

RECEIVED

APR 29 2016

Form 42-248(42-1409(6)) Rev. 1/15

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT OF WATER RESOURCES
SOUTHERN REGION

Notice of Change in Water Right Ownership

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

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
43-2471	Yes ☐	Yes ☐	43-2504	Yes ☐	Yes ☐
43-2472	Yes ☐	Yes ☐	43-2505	Yes ☐	Yes ☐
43-2475	Yes ☐	Yes ☐	43-2516	Yes ☐	Yes ☐
43-2488	Yes ☐	Yes ☐	43-2517	Yes ☐	Yes ☐
43-2489	Yes ☐	Yes ☐	43-2519	Yes ☐	Yes ☐

2. Previous Owner's Name: Lance Funk and Lisa Funk
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Eagle Creek Northwest LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|---|------------------------------|-----------|--------------|
| <u>PO Box 53, 1314 12th Ave So, Suite 5</u> | <u>Nampa</u> | <u>ID</u> | <u>83653</u> |
| Mailing address | City | State | ZIP |
| <u>(208) 466-0419</u> | <u>charles.bryan@ubs.com</u> | | |
| Telephone | Email | | |
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: January 7, 2016
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 # 43-2471

8. Signature: Charles W Bryan, Jr, Vice President April 27, 2016
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by AM Date 4-29-2016 Receipt No. 5035428 Receipt Amt. \$475-

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 _____

RECEIVED

APR 29 2016

Form 42-248/42-1409(6) Rev. 1/15

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT OF WATER RESOURCES
SOUTHERN REGION

Notice of Change in Water Right Ownership

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

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
43-2575	Yes ☐	Yes ☐	43-13577	Yes ☐	Yes ☐
43-4199	Yes ☐	Yes ☐	43-13578	Yes ☐	Yes ☐
43-10399	Yes ☐	Yes ☐	43-13603	Yes ☐	Yes ☐
43-13351	Yes ☐	Yes ☐	43-13604	Yes ☐	Yes ☐
43-13352	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Lance Funk and Lisa Funk
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Eagle Creek Northwest LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 53, 1314 12th Ave So, Suite 5 Nampa ID 83653
Mailing address City State ZIP
- (208) 466-0419 charles.bryan@ubs.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: January 7, 2016
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):
 o \$25 per undivided water right.
 o \$100 per split water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9

8. Signature: Charles W Bryan, Jr. Charles W Bryan, Jr, Vice President April 27, 2016
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by DM Date 4-29-2016 Receipt No. S035428 Receipt Amt. \$475-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

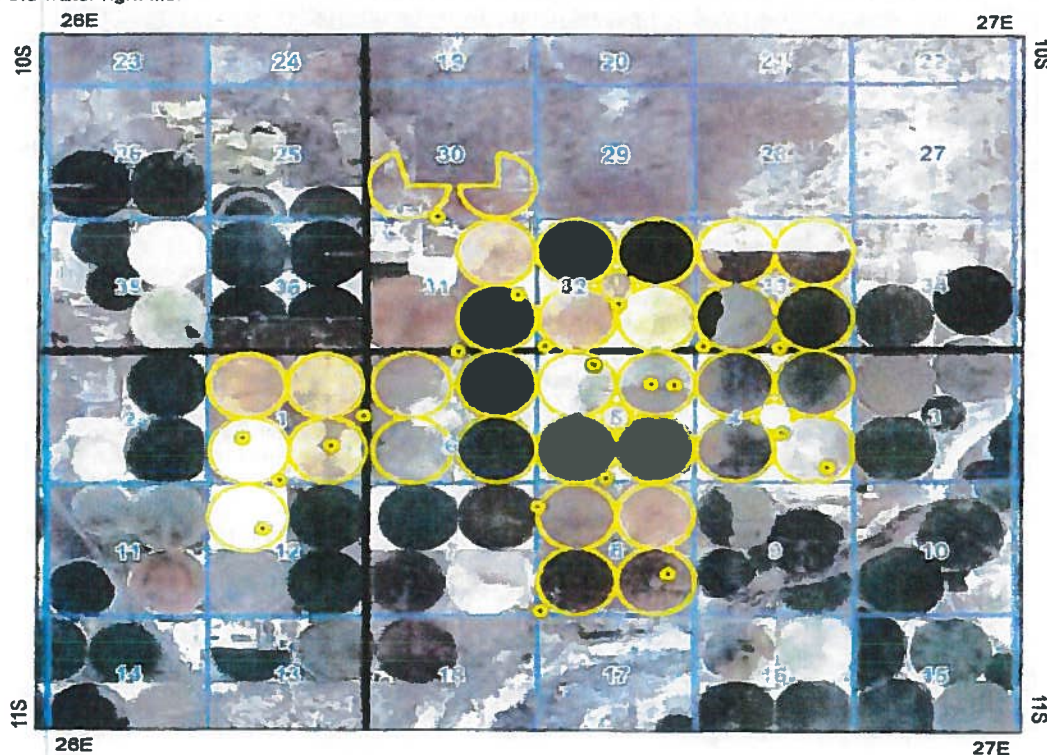
Name on W-9 _____ Approved by _____ Processed by _____ Date _____

Water Right Summary

State of Idaho
Department of Water ResourcesWater Right
43-2471

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



0 0.5 1 2 Miles

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

Map produced on October 07, 2015



Water Right Summary

Water Right Report

Page 4 of 5

- Rights 43-2471, 43-2472, and 43-4199 when combined shall not exceed a total diversion rate of 13.0 cfs, a total annual maximum diversion volume of 3312.0 af at the field headgate.
3. Rights 43-2471, 43-2472, 43-2475, 43-4199, and 43-13577 when combined shall not exceed a total diversion rate of 25.58 cfs, a total annual maximum diversion volume of 5296.0 af at the field headgate, and the irrigation of 1324 acres.
4. Rights 43-2471, 43-2472, 43-2475, 43-2488, 43-2489, 43-2504, 43-2505, 43-2516, 43-2517, 43-2519, 43-2575, 43-4199, 43-13351, 43-13352, 43-13577, and 43-13603 when combined shall not exceed a total diversion rate of 71.38 cfs, a total annual maximum diversion volume of 16419.6 af at the field headgate, and the irrigation of 4128.8 acres.
5. X35 Rights 43-2471, 43-2472, 43-2475, 43-2488, 43-2489, 43-2504, 43-2505, 43-2516, 43-2517, 43-2519, 43-2575, 43-4199, 43-13351, 43-13352, 43-13577, 43-13578, 43-13603, and 43-13604 when combined shall not exceed a total diversion rate of 73.29 cfs, a total annual maximum diversion volume of 16997.7 af at the field headgate, and the irrigation of 4292.8 acres.
6. 206 Rights 43-2471, 43-2472, 43-2475, 43-2488, 43-2489, 43-2504, 43-2505, 43-2516, 43-2517, 43-2519, 43-2575, 43-4199, 43-13351, 43-13352, 43-13577, 43-13578, 43-13603, and 43-13604 are limited to the irrigation of a specific 4292.8 acres within the 5456.5 acre place of use authorized by this right in a single irrigation season. The specific 4292.8 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 4292.8 acres to be irrigated within the 5456.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
7. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. D46 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
10. T07 The right holder shall accomplish the change authorized by this transfer within two years of the date of this approval.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 05/04/2004

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?BasinNumber=43&Sequen...> 10/7/2015

CASSIA COUNTY
RECORDED FOR:
FIRST AMERICAN TITLE - BURLEY
10:37:36 AM 01-07-2016
2016-000081
NO. PAGES: 8 FEE: \$31.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
Electronically Recorded by Simplifile

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
223 North 15th Avenue
Pocatello, ID 83201

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **564046-P (d)**

Date: **December 31, 2015**

For Value Received, **Lance D. Funk and Lisa I. Funk, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Eagle Creek Northwest LLC**, hereinafter called the Grantee, whose current address is **c/o UBS AgriVest LLC, PO Box 53, 1314 12th Ave So, Ste 5, Nampa, ID 83653**, the following described premises, situated in Cassia County, Idaho, to-wit:

PARCEL NO. 1:
TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 30: Lots 2, 3, and 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPTING Part of Lot 4 of Section 30, described as follows:

Beginning at the Southwest corner of Lot 4 of said Section 30, which shall be the True Point of Beginning;

Thence North 0°01' West for 208.71 feet along the Section line to a point;

Thence South 89°55' East for 208.71 feet to a point;

Thence South 0°01' East for 208.71 feet to a point on the Section line;

Thence North 89°55' West for 208.71 feet to the True Point of Beginning.

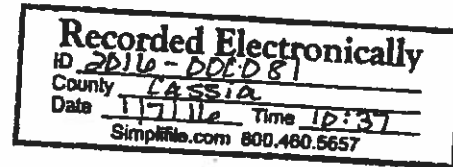
ALSO EXCEPTING THEREFROM the following described tract:

Beginning at the Southwest corner of said Section 30, Station 61+67.712, 1.990 meters (6.53 feet) right of said Project center line; thence North 89°37'26" East along the South boundary of said Section 30 for a distance of 63.505 meters (208.35 feet), Station 62+31.217, 2.108 meters (6.92 feet) right of said Project centerline and being the True Point of Beginning;

Thence North 89°37'26" East along the South boundary of said Section 30 for a distance of 862.684 meters (2830.32 feet) to the S $\frac{1}{4}$ corner of said Section 30, Station 70+93.909, 3.699 meters (12.14 feet) right of said Project centerline;

Thence North 89°35'47" East along the South boundary of said Section 30 for a distance of 807.070 meters (2647.86 feet) to the Southeast corner of said Section 30, Station 79+00.978, 2.754 meters (9.04 feet) right of said Project centerline;

Thence North 00°28'50" West along the East boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 30 for a distance of 14.946 meters (49.04 feet), Station 79+00.941, 12.192 meters (40.00 feet) left of said Project centerline;



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
223 North 15th Avenue
Pocatello, ID 83201

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 564046-P (ci)

Date: December 31, 2015

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TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 30: Lots 2, 3, and 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPTING Part of Lot 4 of Section 30, described as follows:

Beginning at the Southwest corner of Lot 4 of said Section 30, which shall be the True Point of Beginning;

Thence North 0°01' West for 208.71 feet along the Section line to a point;

Thence South 89°55' East for 208.71 feet to a point;

Thence South 0°01' East for 208.71 feet to a point on the Section line;

Thence North 89°55' West for 208.71 feet to the True Point of Beginning.

ALSO EXCEPTING THEREFROM the following described tract:

Beginning at the Southwest corner of said Section 30, Station 61+67.712, 1.990 meters (6.53 feet) right of said Project center line; thence North 89°37'26" East along the South boundary of said Section 30 for a distance of 63.505 meters (208.35 feet), Station 62+31.217, 2.108 meters (6.92 feet) right of said Project centerline and being the True Point of Beginning;

Thence North 89°37'26" East along the South boundary of said Section 30 for a distance of 862.684 meters (2830.32 feet) to the S $\frac{1}{4}$ corner of said Section 30, Station 70+93.909, 3.699 meters (12.14 feet) right of said Project centerline;

Thence North 89°35'47" East along the South boundary of said Section 30 for a distance of 807.070 meters (2647.86 feet) to the Southeast corner of said Section 30, Station 79+00.978, 2.754 meters (9.04 feet) right of said Project centerline;

Thence North 00°28'50" West along the East boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 30 for a distance of 14.946 meters (49.04 feet), Station 79+00.941, 12.192 meters (40.00 feet) left of said Project centerline;

Thence South 89°39'48" West and being parallel with the centerline of said Project for a distance of 807.063 meters (2647.84 feet) to a point on the West boundary of the SE¼ of said Section 30, Station 70+93.910, 12.192 (40.00 feet) left of said Project centerline;
Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 553.910 meters (1817.29 feet), Station 65+40.000, 12.192 (40.00 feet) left of said Project centerline;
Thence North 00°28'55" West for a distance of 1.524 meters (5.00 feet), Station 65+40.000, 13.716 (45.00 feet) left of said Project centerline;
Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 308.773 meters (1013.03 feet), Station 62+31.227, 13.716 (45.00 feet) left of said Project centerline;
Thence South 00°26'47" East for a distance of 15.824 meters (51.92 feet) to the True Point of Beginning.

PARCEL NO. 2:
TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: NE¼, NE¼NW¼, Lots 1 and 2

LESS, part of Lot 1 and Lot 2 of said Section 31, described as follows:

Beginning at the Southwest corner of Lot 2 of said Section 31, which shall be the True Point of Beginning;
Thence North 0°01' West along section line for 1617.50 feet to a point;
Thence South 89°54' East for 1394.28 feet to a point;
Thence South 0°01'30" East for 1617.50 feet to a point on the South line of Lot 2;
Thence North 89°54'30" West along said South line for 1395.0 feet to the True Point of Beginning.

ALSO EXCEPTING THEREFROM the following described tract:

Beginning at the Northwest corner of said Section 31, Station 61+67.712, 1.990 meters (6.53 feet) right of said Project centerline;
Thence North 89°37'26" East along the North boundary of said Section 31 for a distance of 926.189 meters (3038.67 feet) to the N¼ corner of said Section 31, Station 70+93.909, 3.699 meters (12.14 feet) right of said Project centerline;
Thence North 89°35'47" East along the North boundary of said Section 31 for a distance of 807.070 meters (2647.86 feet) to the Northeast corner of said Section 31, Station 79+00.978, 2.754 meters (9.04 feet) right of said Project centerline;
Thence South 00°32'10" East along the East boundary of the NE¼ of said Section for a distance of 9.438 meters (30.97 feet), Station 79+01.011, 12.192 meters (40.00 feet) right of said Project centerline;
Thence South 89°39'48" West and being parallel with the centerline of said Project for a distance of 807.105 meters (2647.98 feet) to a point on the West boundary of the NE¼ of said Section 31, Station 70+93.876, 12.192 (40.00 feet) right of said Project centerline;
Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 553.876 meters (1817.17 feet), Station 65+40.000, 12.192 (40.00 feet) right of said Project centerline;
Thence South 00°28'55" East for a distance of 1.524 meters (5.00 feet), Station 65+40.000, 13.716 (45.00 feet) right of said Project centerline;
Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 280.000 meters (918.63 feet), Station 62+60.000, 13.716 (45.00 feet) right of said Project centerline;
Thence North 00°28'55" West for a distance of 1.524 meters (5.00 feet), Station 62+60.000, 12.192 (40.00 feet) right of said Project centerline;
Thence South 89°31'05" West and being parallel with the centerline of said Project for a

distance of 92.290 meters (302.79 feet) to a point on the West boundary of Government Lot 1 of said Section 31, Station 61+67.714, 12.192 (40.00 feet) right of said Project centerline; Thence North 00°28'14" West along the West boundary of Government Lot 1 for a distance of 10.202 meters (33.47 feet) to the Northwest corner of said Section 31 and being the Point of Beginning.

PARCEL NO. 3:
TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: SE¼

PARCEL NO. 4:
TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: SE¼NW¼, SAVE AND EXCEPT, the following described parcel:

Beginning at the W¼ section corner of said Section 31, said corner marked by a US BLM aluminum pipe with a cap; Thence South 89°55'11" East along the South line of the NW¼ of Section 31 for a distance of 1394.26 feet to the Point of Beginning;
Thence North 00°00'00" East for a distance of 1365.91 feet;
Thence South 89°51'32" East for a distance of 28.52 feet to a ½ inch rebar;
Thence South 00°09'35" East for a distance of 978.70 feet to a ½ inch rebar;
Thence along a non-tangent curve to the right for a distance of 1222.71 feet to a ½ inch rebar on the South line of the NW¼, said curve having a radius of 1531.45 feet and a central angle of 45°44'41" and a long chord bearing South 70°56'23" East for a distance of 1190.49 feet;
Thence North 89°55'11" West along the South line of the NW¼ for a distance of 1156.47 feet to the Point of Beginning.

PARCEL NO. 5:
TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 32: N½

EXCEPTING THEREFROM the following described tracts:

Tract No. 1:
Beginning at the Northwest corner of said Section 32, Station 79+00.978, 2.754 meters (9.04 feet) right of said Project centerline;
Thence North 89°45'08" East along the North boundary of said Section 32 for a distance of 808.396 meters (2652.22 feet) to the N¼ corner of said Section 32, Station 87+09.374, 4.006 meters (13.14 feet) right of said Project centerline;
Thence North 89°37'03" East along the North boundary of said Section 32 for a distance of 493.668 meters (1619.64 feet), Station 92+03.095, 0.628 meters (2.06 feet) left of said Project centerline;
Thence South 00°20'12" East for a distance of 13.201 meters (43.31 feet), Station 92+03.095, 12.573 (41.25 feet) right of said Project centerline;
Thence South 89°39'48" West for a distance of 163.383 meters (536.03 feet), Station 90+40.000, 16.165 (53.03 feet) right of said Project centerline;
Thence North 00°51'22" East for a distance of 4.620 meters (15.16 feet), Station 90+40.00,

11.545 (37.88 feet) right of said Project centerline;
Thence South 89°39'48" West for a distance of 330.355 meters (1083.84 feet) to a point on the West boundary of the NE¼ of said Section 32, Station 87+09.400, 12.192 (40.00 feet) right of said Project centerline;
Thence South 89°39'48" West and being parallel with the centerline of said Project for a distance of 808.389 meters (2652.19 feet) to a point on the West boundary of the NW¼ of said Section 32, Station 79+01.011, 12.192 (40.00 feet) right of said Project centerline;
Thence North 00°32'10" West along the West boundary of NW¼ of said Section 32 for a distance of 9.438 meters (30.97 feet) to the Northwest corner of said Section 32 and being the Point of Beginning.

Tract No. 2

All that portion deeded to the Burley Highway District for highway purposes as disclosed by Warranty Deed, by and between Wood River Investments, L.L.C., an Idaho limited liability company, as Grantor and Burley Highway District, a body corporate and politic, as Grantee, dated July 8, 2005 and recorded September 20, 2007 as Instrument No. 2007-318345, records of Cassia County, Idaho.

PARCEL NO. 6:

**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 32: S½, SAVE AND EXCEPT that portion deeded to the Burley Highway District for highway purposes as disclosed by Warranty Deed, by and between Wood River Investments, L.L.C., an Idaho limited liability company, as Grantor and Burley Highway District, a body corporate and politic, as Grantee, dated July 8, 2005 and recorded September 20, 2007 as Instrument No. 2007-318345, records of Cassia County, Idaho.

PARCEL NO. 7:

**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 33: N½N½, SAVE AND EXCEPT that portion deeded to the Burley Highway District for highway purposes as disclosed by Warranty Deed, by and between Wood River Investments, L.L.C., an Idaho limited liability company, as Grantor and Burley Highway District, a body corporate and politic, as Grantee, dated July 8, 2005 and recorded September 20, 2007 as Instrument No. 2007-318345, records of Cassia County, Idaho.

ALSO EXCEPTING the following described tract:

Commencing at a brass cap marking the Northwest corner of said Section 33; thence along the west boundary of the said NW¼NW¼ of Section 33, Thence South 00°01'16" East for 32.98 feet to an iron pin on the south right of way line of Yale Road, said point marking the Point of Beginning;
Thence leaving said west boundary along said south right of way line South 89°51'44" East for 211.55 feet to an iron pin;
Thence continuing South 89°47'15" East for 225.23 feet to an iron pin;
Thence leaving said south right of way line along a line easterly of and parallel with said west boundary of the NW¼NW¼ of Section 33, Thence South 00°01'16" East for 298.25 feet to an iron pin;
Thence along a line south of and parallel with the north boundary of said NW¼NW¼ of Section 33, Thence South 89°56'49" West for 436.77 feet to an iron pin on said west boundary of the NW¼NW¼ of Section 33;
Thence along said west boundary North 00°01'16" West for 300.00 feet to the Point of Beginning.

PARCEL NO. 8:
TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: SW $\frac{1}{4}$

PARCEL NO. 9:
TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 1: ALL, SAVE AND EXCEPTING the following described tract:

Beginning at an iron pin marking the Southwest corner of said Section 1; Thence along the west boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; Thence North 00°02'22" East for 247.04 feet to an iron pin; thence leaving said west boundary along a line north of and parallel with the south boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; Thence South 89°29'54" East for 529.00 feet to an iron pin; Thence along a line east of and parallel with said west boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; Thence South 00°02'22" West for 247.04 feet to an iron pin on said south boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; Thence North 89°29'54" West for 529.00 feet to the Point of Beginning.

PARCEL NO. 10:
TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: NW $\frac{1}{4}$

LESS, commencing at the Northwest corner of said Section 12, running Thence South 50 feet;
Thence East on a line parallel with the North boundary line of the said Section 12 and 50 feet South therefrom to the East boundary line of the NW $\frac{1}{4}$ of said Section 12;
Thence North 50 feet to the North boundary line of said Section 12;
Thence West 2640 feet along the North boundary line of said Section 12 to the Point of Beginning.

PARCEL NO. 11:
TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 4: ALL

PARCEL NO. 12:
TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 5: ALL

PARCEL NO. 13:
TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: E½

**PARCEL NO. 14:
TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 6: W½

**PARCEL NO. 15:
TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 8: ALL

**PARCEL NO. 16:
TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 33: S½N½ and SE¼

**PARCEL NO. 17:
TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 31: Part of the NW¼, more particularly described as follows:

**Beginning at the W¼ section Corner of Section 31, said corner marked by a US BLM aluminum pipe with cap; Thence North 00°00'25" East along the West line of Section 31 for a distance of 1367.40 feet to the Point of Beginning;
Thence North 00°00'25" East along the West line of Section 31 for a distance of 254.97 feet;
Thence South 89°51'32" East for a distance of 24.56 feet to a 3/8 inch rebar;
Thence South 89°51'32" East for a distance of 1369.51 feet to a ½ inch rebar;
Thence South 00°00'00" West for a distance of 254.97 feet;
Thence North 89°51'32" West for a distance of 1369.10 feet to a ½ inch rebar;
Thence North 89°51'32" West for a distance of 25.00 feet to the Point of Beginning.**

**PARCEL NO: 18
TOWNSHIP 11 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 8: West Quarter of the NW¼NW¼, EXCEPTING THEREFROM the South 110 feet.

**TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO SAID LANDS,
INCLUDING BUT NOT LIMITED TO THE FOLLOWING:**

**THOSE CERTAIN WATER RIGHTS DESCRIBED AND CONTAINED IN THE LICENSES
NUMBERED 43-02471, 43-02472, 43-02475, 43-02488, 43-02489, 43-02504, 43-02505, 43-
02516, 43-02517, 43-02519, 43-02575, 43-04199, 43-13351, 43-13352, 43-13577, 43-**

13578, 43-13603, 43-13604, ISSUED BY THE DEPARTMENT OF WATER RESOURCES OF THE STATE OF IDAHO.

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

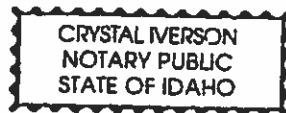
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Lance D. Funk

Lisa I. Funk

STATE OF Idaho)
COUNTY OF Bannock)
SS.

On this **6th day of January, 2016**, before me, a Notary Public in and for said State, personally appeared **Lance D. Funk and Lisa I. Funk**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Crystal Iverson
Notary Public for the State of Idaho
Residing at: Pocatello, ID
My Commission Expires: 4/23/16