

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79387

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED
JUN 17 2014
Department of Water Resources
Eastern Region

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Chalco LLC c/o Clark Hamilton

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☐ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☒ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

- 79387

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Chalco LLC c/o Clark Hamilton Phone (208) 390-2675

Mailing address 17122 East Ririe Highway, Ririe, ID 83443 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

RECEIVED

JUN 17 2014

Department of Water Resources
Eastern Region

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Clark G. Hamilton
Signature of Applicant or Authorized Representative

Clark G. Hamilton (Partner)
Print Name and Title if applicable

17 June 14
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

This transfer proposes combining 13 water rights owned by Chalco LLC into a single delivery system. The water systems and wells have already been tied together into a single system for a number of years. The transfer will create a 1,876.1 combined place of use for the water rights and will list all of the wells as authorized PODs on the rights.

Part 1.B.1 Water Rights Involved in Transfer

Water Right	Rate	Volume	Use	Period of Use	Source
25-2108C	2.188 cfs	926.9 af	Irrigation	4/1 – 11/1	Ground Water
25-2115A	3.86 cfs	900 af	Irrigation	4/1 – 11/1	Ground Water
25-2162A	1.29 cfs	468 af	Irrigation	4/1 – 10/31	Ground Water
25-2163C	1.563 cfs	662.1 af	Irrigation	4/1 – 11/1	Ground Water
25-4022 (part)	0.71 cfs	142 af	Irrigation	4/1 – 10/31	Ground Water
25-7067	2.64 cfs	528 af	Irrigation	4/1 – 11/1	Ground Water
25-7102A	6.18 cfs	1,783.2 af	Irrigation	4/1 – 11/1	Ground Water
25-7506	0.67 cfs	268 af	Irrigation	4/1 – 10/31	Ground Water
25-14124	0.31 cfs	79 af	Irrigation	4/1 – 11/1	Ground Water
25-14168	0.11 cfs	25.2 af	Irrigation	4/1 – 10/31	Ground Water
25-14290	2.41 cfs	1,023.7 af	Irrigation	4/1 – 10/31	Ground Water
25-14294	1.75 cfs	754.8 af	Irrigation	4/1 – 10/31	Ground Water
25-2162B	1.71 cfs	640 af	Irrigation	4/1 – 10/31	Ground Water
Total	25.388cfs	7,226.8af			

Part 1.B.3 Proposed Points of Diversion

T	R	Sec	QQ	County	Source	Well ID
03N	40E	12	NENE	Bonneville	Ground Water	A0009504
		12	SWNE	Bonneville	Ground Water	A0009505
		12	SESE	Bonneville	Ground Water	A0009506
03N	41E	06	NESW	Bonneville	Ground Water	
		06	NWSW	Bonneville	Ground Water	
		07	SWNE	Bonneville	Ground Water	A0009508
		07	NWSE	Bonneville	Ground Water	A0009362
		18	SWSE	Bonneville	Ground Water	
		18	SWSE	Bonneville	Ground Water	
		19	SWNE	Bonneville	Ground Water	

Part 1.B.4 Proposed Place of Use

T	R	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	12	33.5	8.2	40.0	38.1	11.6			40.0	36.5				38.3	37.0	34.5	35.1	352.8
		13	33.0	32.5											39.6	25.0	40.0	40.0	210.1
		24	40.0	27.0															67.0
03N	41E	5										16.5	10.0						26.5
												L2	L1						
		6			35.7	27.0				19.2	40.0	20.0	35.5	39.6	40.0	40.0	38.1	40.0	375.1
												L6	L7						
		7	40.0	39.5	35.0	25.5	38.5	35.7	33.5	30.2	33.2	19.5			37.0	34.6			402.2
								L1	L2			L3							
		8						8.5											8.5
								L5											
		18									15.5	24.0	39.0	31.2					109.7
												L3	L4						
		19			20.2		29.5	41.0	23.5	39.6	40.0	36.5	15.2	31.2		34.0	13.5		324.2
								L1	L2			L3	L4						

Total 1876.1

28362

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Water is diverted from ten ground water wells to a common mainline to multiple pivots and a couple of wheel lines.
Water rights are not currently in a water district. Pumps and main lines could be equipped with flow meters if measuring devices are required in the future.
- b. Who owns the property at the point(s) of diversion? Chalco LLC
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A Water rights are not being moved off of property.

 It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
All of the water rights in combination will authorize the irrigation of 1,880.6 acres. No more than 1,880.6 acres will be irrigated at the property. All other acres will be dried up.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
No other irrigation rights exist on the property.

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
Yes No
☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?
 If yes, describe:
At least 1,880.6 acres have been irrigated at this property since the time all of the water rights were decreed.

1/24/2014

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HAMILTON LAND & LIVESTOCK LTD C/O CLARK HAMILTON 17122 E OLD RIRIE HWY RIRIE, ID 83443 (208)538-7725

Status: Active

Tributary

Volume
926.9 AF
926.9 AF

↳ should be 2.188 cfs

Sec. 7, Twp 03N, Rge 41E, BONNEVILLE County

IRRIGATION within BONNEVILLE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	41E	7			33.0	29.0			40.0	33.2	39.0	30.0			40.0	40.0			284.2

POU Total Acres: 284.2

1.	X36	Right 25-2163C is also diverted through the point(s) of diversion described above.
2.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3.	E60	USE OF THIS RIGHT WITH RIGHT NO. 25-2163C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.748 CFS (.0132 CFS/ACRE) AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1137 AF.

1/24/2014

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HAMILTON LAND & LIVESTOCK LTD C/O CLARK HAMILTON 17122 E OLD RIRIE HWY RIRIE, ID 83443 (208)538-7725

Status: Active

Tributary

Volume
900.0 AF
900.0 AF

Sec. 6, Twp 03N, Rge 41E, BONNEVILLE County

IRRIGATION within BONNEVILLE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	41E	5										14.0							14.0
												L2							
03N	41E	6			36.0	24.0				18.0	37.0	16.0			40.0	40.0			211.0
												L6							

POU Total Acres: 225.0

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/24/2014

Water Right 25-2162A

Owner Type **Name and Address**
Current Owner HAMILTON LAND & LIVESTOCK LTD
C/O CLARK HAMILTON
17122 E OLD RIRIE HWY
RIRIE, ID 83443
(208)538-7725

Priority Date: 2/7/1957

Basis: Decreed

Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	1.290 CFS	468.0 AF
	Total Diversion		1.290 CFS	468.0 AF

Source and Point(s) of Diversion

GROUND WATER NWNENE Sec. 12, Twp 03N, Rge 40E, BONNEVILLE County

Place Of Use

IRRIGATION within BONNEVILLE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	12	38.0			39.0									40.0				117.0

POU Total Acres: 117.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. P31 THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM 1979 TO 1988.
3. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 25-2162B AND 25-7067.

1/24/2014

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HAMILTON LAND & LIVESTOCK LTD C/O CLARK HAMILTON 17122 E OLD RIRIE HWY RIRIE, ID 83443 (208)538-7725

Status: Active

Tributary

Sec. 7, Twp 03N, Rge 41E, BONNEVILLE County

POU Total Acres: 284.2

1.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2.	E60	USE OF THIS RIGHT WITH RIGHT NO. 25-2108C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.748 CFS (.0132 CFS/ACRE) AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1137 AF.
3.	X36	Right 25-2108C is also diverted through the point(s) of diversion described above.

1/24/2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/> , Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☒ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 25-4022[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use)	35.5
----------------------------------	------

79 387

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/24/2014

Water Right 25-7067

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HAMILTON LAND & LIVESTOCK LTD C/O CLARK HAMILTON 17122 E OLD RIRIE HWY RIRIE, ID 83443 (208)538-7725

Priority Date: 4/21/1975

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	2.640 CFS	528.0 AF
	<u>Total Diversion</u>		2.640 CFS	528.0 AF

Source and Point(s) of Diversion

GROUND WATER	NWNENE	Sec. 12, Twp 03N, Rge 40E, BONNEVILLE County
GROUND WATER	SWNE	Sec. 12, Twp 03N, Rge 40E, BONNEVILLE County
GROUND WATER	SWSE	Sec. 12, Twp 03N, Rge 40E, BONNEVILLE County

Place Of Use

IRRIGATION within BONNEVILLE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	12			40.0					40.0	40.0					40.0	33.0	33.0	226.0
03N	40E	13	33.0	33.0															66.0

Right Acre Limit: 132.0

POU Total Acres: 292.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E60 USE OF THIS RIGHT WITH RIGHT NO. 25-2162B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.35 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1168 AF.
3. X27 This right is limited to the irrigation of 132 acres within the place of use described above in a single irrigation season.
4. 01Q After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/24/2014

5. X36 Right 25-2162A is also diverted through the point of diversion located in the NWNENE, Section 12, T3N, R40E described above.
6. 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.
7. T17 Prior to diversion of water under transfer 70866, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
8. T07 The right holder shall accomplish the change authorized by transfer 70866 by May 1, 2005.
9. T08 Failure of the right holder to comply with the conditions of transfer 70866 is cause for the Director to rescind approval of the transfer.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/24/2014

Water Right 25-7102A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HAMILTON LAND & LIVESTOCK LTD C/O CLARK HAMILTON 17122 E OLD RIRIE HWY RIRIE, ID 83443 (208)538-7725

Priority Date: 2/2/1977

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	6.180 CFS	1,783.2 AF
	<u>Total Diversion</u>		6.180 CFS	1,783.2 AF

Source and Point(s) of Diversion

GROUND WATER SWSE Sec. 18, Twp 03N, Rge 41E, BONNEVILLE County

Place Of Use

IRRIGATION within BONNEVILLE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	13													40.0	40.0	40.0	40.0	160.0
03N	40E	24	40.0	40.0															80.0
03N	41E	18									34.0	41.0 L3	41.0 L4	37.0		4.0	35.0	1.0	193.0
03N	41E	19					35.0	41.0 L1											76.0

POU Total Acres: 509.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

1/24/2014

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/24/2014

Water Right 25-14124

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HAMILTON LAND & LIVESTOCK LTD C/O CLARK HAMILTON 17122 E OLD RIRIE HWY RIRIE, ID 83443 (208)538-7725

Priority Date: 3/22/1973

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.310 CFS	79.0 AF
	<u>Total Diversion</u>		0.310 CFS	79.0 AF

Source and Point(s) of Diversion

GROUND WATER	SWNWNW	Sec. 12, Twp 03N, Rge 40E, BONNEVILLE County
GROUND WATER	SESWNE	Sec. 11, Twp 03N, Rge 40E, BONNEVILLE County

Place Of Use

IRRIGATION within BONNEVILLE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	12		11.0			15.0												26.0

POU Total Acres: 26.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. P21 This right is a split from former right 25-7032A.

1/24/2014

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/24/2014

Water Right 25-14290

Owner Type **Name and Address**
Current Owner HAMILTON LAND & LIVESTOCK LTD
C/O CLARK HAMILTON
17122 E OLD RIRIE HWY
RIRIE, ID 83443
(208)538-7725

Priority Date: 2/15/1951

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.410 CFS	1,023.7 AF
	<u>Total Diversion</u>		2.410 CFS	1,023.7 AF

Source and Point(s) of Diversion

GROUND WATER SESWNE Sec. 7, Twp 03N, Rge 41E, BONNEVILLE County

Place Of Use

IRRIGATION within BONNEVILLE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	41E	5											14.5						14.5
03N	41E	6												39.0			35.0	40.0	114.0
03N	41E	7	38.0	40.0	7.0	11.0	40.0	37.0		3.0									176.0
03N	41E	8						7.9	1.7										9.6

POU Total Acres: 314.1

Conditions of Approval:

1. X35 Rights 25-14290 and 25-14294 when combined shall not exceed a total annual maximum diversion volume of 1256.4 af at the field headgate, and the irrigation of 314.1 acres.
2. R51 This right when combined with right 25-14294 shall provide no more than .0132 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. X36 Rights 25-14292, 25-14294 & 25-14296 are also diverted through the point(s) of diversion described above.
4. 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.

1/24/2014

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/24/2014

Water Right 25-2162B

Owner Type **Name and Address**
Current Owner HAMILTON LAND & LIVESTOCK LTD
C/O CLARK HAMILTON
17122 E OLD RIRIE HWY
RIRIE, ID 83443
(208)538-7725

Priority Date: 2/7/1957

Basis: Decreed

Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	1.710 CFS	640.0 AF
	Total Diversion		1.710 CFS	640.0 AF

Source and Point(s) of Diversion

GROUND WATER	NWNENE	Sec. 12, Twp 03N, Rge 40E, BONNEVILLE County
GROUND WATER	SWNE	Sec. 12, Twp 03N, Rge 40E, BONNEVILLE County
GROUND WATER	SWSE	Sec. 12, Twp 03N, Rge 40E, BONNEVILLE County

Place Of Use

IRRIGATION within BONNEVILLE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	12			40.0					40.0	40.0					40.0	33.0	33.0	226.0
03N	40E	13	33.0	33.0															66.0

Right Acre Limit: 160.0

POU Total Acres: 292.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E60 USE OF THIS RIGHT WITH RIGHT NO. 25-7067 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.35 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1168 AF.
3. 01Q After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. T17 Prior to diversion of water under transfer 70866, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/24/2014

- which will allow determination of the total rate of diversion.
5. X27 Right 25-2162B is limited to the irrigation of 160.0 acres within the place of use described above in a single irrigation season.
 6. X36 Right 25-2162A is also diverted through the point of diversion located in the NWNENE, Section 12, T3N, R40E described above.
 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. T07 The right holder shall accomplish the change authorized by transfer 70866 by May 1, 2005.
 9. T08 Failure of the right holder to comply with the conditions of transfer 70866 is cause for the Director to rescind approval of the transfer.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (**GIS**) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines, typical of notebook paper. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

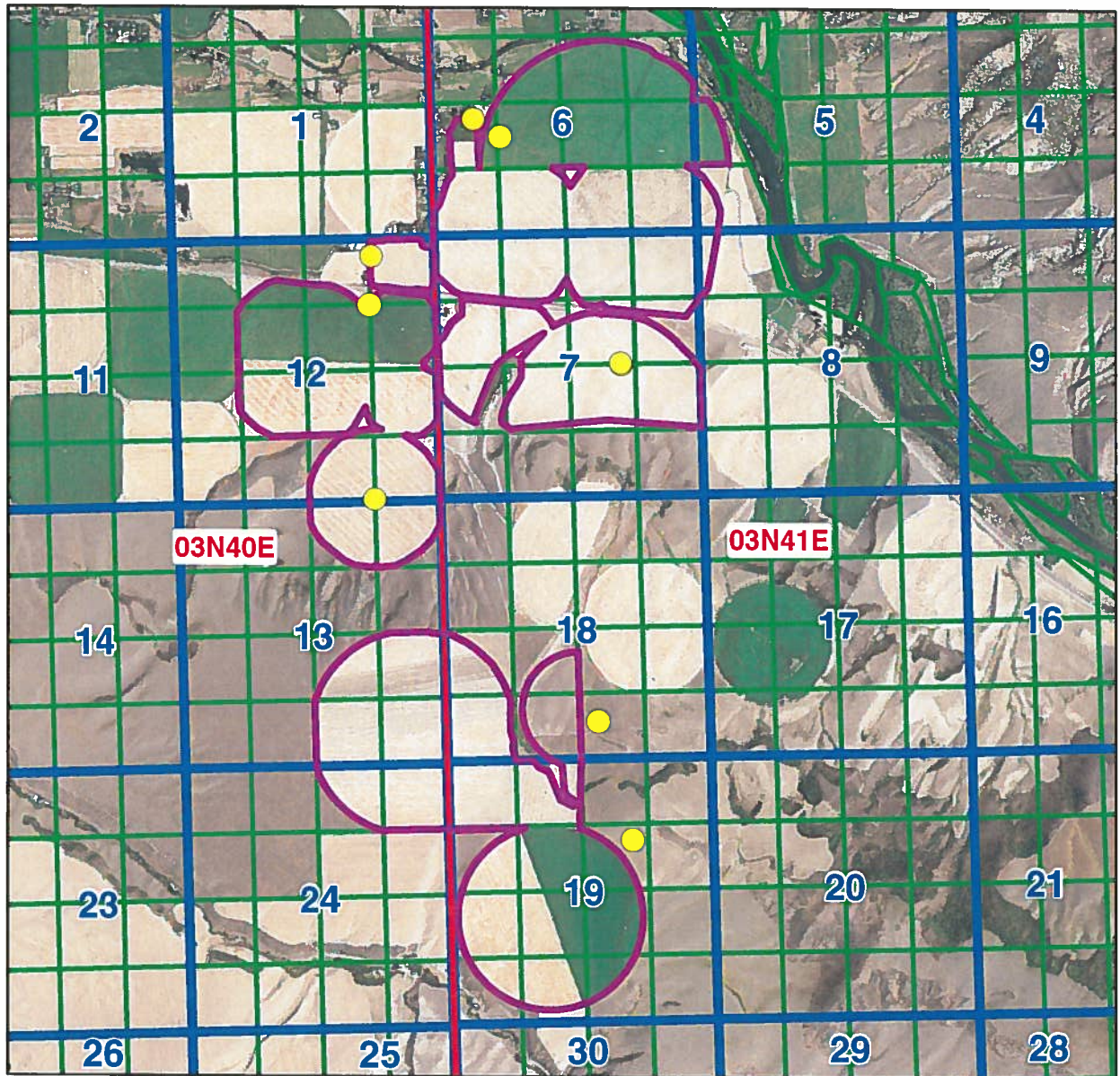
Fee paid \$7660.00 Date 6/17/2014 Received by Blaho Receipt # E039936

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

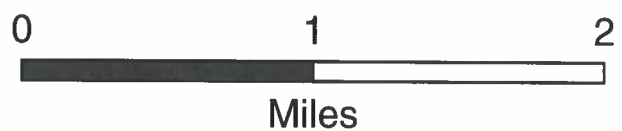
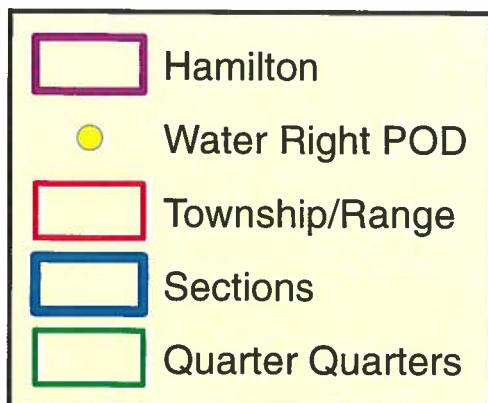
No. W 35426	Due no later than Dec 31, 2013 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. CHALCO, LLC CLARK G HAMILTON 17122 E RIRIE HWY RIRIE ID 83443 USA		CLARK G HAMILTON 17122 E RIRIE HWY RIRIE ID 83443 3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MANAGER	CLARK G HAMILTON	17122 E RIRIE HWY	RIRIE	ID	USA	83443
MANAGER	KRISTI B HAMILTON	17122 E. RIRIE HWY	RIRIE	ID	USA	83443
5. Organized Under the Laws of: ID W 35426		6. Annual Report must be signed.* Signature: Kristi Hamilton Name (type or print): Kristi Hamilton Date: 10/28/2013 Title: Owner				
Processed 10/28/2013		* Electronically provided signatures are accepted as original signatures.				

79387

Chalco LLC Proposed Transfer



2013 Aerial Photography



79387

Legend

POD Weighted Mean Center

Water Right POD

Water Right POU

WaterRightNumber

25-14124

25-14168

25-14290

25-14294

25-2108C

25-2115A

25-2162A

25-2162B

25-2163C

25-4022

25-7067

25-7102A

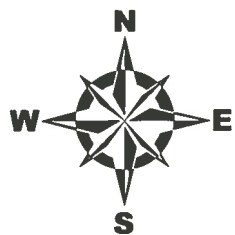
25-7506

Township/Range

Sections

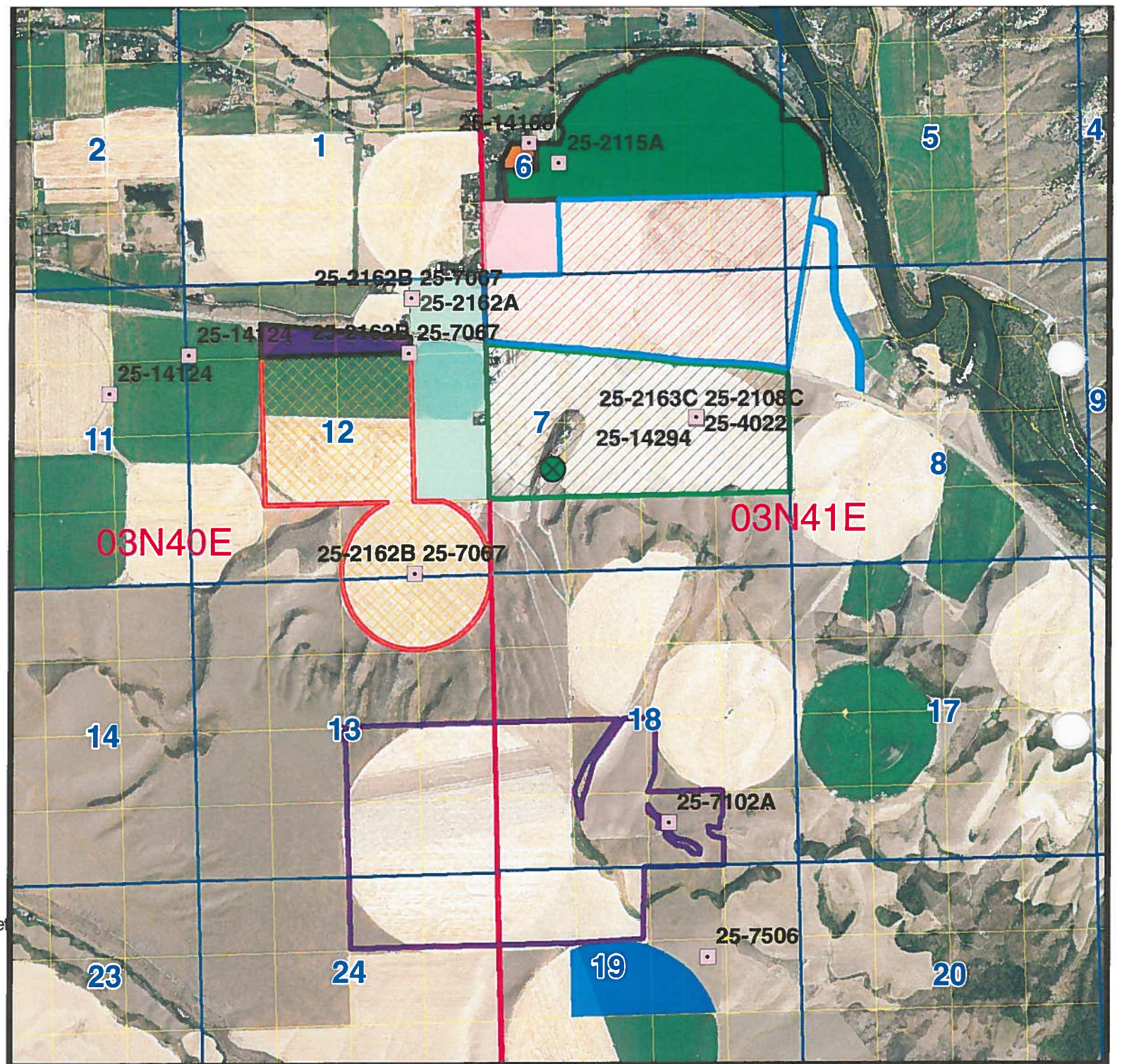
QQ

29382



0 1,150 2,300 4,600 Feet

1 inch = 2,393 feet



GRANT DEED

HAMILTON LAND & LIVESTOCK LTD., 4850 West 13400 South, Riverton, Utah 84065, as GRANTOR, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto IDAHO HAMILTON LAND & LIVESTOCK, LP, P.O. Box 50, 375 State Highway 31, Swan Valley, Idaho 83449, as GRANTEE, and Grantee's successors and assigns, all of the following described real estate situated in the State of Idaho, to wit:

(See attached legal description)

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues and profits thereof.

IN WITNESS WHEREOF, the Grantor hereunto has set its hand and seal hereto on December 23, 2002.

INSTRUMENT NO.	1099209
DATE	12-31-02
INST. CODE	200
IMAGED PGS	3
FEE	9.00
STATE OF IDAHO) COUNTY OF BONNEVILLE) ss I hereby certify that the within instrument was recorded. Recorded at _____, County Recorder By <u>VK Smith</u> Deputy Request of <u>BLT</u>	

HAMILTON LAND & LIVESTOCK LTD.

Cletus R. Hamilton
CLETUS R. HAMILTON

Sharon Lee Hamilton
SHARON LEE HAMILTON

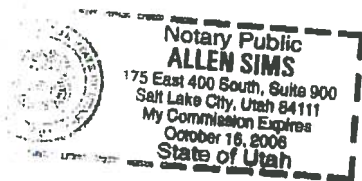
Its: General Partners

STATE OF UTAH)
COUNTY OF SALT LAKE)

On this 23rd day of December, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared CLETUS R. HAMILTON and SHARON LEE HAMILTON, known or identified to me to be the general partners of HAMILTON LAND & LIVESTOCK LTD., who executed the within instrument as general partners of said

partnership by authority duly given, and acknowledged to me that said partnership executed the same.

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




Notary Public for the State of Utah

TRACT 1:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 5: All of Government Lot 1 lying West of the West line of Horseshoe Bend Subdivision, Division No. 1, to the County of Bonneville, State of Idaho, according to the recorded plat thereof.

TRACT 2:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 6: SE1/4 SW1/4
S1/2 SE1/4

TRACT 3:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 7: All, lying North of U.S. Highway No. 26

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

- a. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 458544 on February 15, 1974, at 11:32 a.m., records of Bonneville County, Idaho.

TRACT 4:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 8: SW1/4 NW1/4, lying North of U.S. Highway No. 26 and West of the West line of Horseshoe Bend Subdivision, Division No. 1, to the County of Bonneville, State of Idaho, according to the recorded plat thereof.

TRACT 5:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 8: All of Government Lot 5, lying West of the West line of Horseshoe Bend Subdivision, Division No. 1, to the County of Bonneville, State of Idaho, according to the recorded plat thereof.

TRACT 6:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 6: Government Lot 7

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. A tract of land lying in and being a part of the southwest Quarter of the Southwest Quarter of said Section 6, and being more particularly described as follows: Beginning at the Northwest Corner of the Southwest Quarter of said Section 6 (such point being located in the center of the intersection of the East-West and North-South asphalt covered highways); thence running South 1334.00 feet to the TRUE POINT OF BEGINNING; thence S90°00'E 439.24 feet; thence S23°34'W 1101.70 feet; thence North 1009.25 feet to the TRUE POINT OF BEGINNING.
- b. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 458545 on February 15, 1974, at 11:33 a.m., records of Bonneville County, Idaho.
- c. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 843022 on January 8, 1993, at 10:21 a.m., records of Bonneville County, Idaho.

TRACT 7:

PUMP PROPERTY:

Beginning at a point that is S0°07'33"E 2612.19 feet along the Section line and S89°52'27"W 1607.91 feet from the Northeast Corner of Section 7, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County; running thence S0°07'33"E 20.00 feet; thence S89°52'27"W 20.00 feet; thence N0°07'33"W 20.00 feet; thence N89°52'27"E 20.00 feet to the point of beginning.

TRACT 8:

An Irrigation easement, 12 feet in width, the centerline of which is being described as follows: Beginning at a point that is S0°07'33"E 2622.19 feet along the Section line and S89°52'27"W 1617.91 feet from the Northeast Corner of Section 7, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho, said point of beginning being the center of an irrigation pump; running thence N49°07'30"E 1238 feet; thence N5°16'53"E 18 feet, more or less, to a point on the South right of way line of U.S. Highway No. 26 being the Northerly terminus of said easement.

ALSO An Irrigation easement, 12 feet in width, the centerline of which is being described as follows: Beginning at a point that is S0°07'33"E 2622.19 feet along the Section line and S89°52'27"W 1617.91 feet from the Northeast Corner of Section 7, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho, said point of beginning being the center of an irrigation pump; running thence N21°40'03"W 1022 feet; thence N2°31'44"E 31 feet, more or less, to a point on the South right of way line of U.S. Highway No. 26 being the Northerly terminus of said easement.

ALSO A 20 foot wide road right of way for access to and from and maintenance of the pump located on the property as described above, the centerline thereof running from the Federal Aid Project F-6501 Highway No. 26 approach located at Station 1060+15 (approximately) Southerly to the pump property as described hereinbefore.

89387

AMT

BONNEVILLE COUNTY RECORDER
1173725 DEC28'04 PM 4 22

GRANT DEED

HAMILTON LAND & LIVESTOCK, LTD., P.O. Box 461196, Leeds, Utah 84746, and IDAHO HAMILTON LAND & LIVESTOCK, LP, P.O. Box 50, 375 State Highway 31, Swan Valley, Idaho 83449, as GRANTORS, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto

CHALCO, LLC, 17122 East Ririe Hwy, Ririe, Idaho 83443, as GRANTEE, and Grantee's successors and assigns, all of the following described real estate situated in the State of Idaho, to wit:

Township 3 North, Range 40, East of the Boise Meridian,
Bonneville County, Idaho

Section 12: E½ NE¼
NE¼ SE¼

INSTRUMENT NO.	1173725
DATE	12-28-04
INST. CODE	200
IMAGED PGS	3
FEE	9.00
STATE OF IDAHO) ss	
COUNTY OF BONNEVILLE)	
I hereby certify that the within	
instrument was recorded.	
Ronald Longmore, County Recorder	
By	<i>R. Longmore</i>
Deputy	
Request of	AMT

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. That certain property conveyed to the STATE OF IDAHO, by and through the Idaho Board of Highway Directors, for roadway purposes by that certain Warranty Deed recorded as Instrument No. 384485 on April 22, 1968, at 2:36 pm, records of Bonneville County, Idaho.
- b. Beginning at the Northeast Corner of Section 12, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho; and running thence South along the East line of Section 12, 200 feet; thence West, parallel to the North line of said Section 12, 245 feet; thence North, parallel to the East line of said Section 12, 200 feet to the North line of said Section 12, thence East along the North line of Section 12, 245 feet to the point of beginning.
- c. As per Exhibit "A" attached hereto.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues and profits thereof.

79387

IN WITNESS WHEREOF, the Grantors hereunto have set their hand and seal hereto on December 23, 2004.

IDAHO HAMILTON LAND & LIVESTOCK, LP
HAMILTON LAND & LIVESTOCK, LTD.


CLETUS R. HAMILTON

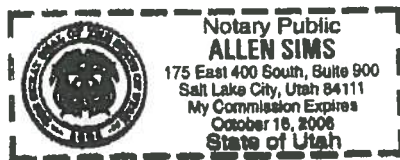

SHARON LEE HAMILTON

Its: General Partners

STATE OF UTAH)
 :
COUNTY OF SALT LAKE)

On this 23 day of December, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared CLETUS R. HAMILTON and SHARON LEE HAMILTON, known or identified to me to be the general partners of HAMILTON LAND & LIVESTOCK, LTD., who executed the within instrument as general partners of said partnerships by authority duly given, and acknowledged to me that said partnerships executed the same. and Idaho Hamilton Land & Livestock, LP

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



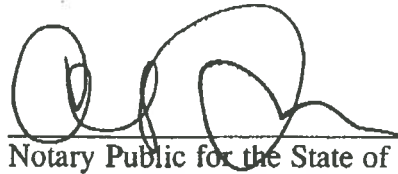

Notary Public for the State of Utah

EXHIBIT "A"

Continuation of Exceptions to legal description.

- c. Beginning at a point that is 245 feet West along the North line of Section 12, Township 3 North, Range 40, East of the Boise Meridian, Bonneville County, Idaho from the Northeast Corner of said Section 12, said point being the True Point of Beginning; running thence South, parallel to the East line of said Section 12, 30 feet; thence West, parallel to the North line of said Section 12, to the Easterly line of the Riley (Progressive) Ditch; thence Northerly along said Ditch to the North line of Section 12; thence East along the North line of said Section 12 to the True Point of Beginning.**

AMT

BONNEVILLE COUNTY RECORDER
1173726 DEC28'04 PM 4:22

GRANT DEED

IDAHO HAMILTON LAND & LIVESTOCK, LP, P.O. Box 50, 375 State Highway 31, Swan Valley, Idaho 83449, as GRANTOR, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto CHALCO, LLC, 17122 East Ririe Hwy, Ririe, Idaho 83443, as GRANTEE, and Grantee's successors and assigns, all of the following described real estate situated in the State of Idaho, to wit:

Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho.

Section 12: NE ¼ NW ¼ and NW ¼ NE ¼ lying South of U.S. Highway 26.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues and profits thereof.

IN WITNESS WHEREOF, the Grantor hereunto has set its hand and seal hereto on December 23, 2004.

IDAHO HAMILTON LAND & LIVESTOCK, LP

INSTRUMENT NO.	1173726
DATE	12-28-04
INST. CODE	200
IMAGED PGS	2
FEE	6.00
STATE OF IDAHO) ss	
COUNTY OF BONNEVILLE)	
I hereby certify that the within	
instrument was recorded.	
Ronald Longmore, County Recorder	
By	<i>R. Longmore</i>
Deputy	
Request of	AMT

Cletus R. Hamilton
CLETUS R. HAMILTON

Sharon Lee Hamilton
SHARON LEE HAMILTON

Its: General Partners

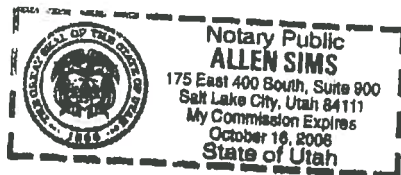
STATE OF UTAH

COUNTY OF SALT LAKE

On this 23 day of December, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared CLETUS R. HAMILTON and SHARON LEE HAMILTON, known or identified to me to be the general partners of IDAHO HAMILTON LAND & LIVESTOCK, LP, who executed the within instrument as general partners of said partnership by authority duly given, and acknowledged to me that said partnership executed the same.

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


Notary Public for the State of Utah



AMT

BONNEVILLE COUNTY RECORDER
1173727 DEC28'04 PM 4:22

GRANT DEED

IDAHO HAMILTON LAND & LIVESTOCK, LP, P.O. Box 50, 375 State Highway 31, Swan Valley, Idaho 83449, as GRANTOR, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto
CHALCO, LLC, 17122 East Ririe Hwy, Ririe, Idaho 83443, as GRANTEE, and Grantee's successors and assigns, all of the following described real estate situated in the State of Idaho, to wit:

(See attached legal description)

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues and profits thereof.

IN WITNESS WHEREOF, the Grantor hereunto has set its hand and seal hereto on December 23, 2004.

IDAHO HAMILTON LAND & LIVESTOCK, LP

INSTRUMENT NO.	1173727
DATE	12-28-04
INST. CODE	400
IMAGED PGS	4
FEE	12.00
STATE OF IDAHO) ss	
COUNTY OF BONNEVILLE)	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By	<i>[Signature]</i>
Deputy Request of	AMT

[Signature]
CLETUS R. HAMILTON

[Signature]
SHARON LEE HAMILTON

Its: General Partners

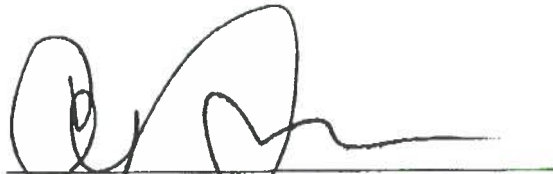
STATE OF UTAH)
:
COUNTY OF SALT LAKE)

On this 23 day of December, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared CLETUS R. HAMILTON and SHARON LEE HAMILTON, known or identified to me to be the general partners of IDAHO HAMILTON LAND & LIVESTOCK, LP, who executed the within instrument as general partners of said

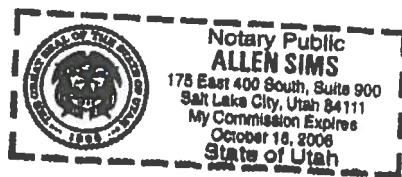
79387

partnership by authority duly given, and acknowledged to me that said partnership executed the same.

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



Notary Public for the State of Utah



TRACT 1:

Township 3 North, Range 41, East of the Boise Meridian, Bonneville County, Idaho:

Section 5: Government Lot 2.

*Section 6: NE1/4 SW1/4
N1/2 SE1/4
S1/2 NE1/4.*

ALSO: Beginning at the West Quarter Corner of Section 6, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho; running thence East 525 feet to the TRUE POINT OF BEGINNING; thence South 270 feet, more or less, to the East bank of the Riley Canal; thence South along said East bank of the aforementioned Riley Canal to the South line of Lot 6; thence East to the Southeast Corner of said Lot 6; thence North to the Northeast Corner of said Lot 6; thence West to the true point of beginning.

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. All of the South Half of the Northeast Quarter (S1/2 NE1/4) of Section 6, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho, lying North of the Riley Canal.*
- b. Beginning at a point 525 feet East of the West Quarter Corner of Section 6, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho; thence South 285 feet; thence East 375 feet; thence North 285 feet; thence West 375 feet, more or less, to the point of beginning.*
- c. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded in Book 7 at Page 154 of Deed Records, records of Bonneville County, Idaho.*
- d. Beginning at a point that is S89°57'06"E 900.00 feet along the East-West Center Section line from the West Quarter Corner of Section 6, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho; running thence S00°11'14"E 285.00 feet; thence N89°57'06"W 375.00 feet; thence N00°11'14"W 21.01 feet to the East Bank of the Riley Canal; thence along the East bank of the Riley Canal the following three (3) courses: (1) S29°55'18"W 299.18 feet; thence (2) S13°15'18"W 66.81 feet; (3) thence S01°14'30"E 163.28 feet; thence S89°57'06"E 577.61 feet; thence N00°11'14"W 751.71 feet; thence N89°57'06"W 40.00 feet to the point of beginning.*

TRACT 2:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

SE1/4 NW1/4 of Section 6, which is South of the fence located along the South Bank of the Riley Ditch (the fence is approximately 4 to 5 feet from the ditch).

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. Beginning at a point that is S89°57'06"E 1348.61 feet along the East-West Center Section line and N00°19'42"W 64.13 feet from the West Quarter Corner of Section 6, Township 3 North, Range 41 East of the Boise Meridian; running thence N00°19'42"W 390.49 feet; thence N77°42'50"E 414.45 feet to a point on a curve with a radius of 2553.53 feet and a chord that bears S40°04'28"W 625.55 feet; thence to the left along said curve 627.12 feet through a central angle of 14°04'17" to the East of Instrument No. 593833 also being the point of beginning.*
- b. The West 33 feet.*

Continued

Continuation of Exceptions to legal description.

- c. Beginning at a point that is S89°57'06"E 1348.61 feet along the East-West Center Section line from the West Quarter corner of Section 6, Township 3 North, Range 41 East of the Boise Meridian, and running thence N00°19'42"W 64.13 feet to a point on a curve having a radius of 2553.53 and a chord that bears N34°21'31"E 117.73 feet; thence to the right along said curve 117.74 feet through a central angle of 2°38'30"; thence S00°19'42"E 161.38 feet; thence N89°57'00"W 67.00 feet to the point of beginning, containing 0.175 acres.

Instrument # 1352206
IDAHO FALLS, BONNEVILLE, IDAHO
2009-12-21 03:32:43 PM No. of Pages: 2
Recorded for: ALLIANCE TITLE - IDAHO FA
RONALD LONGMORE Fee: 6.00
Ex-Officio Recorder Deputy RAVERY
Index To: DEED WARRANTY
Electronically Recorded by Simplifile

WARRANTY DEED

For Value Received, Stanley P. Smith, the grantor, does hereby grant, bargain, sell and convey unto Chad M. Harrigfeld and Tori L. Harrigfeld, husband and wife of 3000 Lilac Circle, Iona, Idaho 83427, grantee, and to Grantee's successors and assigns forever, all of the following described real estate located in Bonneville County, Idaho:

Tract I

Beginning at a point that is South 89°57'06" East 900.00 feet along the East-West Center Section line and South 00°11'14" East 235.00 feet from the West Quarter corner of Section 6, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho, and running thence North 89°57'06" West 83.00 feet; thence South 00°11'14" East 50.00 feet; thence South 89°57'06" East 83.00 feet; thence North 00°11'14" West 50.00 feet to the point of beginning.

Tract II

Beginning at a point that is South 89°57'06" East 900.00 feet along the East-West Center Section line from the West Quarter Corner of Section 6, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho, and running thence South 00°11'14" East 285.00 feet; thence North 89°57'06" West 375.00 feet; thence North 00°11'14" West 21.01 feet to the East bank of the Riley Canal; thence along the East bank of the Riley Canal the following three (3) courses: (1) South 29°55'18" West 299.18 feet; thence (2) South 13°15'18" West 66.81 feet; thence (3) South 01°14'30" East 163.28 feet; thence South 89°57'06" East 577.61; thence North 00°11'14" West 751.71 feet (said courses described the East bank of the Riley ditch so access to the ditch by grantee cannot be denied); thence North 89°57'06" West 40.00 feet to the point of beginning.

Including all gas, oil and mineral rights by or in which grantor has any interest.

ALSO INCLUDING: Smith's interest in that certain Water Use and Easement Agreement dated May 28, 1998 and recorded as Instrument No. 971054 on June 19, 1998, and re-recorded as Instrument No. 979628 on October 16, 1998, in the real estate records of Bonneville County, Idaho.

EXCEPTING THEREFROM: The existing county road Right-of-way along the North side of the above described property.

TOGETHER WITH all improvements thereon and the existing (approximately 10,000 raspberry plants).

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements hereditaments and appurtenances thereto. And the said Grantor does hereby covenant for itself its successors and assigns to and with the said Grantees, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument this 21 day of December, 2009.


Stanley P. Smith

Warranty Deed

Page 1

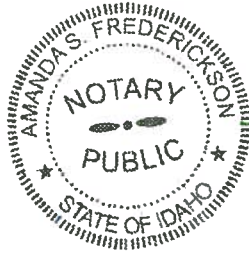
3030922002 mm
Alliance Title & Escrow Corp.
1070 Riverwalk Dr., Ste. 100
P.O. Box 50642
Idaho Falls, ID 83405-0642

1352206

STATE OF IDAHO)
County of *Booneville*) ss.
Madison)

On this 21 day of December, 2009, before me, the undersigned notary public, personally appeared Stanley P. Smith, known or identified to me to be the person that executed the foregoing instrument and acknowledged to me that he executed the same for the purposes stated therein.

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



Amanda Smerewicz

Notary Public for Idaho

Residing at:

My Commission Expires:

Residing in Idaho Falls, Idaho
Commission Expires 1-10-2012

Warranty Deed

Page 2

1352206

79282

WARRANTY DEED

Instrument # 1431391
IDAHO FALLS, BONNEVILLE, IDAHO
2012-11-07 01:37:24 PM No. of Pages: 2
Recorded for: MOUNTAIN WEST TITLE & ESCROW I
RONALD LONGMORE Fee \$13.00
Ex-Officio Recorder Deputy SJohn
Index To: DEED WARRANTY
Electronically Recorded by Simplifile

CHAD M. HARRIGFELD and TORI L. HARRIGFELD, husband and wife, as GRANTOR,

for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto

CHALCO, LLC, an Idaho Limited Liability Company, as GRANTEE,

whose address is 17122 E. Ririe Highway Ririe, Idaho 83443, and Grantee's successors and assigns, all of the following described real property, to-wit:

Beginning at a point that is S89°57'06"E 900.00 feet along the East-West Center Section line and S00°11'14"E 235.00 feet from the West Quarter Corner of Section 6, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho; and running thence N89°57'06"W 83.00 feet; thence S00°11'14"E 50.00 feet; thence S89°57'06"E 83.00 feet; thence N00°11'14"W 50.00 feet to the Point of Beginning.

ALSO: Beginning at a point that is S89°57'06"E 900.00 feet along the East-West Center Section line from the West Quarter Corner of Section 6, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho; and running thence S00°11'14"E 285.00 feet; thence N89°57'06"W 375.00 feet; thence N00°11'14"W 21.01 feet to the East bank of the Riley Canal; thence along the East bank of the Riley Canal the following three (3) courses: (1) S29°55'18"W 299.18 feet; thence (2) S13°15'18"W 66.81 feet; thence (3) S01°14'30"E 163.28 feet; (said courses described the East bank of the Riley ditch so access to the ditch by grantee cannot be denied); thence S89°57'06"E 577.61 feet; thence N00°11'14"W 751.71 feet; thence N89°57'06"W 40.00 feet to the Point of Beginning.

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

a. That certain property deeded to Bonneville County for roadway purposes by the certain Quitclaim Deed recorded at Page 154 in Book 7 of Deed Records, records of Bonneville County, Idaho.

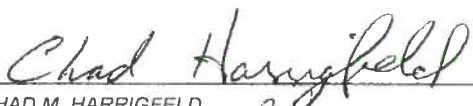
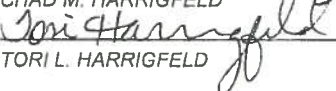
SUBJECT TO the 2012 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

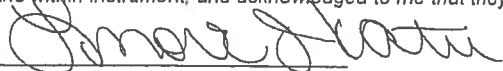
In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: November 7, 2012.


CHAD M. HARRIGFELD

TORI L. HARRIGFELD

STATE OF IDAHO)
) ss
COUNTY OF BONNEVILLE)

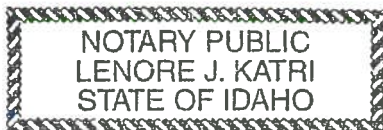
On November 7, 2012, before me, the undersigned, personally appeared
CHAD M. HARRIGFELD and TORI L. HARRIGFELD
known or identified to me to be the persons whose names are subscribed to
the within instrument, and acknowledged to me that they executed the same.



Notary Public for the State of Idaho

Commission Expiration Date: _____

Residing at Idaho Falls, Idaho
My Commission Expires: 01/30/2015



Instrument # 1330326
IDAHO FALLS, BONNEVILLE, IDAHO
2009-04-22 11:14:47 AM No. of Pages: 1
Recorded for: MOUNTAIN WEST TITLE & ESC
RONALD LONGMORE Fee: 3.00
Ex-Officio Recorder Deputy SJacobs
Index To: DEED WARRANTY
Electronically Recorded by Simplifile

WARRANTY DEED

AMLE LONDON and BARBARA LONDON, husband and wife and KEVIN LONDON and SHELLEY LONDON, husband and wife, as GRANTOR,

for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto CHALCO, LLC, an Idaho Limited Liability Company, as GRANTEE,

whose address is 17122 E. Ririe Hwy. Ririe, Idaho 83443, and Grantee's successors and assigns, all of the following described real property, to-wit:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho

Section 19: E1/2 SE1/4

Section 20: W1/2 SW1/4

E1/2 SE1/4

Section 21: SW1/4

Section 28: NW1/4 NW1/4

Section 29: N1/2 N1/2

Section 30: N1/2 NE1/4

SUBJECT TO the 2009 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

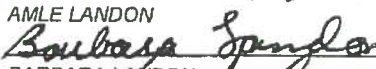
Grantor, for himself and his successors and assigns, does hereby warranty and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: April 22, 2009.



AMLE LONDON



BARBARA LONDON



KEVIN LONDON



Shelley Landon

STATE OF IDAHO

)

) ss

COUNTY OF BONNEVILLE

)

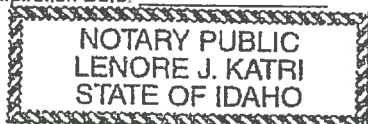
On April 22, 2009, before me, the undersigned, personally appeared AMLE LONDON and BARBARA LONDON, and KEVIN LONDON and SHELLEY LONDON

known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Notary Public for the State of Idaho

Commission Expiration Date:



Residing at Idaho Falls, Idaho
My Commission Expires: 01/30/2016

1330326

79387

AMT

BONNEVILLE COUNTY RECORDER
1173729 DEC28'04 PM 4:23

GRANT DEED

IDAHO HAMILTON LAND & LIVESTOCK, LP, P.O. Box 50, 375 State Highway 31, Swan Valley, Idaho 83449, as GRANTOR, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto CHALCO, LLC, 17122 East Ririe Hwy, Ririe, Idaho 83443, as GRANTEE, and Grantee's successors and assigns, all of the following described real estate situated in the State of Idaho, to wit:

(See attached legal description)

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues and profits thereof.

IN WITNESS WHEREOF, the Grantor hereunto has set its hand and seal hereto on December 23, 2004.

IDAHO HAMILTON LAND & LIVESTOCK, LP

INSTRUMENT NO.	1173729
DATE	12-28-04
INST. CODE	290
IMAGED PGS	12
FEE	12.00
STATE OF IDAHO) ss	
COUNTY OF BONNEVILLE)	
I hereby certify that the within instrument was recorded.	
Ronald Longmire, County Recorder	
By	<u>Ravey</u>
Deputy	
Request of	AMT

Cletus R. Hamilton
CLETUS R. HAMILTON

Sharon Lee Hamilton
SHARON LEE HAMILTON

Its: General Partners

STATE OF UTAH)
:
COUNTY OF SALT LAKE)

On this 25 day of December, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared CLETUS R. HAMILTON and SHARON LEE HAMILTON, known or identified to me to be the general partners of IDAHO HAMILTON LAND & LIVESTOCK, LP, who executed the within instrument as general partners of said

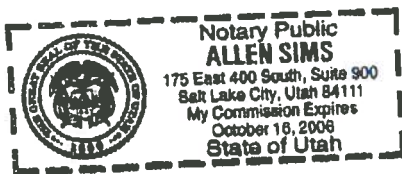
79387

partnership by authority duly given, and acknowledged to me that said partnership executed the same.

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



Notary Public for the State of Utah



TRACT 1:

Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho.

Section 1: W1/2 SE1/4 LESS the West 330 feet
SE1/4 SE1/4 LESS the East 330 feet and that portion lying South and East of Riley Ditch a/k/a
Progressive Ditch
NE1/4 SE1/4

Section 12: SW1/4 NE1/4
SE1/4 NW1/4
NE1/4 SW1/4
NW1/4 SE1/4
S1/2 SE1/4

Section 13: N1/2 NE1/4
SE1/4

Section 24: N1/2 NE1/4

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 18: Government Lots 1, 2, 3 and 4
E1/2 SW1/4
SW1/4 SE1/4

Section 19: Government Lot 1
NE1/4 NW1/4

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. Beginning at the Southeast Corner of the Northeast Quarter of the Southeast Quarter of Section 1, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho, running thence West 330 feet; thence North 264 feet; thence East 330 feet; thence South 264 feet to the point of beginning.
- b. Beginning at a point that is North 264 feet from the Southeast Corner of the Northeast Quarter of the Southeast Quarter of Section 1, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho, running thence North 264 feet along the Section line; thence West 330 feet; thence South 264 feet; thence East 330 feet to the point of beginning.
- c. That certain property conveyed to Bonneville County, State of Idaho for roadway purposes by that certain Quitclaim Deed recorded in Book 7 at Page 160 of Deed Records, records of Bonneville County, Idaho.
- d. Beginning at a point that is N00°15'32"W along the Section line 295.83 feet and S89°44'28"W 691.8 feet from the Southeast Corner of Section 1, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho, said POINT OF BEGINNING being on the South line of the Riley (Progressive) ditch; running thence N85°52'54"W 426.73 feet; thence S00°10'20"E 430 feet, more or less, to the South line of said Section 1; thence Northeasterly along the South line of said ditch to the POINT OF BEGINNING.

TRACT 2:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 7: Government Lots 1, 2, 3 and 4, lying South of U.S. Highway No. 26
W1/2 NW1/4 lying South of U.S. Highway 26
NE1/4 lying South of U.S. Highway 26

NE1/4 SW1/4
N1/2 SE1/4

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. Beginning at the Northeast Corner of Government Lot 1, Section 7, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho, running thence West 165 feet; thence South 1000 feet; thence East 500 feet; thence North 1000 feet; thence West 335 feet to the point of beginning.
- b. Beginning at the Southeast Corner of Government Lot 2, Section 7, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho, running thence North to the Southern boundary line of U.S. Highway 26; thence Westerly along such Southern boundary line to a point 100 feet West of the Eastern boundary line of Government Lot 2; thence South to the Southern boundary line of Government Lot 2; thence East 100 feet to the point of beginning.
- c. Beginning at a point that is S0°07'33"E 2612.19 feet along the Section line and S89°52'27"W 1607.91 feet from the Northeast Corner of Section 7, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho; running thence S0°07'33"E 20.00 feet; thence S89°52'27"W 20.00 feet; thence N0°07'33"W 20.00 feet; thence N89°52'27"E 20.00 feet to the point of beginning.

TRACT 3:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 19: Government Lots 2 and 3
SE1/4 NW1/4
E1/2 SW1/4
W1/2 NE1/4

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

- a. Beginning at the South Quarter Corner of Section 19, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho, THE TRUE POINT OF BEGINNING; running thence North 319.36 feet; thence Westerly 1348.28 feet on the arc of a curve to the right having a radius of 1883.88 feet, long chord of 1319.70 feet, bearing of long chord S88°02'12"W; thence S00°14'30"W 276.47 feet; thence N89°55'E 1320.00 feet to the TRUE POINT OF BEGINNING, said point being the Southeast Corner of the Southeast Quarter of the Southwest Quarter.

TRACT 4:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 19: That portion of Government Lot 4 being more particularly described as follows:

Beginning at the Southwest Corner of Section 19, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho, running thence North 1320 feet and East 247.70 feet to the TRUE POINT OF BEGINNING, running thence N89°54'E 1112.33 feet to the Northwest Corner of the Southeast Quarter of the Southwest Quarter of said Section; thence S00°14'36"W 1043.54 feet; thence Northwesterly 1562.43 feet on the Arc of a curve to the right, said curve having a radius of 1933.88 feet, a chord of 1520.43 feet and said chord bearing N46°46'33"W to the true point of beginning.

TRACT 5:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 19: W1/2 SE1/4.

SUBJECT TO the 1999 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

MWT Accom

BONNEVILLE COUNTY RECORDER
1254259 FEB23 07 PM 3:14

GRANT DEED

HAMILTON LAND & LIVESTOCK, LTD., P.O. Box 461196, Leeds, Utah 84746, and IDAHO HAMILTON LAND & LIVESTOCK, LP, P.O. Box 50, 375 State Highway 31, Swan Valley, Idaho 83449, as GRANTORS, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto

CHALCO, LLC, 17122 East Ririe Hwy, Ririe, Idaho 83443, as GRANTEE, and Grantee's successors and assigns, all of the following described real estate situated in the State of Idaho, to wit:

(See attached legal description)

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues and profits thereof.

IN WITNESS WHEREOF, the Grantors hereunto have set their hand and seal hereto on December 18, 2006.

IDAHO HAMILTON LAND &
LIVESTOCK, LP


CLETUS R. HAMILTON

HAMILTON LAND &
LIVESTOCK, LTD.


CLETUS R. HAMILTON


SHARON LEE HAMILTON

Its: General Partners


SHARON LEE HAMILTON

Its: General Partners

INSTRUMENT NO.	1254259
DATE	2-23-07
INST. CODE	200
IMAGED ACS	4
FEE	12
STATE OF IDAHO	
COUNTY OF BONNEVILLE	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By	
Deputy	
Request of	MWT

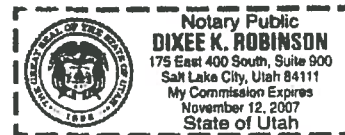
79387

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On this 18 day of December, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared CLETUS R. HAMILTON and SHARON LEE HAMILTON, known or identified to me to be the general partners of HAMILTON LAND & LIVESTOCK, LTD., who executed the within instrument as general partners of said partnership by authority duly given, and acknowledged to me that said partnership executed the same.

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

Dixie K. Robinson
Notary Public for the State of Utah

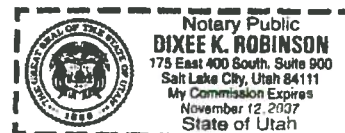


STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On this 18 day of December, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared CLETUS R. HAMILTON and SHARON LEE HAMILTON, known or identified to me to be the general partners of IDAHO HAMILTON LAND & LIVESTOCK, LP., who executed the within instrument as general partners of said partnership by authority duly given, and acknowledged to me that said partnership executed the same.

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

Dixie K. Robinson
Notary Public for the State of Utah



G:\admin\HAMILTON\HAMILTON LAND & LIVESTOCK\HAMILTON LAND & LIVESTOCK GRANT DEED.wpd

EXHIBIT "A"
LEGAL DESCRIPTION

Idaho Hamilton Land & Livestock, L.P. to Chalco, LLC

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho:

Section 5: All that part of Government Lot 1, lying West of the West line of Horseshoe Bend Subdivision, Division No. 1, to the County of Bonneville, State of Idaho, according to the recorded plat thereof.

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho:

**Section 6: SE1/4SW1/4
S1/2SE1/4**

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho:

Section 6: Government Lot 7 (also known as SW1/4SW1/4).

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. A tract of land lying in and being a part of the Southwest Quarter of the Southwest Quarter of said Section 6, and being more particularly described as follows: Beginning at the Northwest Corner of the Southwest Quarter of said Section 6 (such point being located in the center of the intersection of the East-West and North-South asphalt covered highway); thence running South 1334.00 feet to the TRUE POINT OF BEGINNING; thence S90°00'E 439.24 feet; thence S23°34'W 1101.70 feet; thence North 1009.25 feet to the TRUE POINT OF BEGINNING.**
- b. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 458545 on February 15, 1974 at 11:33 a.m., records of Bonneville County, Idaho.**
- c. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 843022 on January 8, 1993 at 10:21 a.m., records of Bonneville County, Idaho.**

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 8: SW1/4NW1/4 lying North of U. S. Highway No. 26 and West of the West line of Horseshoe Bend Subdivision, Division No. 1, to the County of Bonneville State of Idaho, according to the recorded plat thereof.

All of Government Lot 5, lying West of the West line of Horseshoe Bend Subdivision, Division No. 1, to the County of Bonneville, State of Idaho, according to the recorded plat thereof.