

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

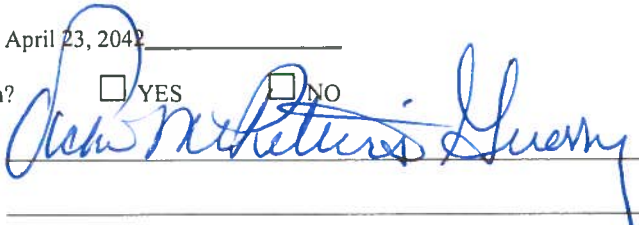
RECEIVED
MAY 08 2013
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Notice of Security Interest in a Water Right

**And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right**

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

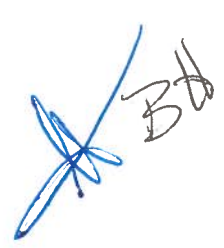
1. Water Right No(s): 43-173A, 43-178J, 43-2295E, and 43-2295G _____
Adjudication Claim No(s): _____
2. The following **REQUIRED** information must be submitted with this form:
 - A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - B) A **FEE** of \$25.00 per water right or adjudication claim.
3. Name and Mailing Address of Person or Company holding Security Interest

 D. L. Evans Bank _____
 P.O. Box 87 _____
 Twin Falls, ID 83303 _____
4. Name of Water Right Owner/Claimant(s)
 Alan J. Harper and Beverly K. Harper _____
5. Expiration Date of Notification Period April 23, 2042 _____
6. Is this a Renewal of Request for Notification? ☐ YES ☐ NO
7. Signature(s) (and title if applicable)
 _____

For Office Use Only

Received by _____	Date _____	Fee <u>\$100- total</u>
Received by <u>DM</u>	Date <u>5.8.2013</u>	Receipt No. <u>5033238</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

SUPPORT DATA
IN FILE # 43-173A



RECORDATION REQUESTED BY:

D. L. Evans Bank
Albion Branch
P.O. Box 517
Corner of Market & Main
Albion, ID 83311

WHEN RECORDED MAIL TO:

D. L. Evans Bank
Albion Branch
P.O. Box 517
Corner of Market & Main
Albion, ID 83311

SEND TAX NOTICES TO:

Alan J. Harper
Beverly K. Harper
2436 East 1850 South
Malta, ID 83342

#50256
SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MORTGAGE

THIS MORTGAGE dated April 23, 2013, is made and executed between Alan J. Harper and Beverly K. Harper; husband and wife (referred to below as "Grantor") and D. L. Evans Bank, whose address is P.O. Box 517, Corner of Market & Main, Albion, ID 83311 (referred to below as "Lender").

GRANT OF MORTGAGE. For valuable consideration, Grantor mortgages, grants, bargains, sells and conveys to Lender all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights, watercourses and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, **(the "Real Property") located in Cassia County, State of Idaho:**

REFER TO EXHIBIT "A" ATTACHED HERE TO AND MADE A PART HEREOF.

TOGETHER WITH THE WATER RIGHTS REPRESENTED BY IDAHO STATE DEPARTMENT OF WATER RESOURCES WATER RIGHT NO. 43-165A WITH A CLAIMED PRIORITY OF APRIL 1, 1871 TO 0.38 CFS OF IRRIGATION WATER FROM THE WATERS OF RAFT RIVER, A TRIBUTARY OF THE SNAKE RIVER AND WATER RIGHT NO. 43-168A WITH A CLAIMED PRIORITY OF APRIL 1, 1879 TO 1.14 CFS OF IRRIGATION WATER FROM THE WATERS OF RAFT RIVER, A TRIBUTARY OF THE SNAKE RIVER AND WATER RIGHT NO. 43-169C WITH A CLAIMED PRIORITY OF JUNE 1, 1879 TO 1.53 CFS OF IRRIGATION WATER FROM THE WATERS OF RAFT RIVER, A TRIBUTARY OF THE SNAKE RIVER AND WATER RIGHT NO. 43-170A WITH A CLAIMED PRIORITY OF APRIL 1, 1881 TO 0.29 CFS OF IRRIGATION WATER FROM THE WATERS OF RAFT RIVER, A TRIBUTARY OF THE SNAKE RIVER AND WATER RIGHT NO. 43-171A WITH A CLAIMED PRIORITY OF MARCH 1, 1883 TO 1.6 CFS OF IRRIGATION WATER FROM THE WATERS OF RAFT RIVER, A TRIBUTARY OF THE SNAKE RIVER AND WATER RIGHT NO. 43-172A WITH A CLAIMED PRIORITY OF APRIL 1, 1879 TO 0.38 CFS OF IRRIGATION WATER FROM THE WATERS OF RAFT RIVER, A TRIBUTARY OF THE SNAKE RIVER AND WATER RIGHT NO. 43-173A WITH A CLAIMED PRIORITY OF APRIL 1, 1882 TO 0.76 CFS OF IRRIGATION WATER FROM THE WATERS OF RAFT RIVER, A TRIBUTARY OF THE SNAKE RIVER AND WATER RIGHT NO. 43-178J WITH A CLAIMED PRIORITY OF DECEMBER 12, 1911 TO 5 CFS OF IRRIGATION WATER FROM THE WATERS OF RAFT RIVER, A TRIBUTARY OF THE SNAKE RIVER AND WATER RIGHT NO. 43-2295E WITH A CLAIMED PRIORITY OF MARCH 5, 1945 TO 1.736 CFS OF IRRIGATION WATER FROM GROUNDWATER AND WATER RIGHT NO. 43-2295G WITH A CLAIMED PRIORITY OF MARCH 5, 1945 TO 0.83 CFS OF IRRIGATION WATER FROM GROUNDWATER

The Real Property or its address is commonly known as See Legal Description, Malta, ID 83342.

Grantor presently assigns to Lender all of Grantor's right, title, and interest in and to all present and future leases of the Property and all Rents from the Property. In addition, Grantor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Rents.

THIS MORTGAGE, INCLUDING THE ASSIGNMENT OF RENTS AND THE SECURITY INTEREST IN THE RENTS AND PERSONAL PROPERTY, IS GIVEN TO SECURE (A) PAYMENT OF THE INDEBTEDNESS AND (B) PERFORMANCE OF ANY AND ALL OBLIGATIONS UNDER THE NOTE, THE RELATED DOCUMENTS, AND THIS MORTGAGE. THIS MORTGAGE IS GIVEN AND ACCEPTED ON THE FOLLOWING TERMS:

PAYMENT AND PERFORMANCE. Except as otherwise provided in this Mortgage, Grantor shall pay to Lender all amounts secured by this Mortgage as they become due and shall strictly perform all of Grantor's obligations under this Mortgage.

POSSESSION AND MAINTENANCE OF THE PROPERTY. Grantor agrees that Grantor's possession and use of the Property shall be governed by the following provisions:

Possession and Use. Until the occurrence of an Event of Default, Grantor may (1) remain in possession and control of the Property; (2) use, operate or manage the Property; and (3) collect the Rents from the Property. The following provisions relate to the use of the Property or to other limitations on the Property.

Duty to Maintain. Grantor shall maintain the Property in tenantable condition and promptly perform all repairs, replacements, and maintenance necessary to preserve its value.

Compliance With Environmental Laws. Grantor represents and warrants to Lender that: (1) During the period of Grantor's ownership of the Property, there has been no use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance by any person on, under, about or from the Property; (2) Grantor has no knowledge of, or reason to believe that there has been, except as previously disclosed to and acknowledged by Lender in writing, (a) any breach or violation of any Environmental Laws, (b) any use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance on, under, about or from the Property by any prior owners or occupants of the Property, or (c) any actual or threatened litigation or claims of any kind by any person relating to such matters; and (3) Except as previously disclosed to and acknowledged by Lender in writing, (a) neither Grantor nor any tenant, contractor, agent or other authorized user of the Property shall use, generate, manufacture, store, treat, dispose of or release any Hazardous Substance on, under, about or from the Property; and (b) any such activity shall be conducted in compliance with all applicable federal, state, and local laws, regulations and ordinances, including without limitation all Environmental Laws. Grantor authorizes Lender and its agents to enter upon the Property to make such inspections and tests at Grantor's expense as Lender may deem

EXHIBIT A

PARCEL NO. 1:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: SE¼SW¼ and W¼SW¼SE¼

Section 7: NE¼NW¼; N½NE¼ and that part of the S½NE¼, more particularly described as follows:

Beginning at the Northeast section corner of Section 7, marked by a 5/8 inch rebar with a 3 inch aluminum cap on top; Thence South 00°02'10" West along the east section line for a distance of 1320.42 feet to the Southeast corner of the N½NE¼ which shall be the Point of Beginning;
Thence South 00°02'10" West along the east line of Section 7 for a distance of 37.72 feet to the centerline of the 2125 South Road (Bell Lane);
Thence South 89°58'07" West along the centerline of the 2125 South Road (Bell Lane) for a distance of 2668.24 feet to the west line of the NE¼;
Thence North 00°06'09" East along the west line of the NE¼ for a distance of 52.94 feet to the Northwest corner of the S½NE¼;
Thence South 89°42'17" East along the north line of the S½NE¼ for a distance of 2668.20 feet to the Point of Beginning.

SAVE AND EXCEPT the following described tracts:

Tract No. 1:

Beginning at the Northeast section corner of said Section 7, marked by a 5/8 inch rebar with a 3 inch aluminum cap on top; Thence South 00°02'10" West along the East section line for a distance of 1320.42 feet to the Southeast corner of the N½NE¼; Thence North 89°42'17" West along the South line of the N½NE¼ for a distance of 341.86 feet to a ½ inch rebar which shall be the Point of Beginning;
Thence North 89°42'17" West continuing along said line for a distance of 352.94 feet to a ½ inch rebar;
Thence North 00°58'33" East for a distance of 123.88 feet to a ½ inch rebar;
Thence South 89°42'17" East for a distance of 350.91 feet to a ½ inch rebar;
Thence South 00°02'10" West for a distance of 123.88 feet to the Point of Beginning.

Tract No. 2:

Beginning at the Northeast section corner of said Section 7, marked by a 5/8 inch rebar with a 3 inch aluminum cap on top; Thence South 00°02'10" West along the East section line for a distance of 1320.42 feet to the Southeast corner of the N½NE¼; Thence North 89°42'17" West along the South line of the N½NE¼ for a distance of 341.86 feet to a ½ inch rebar which shall be the Point of Beginning;
Thence South 00°02'10" West for a distance of 39.67 feet to the centerline of the 2125 South Road (Bell Lane);
Thence South 89°58'07" West along the centerline of the 2125 South Road (Bell Lane) for a distance of 353.62 feet;
Thence North 00°58'33" East for a distance of 41.69 feet to a ½ inch rebar on the South line of the N½NE¼;
Thence South 89°42'17" East for a distance of 352.94 feet to a ½ inch rebar, which is the Point of Beginning.

Tract No. 3:

That portion deeded to the Raft River Highway District for Highway purposes.

-Continued-

EXHIBIT A

PARCEL NO. 2:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: E½W½SE¼SE¼ and E½SE¼SE¼

SAVE AND EXCEPTING THEREFROM the following described tract:

Beginning at the Southeast corner of said Section 31; thence West along the South Section line for 50.0 feet; thence North 3.0 feet to the True Point of Beginning;
Thence West 167 feet;
Thence North 1189 feet;
Thence East 167 feet;
Thence South 1189 feet to the True Point of Beginning

PARCEL NO. 3:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: E½ of Lot 1; E½W½ of Lot 1; E½SW¼SE¼; SE¼SE¼; **AND ALSO** that part of the N¼SE¼, more particularly described as follows:

Beginning at a point 660 feet South of the East quarter corner of said Section 6;
Thence West 1980 feet;
Thence South 660 feet;
Thence East 1980 feet;
Thence North to The Point of Beginning.

SAVE AND EXCEPTING THEREFROM the following described tracts:

Tract No. 1:

Beginning at a point 1980 feet West and 1320 feet South of the East quarter corner of said Section 6;
Thence East 50 feet;
Thence North 50 feet;
Thence West 50 feet;
Thence South 50 feet to The Point of Beginning.

Tract No. 2:

Beginning at a point 660 feet South of the East quarter corner of said Section 6, which point shall be known as the True Point of Beginning;
Thence South along the East boundary of said Section 6, a distance of 912 feet;
Thence West parallel to the South boundary of said Section 6, a distance of 470 feet;
Thence North parallel to the East boundary of said Section 6, a distance of 266 feet;
Thence East parallel to the South boundary of said Section 6, a distance of 180 feet;
Thence North parallel to the East boundary of said Section 6, a distance of 646 feet;
Thence East parallel to the South boundary of said Section 6, a distance of 290 feet to the True Point of Beginning.

-Continued-

EXHIBIT A

Tract No. 3:

Beginning at the East quarter section corner of Section 6, said corner marked by a 5/8 inch rebar; thence South 00°11'59" West along the east line of Section 6 for a distance of 1572.00 feet to the Point of Beginning;
Thence South 00°11'59" West along the east line of Section 6 for a distance of 15.88 feet;
Thence North 89°41'23" West for a distance of 28.67 feet to a ½ inch rebar;
Thence North 89°41'23" West for a distance of 467.08 feet to a ½ inch rebar;
Thence North 00°11'59" East for a distance of 274.13 feet to a ½ inch rebar;
Thence South 89°41'23" East for a distance of 25.75 feet;
Thence South 00°11'59" West (South parallel to the east boundary of Section 6, rec.) for a distance of 258.25 feet to a ½ inch rebar;
Thence South 89°41'23" East (East parallel to the south boundary of Section 6, rec.) for a distance of 441.33 feet to a ½ inch rebar;
Thence South 89°41'23" East (East parallel to the south boundary of Section 6, rec.) for a distance of 28.67 feet to the Point of Beginning.

Tract No. 4:

Beginning at the East quarter section corner of Section 6, said corner marked by a 5/8 inch rebar; thence South 00°11'59" West along the east line of Section 6 for a distance of 680.51 feet; thence North 89°41'23" West for a distance of 28.93 feet to a ½ inch rebar; Thence North 89°41'23" West for a distance of 286.82 feet to a ½ inch rebar; thence South 00°11'59" West for a distance of 535.00 feet to a ½ inch rebar which shall be the Point of Beginning;
Thence South 89°41'23" East for a distance of 25.75 feet;
Thence South 00°11'59" West (parallel to the east boundary of Section 6, rec.) for a distance of 90.49 feet to a ½ inch rebar;
Thence North 89°41'23" West (parallel to the south boundary of Section 6, rec.) for a distance of 25.75 feet;
Thence North 00°11'59" East for a distance of 90.49 feet to the Point of Beginning.

Tract No. 5:

Beginning at the East quarter section corner of Section 6, said corner marked by a 5/8 inch rebar; thence South 00°11'59" West along the east line of Section 6 for a distance of 680.51 feet; thence North 89°41'23" West for a distance of 28.93 feet to a ½ inch rebar; thence North 89°41'23" West for a distance of 286.82 feet to a ½ inch rebar; thence South 00°11'59" West for a distance of 403.59 feet to the Point of Beginning;
Thence South 89°30'03" East for a distance of 25.75 feet;
Thence South 00°11'59" West (parallel to the east boundary of Section 6, rec.) for a distance of 131.33 feet;
Thence North 89°41'23" West for a distance of 25.75 feet to a ½ inch rebar;
Thence North 00°11'59" East for a distance of 124.00 feet;
Thence North 00°11'59" East for a distance of 7.41 feet to the Point of Beginning.

ALSO EXCEPTING from Section 31, Township 13 South, Range 27 East of the Boise Meridian **AND** from Section 6, Township 14 South, Range 27 East of the Boise Meridian, the following described tracts:

Tract No. 6:

Beginning at the Northeast corner of Section 6, said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap on top which shall be the Point of Beginning;
Thence South 00°07'41" West along the east line of Section 6 for a distance of 504.41 feet;
Thence North 89°55'46" West for a distance of 50.00 feet to a ½ inch rebar;
Thence North 00°07'41" East for a distance of 504.41 feet to the north line of Section 6;
Thence North 00°14'10" West for a distance of 684.59 feet to a ½ inch rebar;
Thence South 89°55'46" East for a distance of 50.00 feet to the east line of Section 31;
Thence South 00°14'10" East along said line for a distance of 684.59 feet to the Point of Beginning.

-Continued-

EXHIBIT A

Tract No. 7:

Beginning at the Northeast corner of Section 6, said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap on top; thence North 89°55'46" West along the north line of Section 6 for a distance of 50.00 feet to the Point of Beginning;
Thence South 00°07'41" West for a distance of 504.41 feet to a ½ inch rebar;
Thence North 89°55'46" West for a distance of 147.90 feet to a ½ inch rebar;
Thence North 00°07'41" East for a distance of 504.41 feet to the north line of Section 6;
Thence North 00°14'10" West for a distance of 3.00 feet;
Thence South 89°55'46" East for a distance of 147.90 feet;
Thence South 00°14'54" East for a distance of 3.00 feet to the Point of Beginning.

PARCEL NO. 4:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Part of the SE¼, more particularly described as follows:

Beginning at the East quarter section corner of Section 6, said corner marked by a 5/8 inch rebar; thence South 00°11'59" West along the east line of Section 6 for a distance of 680.51 feet; Thence North 89°41'23" West for a distance of 28.93 feet to a ½ inch rebar; thence North 89°41'23" West for a distance of 286.82 feet to a ½ inch rebar; thence South 00°11'59" West for a distance of 625.49 feet to the Point of Beginning;
Thence South 00°11'59" West for a distance of 7.75 feet to a ½ inch rebar;
Thence North 89°41'23" West for a distance of 154.25 feet;
Thence North 00°11'59" East (parallel to the east boundary of Section 6, rec.) for a distance of 7.75 feet to a ½ inch rebar;
Thence South 89°41'23" East (parallel to the south boundary of Section 6, rec.) for a distance of 154.25 feet to the Point of Beginning.

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Part of the SE¼, more particularly described as follows:

Beginning at the East quarter section corner of Section 6, said corner marked by a 5/8 inch rebar; thence South 00°11'59" West along the east line of Section 6 for a distance of 660.00 feet to the Point of Beginning;
Thence South 00°11'59" West along the east line of Section 6 for a distance of 20.51 feet;
Thence North 89°41'23" West for a distance of 28.93 feet to a ½ inch rebar;
Thence North 89°41'23" West for a distance of 261.07 feet;
Thence North 00°11'59" East (parallel to the east boundary of Section 6, rec.) for a distance of 20.51 feet to a ½ inch rebar;
Thence South 89°41'23" East (parallel to the south boundary of Section 6, rec.) for a distance of 261.07 feet to a ½ inch rebar;
Thence South 89°41'23" East (parallel to the south boundary of Section 6, rec.) for a distance of 28.93 feet to the Point of Beginning.

-Continued-

EXHIBIT A

PARCEL NO. 5:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Part of the SE¼, more particularly described as follows:

Beginning at the East quarter corner of Section 6, said corner marked by a 5/8 inch rebar; thence South 00°11'59" West along the east line of Section 6 for a distance of 680.51 feet to the Point of Beginning;

Thence South 00°11'59" West along the east line of Section 6 for a distance of 404.63 feet;

Thence North 89°30'03" West for a distance of 315.75 feet;

Thence North 00°11'59" East for a distance of 403.59 feet to a ½ inch rebar;

Thence South 89°41'23" East for a distance of 286.82 feet to a ½ inch rebar;

Thence South 89°41'23" East for a distance of 28.93 feet to the Point of Beginning.

SAVE AND EXCEPTING the following described tract:

Beginning at the East quarter section corner of Section 6, said corner marked by a 5/8 inch rebar; thence South 00°11'59" West along the east line of Section 6 for a distance of 1071.00 feet to the Point of Beginning;

Thence South 00°11'59" West along the east line of Section 6 for a distance of 14.14 feet;

Thence North 89°30'03" West for a distance of 315.75 feet;

Thence North 00°11'59" East (parallel to the east boundary of Section 6, rec.) for a distance of 13.10 feet;

Thence South 89°41'23" East (parallel to the south boundary of Section 6, rec.) for a distance of 25.75 feet to a ½ inch rebar;

Thence South 89°41'23" East (parallel to the south boundary of Section 6, rec.) for a distance of 260.69 feet to a ½ inch rebar;

Thence South 89°41'23" East (parallel to the south boundary of Section 6, rec.) for a distance of 29.31 feet to the Point of Beginning.

PARCEL NO. 6:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: Part of the S½SE¼, more particularly described as follows:

Beginning at the Southeast corner of Section 31, said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap on top; thence North 00°14'10" West along the east line of Section 31 for a distance of 684.59 feet; thence North 89°55'46" West for a distance of 50.00 feet to a ½ inch rebar which shall be the Point of Beginning;

Thence North 89°55'46" West for a distance of 147.90 feet to a ½ inch rebar;

Thence North 89°55'46" West for a distance of 19.11 feet;

Thence North 00°14'10" West (North, rec.) for a distance of 507.41 feet;

Thence South 89°55'46" East (East, rec.) for a distance of 167.00 feet;

Thence South 00°14'10" East (South, rec.) for a distance of 507.41 feet to the Point of Beginning.

-Continued-

EXHIBIT A

PARCEL NO. 7:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: Part of the S½SE¼, more particularly described as follows:

Beginning at the Southeast corner of Section 31, said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap on top; thence North 00°14'10" West along the east line of Section 31 for a distance of 684.59 feet; thence North 89°55'46" West for a distance of 197.90 feet to a ½ inch rebar which shall be the Point of Beginning;

Thence South 00°14'10" East for a distance of 681.59 feet;

Thence North 89°55'46" West (West, rec.) for a distance of 19.11 feet;

Thence North 00°14'10" West (North, rec.) for a distance of 681.59 feet;

Thence South 89°55'46" East (East, rec.) for a distance of 19.11 feet to the Point of Beginning.

PARCEL NO. 8:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: NE¼SW¼, W½NW¼SE¼, W½SW¼NE¼, SE¼NW¼

Section 6: Beginning at a point 1980 feet West and 1320 feet South of the East quarter corner of said Section 6;
Thence East 50 feet;
Thence North 50 feet;
Thence West 50 feet;
Thence South 50 feet to the Point of Beginning.

PARCEL NO. 9:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: NE¼SW¼ and Lot 3, **EXCEPTING** therefrom the following described tracts:

Tract No. 1:

Beginning at the W¼ section corner of said Section 31, said corner marked by a U.S. General Land Office iron pipe with brass cap; Thence South 00°02'41" West along the West line of Section 31 for a distance of 467.47 feet to the Point of Beginning;

Thence South 89°58'42" East for a distance of 40.13 feet to a ½ inch rebar;

Thence South 89°58'42" East for a distance of 276.83 feet to a ½ inch rebar;

Thence South 01°03'33" West for a distance of 789.97 feet to a ½ inch rebar;

Thence North 89°58'42" West for a distance of 275.71 feet to a ½ inch rebar;

Thence North 89°58'42" West for a distance of 27.26 feet to the West line of Section 31;

Thence North 00°02'41" East along the West line of Section 31 for a distance of 789.84 feet to the Point of Beginning.

Tract No. 2:

Beginning at the W¼ section corner of said Section 31, said corner marked by a U.S. General Land Office iron pipe with brass cap which shall be the Point of Beginning;

Thence South 89°51'37" East along the North line of U.S. Government Lot 3 for a distance of 325.22 feet;

Thence South 01°03'33" West for a distance of 32.50 feet to a ¼ inch rebar;

Thence South 01°03'33" West for a distance of 434.37 feet to a ½ inch rebar;

Thence North 89°58'42" West for a distance of 276.83 feet to a ½ inch rebar;

Thence North 89°58'42" West for a distance of 40.13 feet to the West line of Section 31;

Thence North 00°02'41" East along the West line of Section 31 for a distance of 467.47 feet to the Point of Beginning.

-Continued-

EXHIBIT A

PARCEL NO. 10:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: The South 40 feet of Lot 2 and the South 40 feet of the SE¼NW¼

PARCEL NO. 10A:

A 40 foot wide access easement for ingress and egress for the benefit of Parcel Nos. 9 and Parcel No. 10 as created by Warranty Deed executed by Terry A. Schaeffer and Rose Schaeffer, Husband and Wife, to Alan J. Harper and Beverly K. Harper, Husband and Wife, dated April 13, 2000 and recorded April 13, 2000 as Instrument No. 268648, records of Cassia County, Idaho, over and across the North 40 feet of the following described property:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: Beginning at the W¼ section corner of said Section 31, said corner marked by a U.S. General Land Office iron pipe with brass cap which shall be the Point of Beginning;
Thence South 89°51'37" East along the North line of U.S. Government Lot 3 for a distance of 325.22 feet;
Thence South 01°03'33" West for a distance of 32.50 feet to a ¼ inch rebar;
Thence South 01°03'33" West for a distance of 434.37 feet to a ½ inch rebar;
Thence North 89°58'42" West for a distance of 276.83 feet to a ½ inch rebar;
Thence North 89°58'42" West for a distance of 40.13 feet to the West line of Section 31;
Thence North 00°02'41" East along the West line of Section 31 for a distance of 467.47 feet to the Point of Beginning.

PARCEL NO. 11:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: E½SW¼SE¼ and W½W½SE¼SE¼

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: E½SW¼NE¼, SE¼NE¼, E½ of Lot 2, W½W½ of Lot 1

AND ALSO that part of the N½SE¼, more particularly described as follows:

Beginning at the E¼ corner of said Section 6;
Thence West 1980 feet;
Thence South 660 feet;
Thence East 1980 feet;
Thence North to the Point of Beginning.

EXCEPTING THEREFROM that portion deeded for highway purposes.

ALSO EXCEPTING THEREFROM the following described parcel:

Beginning at the Southeast corner of the SE¼NE¼ of said Section 6;
Thence West 285 feet;
Thence North 165 feet;
Thence East 212 feet;
Thence North 40 feet;
Thence East 73 feet;
Thence South 205 feet to the Point of Beginning.

-Continued-

EXHIBIT A

PARCEL NO. 12:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: $W\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$, Lot 4 and $SE\frac{1}{4}SW\frac{1}{4}$

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Beginning at the $N\frac{1}{4}$ corner of said Section 6;
 Thence West 1320 feet;
 Thence South 1322 feet;
 Thence East 1980 feet;
 Thence North 1322 feet;
 Thence West 660 feet to the Point of Beginning. (Also described as the $W\frac{1}{2}$ of Lot 2 and all of Lot 3)

END OF SCHEDULE A