

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
AUG 29 2014
DEPARTMENT OF
WATER RESOURCES

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?
69-11499	Yes ☒	} not split.	Yes ☐		Yes ☐
69-11500	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: See Attachment #2
Name of current water right holder/claimant _____
3. New Owner(s)/Claimant(s): See Attachment #3
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- Mailing address _____ City _____ State _____ ZIP _____
- 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: September 5, 2001
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
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.

SUPPORT DATA
IN FILE # 69-11499

8. Signature: _____ See Attachment #8 _____
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ See Attachment #8 _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by CS Date 8/29/14 Receipt No. C099347 Receipt Amt. \$50⁰⁰

Approved by _____ Processed by [Signature] Date 9-16-14

**ATTACHMENT
TO
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

The undersigned numbered paragraphs coincide with the applicable number of the form to which this document is attached.

2. Previous Owner's Name:

Magness Racing Ventures, Inc.
Attn: Sharon Magness Blake
4343 S. Holly Street
Englewood, Colorado 80111

Rocking M Cattle Co.
c/o Roy M. Moore
5360 N. Franklin Street
Denver, Colorado 80216

3. New Owner(s)/Claimant(s):

Thunder Spirit, Inc., a Colorado corporation
(f/k/a Magness Racing Ventures, Inc.)
Owner of 77.20% Interest
Attn: Sharon Magness Blake
4343 S. Holly Street
Englewood, Colorado 80111

McCook National Bank
Owner of 22.80% Interest
220 Norris Avenue
McCook, Nebraska 69001-1208

8. Signatures:

THUNDER SPIRIT, INC.
(f/k/a Magness Racing Ventures, Inc.)

By: Sharon Magness Blake
Name: Sharon Magness Blake
Title: President
Date: 8-26-14

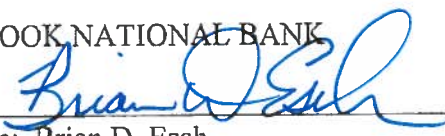
McCOOK NATIONAL BANK

By: Brian D. Esch
Name: Brian D. Esch
Title: President / CEO
Date: 8-22-14

8. Signatures:

THUNDER SPIRIT, INC.
(f/k/a Magness Racing Ventures, Inc.)

By: _____
Name: Sharon Magness Blake
Title: President
Date: _____

McCOOK NATIONAL BANK
By:  _____
Name: Brian D. Esch
Title: President / CEO
Date: 8-22-14



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

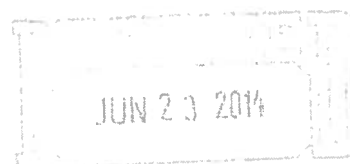
June 18, 2014

ROCKING M CATTLE CO
C/O ROY M MOORE
5360 N FRANKLIN ST
DENVER CO 80216

MAGNESS RACING VENTURES INC
ATTN SHARON MAGNESS BLAKE
4343 S HOLLY ST
ENGLEWOOD CO 80111

RE: License No. 69-11499 & 69-11500

Issuance of License



Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4916.

Sincerely,

Craig L. Saxton
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2014, I mailed true and correct copies, postage prepaid, of the foregoing PRELIMINARY ORDERS (Approved Licenses) to the person(s) listed below:

RE: WATER RIGHT NOS.

69-11499 & 69-11500

MAGNESS RACING VENTURES INC
ATTN SHARON MAGNESS BLAKE
4343 S HOLLY ST
ENGLEWOOD CO 80111

ROCKING M CATTLE CO
C/O ROY M MOORE
5360 N FRANKLIN ST
DENVER CO 80216

A handwritten signature in cursive script, reading "Darla Block", written in black ink.

Darla Block
Technical Records Specialist

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 69-11499

Priority: January 21, 2004

Maximum Diversion Rate: 0.01 CFS
Maximum Diversion Volume: 4.8 AF

It is hereby certified that ROCKING M CATTLE CO
C/O ROY M MOORE
5360 N FRANKLIN ST
DENVER CO 80216

And

MAGNESS RACING VENTURES INC
ATTN SHARON MAGNESS BLAKE
4343 S HOLLY ST
ENGLEWOOD CO 80111

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 21, 2004; and has submitted Proof of Beneficial Use on August 10, 2004. An examination indicates that the works have a diversion capacity of 0.01 cfs of water from:

SOURCE
SPRING

Tributary: THORN SPRINGS CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	04/01 to 11/30	0.01 CFS	4.8 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	4.8 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING SW1/4SW1/4NE1/4 Sec. 21, Twp 14N, Rge 06W, B.M. WASHINGTON County

PLACE OF USE: STOCKWATER & WILDLIFE

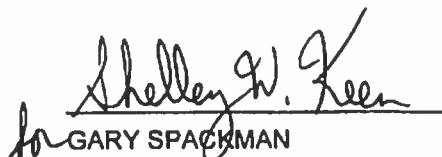
Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14N 06W 21			X														

CONDITIONS OF APPROVAL

1. Stockwater use is for 420 range cattle.

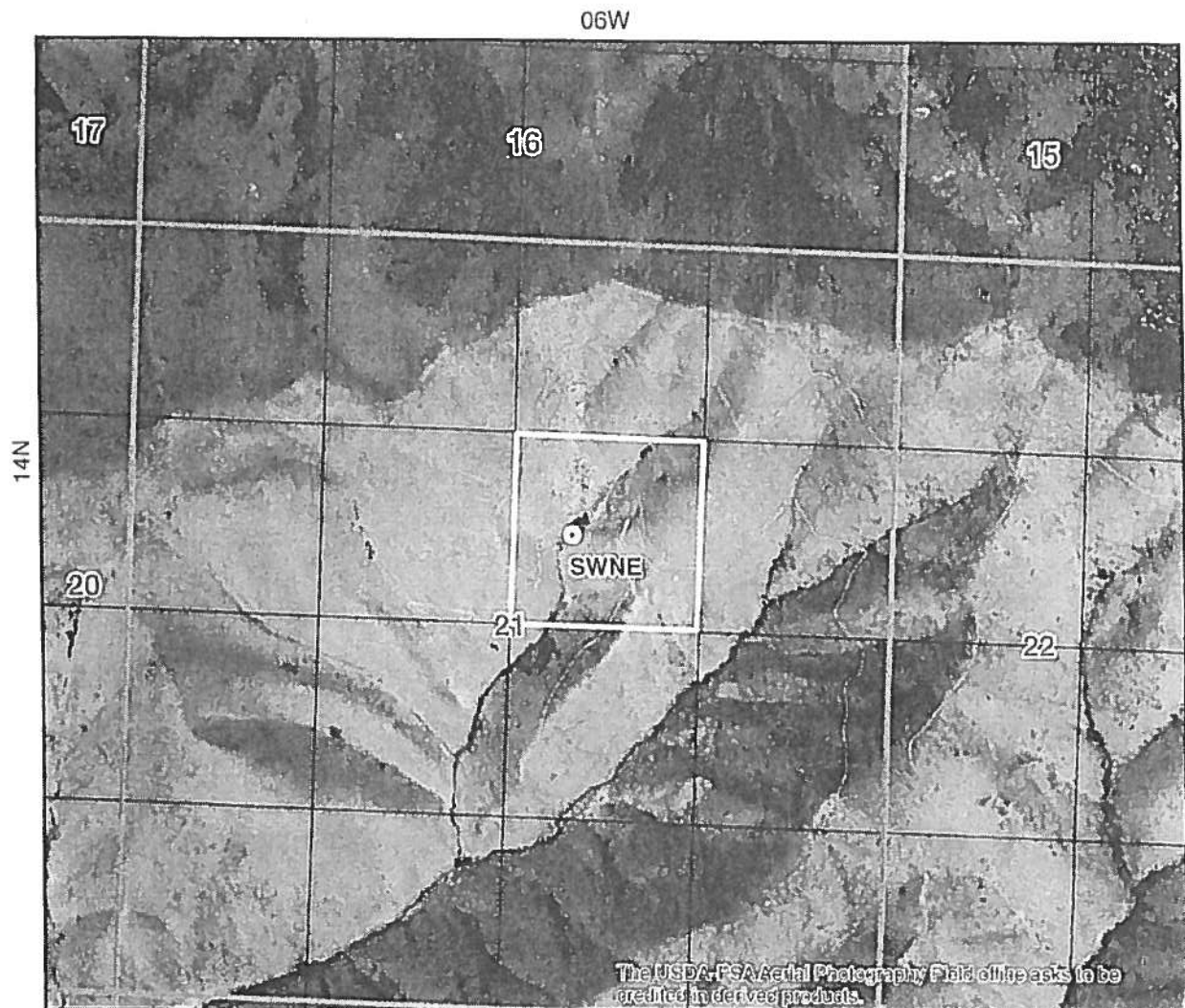
This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 17th day of June, 2014.


for GARY SPACKMAN
Director

State of Idaho
Department of Water Resources
Attachment To Water Right License
69-11499

This map depicts the STOCKWATER @ WILDLIFE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.15 0.3 0.6 Miles



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 69-11500

Priority: May 05, 2008

Maximum Diversion Rate: 0.01 CFS
Maximum Diversion Volume: 4.8 AF

It is hereby certified that MAGNESS RACING VENTURES INC
ATTN SHARON MAGNESS BLAKE
4343 S HOLLY ST
ENGLEWOOD CO 80111

And

ROCKING M CATTLE CO
C/O ROY M MOORE
5360 N FRANKLIN ST
DENVER CO 80216

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 21, 2004; and has submitted Proof of Beneficial Use on May 05, 2008. An examination indicates that the works have a diversion capacity of 0.01 cfs of water from:

SOURCE

SPRING

Tributary: SINKS

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	04/01 to 11/30	0.01 CFS	4.8 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	4.8 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING L4 (NW1/4NW1/4NW1/4) Sec. 1, Twp 13N, Rge 07W, B.M. WASHINGTON County

PLACE OF USE: STOCKWATER & WILDLIFE

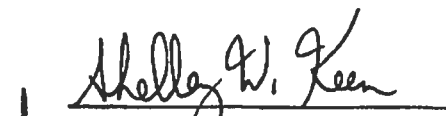
Twp Rge Sec	NE	NW	SW	SE	Totals
13N 07W 1	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
		X			
		L4			

CONDITIONS OF APPROVAL

1. Stockwater use is for 420 range cattle.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 17th day of June, 2014.

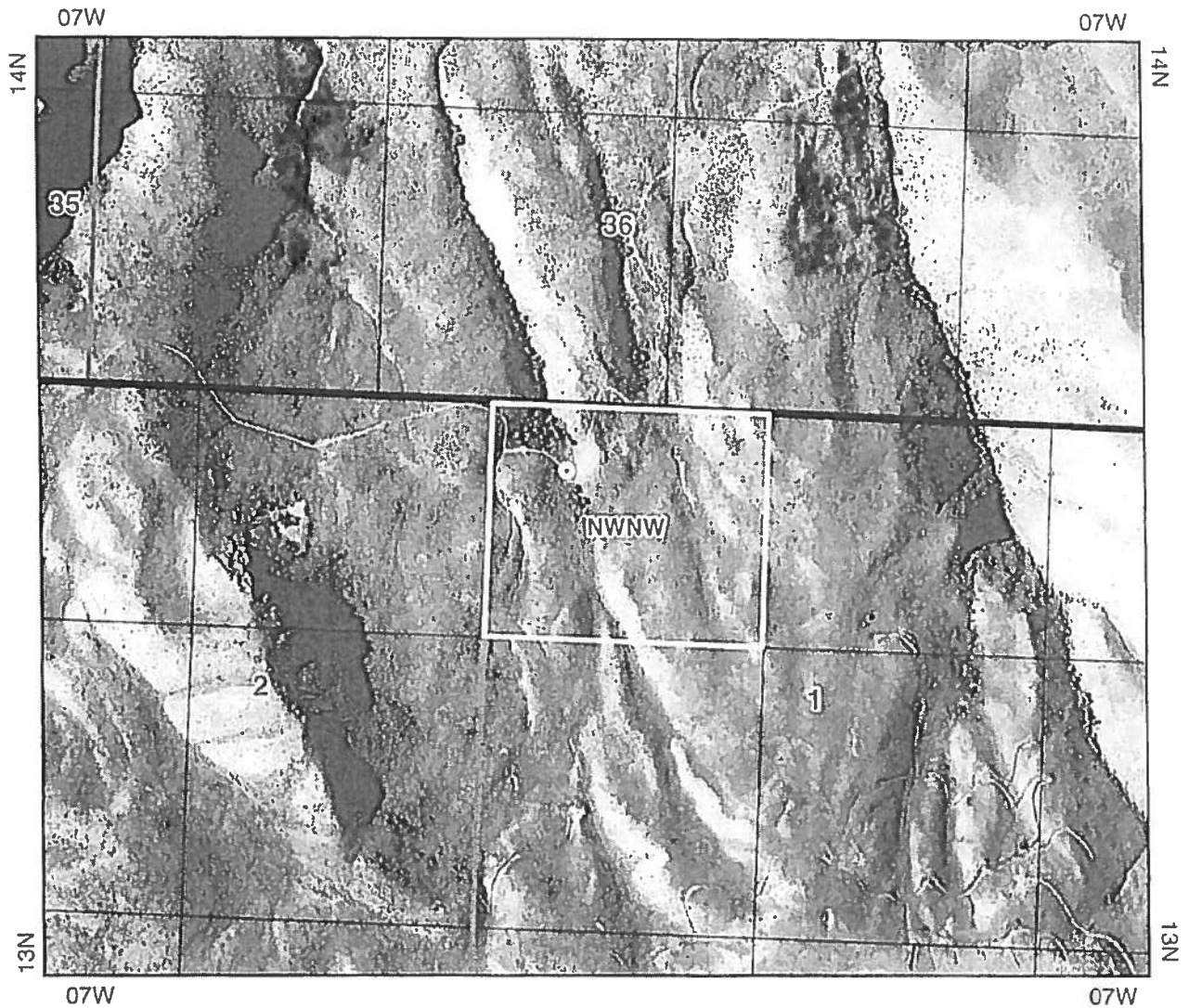

GARY SPACKMAN
Director

State of Idaho
Department of Water Resources

Attachment To Water Right License

69-11500

This map depicts the STOCKWATER & WILDLIFE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.075 0.15 0.3 Miles



EXHIBIT A

DEED

FOR VALUE RECEIVED, HIGHLAND PROPERTIES A1 INCORPORATED, a Colorado corporation duly organized and existing under the laws of the State of Colorado, grantor, does hereby Grant, Bargain, Sell and Convey unto

MAGNESS RACING VENTURES, INC., a Colorado corporation

grantee whose current address is

The following described real estate, to-wit: an undivided 50% interest in and to the following:

IN WASHINGTON COUNTY, IDAHO:

SEE ATTACHED EXHIBIT "A"

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 5th day of August, 2001.

September

BY

Lawrence M. Jensen
Lawrence M. Jensen President

Carol Croft Kaufman
Carol Croft Kaufman Secretary

Instrument # 184018

WEISER, WASHINGTON, IDAHO

2001-10-12 03:57:00 No. of Pages: 3

Recorded for : WEISER VALLEY TITLE

SHARON WIDNER

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: DEED

STATE OF COLORADO COUNTY OF BOULDER

On this 5th day of August, 2001, before me, a Notary Public in and for said State, personally appeared

Lawrence M. Jensen and Carol Croft Kaufman, known to be to be the President and

Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

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

Residing at: 717 W. 5th Ave., Longmont, CO 80501
Commission expires: January 23, 2005

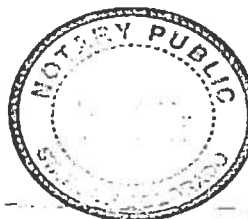


EXHIBIT "A"

184018

FILE NO.: 100-00-7811

PARCEL I:

TOWNSHIP 12 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 4: Lots 3 and 4, S1/2NW1/4;
SECTION 5: Lot 1, S1/2NE1/4;

TOWNSHIP 13 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 1: SW1/4NE1/4, S1/2NW1/4, E1/2SW1/4, W1/2SE1/4, Lots 3 and 4;
SECTION 2: Lots 1, 3 and 4, W1/2SW1/4;
SECTION 3: Lots 1, 3 and 4, SW1/4NE1/4, S1/2NW1/4, S1/2;
SECTION 4: Lot 1, S1/2NE1/4, S1/2SW1/4, SE1/4;
SECTION 8: SE1/4NE1/4, SE1/4;
SECTION 9: N1/2, N1/2SW1/4, SW1/4SW1/4, NE1/4SE1/4;
SECTION 10: N1/2, SW1/4, S1/2SE1/4, NW1/4SE1/4;
SECTION 11: S1/2NW1/4;
SECTION 12: SE1/4NE1/4, W1/2NE1/4, E1/2NW1/4, NE1/4SW1/4;
SECTION 14: N1/2NW1/4, SW1/4NW1/4;
SECTION 15: ALL;
SECTION 17: N1/2NE1/4, SE1/4NE1/4, SE1/4;
SECTION 20: E1/2;
SECTION 21: N1/2, W1/2SW1/4, S1/2SE1/4;
SECTION 22: N1/2, S1/2SW1/4, W1/2SE1/4;
SECTION 27: W1/2E1/2, W1/2;
SECTION 28: E1/2, W1/2W1/2;
SECTION 29: N1/2NE1/4, SE1/4NE1/4, NE1/4SE1/4, S1/2SE1/4;
SECTION 32: SE1/4SE1/4;
SECTION 34: W1/2NE1/4, NW1/4;

TOWNSHIP 14 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 7: Lot 4, SE1/4SW1/4, W1/2SE1/4, NE1/4SE1/4;
SECTION 8: N1/2SW1/4, SE1/4SW1/4, NW1/4SE1/4, SE1/4SE1/4;
SECTION 9: SW1/4SW1/4;
SECTION 17: S1/2, E1/2NE1/4;
SECTION 18: W1/2NE1/4, E1/2W1/2, N1/2SE1/4, Lots 1, 2, 3 and 4;
SECTION 20: N1/2N1/2;
SECTION 21: S1/2NE1/4, NE1/4SW1/4, SE1/4;
SECTION 22: ALL;
SECTION 27: ALL;
SECTION 28: E1/2SW1/4, E1/2;
SECTION 31: Lot 3, NE1/4SW1/4, S1/2NE1/4, N1/2SE1/4;
SECTION 32: E1/2NE1/4, NW1/4NE1/4, E1/2NW1/4, SW1/4NW1/4;
SECTION 33: N1/2, N1/2S1/2;
SECTION 34: N1/2; NW1/4SW1/4;

TOWNSHIP 14 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 35: NW1/4NE1/4, S1/2NE1/4, E1/2NW1/4, NE1/4SW1/4,
S1/2SW1/4, SE1/4;
SECTION 36: N1/2SE1/4;

CONTINUED

EXHIBIT "A" CONTINUED

184018

FILE NO.:100-00-7811

TOWNSHIP 15 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 27: N1/2SW1/4;
SECTION 28: S1/2NW1/4, SW1/4, N1/2SE1/4;
SECTION 29: SE1/4;
SECTION 31: NE1/4SE1/4;
SECTION 32: E1/2NE1/4, NW1/4NE1/4, E1/2NW1/4, SW1/4NW1/4;
SECTION 33: NW1/4NW1/4;

TOWNSHIP 14 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 3: Lots 2, 3, 4, S1/2N1/2, S1/2;
SECTION 4: Lots 2, 3, 4, E1/2SW1/4, N1/2SE1/4;
SECTION 5: Lots 1, 2, 3, 4, S1/2N1/2;
SECTION 10: NE1/4NE1/4;

TOWNSHIP 15 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 27: NW1/4NE1/4, S1/2NE1/4, NW1/4, S1/2SW1/4, SE1/4;
SECTION 28: NE1/4, S1/2SE1/4;
SECTION 32: S1/2SW1/4, SE1/4;
SECTION 33: N1/2NE1/4, SW1/4SW1/4, E1/2SW1/4, SE1/4;
SECTION 34: NE1/4, N1/2NW1/4, S1/2;

PARCEL II:

TOWNSHIP 13 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 7: Lots 3 and 5, SE1/4NE1/4;
SECTION 18: Lots 2 and 3;
SECTION 20: SE1/4SW1/4, Lots 3 and 4;
SECTION 29: Lots 1 and 2;

TOWNSHIP 14 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 15: E1/2, NE1/4NW1/4, S1/2NW1/4, SW1/4;

TOWNSHIP 14 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 1: Lots 2 and 5, NE1/4SE1/4, SE1/4SE1/4;
SECTION 11: Lots 2 and 3;
SECTION 12: The North 2860 feet thereof;
SECTION 23: Lots 3 and 4, SW1/4SE1/4;
SECTION 26: NW1/4NE1/4, Lot 1;
SECTION 27: W1/2SE1/4, Lots 2 and 3, N1/2SW1/4;
SECTION 28: Lot 1;
SECTION 34: E1/2NW1/4, S1/2SE1/4;

EXCEPTING any portions thereof heretofore granted to Idaho Power Company, for Brownlee Hydroelectric development, by Warranty Deed recorded in Book 77 Deeds, page 499 records of Washington County, Idaho, and ALSO EXCEPTING right of way for County road as conveyed by Warranty Deed recorded in Book 77 Deeds, page 603 records of Washington County, Idaho.

EXHIBIT B

WARRANTY DEED

186722

For Value Received

EHRlich HIGHLANDS, LLC, a Colorado limited liability company

The grantor , does hereby grant, bargain, sell and convey unto

MAGNESS RACING VENTURES, INC., a Colorado corporation

the grantee , whose current address is 4343 South Holly, Englewood, Colorado 80111

the following described premises, in Washington County Idaho, to-wit:

AN UNDIVIDED 27.2% INTEREST IN THE FOLLOWING DESCRIBED PREMISES, TO-WIT:

SEE ATTACHED EXHIBIT A

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Instrument # 186722

WEISER, WASHINGTON, IDAHO

2002-07-17 03:08:00 No. of Pages: 8

Recorded for : WEISER VALLEY TITLE

SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: DEED

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee , that he the owner in fee simple of said premises; that they are free from all Incumbrances; subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record more particularly described in attached EXHIBIT B.

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 6, 2002

EHRlich HIGHLANDS, LLC

By:

Name:

Title:

STATE OF COLORADO
STATE OF IDAHO, COUNTY OF DENVER

On this 15th day of July, 2002 before me, a notary public in and for the said State, personally appeared Robert E. Ehrlich, as Manager of Ehrlich Highlands, LLC, a Colorado limited liability company

known or identified to me to be the person whose name subscribed to the within instrument, and acknowledged to me that Robert E. Ehrlich executed the same.

LAUREL ZABEL
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 4-26-05

Residing at Denver, Colorado
Comm. Expires 4-26-05

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at this 19 minutes past o'clock M.,
in my office, and duly recorded in Book
of Deeds at Page

Ex-Officio Recorder

By

Deputy

Fees \$
Mail to:

INSTRUMENT NO.

186722

**EXHIBIT A
TO
WARRANTY DEED
LEGAL DESCRIPTION**

See 2 pages attached.

EXHIBIT "A"

FILE NO.: 100-00-7811

PARCEL I:

TOWNSHIP 12 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 4: Lots 3 and 4, S1/2NW1/4;
SECTION 5: Lot 1, S1/2NE1/4;

TOWNSHIP 13 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 1: SW1/4NE1/4, S1/2NW1/4, E1/2SW1/4, W1/2SE1/4, Lots 3 and 4;
SECTION 2: Lots 1, 3 and 4, W1/2SW1/4;
SECTION 3: Lots 1, 3 and 4, SW1/4NE1/4, S1/2NW1/4, S1/2;
SECTION 4: Lot 1, S1/2NE1/4, S1/2SW1/4, SE1/4;
SECTION 8: SE1/4NE1/4, SE1/4;
SECTION 9: N1/2, N1/2SW1/4, SW1/4SW1/4, NE1/4SE1/4;
SECTION 10: N1/2, SW1/4, S1/2SE1/4, NW1/4SE1/4;
SECTION 11: S1/2NW1/4;
SECTION 12: SE1/4NE1/4, W1/2NE1/4, E1/2NW1/4, NE1/4SW1/4;
SECTION 14: N1/2NW1/4, SW1/4NW1/4;
SECTION 15: ALL;
SECTION 17: N1/2NE1/4, SE1/4NE1/4, SE1/4;
SECTION 20: E1/2;
SECTION 21: N1/2, W1/2SW1/4, S1/2SE1/4;
SECTION 22: N1/2, S1/2SW1/4, W1/2SE1/4;
SECTION 27: W1/2E1/2, W1/2;
SECTION 28: E1/2, W1/2W1/2;
SECTION 29: N1/2NE1/4, SE1/4NE1/4, NE1/4SE1/4, S1/2SE1/4;
SECTION 32: SE1/4SE1/4;
SECTION 34: W1/2NE1/4, NW1/4;

TOWNSHIP 14 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 7: Lot 4, SE1/4SW1/4, W1/2SE1/4, NE1/4SE1/4;
SECTION 8: N1/2SW1/4, SE1/4SW1/4, NW1/4SE1/4, SE1/4SE1/4;
SECTION 9: SW1/4SW1/4;
SECTION 17: S1/2, E1/2NE1/4;
SECTION 18: W1/2NE1/4, E1/2W1/2, N1/2SE1/4, Lots 1, 2, 3 and 4;
SECTION 20: N1/2N1/2;
SECTION 21: S1/2NE1/4, NE1/4SW1/4, SE1/4;
SECTION 22: ALL;
SECTION 27: ALL;
SECTION 28: E1/2SW1/4, E1/2;
SECTION 31: Lot 3, NE1/4SW1/4, S1/2NE1/4, N1/2SE1/4;
SECTION 32: E1/2NE1/4, NW1/4NE1/4, E1/2NW1/4, SW1/4NW1/4;
SECTION 33: N1/2, N1/2S1/2;
SECTION 34: N1/2; NW1/4SW1/4;

TOWNSHIP 14 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 35: NW1/4NE1/4, S1/2NE1/4, E1/2NW1/4, NE1/4SW1/4,
S1/2SW1/4, SE1/4;
SECTION 36: N1/2SE1/4;

CONTINUED

EXHIBIT "A" CONTINUED

FILE NO.: 100-00-7811

TOWNSHIP 15 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 27: N1/2SW1/4;
SECTION 28: S1/2NW1/4, SW1/4, N1/2SE1/4;
SECTION 29: SE1/4;
SECTION 31: NE1/4SE1/4;
SECTION 32: E1/2NE1/4, NW1/4NE1/4, E1/2NW1/4, SW1/4NW1/4;
SECTION 33: NW1/4NW1/4;

TOWNSHIP 14 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 3: Lots 2, 3, 4, S1/2N1/2, S1/2;
SECTION 4: Lots 2, 3, 4, E1/2SW1/4, N1/2SE1/4;
SECTION 5: Lots 1, 2, 3, 4, S1/2N1/2;
SECTION 10: NE1/4NE1/4;

TOWNSHIP 15 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 27: NW1/4NE1/4, S1/2NE1/4, NW1/4, S1/2SW1/4, SE1/4;
SECTION 28: NE1/4, S1/2SE1/4;
SECTION 32: S1/2SW1/4, SE1/4;
SECTION 33: N1/2NE1/4, SW1/4SW1/4, E1/2SW1/4, SE1/4;
SECTION 34: NE1/4, N1/2NW1/4, S1/2;

PARCEL II:

TOWNSHIP 13 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 7: Lots 3 and 5, SE1/4NE1/4;
SECTION 18: Lots 2 and 3;
SECTION 20: SE1/4SW1/4, Lots 3 and 4;
SECTION 29: Lots 1 and 2;

TOWNSHIP 14 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 15: E1/2, NE1/4NW1/4, S1/2NW1/4, SW1/4;

TOWNSHIP 14 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 1: Lots 2 and 5, NE1/4SE1/4, SE1/4SE1/4;
SECTION 11: Lots 2 and 3;
SECTION 12: The North 2860 feet thereof;
SECTION 23: Lots 3 and 4, SW1/4SE1/4;
SECTION 26: NW1/4NE1/4, Lot 1;
SECTION 27: W1/2SE1/4, Lots 2 and 3, N1/2SW1/4;
SECTION 28: Lot 1;
SECTION 34: E1/2NW1/4, S1/2SE1/4;

EXCEPTING any portions thereof heretofore granted to Idaho Power Company, for Brownlee Hydroelectric development, by Warranty Deed recorded in Book 77 Deeds, page 499 records of Washington County, Idaho, and ALSO EXCEPTING right of way for County road as conveyed by Warranty Deed recorded in Book 77 Deeds, page 603 records of Washington County, Idaho.

18 6722

**EXHIBIT B
TO
WARRANTY DEED
ENCUMBRANCES**

See 3 pages attached.

EXHIBIT "B"

FILE NO: 100-00-7811

Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.

Easements, or claims of easements, not shown by the public records.

(a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

Taxes for 2000, and subsequent years, not yet due or payable.

Liens, levies and assessments of any and all irrigation districts or laterals, and the rights, powers and easements of said district as by law provided.

Mineral rights, claims or title to minerals.

Lien for any taxes deferred by virtue of the designation of the insured premises or any portion thereof as forest lands as provided in Sec. 63-1701 et.seq. Idaho Code.

Any lack of a right of access to and from the land (doesn't affect land in Twp.13N., R.7W., Sec. 2,3,4,8,9,10,11,12,14,15,17; Twp.14N., R.6W., Sec. 7,8,17,18; Twp.14N., R.7W., Sec. 11,12,23,26,27,34,35).

The right of the United States of America and the U.S. Forest Service or any other agency to regulate or limit access to and from the land.

Reserving to the United States, coal and other minerals in the following Patents recorded in Deed records of Washington County, Idaho.

<u>Book</u>	-	<u>Page</u>	<u>Book</u>	-	<u>Page</u>	<u>Book</u>	-	<u>Page</u>
36	-	325	36	-	598	52	-	320
36	-	343	36	-	621	52	-	450
36	-	429	47	-	98	53	-	40
36	-	539	50	-	553	53	-	319
36	-	554	51	-	28	53	-	451
36	-	564	51	-	29	54	-	573
						67	-	359

Any claim arising from the difference in the mean high water line of the SNAKE RIVER and the meander line as shown by the Government Survey.

Any adverse claim based on the assertion that some portion of the land is now, or at any time has been within the boundaries of Brownlee Reservoir (Snake River) or by reason of the fact or claim that any portion or portions there of have been rendered unnavigable by artificial means, or has accreted to such portions so created.

The real estate described herein is bounded by a River, and is subject to the rights of the public to use said River and their access to it.

continued

EXHIBIT "B" CONTINUED

FILE NO:100-00-7811

Terms and conditions contained in a Deed to Idaho Power Company recorded in Book 77 of Deeds at page 499, official records.

Public road granted to Washington County recorded in Book 77 of Deeds at page 603, official records.

Any adverse claim based on the assertion that references to the high water mark of the Brownlee Reservoir "2100 feet elevation" does not locate the boundary of the land with certainty or that the location of said contour elevation line has moved.

An Easement for power lines and incidental purposes in favor of Idaho Power Company, as set forth in an instrument recorded November 4, 1971, as Instrument No. 96516, records of said County.

An Easement for power lines and incidental purposes in favor of Idaho Power Company, as set forth in an instrument recorded September 22, 1975, as Instrument No. 105189, records of said County.

A Grant of Easement and Right of Way for utilities and incidental purposes, dated August 2, 1985, upon, over under and across...a strip of land 15 feet in width located in SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 10, Twp 14 N, R 6 W B.M.

Recorded: August 5, 1985, Book 101 Deeds, page 368, Inst. #136809.

Grantor: Dale Castagno et al.

Grantee: Midvale Telephone Exchange., Inc., an Idaho Corporation.

Road Easement granted to Midvale Telephone Exchange across SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 12, Twp. 14 N., R. 7 W., B.M., recorded December 2, 1988 as Instrument No. 146274, official records.

Terms and conditions contained in Encroachment permit recorded. August 12, 1991 as Instrument No. 152456, Official Records.

An Easement for power lines and incidental purposes in favor of Idaho Power Company, as set forth in an instrument recorded January 11, 1996, as Instrument No. 165183, records of said County.

Terms and conditions of Conservation Easement granted to the State of Idaho Department of Fish and Game, recorded November 14, 1994, as Instrument No. 161786, official records.

Terms and conditions of Road Easement granted the Idaho Department of Fish and Game recorded November 10, 1994, as Instrument No. 161787, official records.

Terms and conditions of Conservation Easement granted to the State of Idaho Department of Fish and Game, recorded January 11, 1996, as Instrument No. 165191, official records.

continued

EXHIBIT B CONTINUED

FILE NO.:100-00-7811

Terms and conditions of Conservation Easement granted to the Rocky Mountain Elk Foundation, Inc., recorded November 29, 1996, as Instrument No. 168049, official records.

ASSIGNED TO State of Idaho, Department of Fish and Game, by Instrument recorded October 10, 1997, Instrument No. 170775, Official Records.

ASSIGNED TO State of Idaho, Department of Fish and Game, by Instrument recorded September 3, 1998, Instrument No. 173966, Corrected by Instruments recorded August 4, 2000 as Instrument No. 180362 and 180363 Official Records.

ASSIGNED TO State of Idaho, Department of Fish and Game, by Instrument recorded August 4, 2000, Instrument No. 180364, Official Records.

Terms and conditions of Conservation Easement granted to the State of Idaho Department of Fish and Game, recorded November 29, 1996, as Instrument No. 168050, official records.

Terms and conditions of Conservation Easement granted to the Rocky Mountain Elk Foundation, Inc., recorded September 17, 1997, as Instrument No. 170588, official records.

ASSIGNED TO State of Idaho, Department of Fish and Game, by Instrument recorded September 3, 1998, Instrument No. 173966, Corrected by Instruments recorded August 4, 2000 as Instrument No. 180362 and 180363 Official Records.

EXHIBIT C

14927

WARRANTY DEED

THIS DEED, Made this 8th day of August, 2011 between ROCKING M CATTLE CO., an Idaho Limited Partnership, having a mailing address of 5360 N. Franklin, Denver, Colorado 80216, the Grantor, and McCook National Bank, P.O. Box 1208, McCook, NE 69001-1208, the Grantee;

WITNESSETH:

That for and in consideration of the covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor and Grantee, the Grantor does by these presents grant, convey and warrant forever unto the Grantee, and to its successors and assigns, all that real property located in Washington County, Idaho, described as follows, to wit:

AN UNDIVIDED 22.8% INTEREST IN THE REAL PROPERTY DESCRIBED ON EXHIBIT A, ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

SUBJECT TO THE FOLLOWING:

1. Mortgage to secure Note dated August 31, 2007, in the face amount of Two Million One Hundred Thousand Dollars (\$2,100,000) and Note dated February 9, 2007, in the face amount of Nine Hundred Thousand Dollars (\$900,000), as modified and renewed, both payable by Colorado Meat Packers, Inc. to McCook National Bank:

Dated: October 17, 2008

Recorded October 22, 2008.

Instrument #210710, County of Washington, State of Idaho

Mortgagor: Grantor herein.

Mortgagee: Grantee herein.

2. The exceptions described in the attached Exhibit B.

TO HAVE AND TO HOLD, all and singular, the said property, together with the appurtenances, unto the said Grantee, and to its successors and assigns forever. Grantor covenants with Grantee that the former is now seized in fee simple of the property granted; that the latter shall enjoy the same without any lawful disturbance; that the same is free from all encumbrances (except for the Mortgage described above and those set forth on the attached Exhibit B); that Grantor and all

persons acquiring any interest in the same through or for it will, on demand, execute and deliver to Grantee at Grantee's expense, any further assurances of the same that may be reasonably required; and that Grantor will warrant to Grantee all of the said property against every person lawfully claiming the same, except those claiming under the above exceptions.

This deed is absolute in effect and conveys fee simple title of the property above described to the Grantee and does not operate as a rescission or as a mortgage, trust conveyance, or security agreement of any kind. Grantor has sold the property above described to Grantee for a fair and adequate consideration, such consideration, in addition to that recited above, including release by Bank of one or more financial obligations owed by affiliates of Grantor and secured by the Mortgage described above, reducing such secured indebtedness owed by affiliates of Grantor by the agreed value of the property conveyed hereunder, and other consideration as expressed in an agreement dated of even date herewith among Grantor, Grantee, and other parties.

This deed does not effect a merger of the fee ownership and the lien of the mortgage described in paragraph 1 above. The fee and lien shall hereafter remain separate and distinct. It is not the intent of the parties to affect the subrogation rights of any third parties.

This Deed shall not operate to preclude Grantee from proceeding in any action to enforce the Mortgage.

Grantor does hereby waive, surrender, convey, and relinquish any equity of redemption, right to cure, and statutory rights of redemption concerning the property and Mortgage described above.

Grantor hereby surrenders and delivers possession of the property to Grantee.

Grantor declares that this conveyance is freely and fairly made, and Grantor is not acting

218070

under any misapprehension as to the legal effect of this deed, nor under any duress, undue influence, or misrepresentation of Grantee, its agents, or attorney, or any other person.

(Signature Page Follows)

Instrument # 218070

STATE OF IDAHO, COUNTY OF WASHINGTON

8-11-2011 01:48:00 No. of Pages: 9

Recorded for : AMERITITLE

BETTY J THOMAS

Ex-Officio Recorder Deputy *Deborah Thomas* Fee: 34.00

Index to DEED

IN WITNESS WHEREOF, The Grantor has hereunto set his hand on this Deed the day
and year first above written.

Rocking M Cattle Co

Roy R. Moore Jr.

By: Roy R. Moore, Jr.

(Printed name)

Title: General Partner

STATE OF COLORADO)

COUNTY OF)

Denver)

ss:

On this, the 4th day of August, 2011 before me, Dawn Behm a
Notary Public, personally appeared Roy R. Moore, Jr., known or identified to me (or proved to
me on the oath of _____), to be a general partner in the limited partnership,
ROCKING M CATTLE CO, an Idaho limited partnership, who subscribed said partnership name
to the foregoing instrument, and acknowledged to me that he executed the same in said
partnership name.

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



My Commission Expires June 27, 2014

Dawn Behm

Notary Public of Colorado

Residing at: 37116 Woodlark Blvd Thornton, CO

My Commission expires: 6/27/14

218070

EXHIBIT A
LEGAL DESCRIPTION
(See Attached)

File No. 0013399

EXHIBIT A

PARCEL I:

TOWNSHIP 12 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 4: Lots 3 and 4, S1/2NW1/4;

SECTION 5: Lot 1, S1/2NE1/4;

TOWNSHIP 13 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 1: SW1/4NE1/4, S1/2NW1/4, E1/2SW1/4, W1/2SE1/4, Lots 3 and 4;

SECTION 2: Lots 1, 3 and 4, W1/2SW1/4;

SECTION 3: Lots 1, 3 and 4, SW1/4NE1/4, S1/2NW1/4, S1/2;

SECTION 4: Lot 1, S1/2NE1/4, S1/2SW1/4, SE1/4;

SECTION 8: SE1/4NE1/4, SE1/4;

SECTION 9: N1/2, N1/2SW1/4, SW1/4SW1/4, NE1/4SE1/4;

SECTION 10: N1/2, SW1/4, S1/2SE1/4, NW1/4SE1/4;

SECTION 11: S1/2NW1/4;

SECTION 12: SE1/4NE1/4, W1/2NE1/4, E1/2NW1/4, NE1/4SW1/4;

SECTION 14: N1/2NW1/4, SW1/4NW1/4;

SECTION 15: ALL;

SECTION 17: N1/2NE1/4, SE1/4NE1/4, SE1/4;

SECTION 20: E1/2;

SECTION 21: N1/2, W1/2SW1/4, S1/2SE1/4;

SECTION 22: N1/2, S1/2SW1/4, W1/2SE1/4;

SECTION 27: W1/2E1/2, W1/2;

SECTION 28: E1/2, W1/2W1/2;

SECTION 29: N1/2NE1/4, SE1/4NE1/4, NE1/4SE1/4, S1/2SE1/4;

SECTION 32: SE1/4SE1/4;

SECTION 34: W1/2NE1/4, NW1/4;

TOWNSHIP 14 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 7: Lot 4, SE1/4SW1/4, W1/2SE1/4, NE1/4SE1/4;

SECTION 8: N1/2SW1/4, SE1/4SW1/4, NW1/4SE1/4, SE1/4SE1/4;

SECTION 9: SW1/4SW1/4;

SECTION 17: S1/2, E1/2NE1/4;

SECTION 18: W1/2NE1/4, E1/2W1/2, N1/2SE1/4, Lots 1, 2, 3 and 4;

SECTION 20: N1/2N1/2;

SECTION 21: S1/2NE1/4, NE1/4SW1/4, SE1/4;

SECTION 22: ALL;

SECTION 27: ALL;

SECTION 28: E1/2SW1/4, E1/2;

SECTION 31: Lot 3, NE1/4SW1/4, S1/2NE1/4, N1/2SE1/4;

SECTION 32: E1/2NE1/4, NW1/4NE1/4, E1/2NW1/4, SW1/4NW1/4;

SECTION 33: N1/2, N1/2S1/2;

SECTION 34: N1/2; NW1/4SW1/4;

TOWNSHIP 14 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 35: NW1/4NE1/4, S1/2NE1/4, E1/2NW1/4, NE1/4SW1/4, S1/2SW1/4, SE1/4;

SECTION 36: N1/2SE1/4;

CONTINUED

File No. 0013399

EXHIBIT "A" CONTINUED

TOWNSHIP 15 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 27: N1/2SW1/4;
SECTION 28: S1/2NW1/4, SW1/4, N1/2SE1/4;
SECTION 29: SE1/4;
SECTION 31: NE1/4SE1/4;
SECTION 32: E1/2NE1/4, NW1/4NE1/4, E1/2NW1/4, SW1/4NW1/4;
SECTION 33: NW1/4NW1/4;

TOWNSHIP 14 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 3: Lots 2, 3, 4, S1/2N1/2, S1/2;
SECTION 4: Lots 2, 3, 4, E1/2SW1/4, N1/2SE1/4;
SECTION 5: Lots 1, 2, 3, 4, S1/2N1/2;
SECTION 10: NE1/4NE1/4;

TOWNSHIP 15 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 27: NW1/4NE1/4, S1/2NE1/4, NW1/4, S1/2SW1/4, SE1/4;
SECTION 28: NE1/4, S1/2SE1/4;
SECTION 32: S1/2SW1/4, SE1/4;
SECTION 33: N1/2NE1/4, SW1/4SW1/4, E1/2SW1/4, SE1/4;
SECTION 34: NE1/4, N1/2NW1/4, S1/2;

PARCEL II:

TOWNSHIP 13 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 7: Lots 3 and 5, SE1/4NE1/4;
SECTION 18: Lots 2 and 3;
SECTION 20: SE1/4SW1/4, Lots 3 and 4;
SECTION 29: Lots 1 and 2;

TOWNSHIP 14 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 15: E1/2, NE1/4NW1/4, S1/2NW1/4, SW1/4;

TOWNSHIP 14 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 1: Lots 2 and 5, NE1/4SE1/4, SE1/4SE1/4;
SECTION 11: Lots 2 and 3;
SECTION 12: The North 2860 feet thereof;
SECTION 23: Lots 3 and 4, SW1/4SE1/4;
SECTION 26: NW1/4NE1/4, Lot 1;
SECTION 27: W1/2SE1/4, Lots 2 and 3, N1/2SW1/4;
SECTION 28: Lot 1;
SECTION 34: E1/2NW1/4, S1/2SE1/4;

EXCEPTING any portions thereof heretofore granted to Idaho Power Company, for Brownlee Hydroelectric development, by Warranty Deed recorded in Book 77 Deeds, page 499 records of Washington County, Idaho, and ALSO EXCEPTING right of way for County road as conveyed by Warranty Deed recorded in Book 77 Deeds, page 603 records of Washington County, Idaho.

END

**EXHIBIT B
EXCEPTIONS**

1. Terms and conditions contained in a Deed to Idaho Power Company recorded in Book 77 of Deeds at page 499, official records.
2. Public road granted to Washington County recorded in Book 77 of Deeds at page 603, official records.
3. An Easement for power lines and incidental purposes in favor of Idaho Power Company, as set forth in an instrument recorded November 4, 1971, as Instrument No. 96516, records of said County.
4. An Easement for power lines and incidental purposes in favor of Idaho Power Company, as set forth in an instrument recorded September 22, 1975, as Instrument No. 105189, records of said County.
5. A Grant of Easement and Right of Way for utilities and incidental purposes, dated August 2, 1985, upon, over under and across...a strip of land 15 feet in width located in SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec 3, N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 10, Twp 14 N, R 6 W B.M. Recorded: August 5, 1985, Book 101 Deeds, page 368, Inst. #136809.
Grantor: Dale Castagno et al.
Grantee; Midvale Telephone Exchange., Inc., an Idaho Corporation.
6. Road Easement granted to Midvale Telephone Exchange across SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 12, Twp. 14 N., R. 7 W., B.M., recorded December 2, 1988 as Instrument No. 146274, official records.
7. Terms and conditions contained in Encroachment permit recorded August 12, 1991 as Instrument No. 152456, Official Records.
8. An Easement for power lines and incidental purposes in favor of Idaho Power Company, as set forth in an instrument recorded January 11, 1996, as Instrument No. 165183, records of said County.
9. Easement and right of way granted the United States of America, recorded June 15, 2006 as Instrument No. 201774, Official Records.
10. Terms and conditions of Conservation Easement granted to the State of Idaho Department of Fish and Game, recorded November 14, 1994, as Instrument No. 161786, official records.
11. Taxes and assessments for the year 2011 and subsequent years, a lien not due and payable.

PARCEL I

12. Terms and conditions of Road Easement granted the Idaho Department of Fish and Game recorded November 10, 1994, as Instrument No. 161787, official records.
13. Terms and conditions of Conservation Easement granted to the State of Idaho Department of Fish and Game, recorded January 11, 1996, as Instrument No. 165191, official records.
14. Terms and conditions of Conservation Easement granted to the Rocky Mountain Elk Foundation, Inc., recorded November 29, 1996, as Instrument No. 168049, official records.

ASSIGNED TO State of Idaho, Department of Fish and Game, by Instrument recorded October 10, 1997, Instrument No. 170775, Official Records.

ASSIGNED TO State of Idaho, Department of Fish and Game, by Instrument recorded September 3, 1998, Instrument No. 173966, Corrected by Instruments recorded August 4, 2000 as Instrument No. 180362 and 180363 Official Records.

ASSIGNED TO State of Idaho, Department of Fish and Game, by Instrument recorded August 4, 2000, Instrument No. 180364, Official Records.

ASSIGNED TO State of Idaho, Department of Fish and Game, by Instrument recorded December 18, 2000, Instrument No. 181469, Official Records.

15. Terms and conditions of Conservation Easement granted to the State of Idaho Department of Fish and Game, recorded November 29, 1996, as Instrument No. 168050, official records.
16. Terms and conditions of Conservation Easement granted to the Rocky Mountain Elk Foundation, Inc., recorded September 17, 1997, as Instrument No. 170588, official records.

ASSIGNED TO State of Idaho, Department of Fish and Game, by Instrument recorded September 3, 1998, Instrument No. 173966, Corrected by Instruments recorded August 4, 2000 as Instrument No. 180362 and 180363 Official Records.



P.O. BOX 591
128 E MAIN ST
WEISER, ID 83672
PH (208) 414-1792
FX (208) 414-1794

September 23, 2013

Sarah
Brownstein Hyatt Farber Schreck, LLP
SMares@BHFS.com

OUR NO. : 0016236
YOUR NO. :
REGARDING : Magness Racing Ventures/McCook Bank

WE ENCLOSE HERewith THE FOLLOWING:

LOT BOOK GUARANTEE

THANK YOU FOR DOING BUSINESS WITH US!

SINCERELY,

AMERITITLE

A handwritten signature in black ink, appearing to read 'Jonathan Edwards', with a long horizontal flourish extending to the right.

Jonathan Edwards
TITLE OFFICER

ENC.



PO BOX 591
128 EAST MAIN ST.
WEISER, ID 83672
PH (208) 414-1792
FX (208) 414-1794

Email: mariam@ameri-title.com

September 23, 2013

Brownstein Hyatt Farber Schreck, LLP
410 Seventeenth Street, Suite 2200
Denver, CO 80202
303.223.1476 tel

DESCRIPTION OF SERVICES AND CHARGES

CHARGES AND CREDITS

AMOUNT

Re: Magness/McCook Bank- LBG
File No.: 0016236

Lot Book Guarantee

\$150.00

TOTAL DUE

\$150.00

**TO INSURE THAT PAYMENT IS CREDITED TO YOUR ACCOUNT, PLEASE PUT THE INVOICE
NUMBER ON YOUR CHECK, SEND PAYMENT TO ATTENTIONLynn.
ALL INVOICES ARE DUE WITHIN 30 DAYS OF BILLING!**

INVOICE NO.: 3219

NO. w16236

LIABILITY \$175.00

FEE \$150.00

CHICAGO TITLE INSURANCE COMPANY
a corporation, herein called the Company,
GUARANTEES

Policy No. ID2056-46-w16236-2013.72030-89823193

Herein called the Assured, against actual loss not exceeding the liability amount stated above which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

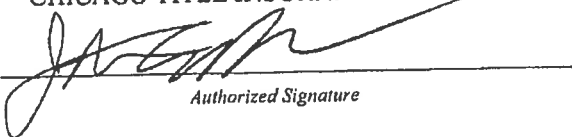
LIABILITY EXCLUSIONS AND LIMITATIONS

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth above.

Dated: 09/23/2013

CHICAGO TITLE INSURANCE COMPANY

By

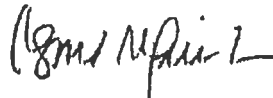

Authorized Signature

Please note carefully the liability exclusions and limitations and the specific assurances afforded by this guarantee. If you wish additional liability, or assurances other than as contained herein, please contact the Company for further information as to the availability and cost.

ID2056 w16236
AmeriTitle
128 E Main St, PO Box 591
Weiser, ID 83672

CHICAGO TITLE INSURANCE COMPANY

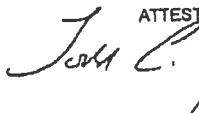
By:



President



ATTEST



Secretary

GUARANTEE NO. 72030-89823193
FILE NO. 0016236
YOUR NO. tbd

LOT BOOK GUARANTEE

SCHEDULE A

Liability : \$175.00

Dated : September 23, 2013 at 8:00 A.M.

Fee : \$150.00

Name of Assured : Brownstein Hyatt Farber Schreck, LLP

The assurances referred to on the face page are:

That, according to the Company's property records relative to the following described real property (but without examination of those Company records maintained and indexed by name):

See Attached Exhibit "A"

A. The last recorded instrument purporting to transfer title to said real property is:

A Warranty Deed dated August 8, 2011, from Rocking M Cattle Co., an Idaho Limited Partnership, to McCook National Bank, recorded August 11, 2011, Instrument No. 218070 Official Records.

B. There are no mortgages or deeds of trust which purport to affect said real property, other than those shown below under Exceptions.

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No guarantee is made regarding (a) matters affecting the beneficial interest of any mortgage or deed of trust which may be shown herein as an Exception, or (b) other matters which may affect any such mortgage or deed of trust.

No guarantee is made regarding any liens, claims of lien, defects or encumbrances other than those specifically provided for above, and, if information was requested by reference to a street address, no guarantee is made that said real property is the same as said address.

EXCEPTIONS:

1. Taxes for 2013 are an accruing lien, not yet due or payable.
2. Mortgage dated October 17, 2008 to secure an indebtedness in the principal sum of \$3,000,000.00, and any other amounts and/or obligations secured thereby.
Recorded : October 22, 2008, Instrument No. 210710, Official Records
Mortgagor : ROCKING M. CATTLE CO., an Idaho Limited Partnership
Mortgagee : McCook National Bank

Estoppel Affidavit recorded August 11, 2011 as Instrument No. 218071, Official Records.

END

GUARANTEE NO. 72030-89823193
FILE NO. 0016236
YOUR NO. tbd

Exhibit "A"

PARCEL I:

TOWNSHIP 12 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 4: Lots 3 and 4, S1/2NW1/4;

SECTION 5: Lot 1, S1/2NE1/4;

TOWNSHIP 13 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 1: SW1/4NE1/4, S1/2NW1/4, E1/2SW1/4, W1/2SE1/4, Lots 3 and 4;

SECTION 2: Lots 1, 3 and 4, W1/2SW1/4;

SECTION 3: Lots 1, 3 and 4, SW1/4NE1/4, S1/2NW1/4, S1/2;

SECTION 4: Lot 1, S1/2NE1/4, S1/2SW1/4, SE1/4;

SECTION 8: SE1/4NE1/4, SE1/4;

SECTION 9: N1/2, N1/2SW1/4, SW1/4SW1/4, NE1/4SE1/4;

SECTION 10: N1/2, SW1/4, S1/2SE1/4, NW1/4SE1/4;

SECTION 11: S1/2NW1/4;

SECTION 12: SE1/4NE1/4, W1/2NE1/4, E1/2NW1/4, NE1/4SW1/4;

SECTION 14: N1/2 NW1/4, SW1/4NW1/4;

SECTION 15: ALL;

SECTION 17: N1/2NE1/4, SE1/4NE1/4, SE1/4;

SECTION 20: E1/2;

SECTION 21: N1/2, W1/2SW1/4, S1/2SE1/4;

SECTION 22: N1/2, S1/2SW1/4, W1/2SE1/4;

SECTION 27: W1/2E1/2, W1/2;

SECTION 28: E1/2, W1/2W1/2;

SECTION 29: N1/2NE1/4, S E1/4NE1/4, NE1/4SE1/4, S1/2SE1/4;

SECTION 32: SE1/4SE1/4;

SECTION 34: W1/2NE1/4, NW1/4;

TOWNSHIP 14 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

SECTION 7: Lot 4, SE1/4SW1/4, W1/2SE1/4, NE1/4SE1/4;

SECTION 8: N1/2SW1/4, SE1/4SW1/4, NW1/4SE1/4, SE1/4SE1/4;

SECTION 9: SW1/4SW1/4;

SECTION 17: S1/2, E1/2NE1/4;

SECTION 18: W1/2NE1/4, E1/2W1/2, N1/2SE1/4, Lots 1, 2, 3 and 4;

SECTION 20: N1/2N1/2;

SECTION 21: S1/2NE1/4, NE1/4SW1/4, SE1/4;

SECTION 22: ALL;

SECTION 27: ALL;

SECTION 28: E1/2SW1/4, E1/2;

SECTION 31: Lot 3, NE1/4SW1/4, S1/2NE1/4, N1/2SE1/4;

SECTION 32: E1/2NE1/4, NW1/4NE1/4, E1/2NW1/4, SW1/4NW1/4;

SECTION 33: N1/2, N1/2S1/2;

SECTION 34: N1/2; NW1/4SW1/4;

TOWNSHIP 14 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:

SECTION 35: NW1/4NE1/4, S1/2NE1/4, E1/2NW1/4, NE1/4SW1/4, S1/2SW1/4, SE1/4;

SECTION 36: N1/2SE1/4;

CONTINUED

GUARANTEE NO. 72030-89823193
FILE NO. 0016236
YOUR NO. tbd

EXHIBIT "A" CONTINUED

TOWNSHIP 15 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:
SECTION 27: N1/2SW1/4;
SECTION 28: S1/2NW1/4, SW1/4, N1/2SE1/4;
SECTION 29: SE1/4;
SECTION 31: NE1/4SE1/4;
SECTION 32: E1/2NE1/4, NW1/4NE1/4, E1/2NW1/4, SW1/4NW1/4;
SECTION 33: NW1/4NW1/4;

TOWNSHIP 14 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:
SECTION 3: Lots 2, 3, 4, S1/2N1/2, S1/2;
SECTION 4: Lots 2, 3, 4, E1/2SW1/4, N1/2SE1/4;
SECTION 5: Lots 1, 2, 3, 4, S1/2N1/2;
SECTION 10: NE1/4NE1/4;

TOWNSHIP 15 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:
SECTION 27: NW1/4NE1/4, S1/2NE1/4, NW1/4, S1/2SW1/4, SE1/4;
SECTION 28: NE1/4, S1/2SE1/4;
SECTION 32: S1/2SW1/4, SE1/4;
SECTION 33: N1/2NE1/4, SW1/4SW1/4, E1/2SW1/4, SE 1/4;
SECTION 34: NE1/4, N1/2NW1/4, S1/2;

PARCEL II:

TOWNSHIP 13 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:
SECTION 7: Lots 3 and 5, SE1/4NE1/4;
SECTION 18: Lots 2 and 3;
SECTION 20: SE1/4SW1/4, Lots 3 and 4;
SECTION 29: Lots 1 and 2;

TOWNSHIP 14 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:
SECTION 15: E1/2, NE1/4NW1/4, S1/2NW1/4, SW1/4;

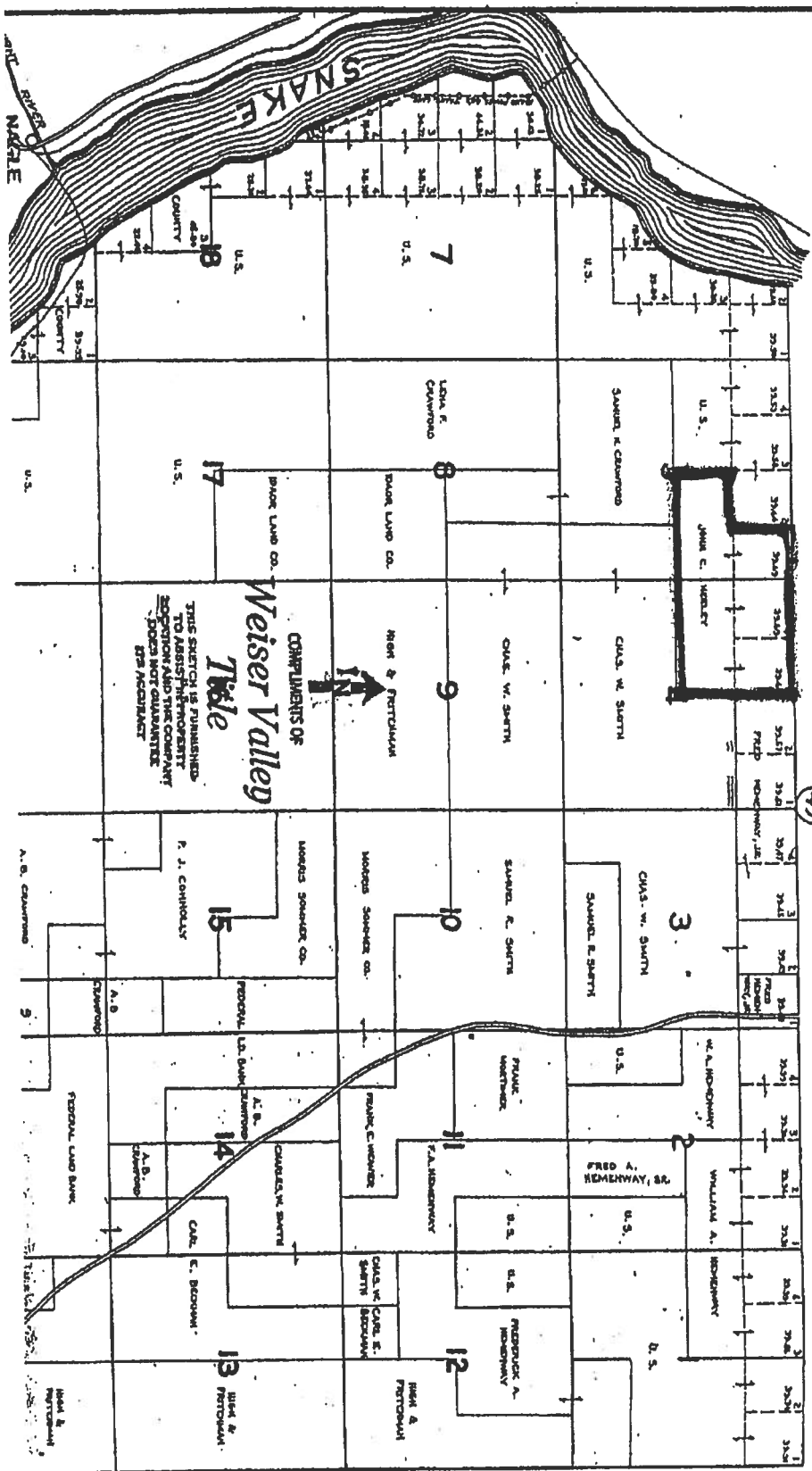
TOWNSHIP 14 NORTH, RANGE 7 WEST OF THE BOISE MERIDIAN:
SECTION 1: Lots 2 and 5, NE1/4SE1/4, SE1/4SE1/4;
SECTION 11: Lots 2 and 3;
SECTION 12: The North 2860 feet thereof;
SECTION 23: Lots 3 and 4, SW1/4SE1/4;
SECTION 26: NW1/4NE1/4, Lot 1;
SECTION 27: W1/2SE1/4, Lots 2 and 3, N1/2SW1/4;
SECTION 28: Lot 1;
SECTION 34: E1/2NW1/4, S1/2SE1/4;

EXCEPTING any portions thereof heretofore granted to Idaho Power Company, for Brownlie Hydroelectric development, by Warranty Deed recorded in Book 77 Deeds, page 499 records of Washington County, Idaho, and ALSO EXCEPTING right of way for County road as conveyed by Warranty Deed recorded in Book 77 Deeds, page 603 records of Washington County, Idaho.

FOR SALE BY
CHAS. F. METSKER
514 S. W. OAK STREET, PORTLAND, OREGON
711 SOUTH 10TH ST., TACOMA, WASHINGTON
1020 THIRD AVE., SEATTLE, WASHINGTON

TOWNSHIP 12 N., RANGE 7 W. B. M.
WASHINGTON COUNTY, IDAHO

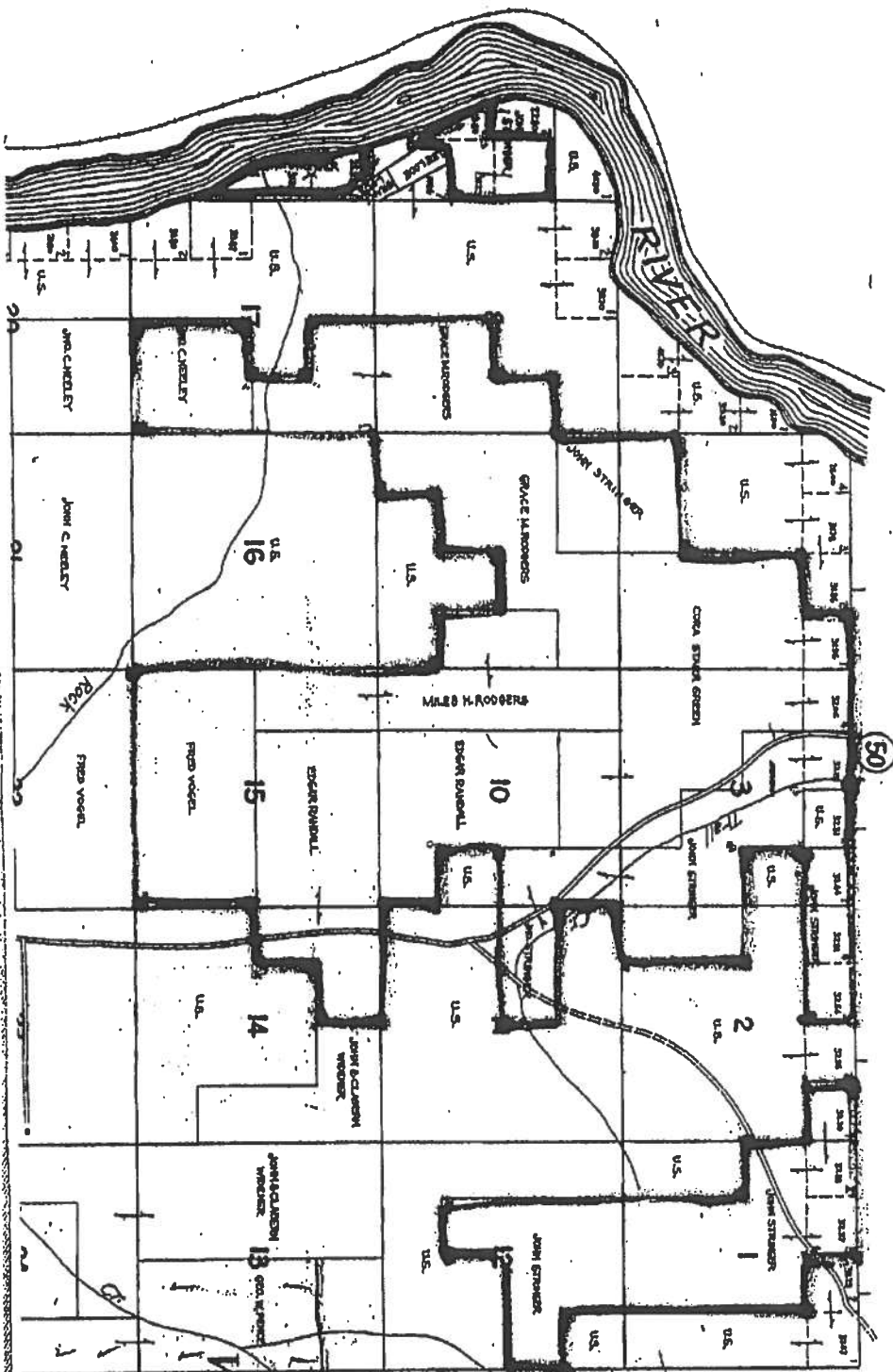
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TO ASSIST IN PROPERTY
LOCATION AND THE COMPANY
DOES NOT GUARANTEE
ITS ACCURACY.



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WASHINGTON COUNTY, IDAHO

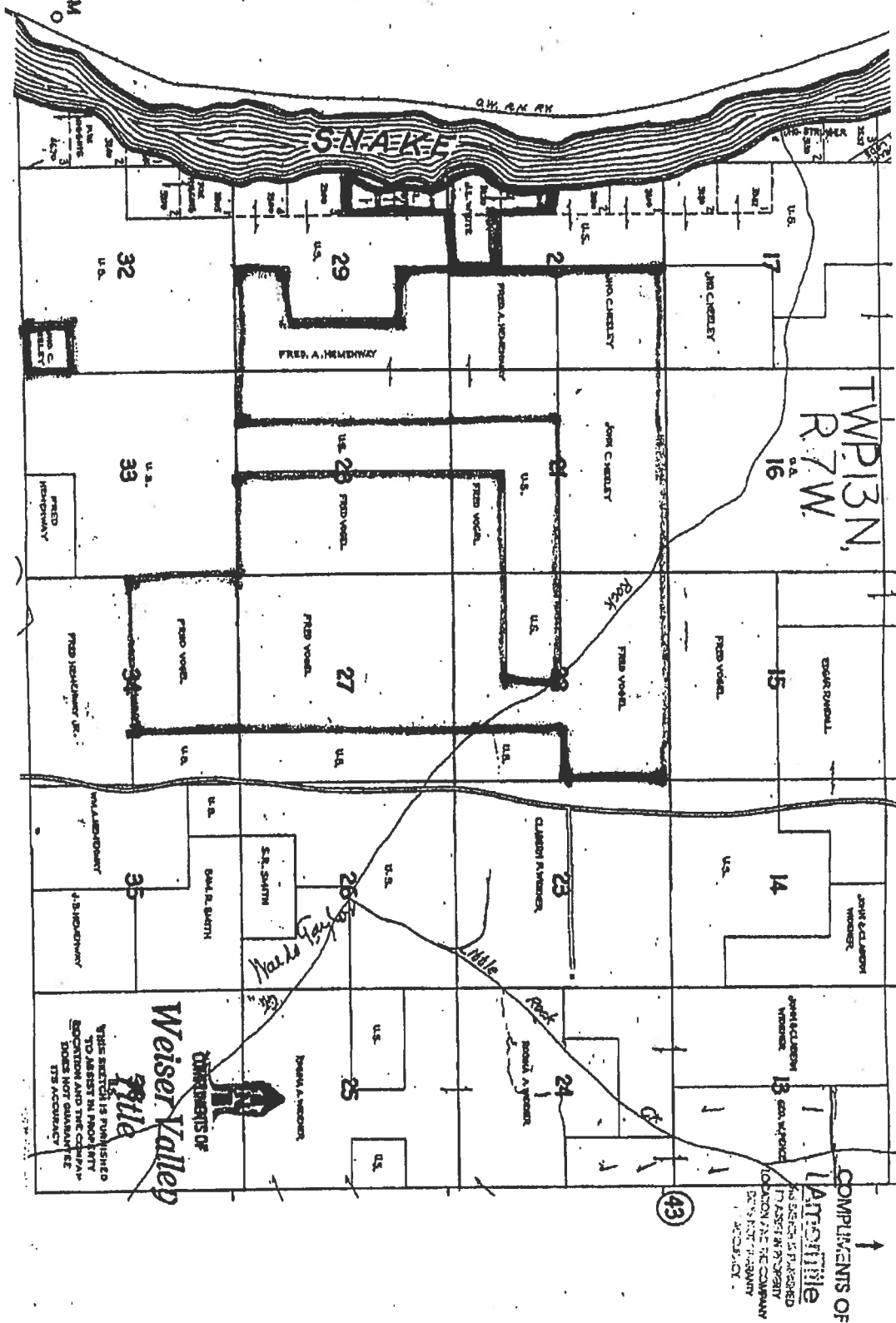
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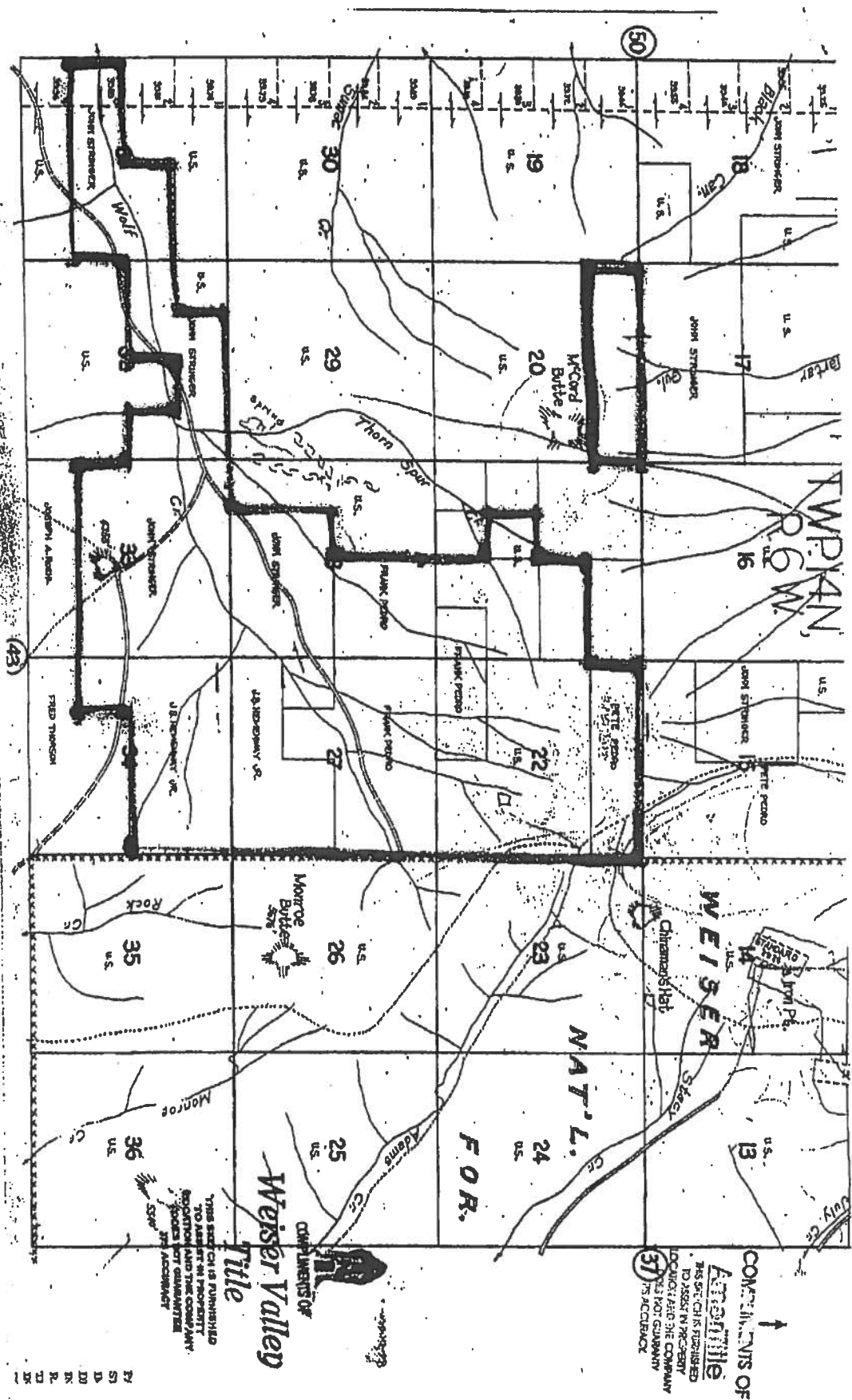
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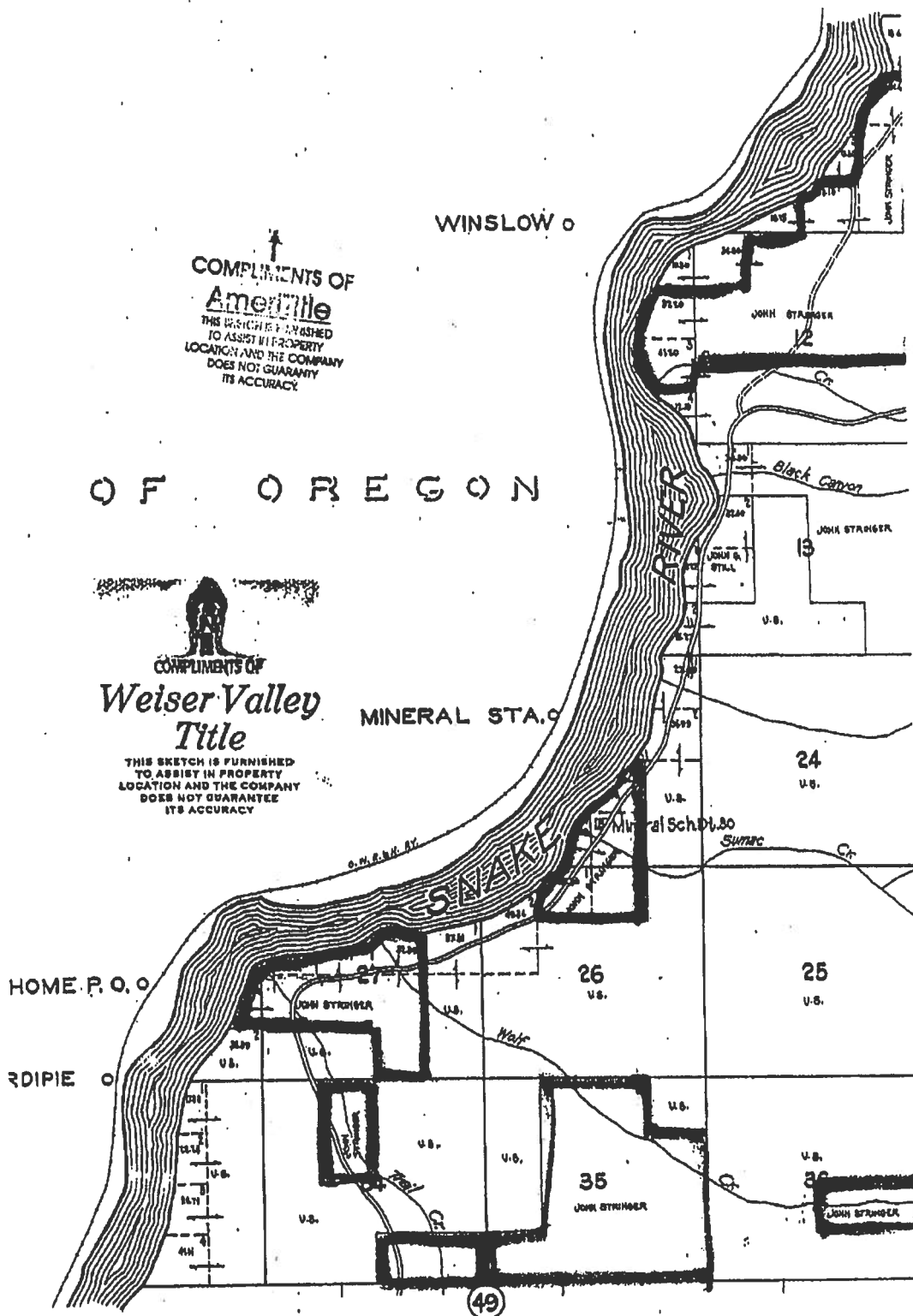
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TOWNSHIP 14 N., RANGE 7 W. B. M. WASHINGTON COUNTY, IDAHO



THIS SKETCH IS FURNISHED
TO ASSIST IN PROPERTY
LOCATION AND THE COMPANY
DOES NOT GUARANTEE
ITS ACCURACY

EXHIBIT D

STATE OF COLORADO

DEPARTMENT OF
STATE

CERTIFICATE

I, SCOTT GESSLER, SECRETARY OF STATE OF THE STATE OF
COLORADO HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THIS
OFFICE, ARTICLES OF AMENDMENT WERE FILED ON MARCH 16, 2011
CHANGING THE ENTITY NAME OF

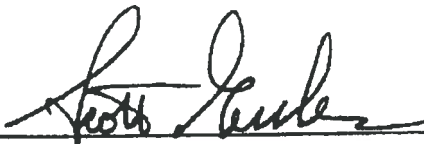
MAGNESS RACING VENTURES, INC.
(COLORADO CORPORATION)

TO

THUNDER SPIRIT, INC.

I FURTHER CERTIFY THAT SAID ENTITY HAS COMPLIED WITH ALL
APPLICABLE REQUIREMENTS OF THIS OFFICE, AND IS IN GOOD
STANDING WITH THIS OFFICE.

Dated: March 29, 2012



SECRETARY OF STATE

EXHIBIT E

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State of Idaho

Office of the Secretary of State

AMENDED CERTIFICATE OF AUTHORITY

OF

MAGNESS RACING VENTURES, INC.

File Number C 166093

I, BEN YSURSA, Secretary of the State, hereby certify that an Application for Amended Certificate of Authority, has been received in this office and is found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Amended Certificate of Authority to reflect the name change from MAGNESS RACING VENTURES, INC. to **THUNDER SPIRIT, INC.** and attach hereto a duplicate of the application for such amended certificate.

Dated: April 2, 2012



Ben Yursa

SECRETARY OF STATE

By

[Signature]



APPLICATION FOR AMENDED CERTIFICATE OF AUTHORITY

(Instructions on back of application)

12 APR -2 PM 1:11

SECRETARY OF STATE
STATE OF IDAHO

To the Secretary of State of the State of Idaho:

Pursuant to Section 30-1-1504, Idaho Code, the undersigned Corporation hereby applies for an amended certificate of authority to transact business in the State of Idaho and for that purpose submits the following statement. Complete only applicable items.

1. A Certificate of Authority was issued to the corporation by your office on: April 5, 2006
authorizing it to transact business in the State of Idaho under the name of:
Magness Racing Ventures, Inc.
2. Its corporate name has been changed to: Thunder Spirit, Inc.
3. The name which it shall use hereafter in the State of Idaho is:
Thunder Spirit, Inc.
4. It has changed its jurisdiction of incorporation, without a change of corporate identity to: _____

Dated: March 28, 2012 Corporation Name: Thunder Spirit, Inc.

Signature:

Olson Magnus Blake

Typed Name: Sharon Magness Blake

Capacity: President / Secretary

Customer Acct # :

(If using pre-paid account)

Secretary of State use only

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IDAHO SECRETARY OF STATE

04/02/2012 05:00

CK: NONE CT: 1157 BH: 1317900

1 @ 30.00 = 30.00 AMEND CERT # 2
1 @ 20.00 = 20.00 EXPEDITE C # 3

C166093