tract in the extreme Southeast corner of the SE¼NE¼ lying South and East of the County Road.

2. A strip of land 70 feet wide in the NE¼, the centerline of which is described as follows:

Beginning at a point in the South line of the NE¼ of said Section 26, which point bears South 89°55' West a distance of 178.67 feet from the Southeast corner of said NE¼ of said Section 26;

Thence along the arc of a spiral curve to the left whose total central angle is 20°54' and whose degree of curvature is 4°00' a distance of 335 feet to the point of tangency of the spiral curve;

Thence North 79°01' West a distance of 710.93 feet to a point at which the strip of land narrows to 50 feet;

Thence North 79°01' West a distance of 1371.17 feet to the Point of spiral of a spiral curve to the right;

Thence along the arc of the spiral curve to the right whose total central angle is 8°56' and whose degree of curvature is 2°00' a distance of 132.83 feet, which point bears North 510.03 feet from the Southwest corner of the NE¼ of said Section 26.

3. All that portion of the NE¼ lying South of the Oregon Short Line Railroad.

Section 27: E½NE¼, NW¼NE¼, N½SW¼NE¼.

EXCEPT THEREFROM, A strip of land 50 feet wide in Section 26 and 27, the centerline of which is described as follows:

Beginning at a point on the East line of the NW¼ of said Section 26, which bears North 510.03 feet from the Southeast corner of the NW¼ of Section 26, said point also being on the arc of a spiral curve to the right whose total central angle is 8°56' and whose degree of curvature is 2°00';

Thence along the arc of said spiral curve a distance of 403.84 feet to the point of tangency; Thence North 70°05' West a distance of 242.16 feet to a point at which the strip of land becomes 80 feet wide;

Thence North 70°05' West a distance of 1650 feet to a point at which the strip of land becomes 60 feet wide;

Thence North 70°05' West a distance of 800 feet to a point at which the strip of land becomes 100 feet wide;

Thence North 70°05' West a distance of 296.55 feet to the point of spiral of a spiral curve to the right;

Thence along the arc of the spiral curve whose total central angle is 15°45' and whose degree of curvature is 3°00', a distance of 675 feet to the point of tangency;

Thence North 54°20' West a distance of 108.45 feet to a point on the West line of the E½NE¼ of said Section 27, which point bears South a distance of 625.80 feet from the Northwest corner of the E½NE¼ of said Section 27.

PARCEL XIX:

Township 7 South, Range 44 East of the Boise Meridian:

Section 9: S½NE¼, NE¼SW¼, NW¼SE¼.

PARCEL XX:

Tract 2:

A parcel of land located in Section 19, Township 7 South, Range 43, East, Boise Meridian,

Caribou County, Idaho, and further described as follows:

Beginning at the East Quarter Corner of said Section 19, monumented with a 5/8" rebar and cap labeled "AA Hudson, PLS 4735", located South 00°36'14" West 2488.14 feet from the Northeast corner of said Section 19;

Thence South 00°00'16" West 1329.26 feet along the East boundary of Section 19 to the South 1/16th line on the East line of Section 19 monumented with a 5/8" rebar with cap;

Thence South 88°52'08" West 1132.14 feet along the South boundary of the NE¼SE¼ to the Northeasterly right-of-way line of the railroad, said point being on a 914.93 foot radius non-tangent curve concave to the Northeast whose center bears North 18°51'54" East;

Thence Northwesterly along said curve (right-of-way) through a central angle of 00°50'14" a distance of 13.37 feet to the point of spiral curve (chord = North 70°42'59" West 13.37 feet);

Thence Northwesterly along said spiral curve (Chord = North 66°03'53" West 186.29 feet) to the West boundary of said NE¼SE¼, monumented with a 5/8" rebar and cap;

Thence North 00°05'57" East 1246.61 feet along the West boundary of said NE¼SE¼ to the Northwest corner thereof, monumented with a 5/8" rebar and cap;

Thence South 88°54'30" West 1312.99 feet along the South boundary of the SW¼NE¼ of Section 19, to the Southwest corner of the NE¼ of Section 19, monumented with a 5/8" rebar and cap;

Thence North 00°11'37" East 2577.07 feet along the West boundary of said NE¼ to the North quarter corner of Section 19, monumented with a 5/8" rebar and cap;

Thence South 89°09'14" East 1321.65 feet along the North boundary of Section 19 to the Northeast corner of the NW¼NE¼ of Section 19, monumented with a 5/8" rebar and cap;

Thence South 00°23'42" West 1266.30 feet along the East boundary of said NW¼NE¼ to the Southeast corner thereof, monumented with a 5/8" rebar with cap;

Thence North 89°52'50" East 1317.14 feet along the North boundary of the SE¼NE¼ of Section 19 to the Northeast corner thereof, monumented with a 5/8" rebar and cap;

Thence South 00°36'14" West 1244.07 feet along the East boundary of Section 19, To the True Point of Beginning.

EXHIBIT B
Water Rights

Basin	Sequence
→ 27	2156
11	2187 ✓
11	2188 ✓
27	7057 ✓
27	7417 ✓
11	7429 ✓
27	7499 ✓
27	7500 ✓
27	7501 ✓
27	7502 ✓
27	7503 ✓
27	7504 ✓
27	7505 ✓
27	7506 ✓
27	7540 ✓
11	7546 ✓
11	7547 ✓
→ 27	12282
→ 27	12274
→ 27	12276
27	12283 ✓

EXHIBIT C
Approved Exceptions

NONE



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

February 16, 2018

ITAFOS CONDA LLC
109 N POST OAK LN STE 145
HOUSTON TX 77024-7754

Re: Change in Ownership for Water Right No(s): 11-2187, 11-2188, 11-7429, 11-7546, 11-7547, 27-7057, 27-7417, 27-7499 through 27-7506, 27-7540 & 27-12283

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated reports for you.

Exhibit B submitted as part of this Ownership Change listed (4) other water rights that were not included on your Ownership Change form. The (4) water rights that your ownership change form did not include are 27-2156, 27-12282, 27-12274 & 27-12276. The fee received by the Department covered the other 17 water rights listed on the ownership change form submitted.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code, §42-222 and §42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within **120 days** of the change. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4945.

Sincerely,

Darla Block
Technical Records Specialist I

Enclosure(s)

c: VARIN WARDWELL C/O DYLAN B LAWRENCE



ATTORNEYS AT LAW

DYLAN B. LAWRENCE
DYLANLAWRENCE@VARINWARDWELL.COM

242 N. 8TH STREET, SUITE 220
P.O. Box 1676
BOISE, IDAHO 83701
P: 208.907.1529
F: 1.866.717.1758
VARINWARDWELL.COM

February 5, 2018

VIA HAND DELIVERY

Idaho Department of Water Resources
State Office
322 East Front St., 6th Floor
Boise, Idaho 83702

Re: Notice of Change in Water Right Ownership and Assignment of Permits (Itafos Conda LLC)

Dear Sir or Madam:

I have enclosed with this letter the following documents:

- A signed, original Notice of Change in Water Right Ownership form for seventeen (17) water rights conveyed by Nu-West Industries, Inc. to Itafos Conda LLC. Please note, due to the large number of water rights, nine of the rights are listed on the form itself, and the remaining eight are listed on Attachment A thereto.
- A January 12, 2018 Warranty Deed conveying real property and water rights from Nu-West Industries, Inc. to Itafos Conda LLC.
- A signed, original Permit Assignment form, assigning three (3) water permits from Nu-West Industries, Inc. to Itafos Conda LLC.
- A check made payable in the amount of \$500.00 to cover the processing fee for these twenty (20) water rights.

Please process these ownership changes at your earliest convenience. If you need anything else from Itafos Conda LLC, please do not hesitate to contact me.

RECEIVED

FEB 05 2018

**DEPARTMENT OF
WATER RESOURCES**

Idaho Department of Water Resources
February 5, 2018
Page 2

Thank you for your attention to this matter.

Sincerely,

VARIN WARDWELL, LLC

A handwritten signature in blue ink, appearing to read "Dylan Lawrence", with a stylized, flowing script.

Dylan B. Lawrence

Enclosures