

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 04 2016

Notice of Change in Water Right Ownership

DEPT OF WATER RESOURCES
SOUTHERN REGION

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?
36-4011	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-2734	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-2414	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-2338	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-15476	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: ABERDEEN-AMERICAN FALLS GROUND WATER DISTRICT, (OVER)
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): SEAPAC OF IDAHO, INC.
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or ☐ and/or
- P.O. BOX 546 BUHL ID 83316
Mailing address City State ZIP
- 208-326-3100 SEAPAC@SEAPACOFIDAHO.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: December 23, 2015

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.

SUPPORT DATA

IN FILE # 362338

8. Signature: [Signature] [Signature] 5/04/16
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by DM Date 5-4-2016 Receipt No. SD35439 Receipt Amt. \$125-

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 _____

Previous Owners Names (cont)

MAGIC VALLEY GROUND WATER DISTRICT, NORTH SNAKE GROUND WATER DISTRICT, SOUTHWEST IRRIGATION DISTRICT, CAREY VALLEY GROUND WATER DISTRICT, BINGHAM GROUND WATER DISTRICT, BONNEVILLE-JEFFERSON GROUND WATER DISTRICT, MADISON GROUND WATER DISTRICT, JEFFERSON CLARK GROUND WATER DISTRICT, and the FREMONT-MADISON IRRIGATION DISTRICT

WHEN RECORDED MAIL TO:

SeaPac of Idaho, Inc.
P.O. Box 546
Buhl, Idaho 83316
15263178

Instrument # 253633

GOODING, GOODING, IDAHO

12-29-2015 02:24:13 PM No. of Pages: 19

Recorded for : STATE OF IDAHO

DENISE M. GILL

Fee: 0.00

Ex-Officio Recorder Deputy

ASpark5

QUITCLAIM DEED

<u>Grantors</u>	<u>Grantee</u>
ABERDEEN-AMERICAN FALLS GROUND WATER DISTRICT, MAGIC VALLEY GROUND WATER DISTRICT, NORTH SNAKE GROUND WATER DISTRICT, SOUTHWEST IRRIGATION DISTRICT, CAREY VALLEY GROUND WATER DISTRICT, BINGHAM GROUND WATER DISTRICT, BONNEVILLE-JEFFERSON GROUND WATER DISTRICT, MADISON GROUND WATER DISTRICT, JEFFERSON CLARK GROUND WATER DISTRICT, AND THE FREMONT-MADISON IRRIGATION DISTRICT (collectively hereinafter "Grantors"), whose address is P.O. Box 1391, Pocatello, Idaho 83204.	SEAPAC OF IDAHO, INC., and Idaho corporation, whose address is P.O. Box 546, Buhl, Idaho 83316.

FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, Grantor does by these presents remise, release and forever quitclaim unto Grantee and to Grantee's successors and assigns, all right, title and interest now owned or hereafter acquired in and to that certain parcel of land as follows:

Parcel 1

That parcel of land in Gooding County, Idaho, particularly described in Exhibit "A", which Exhibit is attached hereto and incorporated herein by this reference, together with all water rights, ditch rights, rights of way, improvements, fixtures, tencements, hereditaments and appurtenances thereto belonging or appertaining thereto, including but not limited to, that water right described in Exhibit "B" which is attached hereto and incorporated herein by this reference.

Parcel 2

That parcel of land in Gooding County, Idaho, particularly described in Exhibit "C", which Exhibit is attached hereto and incorporated herein by this reference, together with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or appertaining thereto, including but not limited to, those water rights described in Exhibit "D" which is attached hereto and incorporated herein by this reference.

RESERVING AND EXCEPTING an easement over and across the property conveyed herein, twenty-five (25) feet in width, beginning at a point along the Old County Road Prescriptive Easement along the south-eastern boundary of the conveyed property, and continuing more or less along the eastern boundary of the conveyed property to a point that provides reasonable vehicular access to property owned by Grantor to the North and East of the conveyed property.

SUBJECT TO Deed Restriction instrument no. 253630 recorded in the Gooding County records, which restricts all grantees, heirs, assigns and successors from making a water delivery call against junior water rights held by ground water pumpers in the Eastern Snake Plain Aquifer ("ESPA"). This restriction shall burden and run with the land in perpetuity.

TOGETHER WITH AND INCLUDING any and all fixtures and improvements, any and all appurtenances, tenements, and hereditaments, and any and all rents, issues, and profits that relate or otherwise pertain to the foregoing parcels of real property.

TO HAVE AND TO HOLD the foregoing parcels of real property unto the Grantee and its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor hereunto set their hands this 23rd day of December, 2015.

[Signatures appear on next page]

ABERDEEN-AMERICAN FALLS
GROUND WATER DISTRICT
P.O. Box 70
American Falls, ID 83211

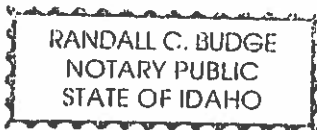


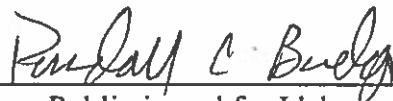
Nic Behrend, Chairman

STATE OF IDAHO)
County of ~~Power~~ ^{Bannock})ss.
County of ~~Power~~)

On this 23rd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared NIC BEHREND known to me to be the Chairman of the Aberdeen-American Falls Ground Water District that executed the said instrument, and acknowledged to me that such District executed the same.

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



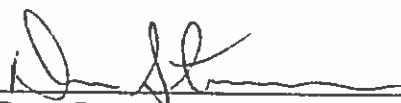


Notary Public in and for Idaho
Residing at: Pocatello, Idaho
Commission Expires: 10/11/2016

MAGIC VALLEY GROUND WATER
DISTRICT

P.O. Box 430

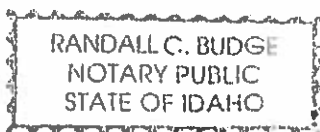
Paul, ID 83347

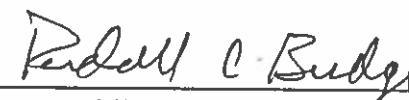

Dean Stevenson, Chairman

STATE OF IDAHO)
County of Bannock)ss.

On this 22nd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared DEAN STEVENSON known to me to be the Chairman of the Magic Valley Ground Water District that executed the said instrument, and acknowledged to me that such District executed the same.

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




Notary Public in and for Idaho
Residing at: Pocatello, Idaho
Commission Expires: 10/11/2016

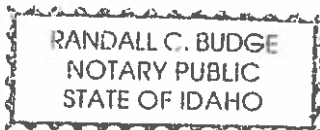
NORTH SNAKE GROUND WATER DISTRICT
152 E. Main Street
Jerome, ID 83338

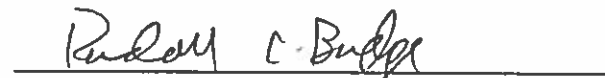

Lynn Carlquist, Chairman

STATE OF IDAHO)
)ss.
County of Bonneville)

On this 22nd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared LYNN CARLQUIST known to me to be the Chairman of the North Snake Ground Water District that executed the said instrument, and acknowledged to me that such District executed the same.

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




Notary Public in and for Idaho
Residing at: Pocatello, Idaho
Commission Expires: 10/11/2016

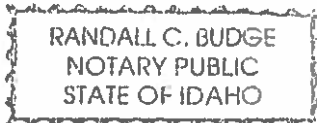
SOUTHWEST IRRIGATION DISTRICT
P.O. Box 668
Burley, ID 83318

Randy B. Brown
Randy Brown, Chairman

STATE OF IDAHO)
County of Bannock)ss.

On this 22nd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared RANDY BROWN known to me to be the Chairman of the Southwest Irrigation District that executed the said instrument, and acknowledged to me that such District executed the same.

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



Randall C. Budge
Notary Public in and for Idaho
Residing at: Pocatello, Idaho
Commission Expires: 10/11/2016

CAREY VALLEY GROUND WATER
DISTRICT

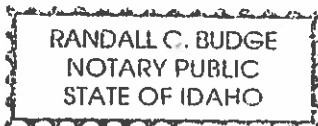
P.O. Box 261
Carey, ID 83320

Leta Hansen
Leta Hansen, Chairman

STATE OF IDAHO)
)ss.
County of Bannock)

On this 22nd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared LETA HANSEN known to me to be the Chairman of the Carey Valley Ground Water District that executed the said instrument, and acknowledged to me that such District executed the same.

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



Randall C. Budge
Notary Public in and for Idaho
Residing at: Pocatello, Idaho
Commission Expires: 10/11/2016

BINGHAM GROUND WATER DISTRICT
P.O. Box 1268
Blackfoot, ID 83221

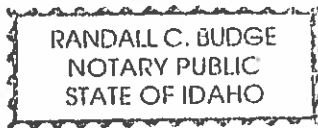


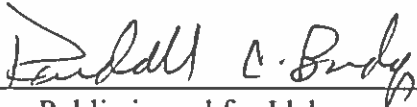
Craig Evans, Chairman

STATE OF IDAHO)
County of Bannock)ss.

On this 23rd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared CRAIG EVANS known to me to be the Chairman of the Bingham Ground Water District that executed the said instrument, and acknowledged to me that such District executed the same.

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



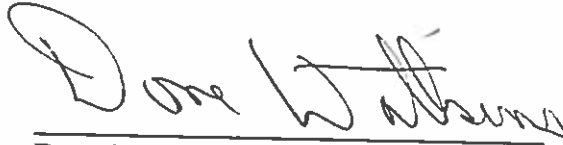


Notary Public in and for Idaho
Residing at: Pocatello, Idaho
Commission Expires: 10/11/2016

**BONNEVILLE-JEFFERSON GROUND
WATER DISTRICT**

P.O. Box 51121

Idaho Falls, ID 83405



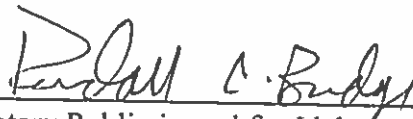
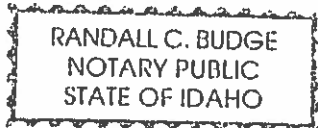
Dane Watkins, Chairman

STATE OF IDAHO)

County of Bannock)ss.

On this 23rd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared DANE WATKINS known to me to be the Chairman of the Bonneville-Jefferson Ground Water District that executed the said instrument, and acknowledged to me that such District executed the same.

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



Notary Public in and for Idaho

Residing at: Pocatello, Idaho

Commission Expires: 10/11/2016

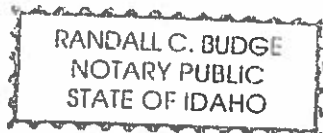
MADISON GROUND WATER DISTRICT
P.O. Box 321
Rexburg, ID 83440

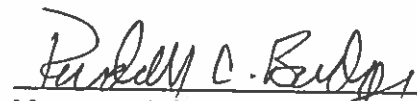

Jason Webster, Chairman

STATE OF IDAHO)
County of Bannock)ss.

On this 23rd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared JASON WEBSTER known to me to be the Chairman of the Madison Ground Water District that executed the said instrument, and acknowledged to me that such District executed the same.

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

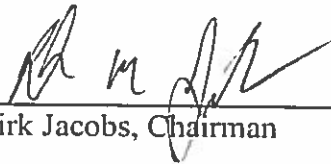



Notary Public in and for Idaho
Residing at: Pocatello, Idaho
Commission Expires: 10/11/2016

JEFFERSON CLARK GROUND WATER
DISTRICT

P.O. Box 1892

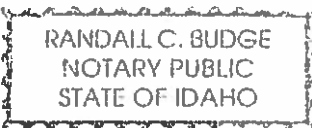
Idaho Falls, ID 83403

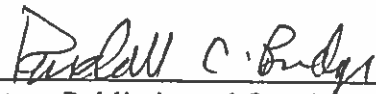

Kirk Jacobs, Chairman

STATE OF IDAHO)
)ss.
County of Bannock)

On this 23rd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared KIRK JACOBS known to me to be the Chairman of the Jefferson Clark Ground Water District that executed the said instrument, and acknowledged to me that such District executed the same.

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

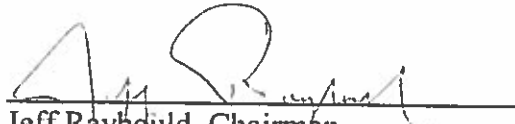



Notary Public in and for Idaho
Residing at: Pocatello, Idaho
Commission Expires: 10/11/2016

FREMONT-MADISON IRRIGATION
DISTRICT

P.O. Box 15

St. Anthony, ID 83445

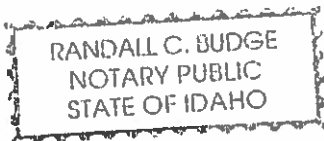

Jeff Raybould, Chairman

STATE OF IDAHO)

County of Bannock)^{ss.}

On this 28th day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared JEFF RAYBOULD known to me to be the Chairman of the Fremont-Madison Irrigation District that executed the said instrument, and acknowledged to me that such District executed the same.

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



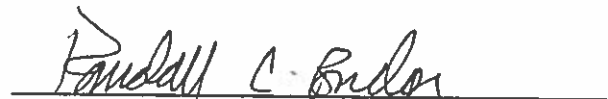

Notary Public in and for Idaho
Residing at: Pocatello, Idaho
Commission Expires: 10/11/2016

EXHIBIT A

PARCEL DESCRIPTION

FOR

75.95 Acres

A parcel of land located in part of the Northeast Quarter of Section 13, Township 7 South, Range 13 East, Boise Meridian and Government Lots 2, 3 and 4 and the Southwest Quarter of Section 18, Township 7 South, Range 14, East, Boise Meridian, Gooding County, Idaho and more particularly described as follows:

Commencing at the Southwest corner of said Section 18 from which the South Quarter corner of said Section 18 bears South 89°28'47" East, 2375.79 feet;

THENCE North 00°48'21" East along the westerly boundary of Government Lot 4 for a distance of 1,316.78 feet to found $\frac{5}{8}$ inch rebar with cap and the Northwest corner of Government Lot 4 and being the POINT OF BEGINNING;

THENCE North 00°48'21" East along the westerly boundary of Government Lot 3 for a distance of 1,281.59 feet to a point in the approximate centerline of Billingsley Creek;

THENCE the following courses and distances along said centerline:

South 65°51'53" East for a distance of 85.94 feet;

South 18°44'56" East for a distance of 429.69 feet;

South 34°32'03" West for a distance of 174.98 feet;

South 10°35'25" East for a distance of 21.35 feet;

THENCE South 83°05'23" East leaving said centerline of Billingsley Creek for a distance of 360.92 feet to a found $\frac{1}{2}$ inch rebar;

THENCE North 04°00'47" West for a distance of 164.55 feet;

THENCE North 53°17'07" West for a distance of 146.05 feet to a found $\frac{1}{2}$ inch rebar;

THENCE North 35°38'13" East for a distance of 98.31 feet;

THENCE North 33°55'22" West for a distance of 117.62 feet to a found $\frac{1}{2}$ inch rebar;

THENCE North 07°21'32" East for a distance of 140.25 feet to a found $\frac{1}{2}$ inch rebar;

THENCE North 16°27'32" West for a distance of 92.49 feet to a found $\frac{1}{2}$ inch rebar;

THENCE North 65°29'58" West for a distance of 110.50 feet to a found $\frac{1}{2}$ inch rebar;

THENCE North 08°01'57" East for a distance of 58.17 feet to a found $\frac{1}{2}$ inch rebar;

THENCE North 34°02'06" East for a distance of 433.27 feet to a found $\frac{1}{2}$ inch rebar;

THENCE North 22°50'05" West for a distance of 7.57 feet;

THENCE North 85°57'16" West for a distance of 235.02 feet;

THENCE South 64°52'26" West for a distance of 201.15 feet to a found ½ inch rebar;

THENCE South 65°11'21" West for a distance of 65.68 feet to a point on the easterly boundary of the NE ¼ of said Section 13;

THENCE South 65°11'21" West for a distance of 44.45 feet to a found ½ inch rebar;

THENCE North 02°04'31" West for a distance of 639.40 feet to a found ½ inch rebar;

THENCE North 08°45'35" West for a distance of 128.81 feet to a found ½ inch rebar;

THENCE North 09°46'58" West for a distance of 230.84 feet to a point on the northerly boundary of the SE ¼ NE ¼ of said Section 13;

THENCE South 88°56'30" East along the northerly boundary of said SE ¼ NE ¼ for a distance of 136.04 feet to the northwest corner of Government Lot 2 of said Section 18;

THENCE South 89°30'20" East along the northerly boundary of said Government Lot 2 for a distance of 1,012.66 feet to the northeast corner of said Government Lot 2;

THENCE South 00°01'42" West along the easterly boundary of said Government Lot 2 for a distance of 1,315.29 feet to the northeast corner of Government Lot 3;

THENCE South 00°02'26" West along the easterly boundary of said Government Lot 3 for a distance of 693.90 feet;

THENCE South 14°43'26" East for a distance of 289.48 feet to a found ½ inch rebar with cap;

THENCE South 33°52'08" East for a distance of 449.37 feet to a found ½ inch rebar;

THENCE South 22°26'06" East for a distance of 251.76 feet to a found ½ inch rebar with cap;

THENCE South 30°26'06" East for a distance of 307.86 feet to a found ½ inch rebar;

THENCE South 69°44'45" West for a distance of 860.60 feet to a found ½ inch rebar;

THENCE South 87°42'33" West for a distance of 150.10 feet to a found ½ inch rebar;

THENCE South 10°42'02" East for a distance of 49.54 feet to a found ½ inch rebar with cap;

THENCE South 80°38'05" West for a distance of 20.78 feet to a found ⅝ inch rebar;

THENCE North 38°05'55" West for a distance of 189.55 feet to a found ½ inch rebar with cap;

THENCE North 66°47'28" East for a distance of 32.79 feet to a found ½ inch rebar;

THENCE North 59°13'21" West for a distance of 49.92 feet to a found ½ inch rebar with cap;

THENCE North 23°13'21" West for a distance of 124.80 feet to a found ½

inch rebar with cap;

THENCE North 14°56'02" West for a distance of 220.18 feet to a found ½ inch rebar with cap;

THENCE North 24°59'15" West for a distance of 45.00 feet to a found ½ inch rebar with cap;

THENCE North 67°17'05" West for a distance of 190.03 feet;

THENCE North 42°17'05" West for a distance of 130.02 feet;

THENCE North 13°43'19" West for a distance of 170.52 feet to a point on the northerly boundary of Government Lot 4;

THENCE North 89°32'39" West along the northerly boundary of Government Lot 4 for a distance of 98.00 feet to the POINT OF BEGINNING.

Said parcel contains 78.03 acres, more or less and subject to other easements, covenants and restrictions of record.

EXCEPT a parcel of land located in part of Government Lot 2 of Section 18, Township 7 South, Range 14 East and part of the Southeast Quarter of the Northeast Quarter of Section 13, Township 7 South, Range 13 East, Boise Meridian, Gooding County, Idaho and more particularly described as follows:

Commencing at the Southwest corner of said Section 18 from which the South Quarter corner of said Section 18 bears South 89°28'47" East, 2375.79 feet;

THENCE North 00°48'21" East along the westerly boundary of said Section 18 for a distance of 3519.16 feet to the POINT OF BEGINNING;

THENCE North 89°56'52" East for a distance of 307.00 feet;

THENCE South 24°30'17" East for a distance of 272.96 feet;

THENCE South 87°29'52" West for a distance of 374.00 feet;

THENCE North 14°10'08" West for a distance of 272.70 feet to a found ½ inch rebar;

THENCE North 89°56'52" East for a distance of 20.18 feet to the POINT OF BEGINNING.

Said parcel contains 2.08 acres, more or less.

EXHIBIT B

Water Rights conveyed subject to restriction prohibiting Grantee and Grantee's successors and assigns from making a water delivery call against junior water rights held by ground water pumpers in the ESPA. This restriction shall burden and run with the land in perpetuity.

<u>Record No.</u>	<u>Source</u>	<u>Priority Date</u>	<u>Basis</u>	<u>Use</u>
36-15476	Spring	06/01/1954	Decreed	Aesthetic; Recreation; Wildlife

EXHIBIT C

PARCEL DESCRIPTION

For

South Parcel – 17.05 Acres

A parcel of land located in part of Government Lot 4 of Section 18 and Government Lot 1 of Section 19, Township 7 South, Range 14 East, Boise Meridian, Gooding County, Idaho and more particularly described as follows:

Commencing at the Southwest corner of said Section 18 from which the South Quarter corner of said Section 18 bears South 89°28'47" East, 2375.79 feet;

THENCE North 00°48'21" East along the westerly boundary of Government Lot 4 for a distance of 78.66 feet to a found $\frac{3}{8}$ rebar with cap and the POINT OF BEGINNING;

THENCE continuing along said line for a distance of 1,238.12 feet to a found $\frac{5}{8}$ inch rebar with cap and the Northwest corner of Government Lot 4;

THENCE South 89°32'39" East along the northerly boundary of Government Lot 4 for a distance of 98.00 feet;

THENCE South 13°43'19" East for a distance of 170.52 feet;

THENCE South 42°17'05" East for a distance of 130.02 feet;

THENCE South 67°17'05" East for a distance of 190.03 feet to a found $\frac{1}{2}$ inch rebar with cap;

THENCE South 24°59'15" East for a distance of 45.00 feet to a found $\frac{1}{2}$ inch rebar with cap;

THENCE South 14°56'02" East for a distance of 220.18 feet to a found $\frac{1}{2}$ inch rebar with cap;

THENCE South 23°13'21" East for a distance of 124.80 feet to a set $\frac{1}{2}$ rebar with cap;

THENCE South 59°13'21" East for a distance of 49.92 feet to a found $\frac{1}{2}$ inch rebar;

THENCE South 66°47'31" West for a distance of 32.79 feet to a set $\frac{1}{2}$ rebar with cap;

THENCE South 38°05'55" East for a distance of 189.55 feet to a found $\frac{3}{8}$ rebar;

THENCE North 80°38'05" East for a distance of 20.78 feet to a set $\frac{1}{2}$ rebar with cap;

THENCE South 13°17'20" East for a distance of 447.36 feet to a point on the southerly boundary of said Government Lot 4 and a found $\frac{1}{2}$ inch rebar with cap;

THENCE South 13°40'27" East for a distance of 5.03 feet to a found $\frac{1}{2}$ inch rebar with cap;

THENCE South 13°06'05" East for a distance of 78.87 feet to a set $\frac{1}{2}$ rebar with cap;

THENCE South 44°42'30" East for a distance of 22.60 feet to a found $\frac{1}{2}$ inch rebar with cap;

THENCE South 80°32'39" East for a distance of 49.34 feet to a found ½ inch rebar with cap;

THENCE North 78°05'11" East for a distance of 99.95 feet to a set ½ rebar with cap;

THENCE South 71°24'18" East for a distance of 20.34 feet to a found ½ inch rebar with cap;

THENCE South 22°56'26" West for a distance of 92.81 feet to a found ½ inch rebar with cap;

THENCE South 44°04'43" West for a distance of 170.91 feet to a found ½ inch rebar with cap;

THENCE South 31°21'16" West for a distance of 20.02 feet to a found ½ inch rebar with cap;

THENCE North 58°36'19" West for a distance of 312.76 feet to a found concrete pillar with brass cap;

THENCE North 44°52'49" West for a distance of 127.48 feet;

THENCE westerly 502.89 feet along a non tangent curve to the left having a radius of 1,034.93 feet, a central angle of 27°50'28", and a long chord bearing North 72°30'34" West for a distance of 497.96 feet to the POINT OF BEGINNING.

Said parcel contains 17.05 acres, more or less and subject to other easements, covenants and restrictions of record.

EXHIBIT D

Water Rights conveyed subject to restriction prohibiting Grantee and Grantee's successors and assigns from making a water delivery call against junior water rights held by ground water pumpers in the ESPA. This restriction shall burden and run with the land in perpetuity.

<u>IDWR Record</u> <u>No.</u>	<u>Source</u>	<u>Priority Date</u>	<u>Basis</u>	<u>Use</u>
36-4011	Billingsley Creek	12/01/1965	Decreed	Fish Propagation
36-2734	Billingsley Creek	10/05/1965	Decreed	Fish Propagation
36-2414	Unnamed Stream	12/21/1959	Decreed	Fish Propagation
36-2338	Springs	08/05/1954	Decreed	Fish Propagation

15262998

Instrument # 253630
GOODING, GOODING, IDAHO
12-29-2015 02:11:59 PM No. of Pages: 17
Recorded for : STATE OF IDAHO
DENISE M. GILL Fee: 0.00
Ex-Officio Recorder Deputy

JPank

**DEED RESTRICTION PROHIBITING WATER DELIVERY CALLS UNDER WATER
RIGHT NOS. 36-4011, 36-2734, 36-2414, 36-2338, 36-15476**

THIS DEED RESTRICTION is made and delivered by the STATE OF IDAHO, IDAHO WATER RESOURCE BOARD, by and through the Idaho Water Resource Board (hereinafter "Grantor"), whose address is P.O. Box 83720, Boise, Idaho, 83720-0098, together with the ABERDEEN-AMERICAN FALLS GROUND WATER DISTRICT, MAGIC VALLEY GROUND WATER DISTRICT, NORTH SNAKE GROUND WATER DISTRICT, SOUTHWEST IRRIGATION DISTRICT, CAREY VALLEY GROUND WATER DISTRICT, BINGHAM GROUND WATER DISTRICT, BONNEVILLE-JEFFERSON GROUND WATER DISTRICT, MADISON GROUND WATER DISTRICT, JEFFERSON CLARK GROUND WATER DISTRICT and FREMONT-MADISON IRRIGATION DISTRICT (collectively hereinafter "Grantee"), whose address is P.O. Box 1391, Pocatello, Idaho 83204.

This DEED RESTRICTION is made this 29th day of December, 2015 by the Idaho Water Resource Board, having its principal office at 322 East Front Street, Boise, Idaho 83720-0098.

WHEREAS, the Grantor is the owner of certain real property situated in Gooding County, Idaho consisting of the Aqualife Hatchery Facility and real property with appurtenant water rights.

WHEREAS, the Grantee wants to purchase certain real property situated in Gooding County, Idaho consisting of the Aqualife Hatchery Facility and real property with appurtenant water rights.

WHEREAS, the real property is described in two parcel descriptions totaling 93 acres and is described as follows:

**PARCEL DESCRIPTION
FOR
75.95 Acres**

A parcel of land located in part of the Northeast Quarter of Section 13, Township 7 South, Range 13 East, Boise Meridian and Government Lots 2, 3 and 4 and the Southwest Quarter of Section 18, Township 7 South, Range 14, East, Boise Meridian, Gooding County, Idaho and more particularly described as follows:

Commencing at the Southwest corner of said Section 18 from which the South Quarter corner of said Section 18 bears South 89°28'47" East, 2375.79 feet;

THENCE North 00°48'21" East along the westerly boundary of Government Lot 4 for a distance of 1,316.78 feet to found ¼ inch rebar with cap and the Northwest corner of Government Lot 4 and being the POINT OF BEGINNING;

THENCE North 00°48'21" East along the westerly boundary of Government Lot 3 for a distance of 1,281.59 feet to a point in the approximate centerline of Billingsley Creek;

THENCE the following courses and distances along said centerline:

South 65°51'53" East for a distance of 85.94 feet;

South 18°44'56" East for a distance of 429.69 feet;

South 34°32'03" West for a distance of 174.98 feet;

South 10°35'25" East for a distance of 21.35 feet;

THENCE South 83°05'23" East leaving said centerline of Billingsley Creek for a distance of 360.92 feet to a found ½ inch rebar;

THENCE North 04°00'47" West for a distance of 164.55 feet;

THENCE North 53°17'07" West for a distance of 146.05 feet to a found ½ inch rebar;

THENCE North 35°38'13" East for a distance of 98.31 feet;

THENCE North 33°55'22" West for a distance of 117.62 feet to a found ½ inch rebar;

THENCE North 07°21'32" East for a distance of 140.25 feet to a found ½ inch rebar;

THENCE North 16°27'32" West for a distance of 92.49 feet to a found ½ inch rebar;

THENCE North 65°29'58" West for a distance of 110.50 feet to a found ½ inch rebar;

THENCE North 08°01'57" East for a distance of 58.17 feet to a found ½ inch rebar;

THENCE North 34°02'06" East for a distance of 433.27 feet to a found ½ inch rebar;

THENCE North 22°50'05" West for a distance of 7.57 feet;

THENCE North 85°57'16" West for a distance of 235.02 feet;

THENCE South 64°52'26" West for a distance of 201.15 feet to a found ½ inch rebar;

THENCE South 65°11'21" West for a distance of 65.68 feet to a point on the easterly boundary of the NE ¼ of said Section 13;

THENCE South 65°11'21" West for a distance of 44.45 feet to a found ½ inch rebar;

THENCE North 02°04'31" West for a distance of 639.40 feet to a found ½ inch rebar;

THENCE North 08°45'35" West for a distance of 128.81 feet to a found ½ inch rebar;

THENCE North 09°46'58" West for a distance of 230.84 feet to a point on the northerly boundary of the SE ¼ NE ¼ of said Section 13;

THENCE South 88°56'30" East along the northerly boundary of said SE ¼ NE1/4 for a distance of 136.04 feet to the northwest corner of Government Lot 2 of said Section 18;

THENCE South 89°30'20" East along the northerly boundary of said Government Lot 2 for a distance of 1,012.66 feet to the northeast corner of said Government Lot 2;

THENCE South 00°01'42" West along the easterly boundary of said Government Lot 2 for a distance of 1,315.29 feet to the northeast corner of Government Lot 3;

THENCE South 00°02'26" West along the easterly boundary of said Government Lot 3 for a distance of 693.90 feet;

THENCE South 14°43'26" East for a distance of 289.48 feet to a found ½ inch rebar with cap;

THENCE South 33°52'08" East for a distance of 449.37 feet to a found ½ inch rebar;

THENCE South 22°26'06" East for a distance of 251.76 feet to a found ½ inch rebar with cap;

THENCE South 30°26'06" East for a distance of 307.86 feet to a found ½ inch rebar;

THENCE South 69°44'45" West for a distance of 860.60 feet to a found ½ inch rebar;

THENCE South 87°42'33" West for a distance of 150.10 feet to a found ½ inch rebar;

THENCE South 10°42'02" East for a distance of 49.54 feet to a found ½ inch rebar with cap;

THENCE South 80°38'05" West for a distance of 20.78 feet to a found ¾ inch rebar;

THENCE North 38°05'55" West for a distance of 189.55 feet to a found ½ inch rebar with cap;

THENCE North 66°47'28" East for a distance of 32.79 feet to a found ½ inch rebar;

THENCE North 59°13'21" West for a distance of 49.92 feet to a found ½ inch rebar with cap;

THENCE North 23°13'21" West for a distance of 124.80 feet to a found ½ inch rebar with cap;

THENCE North 14°56'02" West for a distance of 220.18 feet to a found ½ inch rebar with cap;

THENCE North 24°59'15" West for a distance of 45.00 feet to a found ½ inch rebar with cap;

THENCE North 67°17'05" West for a distance of 190.03 feet;

THENCE North 42°17'05" West for a distance of 130.02 feet;

THENCE North 13°43'19" West for a distance of 170.52 feet to a point on the northerly boundary of Government Lot 4;

THENCE North 89°32'39" West along the northerly boundary of Government Lot 4 for a distance of 98.00 feet to the POINT OF BEGINNING.

Said parcel contains 78.03 acres, more or less and subject to other easements, covenants and restrictions of record.

EXCEPT a parcel of land located in part of Government Lot 2 of Section 18, Township 7 South, Range 14 East and part of the Southeast Quarter of the Northeast Quarter of Section 13, Township 7 South, Range 13 East, Boise Meridian, Gooding County, Idaho and more particularly described as follows:

Commencing at the Southwest corner of said Section 18 from which the South Quarter corner of said Section 18 bears South 89°28'47" East, 2375.79 feet;
THENCE North 00°48'21" East along the westerly boundary of said Section 18 for a distance of 3519.16 feet to the POINT OF BEGINNING;

THENCE North 89°56'52" East for a distance of 307.00 feet;

THENCE South 24°30'17" East for a distance of 272.96 feet;

THENCE South 87°29'52" West for a distance of 374.00 feet;

THENCE North 14°10'08" West for a distance of 272.70 feet to a found ¼ inch rebar;

THENCE North 89°56'52" East for a distance of 20.18 feet to the POINT OF BEGINNING.

Said parcel contains 2.08 acres, more or less.

PARCEL DESCRIPTION

For

South Parcel – 17.05 Acres

A parcel of land located in part of Government Lot 4 of Section 18 and Government Lot 1 of Section 19, Township 7 South, Range 14 East, Boise Meridian, Gooding County, Idaho and more particularly described as follows:

Commencing at the Southwest corner of said Section 18 from which the South Quarter corner of said Section 18 bears South 89°28'47" East, 2375.79 feet;

THENCE North 00°48'21" East along the westerly boundary of Government Lot 4 for a distance of 78.66 feet to a found ¾ rebar with cap and the POINT OF BEGINNING;

THENCE continuing along said line for a distance of 1,238.12 feet to a found ¾ inch rebar with cap and the Northwest corner of Government Lot 4;

THENCE South 89°32'39" East along the northerly boundary of Government Lot 4 for a distance of 98.00 feet;

THENCE South 13°43'19" East for a distance of 170.52 feet;

THENCE South 42°17'05" East for a distance of 130.02 feet;

THENCE South 67°17'05" East for a distance of 190.03 feet to a found ½ inch rebar with cap;

THENCE South 24°59'15" East for a distance of 45.00 feet to a found ½ inch rebar with cap;

THENCE South 14°56'02" East for a distance of 220.18 feet to a found ½ inch rebar with cap;

THENCE South 23°13'21" East for a distance of 124.80 feet to a set ½ rebar with cap;

THENCE South 59°13'21" East for a distance of 49.92 feet to a found ½ inch rebar;

THENCE South 66°47'31" West for a distance of 32.79 feet to a set ½ rebar with cap;

THENCE South 38°05'55" East for a distance of 189.55 feet to a found ¾ rebar;

THENCE North 80°38'05" East for a distance of 20.78 feet to a set ½ rebar with cap;

THENCE South 13°17'20" East for a distance of 447.36 feet to a point on the southerly boundary of said Government Lot 4 and a found ½ inch rebar with cap;

THENCE South 13°40'27" East for a distance of 5.03 feet to a found ½ inch rebar with cap;

THENCE South 13°06'05" East for a distance of 78.87 feet to a set ½ rebar with cap;

THENCE South 44°42'30" East for a distance of 22.60 feet to a found ½ inch rebar with cap;

THENCE South 80°32'39" East for a distance of 49.34 feet to a found ½ inch rebar with cap;

THENCE North 78°05'11" East for a distance of 99.95 feet to a set ½ rebar with cap;

THENCE South 71°24'18" East for a distance of 20.34 feet to a found ½ inch rebar with cap;

THENCE South 22°56'26" West for a distance of 92.81 feet to a found ½ inch rebar with cap;

THENCE South 44°04'43" West for a distance of 170.91 feet to a found ½ inch rebar with cap;

THENCE South 31°21'16" West for a distance of 20.02 feet to a found ½ inch rebar with cap;

THENCE North 58°36'19" West for a distance of 312.76 feet to a found concrete pillar with brass cap;

THENCE North 44°52'49" West for a distance of 127.48 feet;

THENCE westerly 502.89 feet along a non tangent curve to the left having a radius of 1,034.93 feet, a central angle of 27°50'28", and a long chord bearing North 72°30'34" West for a distance of 497.96 feet to the POINT OF BEGINNING.

Said parcel contains 17.05 acres, more or less and subject to other easements, covenants and restrictions of record.

WHEREAS, the appurtenant water rights are described as follows:

<u>IDWR Record No.</u>	<u>Source</u>	<u>Priority Date</u>	<u>Basis</u>	<u>Use</u>
36-4011	Billingsley Creek	12/01/1965	Decreed	Fish Propagation
36-2734	Billingsley Creek	10/05/1965	Decreed	Fish Propagation
36-2414	Unnamed Stream	12/21/1959	Decreed	Fish Propagation
36-2338	Springs	08/05/1954	Decreed	Fish Propagation
36-15476	Spring	06/01/1954	Decreed	Aesthetic; Recreation; Wildlife

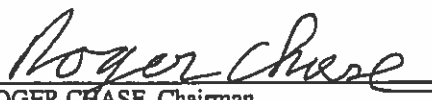
WHEREAS, the Grantor acquired the Aqualife Hatchery Facility and real property with appurtenant water rights to assist in resolving water delivery calls on the Eastern Snake plain Aquifer ("ESPA").

NOW, THEREFORE, it is declared, agreed and established as follows:

1. The Grantee accepts the deed restriction and its grantees, heirs, assigns and successors shall be restricted from making a water delivery call against junior water rights held by ground water pumpers in the ESPA.

FURTHERMORE, this deed restriction shall be a covenant running with the land and shall be binding upon the grantees, heirs, assigns and successors of the Grantor and shall remain in full force and effect in perpetuity.

IN WITNESS WHEREOF, this Deed Restriction has been duly executed the day and year first above written.

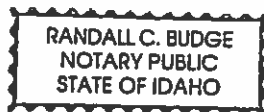


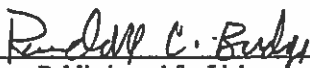
ROGER CHASE, Chairman
Idaho Water Resource Board

STATE OF IDAHO)
 Bannock)ss.
County of Ada)

On this 29th day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared ROGER CHASE known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

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





Notary Public in and for Idaho
Residing at: Pocatello, Idaho
Commission Expires: 10/11/16

ABERDEEN-AMERICAN FALLS GROUND WATER DISTRICT

P.O. Box 70

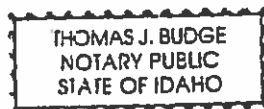
American Falls, ID 83211


Nick Behrend, Chairman

STATE OF IDAHO)
County of Bannock)ss.
County of Ada)

On this 23rd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared NICK BEHREND known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

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

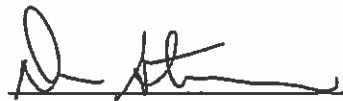



Notary Public in and for Idaho
Residing at: Chubbuck ID
Commission Expires: 12-21-18

MAGIC VALLEY GROUND WATER DISTRICT

P.O. Box 430

Paul, ID 83347



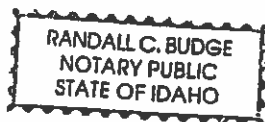
Dean Stevenson, Chairman

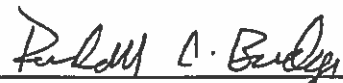
STATE OF IDAHO)

County of Bannock)ss.
~~Blaine~~

On this 22nd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared DEAN STEVENSON known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

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




Notary Public in and for Idaho
Residing at: Blackfoot, ID.
Commission Expires: 10/22/16

NORTH SNAKE GROUND WATER DISTRICT
152 E. Main Street
Jerome, ID 83338

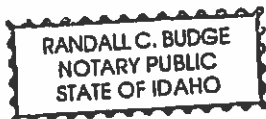


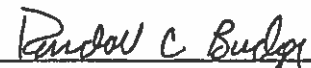
Lynn Carlquist, Chairman

STATE OF IDAHO)
)ss.
County of Bunnett)

On this 22nd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared LYNN CARLQUIST known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

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





Notary Public in and for Idaho
Residing at: Pocatello, Idaho
Commission Expires: 10/11/16

SOUTHWEST IRRIGATION DISTRICT

P.O. Box 668

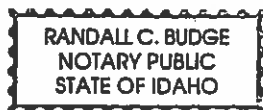
Burley, Id, 83318

Randy Brown
Randy Brown, Chairman

STATE OF IDAHO)
)ss.
County of Bannock)

On this 22nd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared RANDY BROWN known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

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



Randall C. Budge
Notary Public in and for Idaho
Residing at: Pocatello, ID.
Commission Expires: 10/11/16

CAREY VALLEY GROUND WATER DISTRICT

P.O. Box 261

Carey, ID 83320

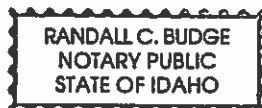
Leta Hansen

Leta Hansen, Chairman

STATE OF IDAHO)
)ss.
County of Bannock)

On this 22nd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared LETA HANSEN known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

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



Randall C. Budge
Notary Public in and for Idaho
Residing at: Pocatello, Id.
Commission Expires: 12/11/16

BINGHAM GROUND WATER DISTRICT

P.O. Box 1268

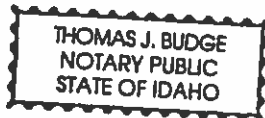
Blackfoot, ID 83221


Craig Evans, Chairman

STATE OF IDAHO)
)ss.
County of Bingham)

On this 23rd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared CRAIG EVANS known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

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




Notary Public in and for Idaho
Residing at: Chubbuck, ID
Commission Expires: 12-21-18

BONNEVILLE-JEFFERSON GROUND WATER DISTRICT

P.O. Box 51121

Idaho Falls, ID 83405

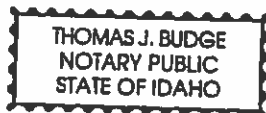


Dane Watkins, Chairman

STATE OF IDAHO)
)ss.
County of Bonneville)

On this 23rd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared DANE WATKINS known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

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





Notary Public in and for Idaho
Residing at: Chubbuck, ID
Commission Expires: 12-21-18

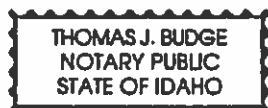
MADISON GROUND WATER DISTRICT
P.O. Box 321
Rexburg, ID 83440


Jason Webster, Chairman

STATE OF IDAHO)
)ss.
County of Bonneville)

On this 23rd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared JASON WEBSTER known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

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

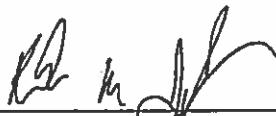



Notary Public in and for Idaho
Residing at: Chubbuck ID
Commission Expires: 12-21-18

JEFFERSON CLARK GROUND WATER DISTRICT

P.O. Box 1892

Idaho Falls, ID 83403

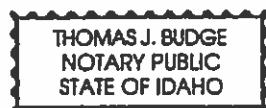


Kirk Jacobs, Chairman

STATE OF IDAHO)
)ss.
County of Bonneville)

On this 23rd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared KIRK JACOBS known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

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





Notary Public in and for Idaho
Residing at: Chubbuck ID
Commission Expires: 12-21-18

FREMONT-MADISON IRRIGATION DISTRICT

P.O. Box 15

St. Anthony, ID 83445

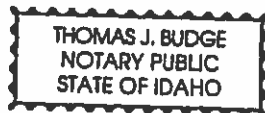


Jeff Raybould, Chairman

STATE OF IDAHO)
)ss.
County of Bonneville)

On this 23rd day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared JEFF RAYBOULD known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

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



Notary Public in and for Idaho
Residing at: Chubbuck ID
Commission Expires: 12.21.18

15262998

Instrument # 253631
GOODING, GOODING, IDAHO
12-29-2016 02:18:40 PM No. of Pages: 5
Recorded for : STATE OF IDAHO
DENISE M. GILL Fee: 0.00
Ex-Officio Recorder Deputy

MSports

QUITCLAIM DEED

THIS QUITCLAIM DEED is made and delivered by the STATE OF IDAHO, IDAHO WATER RESOURCE BOARD, by and through the Idaho Water Resource Board (hereinafter "Grantor"), whose address is P.O. Box 83720, Boise, Idaho, 83720-0098, to ABERDEEN-AMERICAN FALLS GROUND WATER DISTRICT, MAGIC VALLEY GROUND WATER DISTRICT, NORTH SNAKE GROUND WATER DISTRICT, SOUTHWEST IRRIGATION DISTRICT, CAREY VALLEY GROUND WATER DISTRICT, BINGHAM GROUND WATER DISTRICT, BONNEVILLE-JEFFERSON GROUND WATER DISTRICT, MADISON GROUND WATER DISTRICT, JEFFERSON CLARK GROUND WATER DISTRICT, AND THE FREMONT-MADISON IRRIGATION DISTRICT (collectively hereinafter "Grantee"), whose address is P.O. Box 1391, Pocatello, Idaho 83204.

WITNESSETH: That Grantor does by these presents remise, release and forever quitclaim unto Grantee and to Grantee's successors and assigns, all right, title and interest now owned or hereafter acquired in and to that certain parcel of land as follows:

That parcel of land in Gooding County, Idaho, particularly described in Exhibit "A", which Exhibit is attached hereto and incorporated herein by this reference, together with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or appertaining thereto, including but not limited to, those water rights described in Exhibit "B" which is attached hereto and incorporated herein by this reference. Except that Grantor withholds and retains from the foregoing quitclaim the exclusive right to make a water delivery call against junior water rights held by ground water pumpers in the Eastern Snake Plain Aquifer.

RESERVING AND EXCEPTING an easement over and across the property conveyed herein, twenty-five (25) feet in width, beginning at a point along the Old County Road Prescriptive Easement along the south-eastern boundary of the conveyed property, and continuing more or less along the eastern boundary of the conveyed property to a point that provides reasonable vehicular access to property owned by grantor to the North and East of the conveyed property.

SUBJECT TO Deed Restriction instrument no. 253631 recorded in the Gooding County records, which restricts all grantees, heirs, assigns and successors from making a water delivery call against junior water rights held by ground water pumpers in the Eastern Snake Plain Aquifer ("ESPA"). This restriction shall burden and run with the land in perpetuity.

[Signature appears on next page]

EXECUTED by Grantor this 29th day of December, 2015.

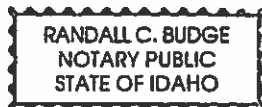
GRANTOR

By: *Roger Chase*
Roger Chase
Chairman, Idaho Water Resource Board

STATE OF IDAHO)
)ss.
County of Bannock)

On this 29th day of December, 2015, before me the undersigned Notary Public in and for said county and state, personally appeared ROGER CHASE known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

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



Randall C. Budge
Notary Public in and for Idaho
Residing at: *Pocatello, Idaho*
Commission Expires: *10/11/16*

Exhibit A

Description for South Parcel 17.05 Acres

A parcel of land located in part of Government Lot 4 of Section 18 and Government Lot 1 of Section 19, Township 7 South, Range 14 East, Boise Meridian, Gooding County, Idaho and more particularly described as follows:

Commencing at the Southwest corner of said Section 18 from which the South Quarter corner of said Section 18 bears South 89°28'47" East, 2375.79 feet;

THENCE North 00°48'21" East along the westerly boundary of Government Lot 4 for a distance of 78.66 feet to a found $\frac{1}{4}$ rebar with cap and the POINT OF BEGINNING;

THENCE continuing along said line for a distance of 1,238.12 feet to a found $\frac{1}{4}$ inch rebar with cap and the Northwest corner of Government Lot 4;

THENCE South 89°32'39" East along the northerly boundary of Government Lot 4 for a distance of 98.00 feet;

THENCE South 13°43'19" East for a distance of 170.52 feet;

THENCE South 42°17'05" East for a distance of 130.02 feet;

THENCE South 67°17'05" East for a distance of 190.03 feet to a found $\frac{1}{4}$ inch rebar with cap;

THENCE South 24°59'15" East for a distance of 45.00 feet to a found $\frac{1}{4}$ inch rebar with cap;

THENCE South 14°56'02" East for a distance of 220.18 feet to a found $\frac{1}{4}$ inch rebar with cap;

THENCE South 23°13'21" East for a distance of 124.80 feet to a set $\frac{1}{2}$ rebar with cap;

THENCE South 59°13'21" East for a distance of 49.92 feet to a found $\frac{1}{2}$ inch rebar;

THENCE South 66°47'31" West for a distance of 32.79 feet to a set $\frac{1}{2}$ rebar with cap;

THENCE South 38°05'55" East for a distance of 189.55 feet to a found $\frac{1}{4}$ rebar;

THENCE North 80°38'05" East for a distance of 20.78 feet to a set $\frac{1}{2}$ rebar with cap;

THENCE South 13°17'20" East for a distance of 447.36 feet to a point on the southerly boundary of said Government Lot 4 and a found $\frac{1}{2}$ inch rebar with cap;

THENCE South 13°40'27" East for a distance of 5.03 feet to a found $\frac{1}{2}$ inch rebar with cap;

THENCE South 13°06'05" East for a distance of 78.87 feet to a set
½ rebar with cap;

THENCE South 44°42'30" East for a distance of 22.60 feet to a
found ½ inch rebar with cap;

THENCE South 80°32'39" East for a distance of 49.34 feet to a
found ½ inch rebar with cap;

THENCE North 78°05'11" East for a distance of 99.95 feet to a set
½ rebar with cap;

THENCE South 71°24'18" East for a distance of 20.34 feet to a
found ½ inch rebar with cap;

THENCE South 22°56'26" West for a distance of 92.81 feet to a
found ½ inch rebar with cap;

THENCE South 44°04'43" West for a distance of 170.91 feet to a
found ½ inch rebar with cap;

THENCE South 31°21'16" West for a distance of 20.02 feet to a
found ½ inch rebar with cap;

THENCE North 58°36'19" West for a distance of 312.76 feet to a
found concrete pillar with brass cap;

THENCE North 44°52'49" West for a distance of 127.48 feet;

THENCE westerly 502.89 feet along a non tangent curve to the left
having a radius of 1,034.93 feet, a central angle of 27°50'28", and a long
chord bearing North 72°30'34" West for a distance of 497.96 feet to the
POINT OF BEGINNING.

Said parcel contains 17.05 acres, more or less and subject to other
easements, covenants and restrictions of record.

Exhibit B

Water Rights conveyed subject to restriction prohibiting Grantee and Grantee's successors and assigns from making a water delivery call against junior water rights held by ground water pumpers in the ESPA. This restriction shall burden and run with the land in perpetuity.

<u>IDWR Record No.</u>	<u>Source</u>	<u>Priority Date</u>	<u>Basis</u>	<u>Use</u>
36-4011	Billingsley Creek	12/01/1965	Decreed	Fish Propagation
36-2734	Billingsley Creek	10/05/1965	Decreed	Fish Propagation
36-2414	Unnamed Stream	12/21/1959	Decreed	Fish Propagation
36-2338	Springs	08/05/1954	Decreed	Fish Propagation

15262998

Instrument # 253632
GOODING, GOODING, IDAHO
12-29-2016 02:21:46 PM No. of Pages: 6
Recorded for : STATE OF IDAHO
DENISE M. GILL Fee: 0.00
Ex-Oficio Recorder Deputy *MSparks*

QUITCLAIM DEED

THIS QUITCLAIM DEED is made and delivered by the STATE OF IDAHO, IDAHO WATER RESOURCE BOARD, by and through the Idaho Water Resource Board (hereinafter "Grantor"), whose address is P.O. Box 83720, Boise, Idaho, 83720-0098, to the ABERDEEN-AMERICAN FALLS GROUND WATER DISTRICT, MAGIC VALLEY GROUND WATER DISTRICT, NORTH SNAKE GROUND WATER DISTRICT, SOUTHWEST IRRIGATION DISTRICT, CAREY VALLEY GROUND WATER DISTRICT, BINGHAM GROUND WATER DISTRICT, BONNEVILLE-JEFFERSON GROUND WATER DISTRICT, MADISON GROUND WATER DISTRICT, JEFFERSON CLARK GROUND WATER DISTRICT, AND THE FREMONT-MADISON IRRIGATION DISTRICT (collectively hereinafter "Grantee"), whose address is P.O. Box 1391, Pocatello, Idaho 83204.

WITNESSETH: That Grantor does by these presents remise, release and forever quitclaim unto Grantee and to Grantee's successors and assigns, all right, title and interest now owned or hereafter acquired in and to that certain parcel of land as follows:

That parcel of land in Gooding County, Idaho, particularly described in Exhibit "A", which Exhibit is attached hereto and incorporated herein by this reference, together with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or appertaining thereto, including but not limited to, that water right described in Exhibit "B" which is attached hereto and incorporated herein by this reference. Except that Grantor withholds and retains from the foregoing quitclaim the exclusive right to make a water delivery call against junior water rights held by ground water pumpers in the Eastern Snake Plain Aquifer.

SUBJECT TO Deed Restriction instrument no. 253630 recorded in the Gooding County records, which restricts all grantees, heirs, assigns and successors from making a water delivery call against junior water rights held by ground water pumpers in the Eastern Snake Plain Aquifer ("ESPA"). This restriction shall burden and run with the land in perpetuity.

[Signature appears on next page]

Exhibit A

Parcel Description for The Idaho Department of Parks and Recreation 75.95 Acres

A parcel of land located in part of the Northeast Quarter of Section 13, Township 7 South, Range 13 East, Boise Meridian and Government Lots 2, 3 and 4 and the Southwest Quarter of Section 18, Township 7 South, Range 14, East, Boise Meridian, Gooding County, Idaho and more particularly described as follows:

Commencing at the Southwest corner of said Section 18 from which the South Quarter corner of said Section 18 bears South 89°28'47" East, 2375.79 feet;

THENCE North 00°48'21" East along the westerly boundary of Government Lot 4 for a distance of 1,316.78 feet to found $\frac{3}{4}$ inch rebar with cap and the Northwest corner of Government Lot 4 and being the POINT OF BEGINNING;

THENCE North 00°48'21" East along the westerly boundary of Government Lot 3 for a distance of 1,281.59 feet to a point in the approximate centerline of Billingsley Creek;

THENCE the following courses and distances along said centerline:

South 65°51'53" East for a distance of 85.94 feet;

South 18°44'56" East for a distance of 429.69 feet;

South 34°32'03" West for a distance of 174.98 feet;

South 10°35'25" East for a distance of 21.35 feet;

THENCE South 83°05'23" East leaving said centerline of Billingsley Creek for a distance of 360.92 feet to a found $\frac{1}{2}$ inch rebar;

THENCE North 04°00'47" West for a distance of 164.55 feet;

THENCE North 53°17'07" West for a distance of 146.05 feet to a found $\frac{1}{2}$ inch rebar;

THENCE North 35°38'13" East for a distance of 98.31 feet;

THENCE North 33°55'22" West for a distance of 117.62 feet to a found $\frac{1}{2}$ inch rebar;

THENCE North 07°21'32" East for a distance of 140.25 feet to a found $\frac{1}{2}$ inch rebar;

THENCE North 16°27'32" West for a distance of 92.49 feet to a found $\frac{1}{2}$ inch rebar;

THENCE North 65°29'58" West for a distance of 110.50 feet to a found $\frac{1}{2}$ inch rebar;

THENCE North 08°01'57" East for a distance of 58.17 feet to a found $\frac{1}{2}$ inch rebar;

THENCE North 34°02'06" East for a distance of 433.27 feet to a
 found ½ inch rebar;
 THENCE North 22°50'05" West for a distance of 7.57 feet;
 THENCE North 85°57'16" West for a distance of 235.02 feet;
 THENCE South 64°52'26" West for a distance of 201.15 feet to a
 found ½ inch rebar;
 THENCE South 65°11'21" West for a distance of 65.68 feet to a
 point on the easterly boundary of the NE ¼ of said Section 13;
 THENCE South 65°11'21" West for a distance of 44.45 feet to a
 found ½ inch rebar;
 THENCE North 02°04'31" West for a distance of 639.40 feet to a
 found ½ inch rebar;
 THENCE North 08°45'35" West for a distance of 128.81 feet to a
 found ½ inch rebar;
 THENCE North 09°46'58" West for a distance of 230.84 feet to a
 point on the northerly boundary of the SE ¼ NE ¼ of said Section 13;
 THENCE South 88°56'30" East along the northerly boundary of
 said SE ¼ NE ¼ for a distance of 136.04 feet to the northwest corner of
 Government Lot 2 of said Section 18;
 THENCE South 89°30'20" East along the northerly boundary of
 said Government Lot 2 for a distance of 1,012.66 feet to the northeast
 corner of said Government Lot 2;
 THENCE South 00°01'42" West along the easterly boundary of
 said Government Lot 2 for a distance of 1,315.29 feet to the northeast
 corner of Government Lot 3;
 THENCE South 00°02'26" West along the easterly boundary of
 said Government Lot 3 for a distance of 693.90 feet;
 THENCE South 14°43'26" East for a distance of 289.48 feet to a
 found ½ inch rebar with cap;
 THENCE South 33°52'08" East for a distance of 449.37 feet to a
 found ½ inch rebar;
 THENCE South 22°26'06" East for a distance of 251.76 feet to a
 found ½ inch rebar with cap;
 THENCE South 30°26'06" East for a distance of 307.86 feet to a
 found ½ inch rebar;
 THENCE South 69°44'45" West for a distance of 860.60 feet to a
 found ½ inch rebar;
 THENCE South 87°42'33" West for a distance of 150.10 feet to a
 found ½ inch rebar;
 THENCE South 10°42'02" East for a distance of 49.54 feet to a
 found ½ inch rebar with cap;
 THENCE South 80°38'05" West for a distance of 20.78 feet to a
 found ¾ inch rebar;
 THENCE North 38°05'55" West for a distance of 189.55 feet to a
 found ½ inch rebar with cap;

THENCE North 66°47'28" East for a distance of 32.79 feet to a found ½ inch rebar;
THENCE North 59°13'21" West for a distance of 49.92 feet to a found ½ inch rebar with cap;
THENCE North 23°13'21" West for a distance of 124.80 feet to a found ½ inch rebar with cap;
THENCE North 14°56'02" West for a distance of 220.18 feet to a found ½ inch rebar with cap;
THENCE North 24°59'15" West for a distance of 45.00 feet to a found ½ inch rebar with cap;
THENCE North 67°17'05" West for a distance of 190.03 feet;
THENCE North 42°17'05" West for a distance of 130.02 feet;
THENCE North 13°43'19" West for a distance of 170.52 feet to a point on the northerly boundary of Government Lot 4;
THENCE North 89°32'39" West along the northerly boundary of Government Lot 4 for a distance of 98.00 feet to the POINT OF BEGINNING.

Said parcel contains 78.03 acres, more or less and subject to other easements, covenants and restrictions of record.

EXCEPT a parcel of land located in part of Government Lot 2 of Section 18, Township 7 South, Range 14 East and part of the Southeast Quarter of the Northeast Quarter of Section 13, Township 7 South, Range 13 East, Boise Meridian, Gooding County, Idaho and more particularly described as follows:

Commencing at the Southwest corner of said Section 18 from which the South Quarter corner of said Section 18 bears South 89°28'47" East, 2375.79 feet;

THENCE North 00°48'21" East along the westerly boundary of said Section 18 for a distance of 3519.16 feet to the POINT OF BEGINNING;

THENCE North 89°56'52" East for a distance of 307.00 feet;

THENCE South 24°30'17" East for a distance of 272.96 feet;

THENCE South 87°29'52" West for a distance of 374.00 feet;

THENCE North 14°10'08" West for a distance of 272.70 feet to a found ½ inch rebar;

THENCE North 89°56'52" East for a distance of 20.18 feet to the POINT OF BEGINNING.

Said parcel contains 2.08 acres, more or less.

Exhibit B

Water Rights conveyed subject to restriction prohibiting Grantee and Grantee's successors and assigns from making a water delivery call against junior water rights held by ground water pumpers in the ESPA. This restriction shall burden and run with the land in perpetuity.

<u>Record No.</u>	<u>Source</u>	<u>Priority Date</u>	<u>Basis</u>	<u>Use</u>
36-15476	Spring	06/01/1954	Decreed	Aesthetic; Recreation; Wildlife

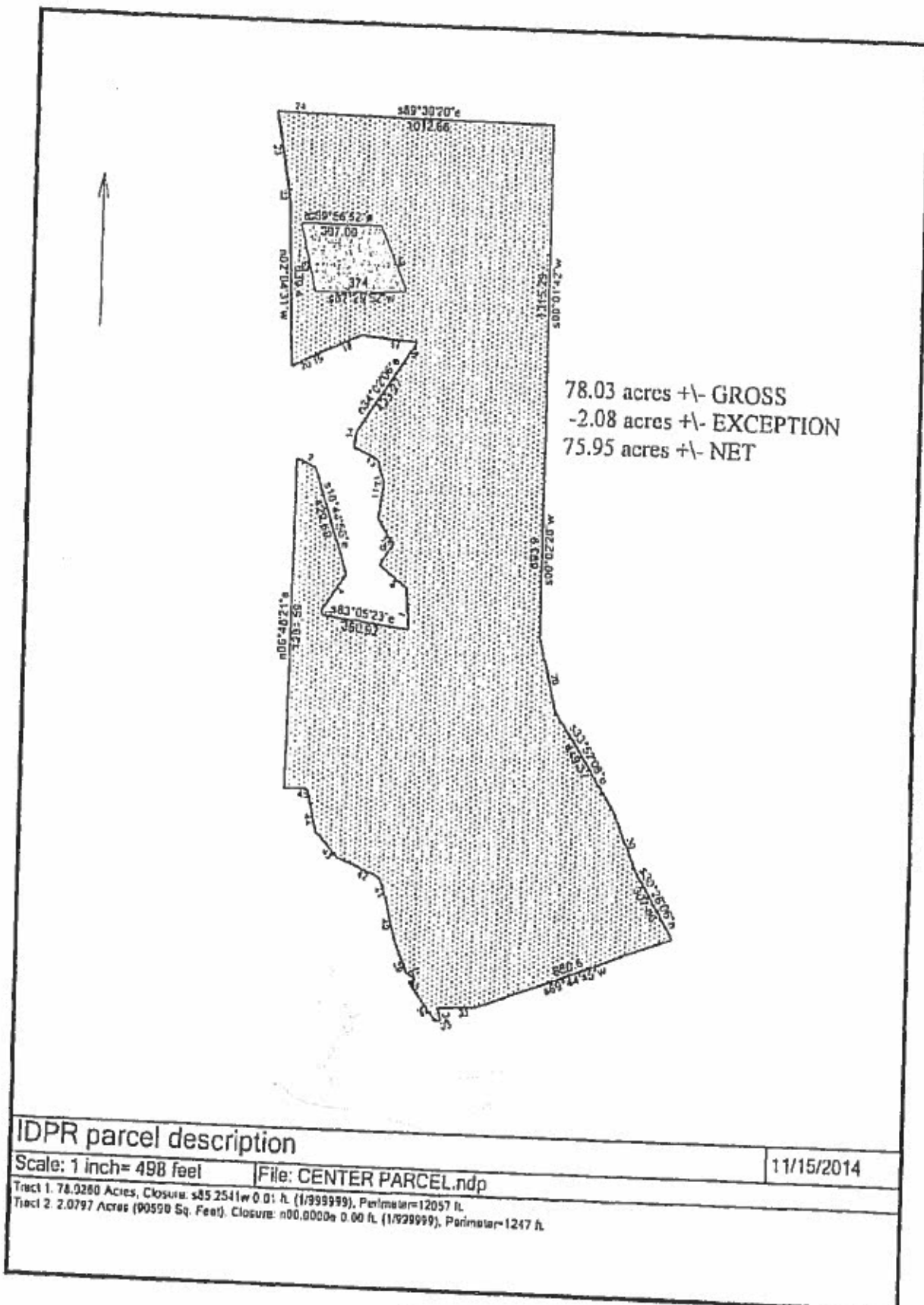
Google Maps



Imagery ©2016 Google, Map data ©2016 Google 200 ft

Google Maps

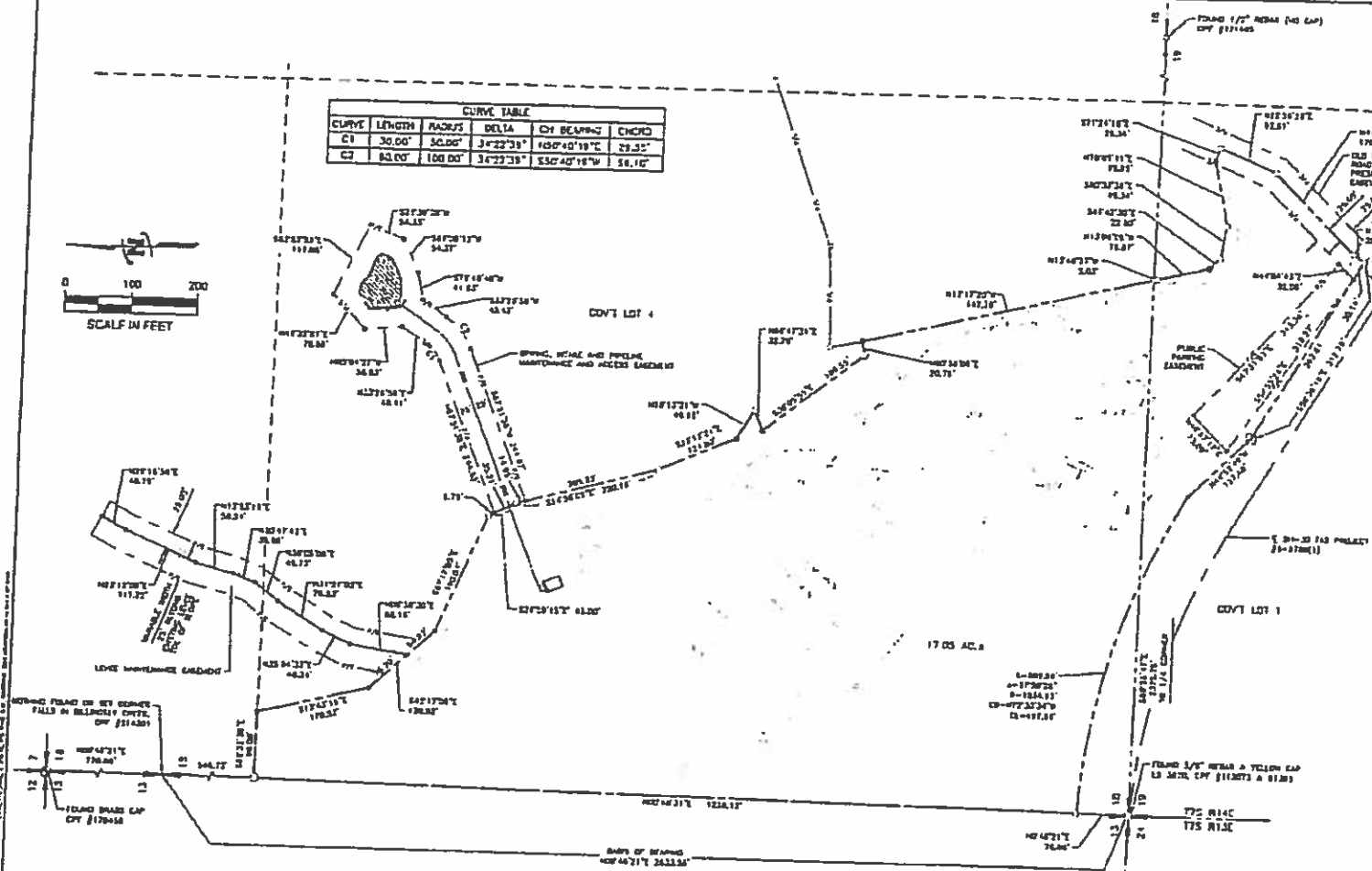
36-2734 Diversion Point
36-4011 Diversion Point
" " Place of Use



17.05 Acres



CURVE	LENGTH	RADIUS	DELTA	CH BEARING	CHORD
C1	30.00'	50.00'	34°22'33"	N50°40'19"E	29.35'
C2	83.00'	100.00'	34°22'33"	S50°40'19"W	58.10'



PREVIOUS SURVEYS

R/S FOR LYNN O'BORNE & RON SMITH - DIST. #214001
 R/S FOR CLIFF JOHNSON - FISHER PROPERTY - DIST. #163884
 R/S FOR STATE OF IDAHO - LAND PURCHASE - DIST. #182836
 R/S FOR JOHN TUPPER - DIST. #172133
 R/S FOR BOB TUPPER - DIST. #171467
 R/S FOR NATIONAL TRAILS FEEDS AND NUTRITION RESEARCH FACILITY - DIST. #218580
 R/S FOR BOB TUPPER - DIST. #173672

LEGEND

—	BOUNDARY LINE
- - -	SECTION LINE
—+—	RIGHT OF WAY
—+—+—	PERMANENT EASEMENT
—+—+—+—	EXISTING FENCE
—+—+—+—+—	TOP OF BANK
—+—+—+—+—+—	EDGE OF GRAVEL
—+—+—+—+—+—+—	1/2" REBAR w/ CAP SET (PLS BOTT)
—+—+—+—+—+—+—+—	1/2" REBAR FOUND
—+—+—+—+—+—+—+—+—	3/8" REBAR FOUND
—+—+—+—+—+—+—+—+—+—	NOTHING SET OF FOUND
—+—+—+—+—+—+—+—+—+—+—	POINT OF WAY MONUMENT FOUND

CERTIFICATE OF SURVEYOR

I DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY, AND IS IN CONFORMITY WITH THE CORNER PERPETUATION AND PLUMB ACT, STATE OF IDAHO CODE SS-1601 THROUGH SS-1613 AND TO THE IDAHO CODE RELATING TO SURVEYS.



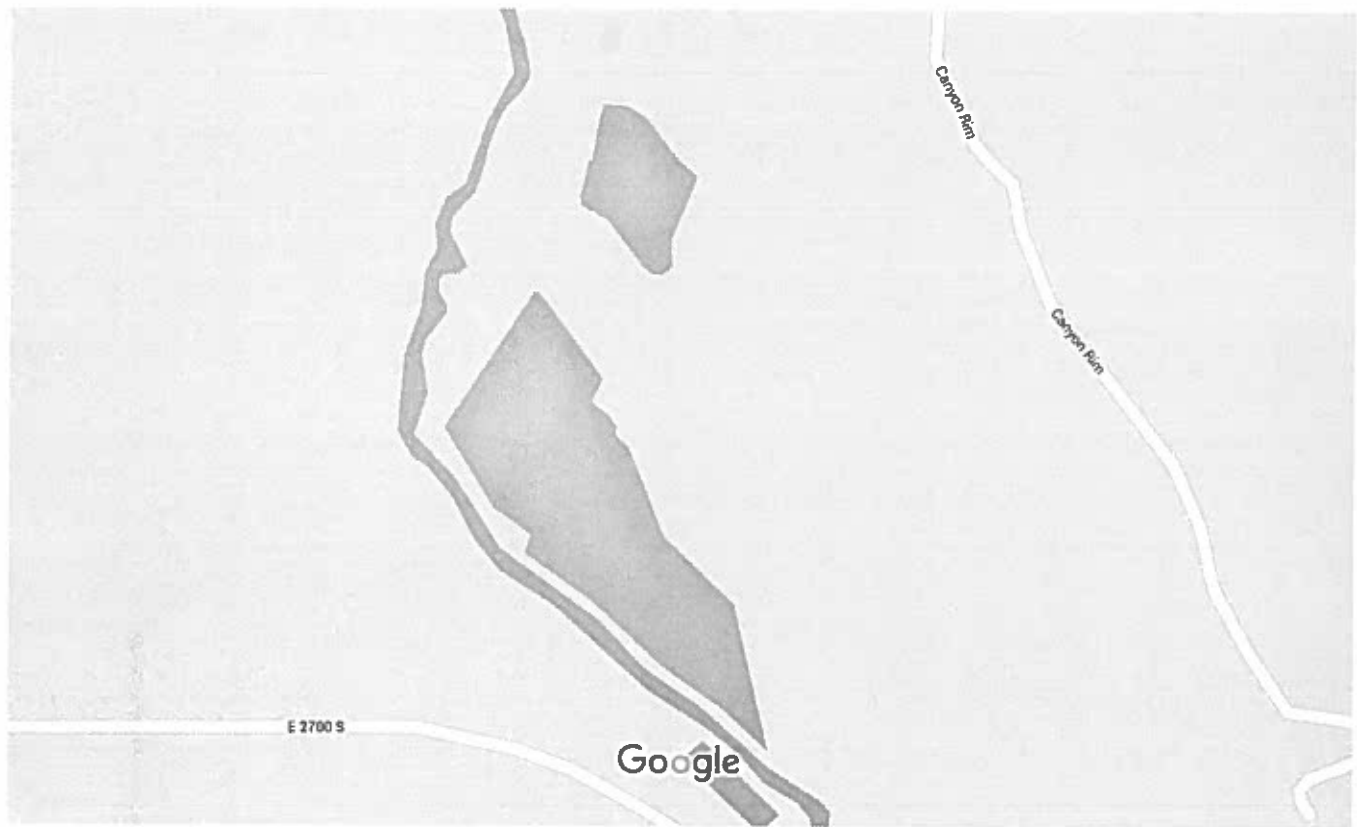
JUB ENGINEERS, INC.

JUB ENGINEERS, Inc.
 115 Northstar Avenue
 Twin Falls, Idaho 83301
 Phone: 208.733.2414
 Fax: 208.733.8455
 www.jub.com

RECORD OF SURVEY FOR
 IDAHO DEPARTMENT OF PARKS & RECREATION
 LOCATED IN PART OF GOVERNMENT LOT 4 OF SECTION 18 AND
 PART OF GOVERNMENT LOT 1 OF SECTION 19
 T.7S., R.14E., BOISE MERIDIAN, GOODING COUNTY, IDAHO

20150608 & 2015100 David L. Burt Professional Land Surveyor State of Idaho License No. 8077 Commission Expires 01/01/16	
FILED	RECORDED & INDEXED
APPROVED & INDEXED	INDEXED BY: JUB
PREPARED BY: JUB	DATE: 06/15/15
AT FALL MEETING OF THE N.E. CORNER OF SECTION 18 T.7S., R.14E., BOISE MERIDIAN LAST UPDATED 01/01/16	
SHEET NUMBER:	
1	

Google Maps



Map data ©2016 Google 200 ft

Google Maps

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE EASTERN SNAKE)
PLAIN GROUND WATER DISTRICTS)
_____) A RESOLUTION

WHEREAS, a Letter of Request from the Aberdeen-American Falls Ground Water District, Magic Valley Ground Water District, North Snake Ground Water District, Southwest Irrigation District, Carey Valley Ground Water District, Bingham Ground Water District, Bonneville-Jefferson Ground Water District, Madison Ground Water District, Jefferson Clark Ground Water District, and the Fremont-Madison Irrigation District (Districts) has been submitted to the Idaho Water Resource Board (IWRB) requesting an interim loan in the amount of \$6,000,000; and

WHEREAS, the Districts are proposing to use the funds on a short-term basis to finance the construction of the Magic Springs-Rangen Pipeline which was recently completed at a cost of about \$4.3 million, and the purchase of the Aqualife Hatchery from the IWRB; and

WHEREAS, the Magic Springs-Rangen Pipeline Project is a key component of the Idaho Ground Water Appropriator's (IGWA's) "Fourth Mitigation Plan" for Rangen, which was approved by Director Spackman on October 29, 2014. IGWA submitted the "Fourth Mitigation Plan" on behalf of the Districts, which are members of IGWA; and

WHEREAS, both the Magic Springs-Rangen Pipeline Project and the Aqualife Hatchery purchase are key components of the proposed Hagerman Valley Settlement Agreement, currently being negotiated between the Districts and water users in the Hagerman Valley; and

WHEREAS, the total cost of the Hagerman Valley Settlement Agreement is estimated at \$15 million and is to be shared by the Districts; and

WHEREAS, on June 15, 2015, the Districts jointly received authority through judicial examination, Sixth Judicial District Case No. CV-2015-115, to incur indebtedness of up to \$15 million for the purpose of undertaking mitigation projects in the Hagerman Valley; and

WHEREAS, the plan for long-term financing is for the Districts to finance the entire \$15 million package of Hagerman Valley projects through IWRB-issued revenue bonds or other long-term financing as may be available; and

WHEREAS, on August 4, 2015 the IWRB's Finance Committee met and considered this request for an interim loan. The Finance Committee recommended approval of the loan in the amount of \$4 million to be repaid no later than September 2016. The Finance Committee further recommended that the purchase of the Aqualife Hatchery from the IWRB could be handled at a later date prior to the end of the calendar year; and

WHEREAS, on September 18, 2015 the IWRB met in Twin Falls and approved an interim loan in the amount of \$4 million at 3.5% to be repaid no later than September 30, 2016 or upon issuance of revenue bonds for long-term financing. The \$4 million includes a \$1.26 million loan already

outstanding to the Magic Valley & North Snake Ground Water Districts approved by resolution dated December 24, 2014, and \$2.74 million from the Secondary Aquifer Planning, Management, and Implementation Fund.

WHEREAS, the IWRB committed to addressing the Aqualife Hatchery issue at a later date prior to the end of the calendar year; and

WHEREAS, House Bill 644 passed and approved by the 2014 Legislature directed the sale of the Aqualife Hatchery from the Department of Parks and recreation to the IWRB for the purpose of utilizing the assets of the facility to assist in resolving water delivery calls; and

WHEREAS, the Districts intend to purchase the Aqualife Hatchery for exchange to Seapac of Idaho in return for Seapac providing water from its Magic Springs Hatchery to the Districts for delivery to Rangen through the Magic Springs-Rangen Pipeline; and

WHEREAS, an appraisal of the Aqualife Hatchery dated August 14, 2015 estimated the value of the facility at \$3.2 million with unsubordinated water rights; and

WHEREAS, and addendum to the appraisal of the Aqualife Hatchery dated December 1, 2015 estimated the value of the facility at \$2.6 million with subordinated water rights; and

WHEREAS, the projects to be financed by this interim loan are in the public interest, in conformance with the State Water Plan, and will assist in resolving significant water use conflicts.

NOW THEREFORE BE IT RESOLVED that the IWRB authorizes the sale of the Aqualife Hatchery, including facilities, land, and water rights to the Districts at a value of \$ 2.9 million.

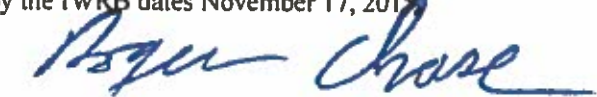
NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB approves increasing the amount of the interim loan approved on September 18, 2015 from \$4 million to \$ 6.9 million to include the cost of the Aqualife Hatchery Purchase. All other terms and conditions of the loan approval remain unchanged.

NOW THEREFORE BE IT FURTHER RESOLVED that the water rights appurtenant to the Aqualife Hatchery be conditioned to preclude a delivery call by the owner of said water rights against the Eastern Snake Plain Aquifer.

NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB provides authority to the Chairman or his designee to enter into contracts with the Districts on behalf of the IWRB.

NOW THEREFORE BE IT FURTHER RESOLVED that this resolution supersedes and takes the place of the resolution concerning this topic approved by the IWRB dates November 17, 2015

DATED this 16th day of December, 2015.



ROGER CHASE, Chairman
Idaho Water Resource Board

ATTEST


VINCE ALBERDI, Secretary

MEMO



To: Idaho Water Resource Board
From: Brian Patton
Subject: Ground Water Districts Interim Loan and Aqualife Hatchery
Date: November 12, 2015

Attached for your consideration is a resolution that would do the following:

- Authorize the sale of the Aqualife Hatchery to the 10 Ground Water Districts on the Eastern Snake Plain.
- Increase the amount of the \$4M interim loan to the 10 Ground Water Districts approved on September 18, 2015 by \$3.2M to include the cost of the Aqualife Hatchery Purchase in the loan. *(NOTE: this would not require a cash disbursement from the IWRB, but the \$3.2M value of the facility would be added to the loan as ownership is transferred to the Districts).*

Background

The 10 Ground Water Districts on the Eastern Snake Plain have collectively received judicial confirmation to incur up to \$15M in debt to carry out the Hagerman Valley Settlement. This includes the cost of the \$4.3M Magic Springs-Rangen Pipeline, which has already been built, as well as several other projects.

As you may recall, on December 24, 2014 the IWRB approved loaning \$1.26M to the Magic Valley GWD and the North Snake GWD for the Magic Springs-Rangen Pipeline with those two districts covering the rest of the construction cost. The \$1.26M loan amount and the repayment date of September 30, 2015, was dictated by the extent of the Districts' previous borrowing authority.

On September 18, 2015 in Twin Falls, the IWRB approved increasing the loan amount to \$4M, with all 10 Districts as borrowers and a September 30, 2016 repayment date. The IWRB further committed to dealing with the Aqualife issue at a later date. The plan is for all 10 districts to finance the \$15M package through IWRB-issued revenue bonds (or other long-term financing as may be available).

The projects in the Hagerman Valley Settlement are as follows:

1	Magic Springs Rangen Pipeline	\$4.3M	Complete
2	Magic Springs-Billingsley Cr. tail water pipeline	\$4.3M	
3	Billingsley Bridge Diversion Pump	\$0.3M	
4	Pipeline easements	\$0.1M	
5	Sandy Pond measurement devices	\$0.05M	
6	Aqualife purchase from IWRB	\$2.0M	
7	Aquaculture subordination settlement agreements (4)	\$0.338M	Complete
8	Engineering	\$0.250M	
9	Legal	\$0.250M	
10	Contingency/unexpected expenses	\$3.112M	
	TOTAL	\$15.0M	

Aqualife Facility

The Aqua Life Hatchery is located in the Hagerman Valley along Billingsley Creek. The hatchery was developed in the 1950's and 1960's. It has been owned by the State of Idaho Department of Parks and Recreation since 2001, and was acquired by Parks as part of a larger land purchase for state park development (adjacent to this hatchery is the Vardis Fisher Pond and the site of Idaho author Vardis Fisher's home) The hatchery is currently functional, although somewhat deteriorated.

The Aqua Life hatchery utilizes water from the Big Spring complex and from Billingsley Creek. Water rights associated with the facility are as follows:

Water Right	Source	Priority Date	Rate (CFS)	Water Use
36-2338	Big Springs	1954	54.68	Fish Propagation
36-15476	Big Springs	1954	1.00	Aesthetic, recreation, wildlife (Vardis Fisher Pond)
36-2414	Tupper Spring (part of Big Springs complex)	1959	4.00	Fish Propagation
36-2734	Billingsley Creek	1965	100.00	Fish Propagation
36-4011	Billingsley Creek	1965	12.00	Fish Propagation

Current water available includes about 40 cfs from the spring and about 25 cfs from Billingsley Creek.

Pursuant to HB644 passed by the 2014 Idaho Legislature, the IWRB acquired Aqualife and the surrounding property from the Idaho Department of Parks and Recreation for the purpose of using the facility and its assets to assist in resolving water delivery calls in the area. The IWRB paid Parks \$1.88M. Per HB644 Parks also received an ongoing increase in their general fund budget of \$250,000 annually.

Districts' Plan for Aqualife

Staff understands that the Districts' intend to purchase the Aqualife Facility from the IWRB and transfer ownership to Seapac of Idaho. Seapac would get Aqualife in exchange for Seapac providing 10 cfs from its Magic Springs Hatchery to the Districts to deliver to Rangen through the Magic Springs pipeline. Further, Staff understands that this is to be done by the end of 2015.

Appraised Valuation

The IWRB had an appraisal of Aqualife and the surrounding property done by Lemoyne Appraisal. As of August 14, 2015 Lemoyne appraised the value at **\$3,200,000**.

A prior appraisal was done in 2011 by Integra Realty Resources for Parks. As of July 5, 2011 Integra appraised the value at: Aquaculture Facility: \$1,635,000 and Surrounding Property: \$1,040,000 for a total of **\$2,675,000**.

MEMO



To: Idaho Water Resource Board
From: Brian Patton
Subject: Ground Water Districts Interim Loan and Aqualife Hatchery
Date: December 14, 2015

On November 17, the IWRB approved a resolution that did the following:

- Authorize the sale of the Aqualife Hatchery to the 10 Ground Water Districts on the Eastern Snake Plain with water rights subordinated so a future owner could not make a delivery call against the Eastern Snake Plain Aquifer.
- Increase the amount of the \$4M interim loan to the 10 Ground Water Districts approved on September 18, 2015 by \$3.2M to include the cost of the Aqualife Hatchery Purchase in the loan. *(NOTE: this would not require a cash disbursement from the IWRB, but the \$3.2M value of the facility would be added to the loan as ownership is transferred to the Districts).*

It was noted during the discussion that the \$3.2 million sales price was based on an appraised value of the facility with unsubordinated water rights, while a condition of the November 17 resolution required that the water rights be subordinated prior to sale to the Districts. The IWRB Chairman committed to revisiting the issue.

The IWRB's appraiser issued an addendum to the appraisal on December 1, 2015 that estimated the value of the facility with subordinated water rights at \$2.6 million.

The IWRB therefore has the following options:

1. Sell Aqualife to the Districts with unsubordinated water rights at a cost of **\$3.2 million**. There appears to be little risk that the Districts would subsequently transfer ownership of Aqualife to Seapac with unsubordinated water rights placing their ground water user members at risk of a delivery call by Seapac.
2. Sell Aqualife to the Districts with subordinated water rights at a cost of **\$2.6 million**. This would ensure beyond any doubt that a future owner of Aqualife could not place a delivery call against the aquifer and ground water users.
3. Since the issue is one of who pays for the subordination, one option that has been discussed among IWRB leadership is to sell with subordinated water rights and split the cost of the subordination between the IWRB and the Districts, resulting in a sales price of **\$2.9 million**.
4. Leave the November 17 authorization and resolution in place and unchanged.

Attached for your consideration is a resolution that can be used with options 1, 2, or 3.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE AQUA LIFE
AQUACULTURE FACILITY

)
)

A RESOLUTION CONCERNING
A LETTER OF INTENT

WHEREAS, the Idaho Water Resource Board (the "Board") is a constitutional agency of the State of Idaho and empowered by Idaho Code § 42-1734 to acquire, purchase, lease or exchange land, rights, water rights, easements, franchises and other property deemed necessary or proper for the construction, operation and maintenance of water projects; and

WHEREAS, pursuant to House Bill 644, adopted by the Sixty-second Legislature of the State of Idaho during its Second Regular Session in 2014, the Board acquired the Aqua Life Aquaculture Facility from the Idaho Department of Parks and Recreation for the July 11, 2011 appraised value of \$1,635,000; and

WHEREAS, the Board's acquisition of the Aqua Life Aquaculture Facility is in furtherance of the State's desire and goal to reduce demand on spring flows in the Hagerman Valley; and

WHEREAS, the Board's acquisition of the Aqua Life Aquaculture Facility also included associated water rights 36-1044, 36-2734, 36-15476, 36-2414, and 36-2338, as well as rights under NPDES Permit #IDG-13000; and

WHEREAS, on May 7, 2014, the Board entered into a "Letter of Intent" with the Idaho Ground Water Appropriators, Inc. (IGWA), and the Idaho Department of Fish and Game, which contemplates the Aqua Life Aquaculture Facility being a necessary part of a plan to relocate an existing Idaho Department of Fish and Game (IDFG) fish hatchery to address water calls in the Hagerman Valley:

WHEREAS, by letter dated May 30, 2014, IGWA has submitted a second "Letter of Intent" to the Board, which contemplates direct delivery of up to 10 cfs from the Aqua Life Facility, at a cost yet to be determined, to address water delivery calls in the Hagerman Valley, but does not contemplate relocation of the IDFG fish hatchery.

NOW, THEREFORE BE IT FURTHER RESOLVED, the Board authorizes the Chairman to execute the "Letter of Intent - Use of water from the state's Aqua Life Hatchery, Construction of Pump Station and Pipeline, and Construction of Improvements and the Aqua Life Aquaculture Facility" dated July 18, 2014, between the Board and the Idaho Ground Water Appropriators.

DATED this 18th day of July, 2014.

ATTEST:



ROGER CHASE, Chairman



BOB GRAHAM, Secretary

LETTER OF INTENT

USE OF WATER FROM THE STATE'S AQUA LIFE HATCHERY, CONSTRUCTION OF PUMP STATION AND PIPELINE AND CONSTRUCTION OF IMPROVEMENTS AT THE AQUA LIFE AQUACULTURE FACILITY

This Letter of Intent ("LOI") is entered into by and between Idaho Ground Water Appropriators, Inc. ("IGWA"), and the State of Idaho, by and through the Idaho Water Resource Board ("IWRB").

RECITALS

A. In response to Rangen, Inc.'s ("Rangen") water delivery call, the Idaho Department of Water Resources ("IDWR") determined in its January 29, 2014 order that holders of ground water rights junior to July 13, 1962 must provide 9.1 cfs of direct flow to Rangen.

B. IGWA represents ground water districts whose members consist of irrigators, municipalities, and commercial and industrial entities with ground water rights. Many of the ground water districts' member's water rights are junior to Rangen's water rights and are subject to curtailment unless a mitigation plan is approved providing replacement water.

C. IWRB owns and operates the Aqua Life Aquaculture Facility Hatchery ("Aqua Life") and is willing to make available to IGWA by lease or purchase up to ten (10) cfs of its Aqua Life water rights from Big Springs as needed to meet the mitigation obligation to Rangen.

D. IWRB and IGWA intend to commence negotiation of a final agreement consistent with the terms set forth below.

TERMS

The Agreement shall have the following terms and conditions:

1. The Agreement will be contingent upon IWRB acquiring title to Aqua Life. IWRB and IGWA acknowledge that House Bill 644, adopted by the Sixty-second Legislature of the State of Idaho during its Second Regular Session in 2014 authorizes Idaho Parks and Recreation to sell Aqua Life to the IWRB.

2. IWRB will lease or sell up to ten (10) cfs of water from the Aqua Life to IGWA for an amount to be determined.

3. IGWA will pay all costs to design, construct, operate and maintain the water collection and intake system pump station, pipeline and other facilities necessary to deliver 10 cfs of water from the Aqua Life to the head of Billingsley Creek directly up gradient from the Rangen hatchery. IGWA will ensure that the diversion structure to be constructed will not interfere with the use of IWRB's remaining water rights at Aqua Life.

4. IGWA shall be responsible to secure from IDWR approval of a transfer application to change the point of diversion and place of use as needed to accomplish the delivery of Aqua Life water rights to Billingsley Creek. IWRB hereby grants consent to IGWA to file and process such transfer application, with the approved transfer made subject to the Agreement.

5. IWRB will grant IGWA a permanent easement at Aqua Life to design, construct, operate and maintain the water intake and collection facilities, pump station, pipeline and other facilities as necessary for the delivery of up to 10 cfs of water to Billingsley Creek. IWRB will convey to IGWA a permanent easement to access and maintain the pump station and water supply pipeline.

6. IWRB will cooperate with IGWA and provide all necessary documents to conduct such investigation as it shall deem appropriate.

7. All transaction fees for closing and all recording fees will be shared equally between IGWA and IWRB. Each party will be responsible to pay its own legal fees.

8. The Agreement will be contingent upon: (a) IGWA securing an order from IDWR approving a mitigation plan providing for the delivery of 10 cfs from Aqua Life's Big Springs water rights to satisfy the mitigation obligations to Rangen; (b) IGWA securing an order from IDWR approving the transfer of the point of diversion and place of use of up to 10 cfs from Aqua Life to the head of Billingsley Creek and, (c) IGWA proceeding to implement the plan.

This LOI may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute but one and the same agreement. Delivery of an executed counterpart of this LOI via facsimile transmission shall be as effective as delivery of an original signed copy. Thereafter, the parties shall exchange executed originals of this LOI.

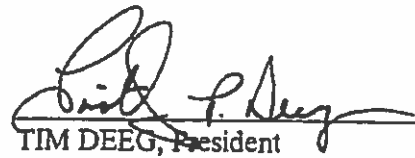
This LOI is intended as a general expression of the terms and conditions, under which the parties are willing to proceed to prepare, negotiate and if acceptable to all parties in their respective sole discretion, execute a final Agreement. Neither this LOI nor the execution hereof as provided below, shall be binding on any party until the formal Agreement is executed by all parties.

Please indicate your acceptance and agreement with the terms of this LOI and desire to proceed to negotiate a final Agreement incorporating the terms and conditions as outlined above by executing the enclosed copy of this LOI in the space provided below and return such executed copy to the other parties.

Sincerely,

Idaho Ground Water Appropriators, Inc.

By:

 5/30/14
TIM DEEG, President

AGREED AND ACCEPTED this 18th day of July, 2014.

Idaho Water Resource Board


Chairman

243007

QUITCLAIM DEED

THIS QUITCLAIM DEED is made and delivered by IDAHO STATE BUILDING AUTHORITY ("Grantor"), an independent public body corporate and politic of the State of Idaho, whose address is 755 W. Street, Suite 200, Boise, Idaho, 83702, to the STATE OF IDAHO, DEPARTMENT OF PARKS AND RECREATION, by and through the Idaho Park and Recreation Board ("Grantee"), whose address is P.O. Box 83720, Boise, Idaho, 82720-0065.

WITNESSETH: That Grantor does by these presents remise, release and forever quitclaim unto Grantee and to Grantee's successors and assigns, all right, title and interest now owned or hereafter acquired in and to those certain parcels of land as follows:

The parcels of land particularly described in Exhibit "A" and attached hereto and incorporated herein by this reference, together with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or appertaining thereto, including, but not limited to, those water rights described in Exhibit "B" which is attached hereto and incorporated herein by this reference.

[Signature appears on next page.]

Instrument # 243007

GOODING, GOODING, IDAHO

11-26-2012 08:34:20 No. of Pages: 8

Recorded for : MEULEMAN MOLLERUP

DENISE M. GILL Fee: 31.00

Ex-Officio Recorder Deputy



QUITCLAIM DEED

I:\4400.04\Quitclaim Deed to State for Billingsley Creek (hatchery).doc

EXECUTED this 19th day of October, 2012.

GRANTOR:

Idaho State Building Authority

By: V.L. Bud Tracy
V.L. Bud Tracy
Chairman,
Board of Commissioners

STATE OF IDAHO)
) ss.
COUNTY OF Cassia

On this 19th day of October, 2012, before me, a notary public in and for said state, personally appeared V.L. Bud Tracy, known or identified to me to be the Chairman of the Idaho State Building Authority, and the person who subscribed said entity name to the foregoing instrument, and acknowledged to me that he executed the same in said entity name.

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



Jennifer L. Zahler
NOTARY PUBLIC for Idaho
Residing at Buhl, Idaho
My Commission Expires: 3/11/17

QUITCLAIM DEED

154400.044\Quitclaim Deed to State for Billingaloy Creek (hatchery).doc

EXHIBIT "A"
to Quitclaim Deed

Legal Description

See Attached.

QUITCLAIM DEED

I:\4400.044\Quitclaim Deed to State for Billingsley Creek (hatchery).doc

Exhibit A

Parcel 1

A parcel of land located in the Northeast Quarter of Section 13, Township 7 South, Range 13 East, Boise Meridian, Gooding County, Idaho.

Commencing at the Northeast corner of said Section 13; Thence South 00°06'27" West, 1316.78 feet;

Thence North 89°56'58" West, 135.57 feet;
Thence South 10°29'56" East, 229.69 feet;
Thence South 09°26'13" East, 128.98 feet;
Thence South 02°44'59" East, 30.00 feet;
Thence North 74°35'21" West, 38.56 feet;
Thence North 25°48'31" West, 129.65 feet to the REAL POINT OF BEGINNING.
Thence South 74°07'40" West, 205.27 feet;
Thence South 02°19'11" West, 205.82 feet;
Thence South 25°14'04" West, 219.50 feet;
Thence South 04°50'15" West, 401.85 feet;
Thence North 75°44'14" West, 146.64 feet;
Thence North 75°22'14" West, 164.67 feet;
Thence North 78°19'14" West, 233.70 feet;
Thence North 03°36'14" West, 170.90 feet;
Thence North 22°30'46" East, 223.17 feet;
Thence North 46°51'37" East, 234.23 feet;
Thence North 27°10'44" East, 224.74 feet;
Thence North 49°40'41" East, 302.91 feet;
Thence North 79°08'34" East, 176.13 feet;
Thence South 25°48'31" East, 255.77 feet to the REAL POINT OF BEGINNING.

Parcel 2

A Parcel of Land located in the Northeast Quarter of Section 13, Township 7 South, Range 13 East, Boise Meridian, Gooding County Idaho described as follows:

Commencing at the Southeast corner of said Section 13; Thence North 00°06'27" East, 2633.56 feet along the East boundary of Section 13; thence North 89°57'12" West, 81.37 feet to the REAL POINT OF BEGINNING.

Thence North 89°57'12" West, 337.25 feet;
Thence North 10°28'05" West, 55.44 feet;
Thence South 32°55'58" East, 23.90 feet;

EXHIBIT A
(continued)

Thence North 87°09'18" East, 60.18 feet,
Thence North 57°54'32" East, 38.56 feet,
Thence South 83°49'58" East, 143.82 feet,
Thence South 66°33'03" East, 107.44 feet to the REAL POINT OF BEGINNING.

Parcel 3

A parcel of land located in the NE ¼, Section 13, Township 7 South, Range 13 East, Boise Meridian & Government Lots 2, 3 and 4 and the SW ¼, Section 18, Township 7 South, Range 14 East of the Boise Meridian, Gooding County, Idaho and Government Lot 1, Section 19, Township 7 South, Range 14 East, Boise Meridian, Gooding County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Section 18;
Thence North 00°06'27" East along the West boundary of Section 18 for a distance of 78.66 feet being the REAL POINT OF BEGINNING;

Thence continuing North 00°06'27" East along the West boundary of Government Lot 3 of Section 18 for a distance of 1784.90 feet to a point that is South 00°06'27" West 770.00 feet from the Northwest corner of Government Lot 3;

Thence North 00°06'27" East, 734.81 feet
Thence South 66°33'10" East, 85.93 feet
Thence South 19°26'13" East, 429.65 feet
Thence South 33°50'46" West, 174.97 feet
Thence South 11°16'42" East, 21.35 feet
Thence South 83°46'40" East, 360.89 feet
Thence North 04°39'15" West, 164.46 feet
Thence North 53°55'35" West, 145.97 feet
Thence North 34°55'15" East, 98.38 feet
Thence North 34°38'20" West, 117.70 feet
Thence North 06°35'41" East, 140.20 feet
Thence North 17°01'30" West, 92.53 feet
Thence North 66°10'48" West, 110.60 feet
Thence North 07°49'08" East, 58.06 feet
Thence North 33°16'05" East, 432.67 feet
Thence North 23°29'35" West, 7.56 feet
Thence North 86°36'46" West, 234.78 feet
Thence South 64°12'56" West, 200.94 feet
Thence South 64°27'51" West, 65.87 feet to a point on the West boundary line of Section 18
Thence South 64°27'51" West, 44.39 feet
Thence North 02°44'59" West, 639.54 feet
Thence North 09°26'13" West, 128.98 feet
Thence North 10°29'56" West, 229.69 feet
Thence North 89°56'58" West, 367.20 feet
Thence South 44°00'16" West, 310.04 feet

EXHIBIT A
(continued)

Thence South 31°52'32" West, 199.44 feet
Thence South 40°51'56" West, 230.96 feet
Thence South 69°42'25" West, 117.61 feet
Thence South 50°24'25" West, 322.28 feet
Thence North 39°24'35" West, 105.75 feet
Thence North 50°24'25" East, 130.00 feet
Thence North 00°07'35" West, 30.00 feet
Thence North 48°06'25" East, 559.40 feet
Thence North 56°51'25" East, 477.46 feet
Thence North 83°51'27" East, 11.94 feet
Thence North 89°51'16" East, 135.49 feet
Thence North 72°36'15" East, 92.17 feet
Thence South 80°50'22" East, 142.52 feet
Thence South 89°01'22" East, 108.12 feet
Thence South 00°06'27" West, 21.00 feet
Thence North 89°39'48" East, 1007.76 feet
Thence South 00°44'00" East, 2001.76 feet
Thence South 15°25'38" East, 299.56 feet;
Thence South 34°34'01" East, 449.40 feet;
Thence South 23°08'01" East, 251.77 feet;
Thence South 31°09'01" East, 307.73 feet;
Thence South 69°03'42" West, 860.62 feet;
Thence South 86°54'03" West, 150.09 feet;
Thence South 11°20'56" East, 49.63 feet;
Thence South 14°00'14" East, 447.35 feet to a point on the South boundary
of Section 18;
Thence South 14°00'14" East, 5.02 feet,
Thence South 13°43'07" East, 78.77 feet;
Thence South 45°19'32" East, 22.57 feet;
Thence South 81°07'26" East, 49.41 feet;
Thence North 77°25'05" East, 100.11 feet;
Thence South 72°04'24" East, 20.37 feet;
Thence South 22°14'32" West, 92.90 feet;
Thence South 43°24'58" West, 170.79 feet;
Thence South 30°42'47" West, 20.00 feet to a point on the North Right of Way Line of State
Highway 30;
Thence North 59°17'47" West, 312.83 feet to Highway Right of Way Marker Sta 32+00;
Thence North 45°38'51" West along the North Right of Way for State Highway 30, 127.44 feet;
Thence Northwest along Curve 3 on the North Right of Way of State Highway 30;
Δ 27°50'29"
LCB North 73° 12'28" West
Radius 1034.93 feet
Length 502.90 feet
Tangent 256.62 feet; to the REAL POINT OF BEGINNING.

Except a Parcel of Land described as follows:

EXHIBIT A
(continued)

Commencing at the Northwest corner of Section 18, Township 7 South, Range 14 East, Boise Meridian, Gooding County, Idaho. Thence South $00^{\circ}06'27''$ West, 1747.65 feet, to the REAL POINT OF BEGINNING.

Thence North $89^{\circ}14'58''$ East, 307.07 feet,
Thence South $25^{\circ}12'11''$ East, 272.96 feet,
Thence South $86^{\circ}47'58''$ West, 374.00 feet,
Thence North $14^{\circ}52'02''$ West, 272.70 feet,
Thence North $89^{\circ}14'58''$ East, 20.11 feet to the REAL POINT OF BEGINNING.

EXHIBIT "B"
to Quitclaim Deed

Idaho State Building Authority Water Rights
per IDWR Records

<i>Record No.</i>	<i>Source</i>	<i>Priority Date</i>	<i>Basis</i>	<i>Use</i>
36-4011	Billingsley Creek	12/01/1965	Decreed	Fish Propagation
36-2734	Billingsley Creek	10/05/1965	Decreed	Fish Propagation
36-15476	Spring	06/01/1954	Decreed	Aesthetic; Recreation; Wildlife
36-2414	Unnamed Stream	12/21/1959	Decreed	Fish Propagation
36-2338	Springs	08/05/1954	Decreed	Fish Propagation

Additional rights appurtenant to the conveyed premises include:

- (i) 23 shares of Hagerman Water Users Association; and
- (ii) 2 shares of Ruby Springs Water Company

QUITCLAIM DEED

I:\4400.044\Quitclaim Deed to State for Billingsley Creek (hatchery).doc

CORRECTION WARRANTY DEED

THIS CORRECTION WARRANTY DEED AND INDENTURE is made by and between AQUA LIFE, INC., an Idaho corporation whose address is 1128 E. 4150 N., Buhl, Idaho 83316, hereinafter referred to as "Grantor," and the IDAHO STATE BUILDING AUTHORITY, P.O. Box 2802, Boise, Idaho 83701, hereinafter referred to as "Grantee, to correct an error contained in that certain WARRANTY DEED between the parties hereto which was recorded in Gooding County, Idaho on September 28, 2001 as instrument no. 192263 records of Gooding County Idaho, and thereafter re-recorded in Gooding County, Idaho, on November 16, 2001 as instrument no. 192893 records of Gooding County, Idaho, which deed erroneously included a water right identified as record number 36-273 in Exhibit "C" thereto as part of the water rights conveyed to Grantor. This CORRECTION WARRANTY DEED correctly identifies said water right as record number 36-2734 in Exhibit "C" hereto;

WITNESSETH, that the Grantor does hereby convey and confirm in fee unto the said Grantee and its successors and assigns forever the premises situated in Gooding County, Idaho and more particularly described on Exhibit "A" annexed hereto and by this reference incorporated herein, excepting therefrom the premises situated in Gooding County, Idaho and more particularly described on Exhibit "B" annexed hereto and by this reference incorporated herein, together with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining thereto, including but not limited to, the water rights identified on Exhibit "C" annexed hereto and by this reference incorporated herein.

TO HAVE AND TO HOLD the above-described premises and parcel of land and granted real property unto Grantor and its successors and assigns forever, subject only to the exceptions set forth on Exhibit "D" annexed hereto and by this reference incorporated herein, and that Grantor shall warrant and defend the premises from all other lawful claims whatsoever.

The Grantor further warrants to the Grantee that he is lawfully seized of the above described real property in fee simple, that the same is free and clear of any and all encumbrances of every kind and description, except as herein specified, and that the Grantor has lawful right to convey the said real property.

[SIGNATURE PAGE FOLLOWS]

Instrument # 194645

GOODING, GOODING, IDAHO

2002-04-04

09:39:50 No. of Pages: 17

Recorded for : STATE OF IDAHO ATTORNEY GENERAL

HELEN EDWARDS

Fee: 51.00

Ex-Officio Recorder Deputy



DATED This 29th day of March, 2002.

AQUA LIFE, INC.

By: Kenneth Ellis
Kenneth Ellis, President

IDAHO STATE BUILDING AUTHORITY

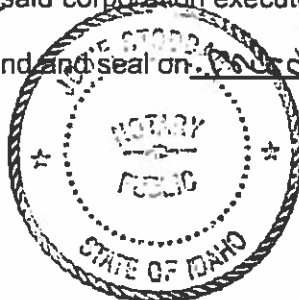
By: Patricia J. Story
Patricia J. Story, Chairman

By: Wayne V. Meuleman
Wayne V. Meuleman, Secretary

STATE OF IDAHO)
County of Ada) ss.

On this date before me, the undersigned notary public for such state, personally appeared KENNETH ELLIS, known or identified to me to be the person whose name is subscribed to the within instrument, and did acknowledged to me that he is the President of AquaLife, Inc., an Idaho corporation, and that the document was signed by him on behalf of said corporation and that the said corporation executed the same.

WITNESS my hand and seal on March 5, 2002.



Jodi Stoddard
NOTARY PUBLIC
Residing at: Bose ID
Commission expires: 1/28/03

STATE OF IDAHO)
County of _____) ss.

On this date before me, the undersigned, a Notary Public in and for said state, personally appeared PATRICIA J. STORY and WAYNE V. MEULEMAN, known or identified to me to be the Chairman and Secretary, respectively, of the Idaho State Building Authority, each of whom acknowledged to me that they executed the within Lease on behalf of the Idaho State Building Authority in their representative capacity.

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

WITNESS my hand and seal on 3/29/, 2002.

Kathy Hall
NOTARY PUBLIC
Residing at: BOISE
Commission expires: 10/20/02

A circular notary seal for Kathy Hall, Notary Public, State of Idaho. The seal features a star on the left and right sides of the circle.

Exhibit A

Parcel 1

A parcel of land located in the Northeast Quarter of Section 13, Township 7 South, Range 13 East, Boise Meridian, Gooding County, Idaho.

Commencing at the Northeast corner of said Section 13; Thence South 00°06'27" West, 1316.78 feet;

Thence North 89°56'58" West, 135.57 feet;

Thence South 10°29'56" East, 229.69 feet;

Thence South 09°26'13" East, 128.98 feet,

Thence South 02°44'59" East, 30.00 feet,

Thence North 74°35'21" West, 38.56 feet,

Thence North 25°48'31" West, 129.65 feet to the REAL POINT OF BEGINNING.

Thence South 74°07'40" West, 205.27 feet,

Thence South 02°19'11" West, 205.82 feet,

Thence South 25°14'04" West, 219.50 feet,

Thence South 04°50'15" West, 401.85 feet,

Thence North 75°44'14" West, 146.64 feet,

Thence North 75°22'14" West, 164.67 feet,

Thence North 78°19'14" West, 233.70 feet,

Thence North 03°36'14" West, 170.90 feet,

Thence North 22°30'46" East, 223.17 feet,

Thence North 46°51'37" East, 234.23 feet,

Thence North 27°10'44" East, 224.74 feet,

Thence North 49°40'41" East, 302.91 feet,

Thence North 79°08'34" East, 176.13 feet,

Thence South 25°48'31" East, 255.77 feet to the REAL POINT OF BEGINNING.

Parcel 2

A Parcel of Land located in the Northeast Quarter of Section 13, Township 7 South, Range 13 East, Boise Meridian, Gooding County Idaho described as follows:

Commencing at the Southeast corner of said Section 13; Thence North 00°06'27" East, 2633.56 feet along the East boundary of Section 13; thence North 89°57'12" West, 81.37 feet to the REAL POINT OF BEGINNING.

Thence North 89°57'12" West, 337.25 feet,

Thence North 10°28'05" West, 55.44 feet,

Thence South 32°55'58" East, 23.90 feet,

EXHIBIT A
(continued)

Thence North 87°09'18" East, 60.18 feet,
Thence North 57°54'32" East, 38.56 feet,
Thence South 83°49'58" East, 143.82 feet,
Thence South 66°33'03" East, 107.44 feet to the REAL POINT OF BEGINNING.

Parcel 3

A parcel of land located in the NE ¼, Section 13, Township 7 South, Range 13 East, Boise Meridian & Government Lots 2, 3 and 4 and the SW ¼, Section 18, Township 7 South, Range 14 East of the Boise Meridian, Gooding County, Idaho and Government Lot 1, Section 19, Township 7 South, Range 14 East, Boise Meridian, Gooding County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Section 18;
Thence North 00°06'27" East along the West boundary of Section 18 for a distance of 78.66 feet being the REAL POINT OF BEGINNING;

Thence continuing North 00°06'27" East along the West boundary of Government Lot 3 of Section 18 for a distance of 1784.90 feet to a point that is South 00°06'27" West 770.00 feet from the Northwest corner of Government Lot 3;

Thence North 00°06'27" East, 734.81 feet
Thence South 66°33'10" East, 85.93 feet
Thence South 19°26'13" East, 429.65 feet
Thence South 33°50'46" West, 174.97 feet
Thence South 11°16'42" East, 21.35 feet
Thence South 83°46'40" East, 360.89 feet
Thence North 04°39'15" West, 164.46 feet
Thence North 53°55'35" West, 145.97 feet
Thence North 34°55'15" East, 98.38 feet
Thence North 34°38'20" West, 117.70 feet
Thence North 06°35'41" East, 140.20 feet
Thence North 17°01'30" West, 92.53 feet
Thence North 66°10'48" West, 110.60 feet
Thence North 07°49'08" East, 58.06 feet
Thence North 33°16'05" East, 432.67 feet
Thence North 23°29'35" West, 7.56 feet
Thence North 86°36'46" West, 234.78 feet
Thence South 64°12'56" West, 200.94 feet
Thence South 64°27'51" West, 65.87 feet to a point on the West boundary line of Section 18
Thence South 64°27'51" West, 44.39 feet
Thence North 02°44'59" West, 639.54 feet
Thence North 09°26'13" West, 128.98 feet
Thence North 10°29'56" West, 229.69 feet
Thence North 89°56'58" West, 367.20 feet
Thence South 44°00'16" West, 310.04 feet

EXHIBIT A
(continued)

Thence South 31°52'32" West, 199.44 feet
Thence South 40°51'56" West, 230.96 feet
Thence South 69°42'25" West, 117.61 feet
Thence South 50°24'25" West, 322.28 feet
Thence North 39°24'35" West, 105.75 feet
Thence North 50°24'25" East, 130.00 feet
Thence North 00°07'35" West, 30.00 feet
Thence North 48°06'25" East, 559.40 feet
Thence North 56°51'25" East, 477.46 feet
Thence North 83°51'27" East, 11.94 feet
Thence North 89°51'16" East, 135.49 feet
Thence North 72°36'15", East, 92.17 feet
Thence South 80°50'22" East, 142.52 feet
Thence South 89°01'22" East, 108.12 feet
Thence South 00°06'27" West, 21.00 feet
Thence North 89°39'48" East, 1007.76 feet
Thence South 00°44'00" East, 2001.76 feet
Thence South 15°25'38" East, 299.56 feet;
Thence South 34°34'01" East, 449.40 feet;
Thence South 23°08'01" East, 251.77 feet;
Thence South 31°09'01" East, 307.73 feet;
Thence South 69°03'42" West, 860.62 feet;
Thence South 86°54'03" West, 150.09 feet;
Thence South 11°20'56" East, 49.63 feet;
Thence South 14°00'14" East, 447.35 feet to a point on the South boundary
of Section 18;
Thence South 14°00'14" East, 5.02 feet,
Thence South 13°43'07" East, 78.77 feet;
Thence South 45°19'32" East, 22.57 feet;
Thence South 81°07'26" East, 49.41 feet;
Thence North 77°25'05" East, 100.11 feet;
Thence South 72°04'24" East, 20.37 feet;
Thence South 22°14'32" West, 92.90 feet;
Thence South 43°24'58" West, 170.79 feet;
Thence South 30°42'47" West, 20.00 feet to a point on the North Right of Way Line of State
Highway 30;
Thence North 59°17'47" West, 312.83 feet to Highway Right of Way Marker Sta 32+00;
Thence North 45°38'51" West along the North Right of Way for State Highway 30, 127.44 feet;
Thence Northwest along Curve 3 on the North Right of Way of State Highway 30;
Δ 27°50'29"
LCB North 73° 12'28" West
Radius 1034.93 feet
Length 502.90 feet
Tangent 256.62 feet; to the REAL POINT OF BEGINNING.

Except a Parcel of Land described as follows:

EXHIBIT A
(continued)

Commencing at the Northwest corner of Section 18, Township 7 South, Range 14 East, Boise Meridian, Gooding County, Idaho. Thence South $00^{\circ}06'27''$ West, 1747.65 feet, to the REAL POINT OF BEGINNING.

Thence North $89^{\circ}14'58''$ East, 307.07 feet,
Thence South $25^{\circ}12'11''$ East, 272.96 feet,
Thence South $86^{\circ}47'58''$ West, 374.00 feet,
Thence North $14^{\circ}52'02''$ West, 272.70 feet,
Thence North $89^{\circ}14'58''$ East, 20.11 feet to the REAL POINT OF BEGINNING.

EXHIBIT B

Excepted Property

A&G, L.L.C. Parcels

Parcel No. 5:

Lot 13 of NORWOOD SUBDIVISION, Gooding County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of said County.

Parcel No. 6:

Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho

Section 13: A tract of land in the South one-half of the Northeast Quarter, described as follows:

COMMENCING at the Northwest corner of said South one-half of the Northeast Quarter;
Thence North 89°23' East, 955.00 feet;
Thence South 2°10' East, 1350.48 feet;
Thence East, 1014.23 feet;
Thence North 50.20 feet;
Thence North 10°11' West, 200.00 feet to the TRUE POINT OF BEGINNING;
Thence North 75°41' West, 164.67 feet;
Thence North 78°38' West, 233.70 feet;
Thence North 3°55' West, 170.90 feet;
Thence North 22°12' East, 223.17 feet;
Thence South 60°42' East, 294.00 feet;
Thence South 10°33' East, 325.53 feet to the TRUE POINT OF BEGINNING.

Parcel No. 7:

Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho

Section 13: That part of the Southeast Quarter of the Northeast Quarter,
described as follows:

COMMENCING at the Northeast corner of said Section 13;
Thence South $0^{\circ}06'27''$ West along the East boundary of Section 13 for a distance of 2633.56 feet to the East quarter corner of said Section 13;
Thence North $89^{\circ}57'12''$ West along the South boundary of the Northeast quarter of Section 13 for a distance of 81.37 feet to the center of Billingsley Creek and being the TRUE POINT OF BEGINNING;
Thence North $89^{\circ}57'12''$ West along the South boundary of the Northeast quarter of Section 13 for a distance of 337.25 feet, more or less, to a point that lies South $89^{\circ}57'12''$ East, 183.61 feet from the Southeast corner of Lot 15 Norwood Subdivision;
Thence North $10^{\circ}28'05''$ West for a distance of 55.44 feet to the center of Billingsley Creek;
Thence along the center of Billingsley Creek on the following courses and distances:
 South $32^{\circ}55'58''$ East 23.90 feet;
 North $87^{\circ}09'18''$ East 60.18 feet;
 North $57^{\circ}54'32''$ East 38.56 feet;
 South $83^{\circ}49'58''$ East 143.82 feet;
Thence South $66^{\circ}33'10''$ East 107.44 feet to the TRUE POINT OF BEGINNING.

AND

Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho

Section 13: That part of the South one-half of the Northeast Quarter, described as follows:

COMMENCING at the Northeast corner of said Section 13;
Thence South $0^{\circ}06'27''$ West along the East boundary of said Section 13 for a distance of 1316.78 feet to the Southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 13 and being the TRUE POINT OF BEGINNING;
Thence South $0^{\circ}06'27''$ West along the East boundary of Section 13 for a distance of 430.87 feet to a point on the Northerly boundary of that certain piece of property deeded to Elwood D. Grimes and Mary A. Grimes, by Warranty Deed dated November 4, 1971, recorded

October 10, 1972 as Instrument No. 42280, and later recorded by correction Warranty Deed dated October 8, 1975, recorded November 17, 1976 as Instrument No. 62005, Gooding County records;

Thence South $89^{\circ}14'58''$ West, measured (South $89^{\circ}13'$ West recorded), along the Northerly boundary of the Grimes property for a distance of 20.11 feet to the Northwest corner of the Grimes property;

Thence South $14^{\circ}52'02''$ East, measured (South $14^{\circ}54'$ East, recorded), along the Westerly boundary of the Grimes property for a distance of 77.80 feet to a point on the East boundary of Section 13;

Thence South $0^{\circ}06'27''$ West along the East boundary of Section 13 for a distance of 466.27 feet;

Thence South $64^{\circ}28'42''$ West 44.49 feet;

Thence North $2^{\circ}44'59''$ West 639.54 feet;

Thence North $9^{\circ}26'13''$ West 128.98 feet;

Thence North $10^{\circ}29'56''$ West, 229.69 feet to a point on the North boundary of the Southeast Quarter of the Northeast Quarter of said Section 13, said point lies North $89^{\circ}56'58''$ West, 135.57 feet from the Northeast corner of the Southeast Quarter of the Northeast Quarter;

Thence North $89^{\circ}56'58''$ West along the North boundary of the Southeast Quarter of the Northeast Quarter of Section 13 for a distance of 367.20 feet;

Thence South $44^{\circ}00'16''$ West for a distance of 310.04 feet;

Thence South $31^{\circ}52'32''$ West for a distance of 199.44 feet to the Northeast corner of Norwood Drive of Norwood Subdivision;

Thence along the Northerly boundary of Norwood Drive of Norwood Subdivision the following courses and distances:

South $40^{\circ}51'56''$ West 230.96 feet;

South $69^{\circ}42'25''$ West 117.61 feet;

South $50^{\circ}24'25''$ West 322.28 feet to the Northwest corner of Norwood Drive;

Thence North $39^{\circ}24'35''$ West along the Easterly boundary of Norwood Road of Norwood Subdivision for a distance of 105.75 feet;

Thence North $50^{\circ}24'25''$ East along the Southerly boundary of an access road of Norwood Subdivision for a distance of 130.0 feet;

Thence North $0^{\circ}07'35''$ West along the Easterly boundary of an access road of Norwood Subdivision for a distance of 30.0 feet to the Southwest corner of Lot 1 of Norwood Subdivision;

Thence North 48°06'25" East along the Southerly boundary of Lot 1 of Norwood Subdivision for a distance of 559.4 feet to the Northeast corner of Lot 1 of Norwood Subdivision, said point also being the Southeast corner of that certain piece of property deeded to A. Arthur Allen, Jr. and June Audrey Allen by Warranty Deed dated October 9, 1973, recorded December 21, 1978, as Instrument No. 73847, Gooding County records;
Thence North 56°51'25" East along the Southerly boundary of the Arthur Allen property for a distance of 448.38 feet to a point of the North boundary of the Southeast Quarter of the Northeast Quarter;
Thence South 89°56'58" East along the North boundary of the Southeast Quarter of the Northeast Quarter 508.31 feet to the TRUE POINT OF BEGINNING.

AND

Section 13: That part of the South one-half of the Northeast Quarter, described as follows:

COMMENCING at the Northeast corner of said Section 13;
Thence South 0°06'27" West along the East boundary of Section 13 for a distance of 2633.56 feet to the East quarter corner of Section 13;
Thence North 89°57'12" West along the South boundary of the Northeast Quarter of Section 13 for a distance of 418.62 feet, more or less, to a point that lies South 89°57'12" East, 183.61 feet from the Southeast corner of Lot 15 of Norwood Subdivision;
Thence North 10°28'05" West for distance of 55.44 feet to the center of Billingsley Creek;
Thence North 6°51'19" West along the center of Billingsley Creek for a distance of 95.08 feet;
Thence North 56°59'00" West along the center of Billingsley Creek for a distance of 42.61 feet;
Thence North 44°33'07" West along the center of Billingsley Creek for a distance of 28.98 feet;
Thence North 4°50'16" East along the center of Billingsley Creek for a distance of 6.89 feet to the Northeast corner of that certain piece of property deeded to Marvin L. Foss and Martha L. Foss, husband and wife, dated November __, 1997, recorded December 12, 1977 as Instrument No. 67719, records of Gooding County, Idaho, the TRUE POINT OF BEGINNING;
Thence North 75°44'14" West, measured (North 75°41' West, recorded), for a distance of 146.64 feet measured (182.59 feet recorded), to the Northeast corner of lot 14 of Norwood Subdivision;
Thence North 10°14'14" West along the Easterly boundary of Norwood Subdivision for distance of 534.30 feet;

Thence North 25°27'41" West along the Easterly boundary of Norwood Subdivision for a distance of 110.75 feet to the Northeast corner of Lot 13 of Norwood Subdivision;
Thence North 27°10'44" East, 224.74 feet;
Thence North 49°40'41" East, 302.91 feet;
Thence North 79°08'34" East, 176.13 feet;
Thence South 25°48'31" East, 255.77 feet;
Thence South 74°07'40" West 205.27 feet to the center of Billingsley Creek;
Thence along the center of Billingsley Creek on the following courses and distances:
 South 2°19'11" West 205.82 feet;
 South 25°14'04" West, 219.50 feet;
Thence South 4°50'16" West, 401.86 feet to the TRUE POINT OF BEGINNING.

Parcel No. 8:

Township 7 South, Range 14 East of the Boise Meridian, Gooding County, Idaho

Section 18: That part of Government Lots 2 and 3 described as follows:

COMMENCING at the Northwest corner of said Section 18;
Thence South 0°06'27" West along the West boundary of Section 18 for a distance of 1316.78 feet to the Northwest corner of Government Lot 2 and being the TRUE POINT OF BEGINNING;
Thence North 89°39'48" East along the North boundary of Government Lot 2 for distance of 1007.76 feet to the Northeast corner of Government Lot 2;
Thence South 0°44'00" East along the Easterly boundary of Government Lots 2 and 3 for distance of 2087.41 feet to a point located South 0°44'00" East, 770.00 feet from the Northeast corner of Government Lot 3;
Thence South 89°41'57" West parallel with the North boundary of Government Lot 3 for a distance of 1038.38 feet to a point on the West boundary of Section 18;
Thence North 0°06'27" East along the West boundary of Section 18 for a distance of 734.81 feet to the center of Billingsley Creek, said point lies South 0°06'27" West, 35.20 feet from the West quarter corner of said Section 18;
Thence along the center of Billingsley Creek the following courses and distances:
 South 66°33'10" East, 86.03 feet;
 South 19°26'13" East, 429.65 feet;
 South 33°50'46" West, 174.97 feet;
 South 11°16'42" East, 21.35 feet;
Thence leaving the centerline of Billingsley Creek South 83°46'40" East 360.89 feet;
Thence North 4°39'15" West, 164.46 feet;

Thence North 53°55'35" West, 145.97 feet;
Thence North 34°55'15" East, 98.38 feet;
Thence North 34°38'20" West, 117.70 feet;
Thence North 6°35'41" East, 140.20 feet;
Thence North 17°01'30" West, 92.53 feet;
Thence North 66°10'48" West, 110.60 feet;
Thence North 7°49'08" East, 58.06 feet;
Thence North 33°16'05" East, 432.67 feet;
Thence North 23°29'35" West, 7.56 feet;
Thence North 86°36'46" West 234.78 feet;
Thence South 64°12'56" West, 200.94 feet;
Thence South 64°28'42" West, 65.86 feet to a point on the West boundary of Government Lot 2;

Thence North 0°06'27" East along the West boundary of Government Lot 2 for a distance of 466.27 feet to a point on the West boundary of that certain piece of property deeded to Elwood D. Grimes and Mary A. Grimes by Warranty Deed dated November 4, 1971, recorded October 10, 1972, as Instrument No. 42280, and later corrected by Correction Warranty Deed dated October 8, 1975, recorded November 17, 1976 as Instrument No. 62005, Gooding County records;

Thence South 14°52'02" East, measured (South 14°54' East recorded), along the West boundary of Grimes property for a distance of 194.90 feet to the Southwest corner of the Grimes property;

Thence North 86°47'58" East, measured (North 86°46' East recorded) along the South boundary of the Grimes property for a distance of 374.00 feet the Southeast corner of the Grimes property;

Thence North 25°12'11" West, measured (North 25°14' West recorded) along the East boundary of Grimes property for a distance of 272.96 feet, measured (273.00 feet recorded) to the Northeast corner of the Grimes property;

Thence South 89°14'58" West, measured (South 89°13' West recorded), along the North boundary of Grimes property for a distance of 307.07 feet to a point on the West boundary of Government Lot 2;

Thence North 0°06'27" East along the West boundary of Government Lot 2 for a distance of 430.87 feet to the TRUE POINT OF BEGINNING.

Parcel No. 9:

Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho

Section 13: All that part of the Northeast Quarter of the Northeast Quarter,
described as follows:

COMMENCING at the Southeast corner of the Northeast Quarter of the Northeast Quarter of
said Section 13 and being the TRUE POINT OF BEGINNING;

Thence North 89°56'58" West along the South Boundary of the Northeast Quarter of the
Northeast Quarter of said Section 13 for distance of 508.31 feet;

Thence North 56°51'25" East for a distance of 29.06 feet to a point on the existing fence line;
Thence along the existing fence line on the following courses:

North 83°51'27" East, 12.05 feet;

North 89°51'16" East, 135.49 feet;

North 72°36'15" East, 92.17 feet;

South 80°50'22" East, 142.52 feet;

South 89°01'22" East, 108.12 feet to a point on the East boundary of the Northeast Quarter of
the Northeast Quarter of said Section 13;

Thence South 0°06'27" West along the East boundary of the Northeast Quarter of the
Northeast Quarter of said Section 13 for a distance of 21.0 feet to the Southeast corner of the
Northeast Quarter of the Northeast Quarter of said Section 13, and being THE TRUE
POINT OF BEGINNING.

TOGETHER WITH a perpetual nonexclusive easement and right-of-way for ingress and
egress over a portion of the Southeast Quarter of the Northeast Quarter, described as follows:

Beginning at the Northeast corner of Section 13;

Thence South 0°06'27" West, 1316.78 feet to the Northeast corner of the Southeast Quarter of
the Northeast Quarter;

Thence North 89°56'58" West, 135.57 feet along the Northerly boundary of the Southeast
Quarter of the Northeast Quarter to the TRUE POINT OF BEGINNING;

Thence North 89°56'58" West, 367.20 feet along said Northerly boundary;

Thence South 44°00'16" West, 310.04 feet;

Thence South 31°52'32" West, 199.44 feet;

Thence South 32°58'54" East, 74.96 feet to the Northeast corner of Lot 13 of the "Norwood
Subdivision";

Thence North 27°10'44" East, 224.74 feet along the Southerly boundary of said Access
Easement;

Thence North 49°40'41" East, 302.91 feet;
Thence North 79°08'34" East, 176.13 feet;
Thence South 25°48'31" East, 385.42 feet;
Thence South 74°35'21" East, 38.56 feet;
Thence North 2°44'59" West, 30.00 feet;
Thence North 9°26'13" West, 128.98 feet;
Thence North 10°29'56" West, 229.69 feet to the TRUE POINT OF BEGINNING.

EXHIBIT C

Aqua Life Water Rights as per IDWR records

Record No.	Source	Priority Date	Basis	Use
36-4011	Billingsley Creek	12/01/1965	Statutory Claim	Fish Propagation
36-2734	Billingsley Creek	10/05/1965	License	Fish Propagation
36-15476	Billingsley Creek	06/01/1954	Beneficial Use	Aesthetic, Recreation, Wildlife
36-2414	Tupper Springs	12/21/1959	License	Fish Propagation
36-2338	Big Springs	08/05/1954	License	Fish Propagation

EXHIBIT D

Exceptions

1. Power Line Easement, and the Terms and Conditions thereof in favor of Idaho Power Company, a corporation recorded November 22, 1930 as Instrument No. 51352 in Book 3 of Miscellaneous at Page 359.
2. Power line easement granted to Idaho Power Company, a corporation recorded November 12, 1941 in Book 4 of Miscellaneous, Page 630 as Instrument No. 81948, records of Gooding County, Idaho.
3. Right-of-way granted to Mountain States Telephone and Telegraph Company recorded February 9, 1953 in Book 7 of Miscellaneous, Page 188, as Instrument No. 120394, records of Gooding County, Idaho.
4. Right-of-way granted to Mountain States Telephone and Telegraph Company recorded February 9, 1953 in Book 7 of Miscellaneous, Page 193, as Instrument No. 120407, records of Gooding County, Idaho.
5. Power line easement granted to Idaho Power Company, a corporation recorded May 29, 1953 in Book 7 of Miscellaneous, Page 247 as Instrument No. 121492, records of Gooding County, Idaho.
6. Agreement and the terms, conditions and provisions contained therein, between Vardis Fisher and Opal Fisher, Husband and Wife and the City of Hagerman for the purpose of receiving and using water from certain springs dated September 12, 1957, recorded October 1, 1957, as Instrument No. 133305 in Book 6 of Miscellaneous at Page 289, records of Gooding County, Idaho.
7. Easements and restrictions contained in Warranty Deed given by Virgil U. Norwood and Ardith Norwood, husband and wife, to Herbert L. Maske, dated August 9, 1960, recorded October 25, 1960 in Book 48 Page 451 as Instrument No. 141996, records of Gooding County, Idaho.
8. Covenants, conditions, restrictions and easements contained in deed to the State of Idaho, recorded November 29, 1961 as Instrument No. 2859, records of Gooding County, Idaho.
9. Covenants, conditions, restrictions and easements contained in deed to the State of Idaho, recorded December 12, as Instrument No. 6401, records of Gooding County, Idaho.
10. Power line easement granted to Idaho Power Company, a corporation recorded March 19, 1963 as Instrument No. 7519.
11. Power line easement granted to Idaho Power Company recorded June 10, 1963 as Instrument No. 8247.
12. Terms and conditions of an Agreement by and between Virgil U. Norwood and Ardith Norwood, Husband and Wife, first party, and Herbert L. Maske and Thelma W. Maske, Husband and Wife, second party, dated July 23, 1964, recorded October 7, 1964 as Instrument No. 12578, records of Gooding County, Idaho, pertaining to the rights and use of appropriate waters of a spring.
13. Power line easement granted to Idaho Power Company, a corporation recorded March 1, 1966 as Instrument No. 17499.

14. Easement for roadway easement and right of way for ingress and egress granted to Vardis Fisher and Opal Fisher, Husband and Wife recorded March 7, 1968 as Instrument No. 24549, records of Gooding County, Idaho.
15. Easement for roadway easement and right of way for ingress and egress granted to Vardis Fisher and Opal Fisher, Husband and Wife recorded March 7, 1968 as Instrument No. 24550, records of Gooding County, Idaho.
16. Easement for roadway easement and right of way for ingress and egress granted to Vardis Fisher and Opal Fisher, Husband and Wife recorded March 7, 1968 as Instrument No. 24551, records of Gooding County, Idaho.
17. Power line easement granted to Idaho Power Company, a corporation recorded January 17, 1972 as Instrument No. 38669.
18. Covenants, Conditions and Restrictions recorded June 15, 1972, as Instrument No. 40847, records of Gooding County, Idaho.
19. Easement for road right of way set forth in Warranty Deed given by Virgil U. Norwood and Ardith M. Norwood to Elwood D. Grimes and Mary A. Grimes, recorded October 10, 1972 as Instrument No. 42280
20. Subject to an easement for ingress and egress as set forth in Decree Determining Surviving Spouse as sole Beneficiary, in favor of Elwood D. Grimes, recorded June 24, 1976 as Instrument No. 60138.
21. Easement contained in Warranty Deed given by Virgil U. Norwood and Ardith M. Norwood, husband and wife, to Elwood D. Grimes, a widower, dated October 8, 1975, recorded November 17, 1976 as Instrument No. 62005, records of Gooding County, Idaho.
22. Sewer Line Easement for installing, constructing and maintaining a septic tank granted to Arthur Allen and June Allen, husband and wife recorded November 10, 1977 as Instrument No. 67317, records of Gooding County, Idaho.
23. Power line easement granted to Idaho Power Company, a corporation recorded February 13, 1980 as Instrument No. 81419.
24. Power line easement granted to Idaho Power Company, a corporation recorded February 13, 1980 as Instrument No. 81420.
25. Easement for easement and right of way for a public road granted to County of Gooding, State of Idaho recorded August 7, 1989 as Instrument No. 137524, records of Gooding County, Idaho.