

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 20 2015

DEPARTMENT OF
WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
35-7173	Yes ☐		Yes ☐		Yes ☐
35-12810	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Rulan Spear, S&H Farms, LLC and David O Hinckley
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): K&C WAHLEN LIVING TRUST, dated March 18, 2003
Name of each new owner as listed on the conveyance document

New owner continued ☐ Name connector ☐ and ☐ or ☐ and/or ☐
2275 S 2900 W
Mailing address
Aberdeen ID 83210
City State ZIP
208-226-9906 kimwahlenfarms@gmail.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: April 7, 2015

6. 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.

SUPPORT DATA

IN FILE # 35-7173

7. Signature: Kim C. Wahlen Kim C. Wahlen, Trustee 4/07/2015
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 John Date 4-20-15 Receipt No. C100326 Receipt Amt. 75.00
Approved by John Processed by John Date 5-12-15

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 20 2015

DEPARTMENT OF
WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
35-12810	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Rulan Spear and David O Hinckley
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): K&C WAHLEN LIVING TRUST, dated March 18, 2003
Name of each new owner as listed on the conveyance document

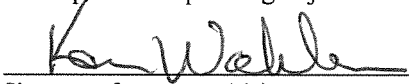
New owner continued _____ Name connector ☐ and ☐ or ☐ and/or _____
2275 S 2900 W
Mailing address _____
Aberdeen _____ ID 83210
City _____ State _____ ZIP _____
208-226-9906 _____ kimwahlenfarms@gmail.com
Telephone _____ Email _____

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: April 7, 2015

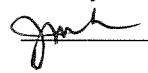
6. This form must be signed and submitted with the following **REQUIRED** items:

- 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.

7. Signature:  _____ Kim C. Wahlen, Trustee _____ 4/07/2015 _____
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  _____ Date 4-20-15 _____ Receipt No. C100324 _____ Receipt Amt. 75.00 _____
Approved by _____ Processed by _____ Date _____

ELECTRONICALLY RECORDED
DO NOT REMOVE
POWER COUNTY STAMPED
FIRST PAGE AS IT IS NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT

Instrument # 207330
POWER COUNTY, IDAHO
04-08-2015 09:57:53 AM No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE - POCATEL
SHAREE SPRAGUE Fee: \$19.00
Ex-Officio Recorder Deputy: Rhea Petersen
Electronically Recorded by Simplifile

RECORDING REQUESTED BY:

BAKER & HARRIS

266 W Bridge

Blackfoot, ID 83221

EA 535874

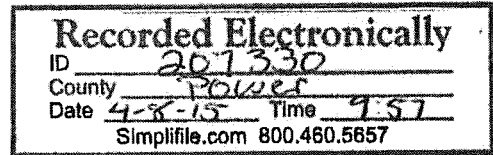
(Space Above For Recorder's Use)

SPECIAL WARRANTY DEED

For Value Received, HINCKLEY BROTHERS, LLC, a Utah limited liability company, the Grantor, does hereby grant, bargain, sell, and convey against all persons claiming, by, through, or under the Grantor unto K&C WAHLEN LIVING TRUST, dated March 18, 2003, of 2275 S 2900 W, Aberdeen, Idaho, 83210, the Grantee, the following-described premises, to-wit:

A PART OF SECTION 31, TOWNSHIP 7 SOUTH, RANGE 29
EAST OF THE BOISE MERIDIAN, POWER COUNTY, STATE
OF IDAHO.

BEGINNING AT THE NORTHEAST CORNER OF SECTION 31 IN T. 7S., R. 29 E.B.M., SAID CORNER MARKED BY A 5/8" REBAR WITH A 2" ALUMINUM CAP ON TO WHICH SHALL BE THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 08 MINUTES 09 SECONDS EAST ALONG THE EAST LINE OF SECTION 31 FOR A DISTANCE OF 2641.72 FEET TO A 5/8" REBAR WITH A 2" ALUMINUM CAP ON TOP AT THE EAST 1/4 CORNER OF SECTION 31; THENCE SOUTH 00 DEGREES 01 MINUTES 57 SECONDS WEST ALONG THE EAST LINE OF SECTION 31 FOR A DISTANCE OF 2636.91 FEET TO A U.S. GLO IRON PIPE WITH BRASS CAP ON TOP AT THE SOUTHEAST CORNER OF SECTION 31; THENCE NORTH 89 DEGREES 59 MINUTES 05 SECONDS WEST ALONG THE SOUTH LINE OF SECTION 31 FOR A DISTANCE OF 4946.61 FEET TO A U.S. GLO IRON PIPE WITH BRASS CAP ON TOP AT THE SOUTHWEST CORNER OF SECTION 31; THENCE NORTH 00 DEGREES 03 MINUTES 34 SECONDS EAST ALONG THE WEST LINE OF SECTION 31 FOR A DISTANCE OF 2633.49 FEET TO A U.S. GLO IRON PIPE WITH BRASS CAP ON TOP AT THE WEST 1/4 CORNER OF SECTION 31; THENCE N. 00 DEGREES 01 MINUTES 54 SECONDS WEST ALONG THE WEST LINE OF SECTION 31 FOR A DISTANCE OF 432.40 FEET TO A 1/2" REBAR; THENCE SOUTH 87 DEGREES 45 MINUTES 17 SECONDS EAST FOR A DISTANCE OF 29.10 FEET TO A 1/2" REBAR; THENCE NORTH 30 DEGREES 40 MINUTES 04 SECONDS EAST FOR A DISTANCE OF 444.40 FEET TO A



RECORDING REQUESTED BY:

BAKER & HARRIS

266 W Bridge

Blackfoot, ID 83221

FA 535874

(Space Above For Recorder's Use)

SPECIAL WARRANTY DEED

For Value Received, HINCKLEY BROTHERS, LLC, a Utah limited liability company, the Grantor, does hereby grant, bargain, sell, and convey against all persons claiming, by, through, or under the Grantor unto K&C WAHLEN LIVING TRUST, dated March 18, 2003, of 2275 S 2900 W, Aberdeen, Idaho, 83210, the Grantee, the following-described premises, to-wit:

A PART OF SECTION 31, TOWNSHIP 7 SOUTH, RANGE 29
EAST OF THE BOISE MERIDIAN, POWER COUNTY, STATE
OF IDAHO.

BEGINNING AT THE NORTHEAST CORNER OF SECTION 31 IN T. 7S., R. 29 E.B.M., SAID CORNER MARKED BY A 5/8" REBAR WITH A 2" ALUMINUM CAP ON TO WHICH SHALL BE THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 08 MINUTES 09 SECONDS EAST ALONG THE EAST LINE OF SECTION 31 FOR A DISTANCE OF 2641.72 FEET TO A 5/8" REBAR WITH A 2" ALUMINUM CAP ON TOP AT THE EAST 1/4 CORNER OF SECTION 31; THENCE SOUTH 00 DEGREES 01 MINUTES 57 SECONDS WEST ALONG THE EAST LINE OF SECTION 31 FOR A DISTANCE OF 2636.91 FEET TO A U.S. GLO IRON PIPE WITH BRASS CAP ON TOP AT THE SOUTHEAST CORNER OF SECTION 31; THENCE NORTH 89 DEGREES 59 MINUTES 05 SECONDS WEST ALONG THE SOUTH LINE OF SECTION 31 FOR A DISTANCE OF 4946.61 FEET TO A U.S. GLO IRON PIPE WITH BRASS CAP ON TOP AT THE SOUTHWEST CORNER OF SECTION 31; THENCE NORTH 00 DEGREES 03 MINUTES 34 SECONDS EAST ALONG THE WEST LINE OF SECTION 31 FOR A DISTANCE OF 2633.49 FEET TO A U.S. GLO IRON PIPE WITH BRASS CAP ON TOP AT THE WEST 1/4 CORNER OF SECTION 31; THENCE N. 00 DEGREES 01 MINUTES 54 SECONDS WEST ALONG THE WEST LINE OF SECTION 31 FOR A DISTANCE OF 432.40 FEET TO A 1/2" REBAR; THENCE SOUTH 87 DEGREES 45 MINUTES 17 SECONDS EAST FOR A DISTANCE OF 29.10 FEET TO A 1/2" REBAR; THENCE NORTH 30 DEGREES 40 MINUTES 04 SECONDS EAST FOR A DISTANCE OF 444.40 FEET TO A

1/2" REBAR; THENCE NORTH 60 DEGREES 24 MINUTES 36 SECONDS EAST FOR A DISTANCE OF 1027.31 FEET TO A 1/2" REBAR; THENCE SOUTH 71 DEGREES 43 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 1154.77 FEET TO A 1/2" REBAR; THENCE NORTH 00 DEGREES 58 MINUTES 03 SECONDS WEST FOR A DISTANCE OF 873.30 FEET TO A 1/2" REBAR; THENCE NORTH 71 DEGREES 02 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 145.03 FEET TO A 1/2" REBAR; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT FOR A DISTANCE OF 843.37 FEET TO A 1/2" REBAR, SAID CURVE HAVING A RADIUS OF 1336.00 FEET, A DELTA ANGLE OF 36 DEGREES 10 MINUTES 07 SECONDS, AND HAVING A LONG CHORD BEARING OF NORTH 41 DEGREES 43 MINUTES 33 SECONDS EAST FOR A DISTANCE OF 829.43 FEET; THENCE NORTH 07 DEGREES 04 MINUTES 28 SECONDS EAST FOR A DISTANCE OF 143.97 FEET TO A 1/2" REBAR ON THE NORTH LINE OF SECTION 31; THENCE NORTH 89 DEGREES 54 MINUTES 41 SECONDS EAST ALONG SAID LINE FOR A DISTANCE OF 2001.58 FEET TO THE POINT OF BEGINNING.

Together with Water Right Nos. 35-9077, 35-7173 and 35-12810.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to (1) all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all easements, claims of easements, and encumbrances of record; (2) 2015 property taxes accruing as a lien; (3) right-of-way or easement of Wapi Road; (4) all matters, and any rights, easements, interests, or claims which may exist by reason thereof, disclosed by survey recorded February 4, 2015; (5) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the public records; and (6) any facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GRANTEE, its heirs and assigns forever. The said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises.

DATED this 7 day of April, 2015.

HINCKLEY BROTHERS, LLC

A handwritten signature in cursive script, reading "Heather Limon", written over a horizontal line.

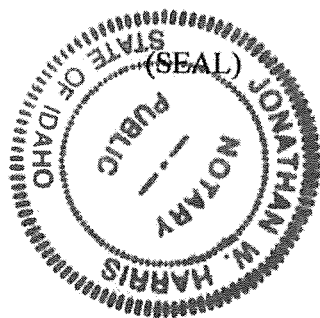
By: Heather Limon

Its: Manager

STATE OF Idaho)
) ss:
County of Bingham)

On this 7 day of April, 2015, before me, a Notary Public for the State of Idaho personally appeared HEATHER LIMON, known or identified to me, to be the Manager of the Grantor limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company 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 above written.



JWH
Notary Public
Residing at Blackfoot
My Commission Expires 4/22/2016

QUITCLAIM DEED

THIS INDENTURE, made this 24th day of January, 2015, by and between **Cross E Land LLC**, an Idaho limited liability company, as Grantor, and **Hinckley Brothers, LLC**, a Utah limited liability company, Grantee, with a mailing address of 1184 S 1300 E, Bountiful, Utah 84010.

WITNESSETH:

That Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), lawful money of the United States of America, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto Grantee, and to its successors and assigns, all those certain lots, pieces, or parcels of land situate, lying, and being in the County of Power, State of Idaho, bounded and particularly described as follows, to-wit:

See Exhibit A attached hereto

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments, and encumbrances as shown of record, if any.

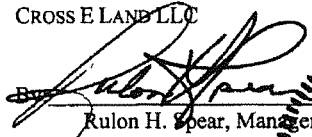
TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

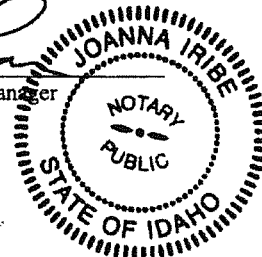
TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances unto Grantee, and to its successors and assigns forever.

Instrument # 206967
POWER COUNTY, IDAHO
1-27-2015 04:17:40 PM No. of Pages: 4
Recorded for : DALON HINCKLEY
SHAREE SPRAGUE Fee: 19.00
Ex-Officio Recorder Deputy *[Signature]*
Schulzke

IN WITNESS WHEREOF, Grantor has hereunto set his hand and seal the day and year first above written.

CROSS E LAND LLC


Rulon H. Spear, Manager



STATE OF IDAHO)
COUNTY OF Cassia)
:ss.

On this 21st day of January, 2015, before me, the undersigned, a Notary Public in and for the State of Utah, personally appeared Rulon H. Spear, the Manager of Cross E Land LLC, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in behalf of Cross E Land LLC.

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

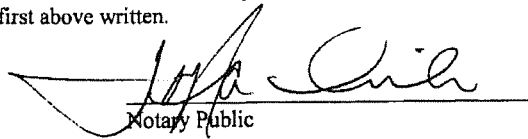

Notary Public

EXHIBIT A
(Legal Description to Quitclaim Deed)

Part of Section 31 in Township 7 South, Range 29 East of the Boise Meridian, Power County, State of Idaho.

Beginning at the Northeast Corner of Section 31 in T.7 S., R. 29 E., B. M. said corner marked by a 5/8" rebar with a 2" aluminum cap on top which shall be the Point of Beginning;

THENCE South 00 degrees 08 minutes 09 seconds East along the east line of Section 31 for a distance of 2641. 72 feet to a 5/8" rebar with a 2" aluminum cap on top at the East ~ Corner of Section 31;

THENCE South 00 degrees 01 minutes 57 seconds West along the east line of Section 31 for a distance of 2636. 91 feet to a U.S. GLO iron pipe with brass cap on top at the Southeast Corner of Section 31;

THENCE North 89 degrees 59 minutes 05 seconds West along the south line of Section 31 for a distance of 4946. 61 feet to a U.S. GLO iron pipe with brass cap on top at the Southwest Corner of Section 31;

THENCE North 00 degrees 03 minutes 34 seconds East along the west line of Section 31 for a distance of 2633. 49 feet to a U. S. GLO iron pipe with brass cap on top at the West 1/4 Corner of Section 31;

THENCE North 00 degrees 01 minutes 54 seconds West along the west line of Section 31 for a distance of 432 . 40 feet to a 1/2" rebar;

THENCE South 87 degrees 45 minutes 17 seconds East for a distance of 29. 10 feet to a 1/2" rebar;

THENCE North 30 degrees 40 minutes 04 seconds East for a distance of 444. 40 feet to a 1/2" rebar;

THENCE North 60 degrees 24 minutes 36 seconds East for a distance of 1027. 31 feet to a 1/2" rebar;

THENCE South 71 degrees 43 minutes 06 seconds East for a distance of 1154. 77 feet to a 1/2" rebar;

THENCE North 00 degrees 58 minutes 03 seconds West for a distance of 873 .30 feet to a 1/2" rebar ;

THENCE North 71 degrees 02 minutes 58 seconds East for a distance of 145.03 feet to a ½" rebar;

THENCE along a non-tangent curve to the right for a distance of 843.37 feet to a ½" rebar, said curve having a radius of 1336.00 feet, a delta angle of 36 degrees 10 minutes 07 seconds, and a long chord bearing of North 41 degrees 43 minutes 33 seconds East for a distance of 829.43 feet;

THENCE North 07 degrees 04 minutes 28 seconds East for a distance of 143.97 feet to a ½" rebar on the north line of Section 31;

THENCE North 89 degrees 54 minutes 41 seconds East along said line for a distance of 2001.58 feet to the Point of Beginning.

Said property contains 509.78 acres more or less and is subject to an electrical easement and any other easements and rights of way, existing or of record.

WARRANTY DEED

1. Date

January 17, 2006

2. Parties

Grantor:

David O. Hinckley, a single man, and as general partner of Spear and Hinckley an undocumented general partnership consisting of David O. Hinckley and Rulon H. Spear. This land, although titled, in individual names has been used in the business of Spear and Hinckley.
3500 North 2200 West
Salt Lake City, UT, 834116

Rulon H. Spear, a single man, and as general partner of Spear and Hinckley an undocumented general partnership consisting of David O. Hinckley and Rulon H. Spear. This land, although titled, in individual names has been used in the business of Spear and Hinckley.
358 South 2750 East
Declo, ID 83323

Grantee:

Cross E Land LLC, an Idaho Limited Liability Company
358 South 2750 East
Declo, ID 83323

3. Property

Transferred Interest: All grantors' undivided interest.

Idaho County: Power

Description:

Parcel 1

Township 7 South, Range 28 East, Boise Meridian,
Power County, Idaho.
Section 25: NW $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ S $\frac{1}{2}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$

Township 7 South, Range 29 East, Boise Meridian,
Power County, Idaho.
Section 30: Government Lots 3 and 4; SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 31: Government Lots 1 and 2; NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$

Township 8 South, Range 28 East, Boise Meridian,
Power County, Idaho.
Section 1: Government Lots 1, 2, 3, and 4; SE $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ S $\frac{1}{2}$; S $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 11: N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$
Section 12: SW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

Township 8 South, Range 29 East, Boise Meridian,
Power County, Idaho.
Section 5: W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 6: E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$
Section 8: W $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$

Parcel 2

Township 7 South, Range 28 East, Boise Meridian,
Power County, Idaho.
Section 35: S $\frac{1}{2}$ S $\frac{1}{2}$

Township 8 South, Range 28 East, Boise Meridian,
Power County, Idaho.
Section 1: S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 2: ALL, EXCEPT the SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 3: SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 11: N $\frac{1}{2}$ N $\frac{1}{2}$

Township 8 South, Range 29 East, Boise Meridian,
Power County, Idaho.
Section 6: Government Lots 5, 6, 7; S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 7: Government Lot 1; NE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 8: N $\frac{1}{2}$ S $\frac{1}{2}$; W $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$

Parcel 3

Township 7 South Range 29 East, Boise Meridian,
Power County, Idaho.
Section 31: Lots 3, 4; E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$

Together with:

All improvements, water, water rights, ditches, ditch rights, easements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues, and profits.

Subject to:

Rights of way for roads and ditches now existing on the property plus all easements and rights-of-way of record, if any, covenants, restrictions, reservations, applicable building and zoning ordinances, use regulations and restrictions, and accruing taxes.

Taxes and assessments for 2005 and all subsequent years.

All facts, rights, claims and interest ascertainable by inspection of the property or by inquiry of persons in possession.

Unpatented mining claims, reservations and exceptions and patents or in acts authorizing their issuance.

4. Consideration

Ten Dollars and other good and valuable consideration, receipt of which is acknowledged.

5. Grant

Grantors, for the consideration listed above hereby grant, bargains, sells, conveys and confirms to grantee,

1/2

189177

its heirs, successors and assigns, the transferred interest in the property described in this deed.

6. Warranties

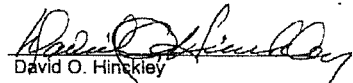
Grantors, for themselves, their heirs, successors and assigns, covenants with grantee's, heirs, successors, and assigns as follows:

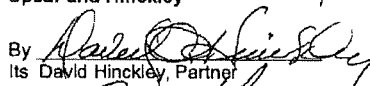
Grantors are currently the owners of the property as described in this deed.

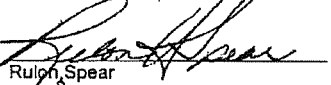
Grantors have good right to convey the property described in this deed to grantee.

The property described in this deed is free from all encumbrances, except as otherwise shown in this deed.

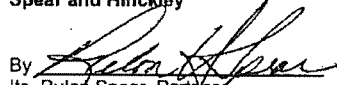
Grantors warrant and will defend the quiet and peaceful possession of the property granted by this deed to grantee, its heirs, successors and assigns against the lawful claims of all persons.


David O. Hinckley
Spear and Hinckley

By 
Its David Hinckley, Partner


Rulon Spear

Spear and Hinckley

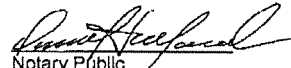
By 
Its Rulon Spear, Partner

STATE OF UTAH

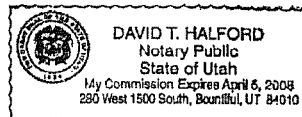
County of DAVIS

ss.

On December 4, 2005 before me David T. Halford a notary public, personally appeared David O. Hinckley, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.


Notary Public
Residing At: Sandy, Utah
Commission Expires:

(SEAL)

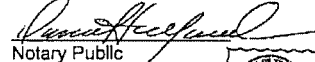


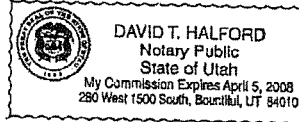
STATE OF UTAH

County of Davis

ss.

On December 4, 2005 before me David T. Halford a notary public, personally appeared David O. Hinckley, known or identified to me, to be one of the partners in the partnership of Spear and Hinckley, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.


Notary Public
Residing At: Sandy, UT
Commission Expires:
(SEAL)



STATE OF ARIZONA

County of Pima

ss.

On ~~December 4, 2005~~ January 17, 2006 before me Fernando Pesqueira a notary public, personally appeared Rulon Spear, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.


Notary Public
Residing At:
Commission Expires:
(SEAL)



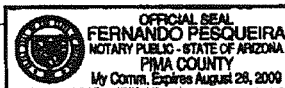
STATE OF ARIZONA

County of Pima

ss.

On ~~December 4, 2005~~ January 17, 2006 before me Fernando Pesqueira a notary public, personally appeared Rulon Spear, known or identified to me to be one of the partners in the partnership of Spear and Hinckley, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.


Notary Public
Residing At:
Commission Expires:
(SEAL)



Instrument # 189177

POWER COUNTY, IDAHO
2006-04-17 12:51:46 No. of Pages: 2
Recorded for: BEARD ST. CLAIR
CHRISTINE STEINLICH
Ex-Officio Recorder Deputy

Fee: 6.00

2 / 2

28061

WARRANTY DEED

For Value Received WILLIAM SCHROEDER and ANNE SCHROEDER, HUSBAND AND WIFE and CLARENCE SCHROEDER and SYLVIA SCHROEDER, HUSBAND AND WIFE, AND WILLIAM SCHROEDER SUCCESSOR TRUSTEE OF THE ARMIN H. SCHROEDER FAMILY LIVING TRUST, DATED AUGUST 26, 1982

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

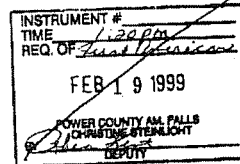
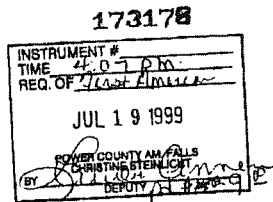
DAVID O. HINCKLEY and RULON SPEAR DBA S & H FARMS,

whose address is, 3500 North 2200 West Salt Lake City, Utah 84116

Hereinafter called the Grantee, the following described premises situated in POWER County, Idaho, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

172017



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 their 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.

Dated: February 17, 1999

William Schroeder
WILLIAM SCHROEDER

Clarence Schroeder
CLARENCE SCHROEDER

Anne Schroeder
ANNE SCHROEDER

Sylvia Schroeder
SYLVIA SCHROEDER

William Schroeder, Trustee
WILLIAM SCHROEDER, SUCCESSOR TRUSTEE OF THE ARMIN H. SCHROEDER FAMILY LIVING TRUST

STATE OF IDAHO)
COUNTY OF BANNOCK)

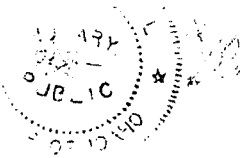
On This 18th day of February, 1999, before me, a Notary Public in and for said State, personally appeared WILLIAM SCHROEDER and ANNE SCHROEDER and CLARENCE SCHROEDER and SYLVIA SCHROEDER, known or identified to me to be the person(s) whose name(s) ARE subscribed to the within Instrument, and acknowledged to me that THEY executed the same.



Ken J. Hall
Notary Public of Idaho
Residing at POCA TELLO, ID
Commission Expires: 04/28/99

STATE OF IDAHO)
 : ss
COUNTY OF BANNOCK)

On This 18TH day of FEBRUARY, in the year 1999, before me, a Notary Public in and for said State, personally appeared WILLIAM SCHROEDER, known or identified to me to be the SUCCESSOR TRUSTEE whose name IS subscribed to the within instrument as SUCCESSOR TRUSTEE of the ARMIN H. SCHROEDER FAMILY LIVING TRUST, and acknowledged to me that HE executed the same as such SUCCESSOR TRUSTEE.



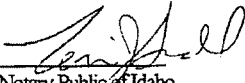

Notary Public of Idaho
Residing at POCA TELLO, IDAHO
Commission Expires: 4/28/99

EXHIBIT A

PARCEL 1:

Township 7 South, Range 28 East, Boise Meridian, Power County, Idaho.
Section 25: ~~NW¹SW¹~~; ~~S¹S¹~~; ~~NE¹SE¹~~

Township 7 South, Range 29 East, Boise Meridian, Power County, Idaho.
Section 30: Government Lots 3 and 4; ~~SE¹SE¹~~

Section 31: Government Lots 1 and 2; ~~NE¹~~; ~~E¹NW¹~~

Township 8 South, Range 28 East, Boise Meridian, Power County, Idaho.
Section 1: Government Lots 1, 2, 3, and 4; ~~SE¹NE¹~~; ~~N¹S¹~~; ~~S¹SW¹~~; ~~SW¹SE¹~~

Section 11: ~~N¹SW¹~~; ~~SE¹~~; ~~S¹NE¹~~; ~~S¹NW¹~~

Section 12: ~~SW¹NE¹~~; ~~W¹~~; ~~SW¹SE¹~~

Township 8 South, Range 29 East, Boise Meridian, Power County, Idaho.
Section 5: ~~W¹SW¹~~

Section 6: ~~E¹SW¹~~; ~~SE¹~~

Section 8: ~~W¹NE¹~~; ~~SE¹NE¹~~; ~~NE¹NE¹~~; ~~SE¹NW¹~~

PARCEL 2:

Township 7 South, Range 28 East, Boise Meridian, Power County, Idaho.
Section 35: ~~S¹S¹~~

Township 8 South, Range 28 East, Boise Meridian, Power County, Idaho.
Section 1: ~~S¹NW¹~~; ~~SW¹NE¹~~; ~~SE¹SE¹~~

Section 2: ALL, EXCEPT the ~~SW¹SW¹~~

Section 3: ~~SE¹NE¹~~; ~~NE¹SE¹~~

Section 11: ~~N¹N¹~~

Township 8 South, Range 29 East, Boise Meridian, Power County, Idaho.
Section 6: Government Lots 5, 6, 7; ~~S¹NE¹~~; ~~SE¹NW¹~~

Section 7: Government Lot 1; ~~NE¹NE¹~~; ~~NE¹NW¹~~

Section 8: ~~N¹S¹~~; ~~W¹NW¹~~; ~~NE¹NW¹~~

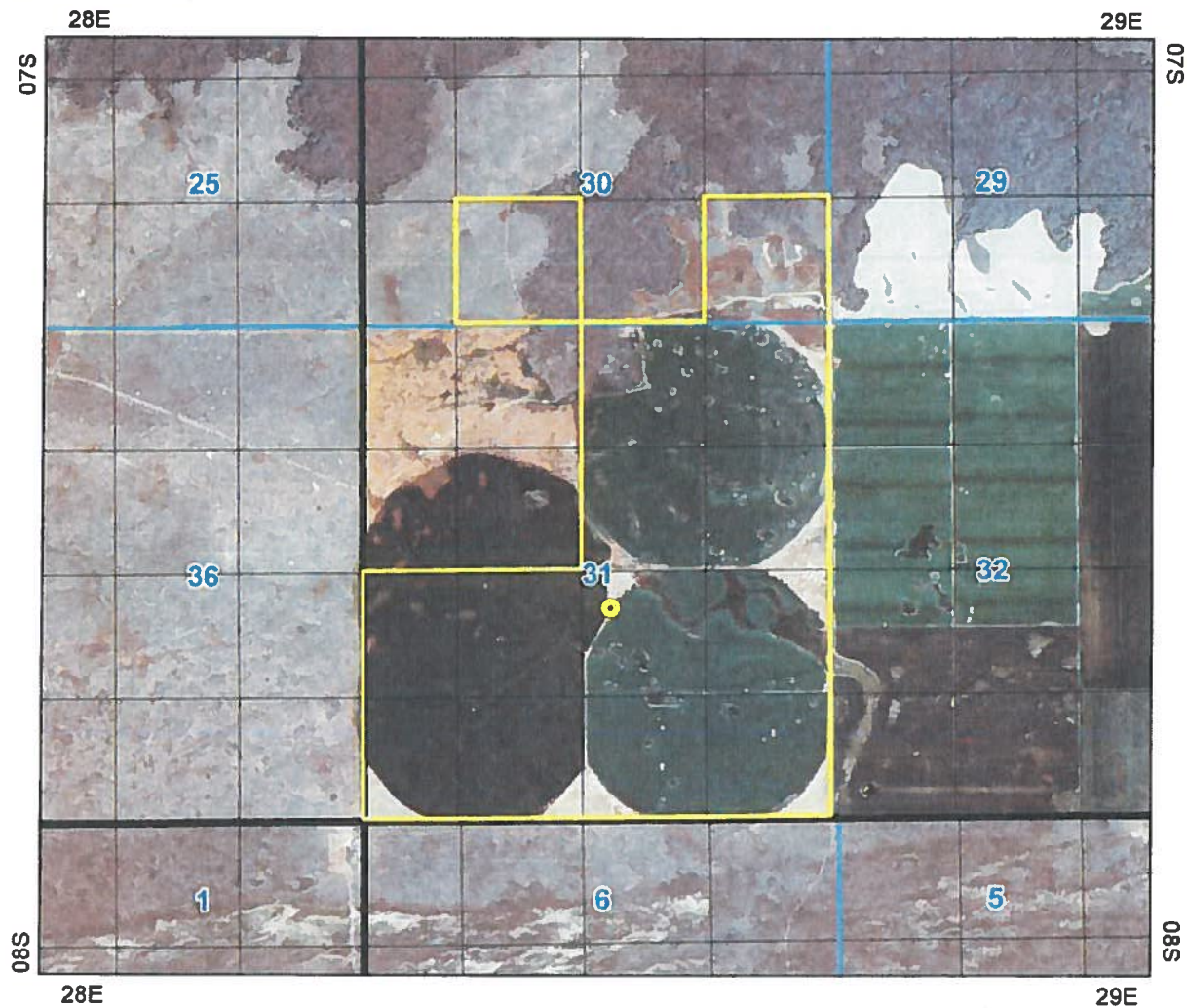
PARCEL 3:

Township 7 South, Range ²⁷~~28~~ East, Boise Meridian, Power County, Idaho.
Sec. 31: Lots 3, 4; ~~E¹SW¹~~; ~~SE¹~~

State of Idaho
Department of Water Resources
Application For Permit
35-9077

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.



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

0 0.225 0.45 0.9 Miles

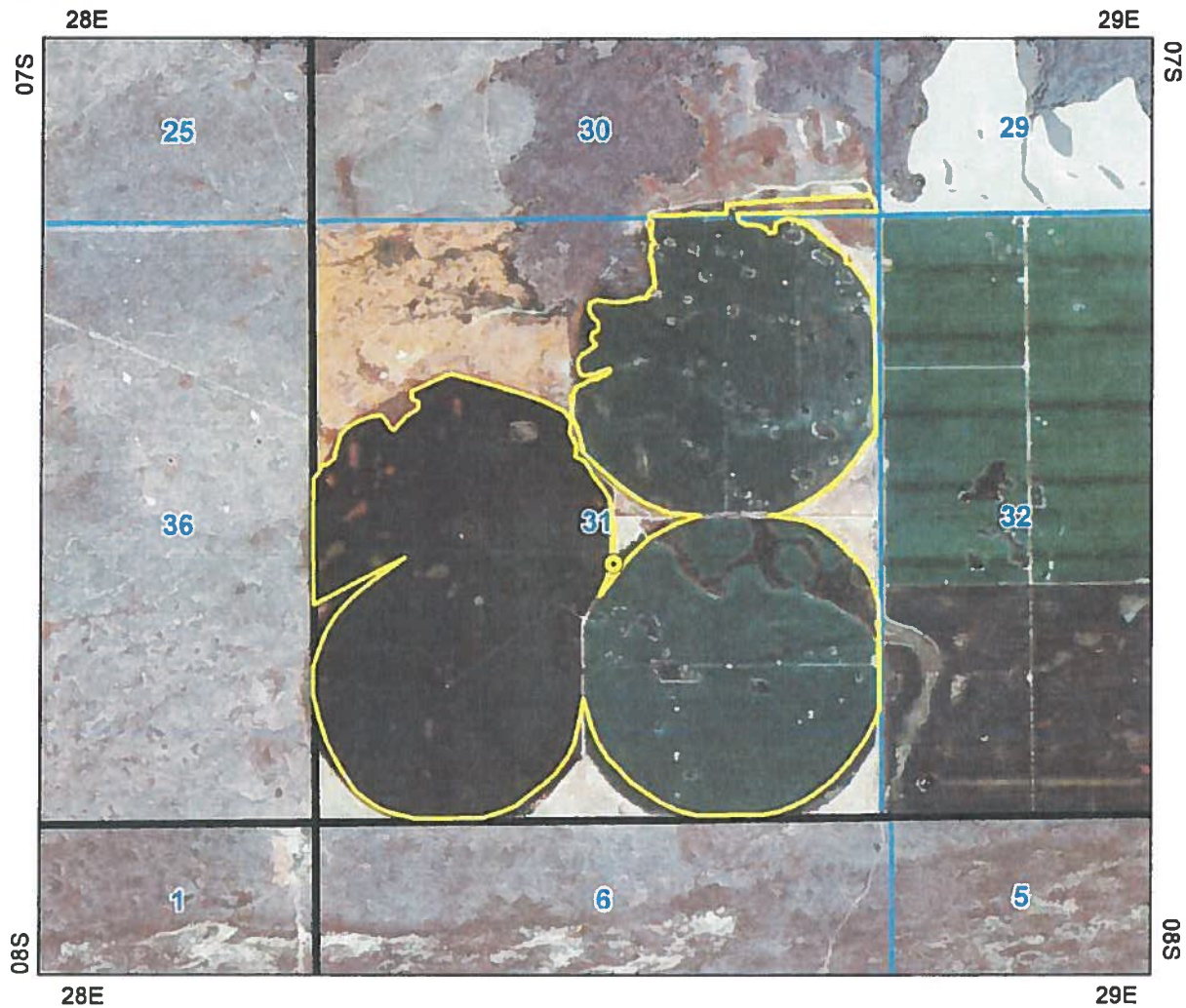


State of Idaho
Department of Water Resources

**Water Right
35-7173**

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 0.175 0.35 0.7 Miles

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

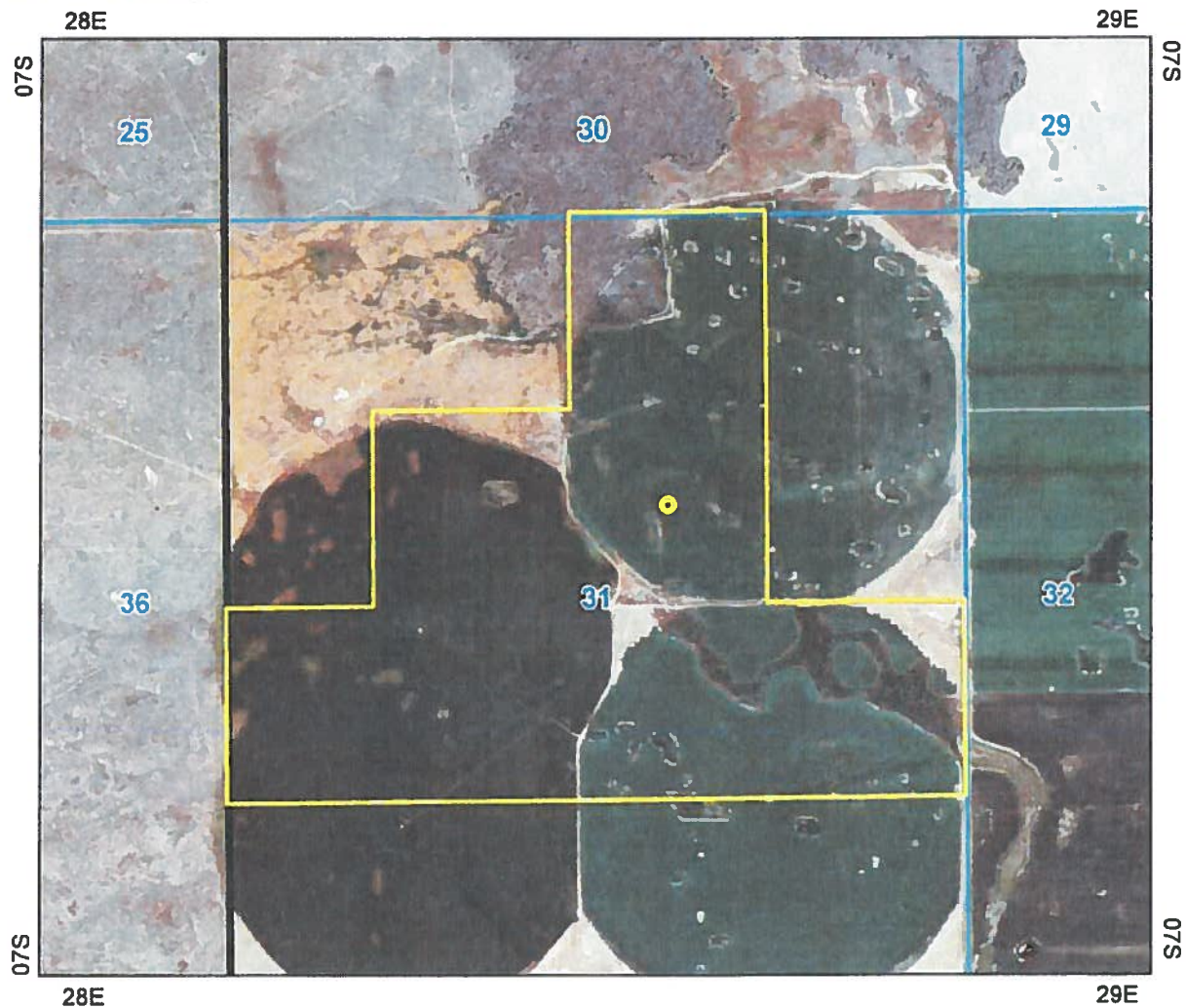


State of Idaho
Department of Water Resources

**Water Right
35-12810**

STOCKWATER

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.



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