

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

JUN 19 2013

Department of Water Resources
Eastern Region

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

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
35-7793 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Richard H. Giesbrecht
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Robert J. Giesbrecht
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2636 Olive Road American Falls ID 83211
Mailing address City State ZIP
- _____
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 12-28-2012
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
7. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.
8. Signature: *Robert Giesbrecht* _____ 6-5-13
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *JB* Date 6/19/2013 Receipt No. E038802 Receipt Amt. \$25.-
 Approved by *JB* Processed by *JB* Date 7/15/2013

COPY

449849

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

WARRANTY DEED

FEE 18⁰⁰ SEP 24

96 DEC -5 AM 8:47

THIS INDENTURE is made this 7th day of September, 1996, by RICHARD H. GIESBRECHT and E. LOU GIESBRECHT a/k/a Edna L. Giesbrecht, husband and wife, the "Grantor", and RICHARD H. GIESBRECHT and E. LOU GIESBRECHT, as trustees of the Richard H. Giesbrecht and E. Lou Giesbrecht Family Trust whose mailing address is 2815 West 2200 South, Aberdeen, Idaho 83210, the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the Counties of Bingham and Power, State of Idaho, to-wit:

SEE ATTACHED SCHEDULE "A"

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

136666

Instrument #	8
Grantee	Time 11:00 AM
Req. of	Holden, Kidwell Hahn + Crapo, P.L.L.C.
DEC 10 1996	
POWER COUNTY AM FALLS C. SCHREIBER	
BY Maureen Schelste	


Richard H. Giesbrecht, Grantor



G:\WPDATA\GASU87948ENR067.WD:sjw

EXHIBIT "A"

The following real estate located in Power County, Idaho:

1. Township 7 South, Range 29 East, Boise Meridian:
Section 22: S $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27: N $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$
EXCEPTING THEREFROM that portion of the NE $\frac{1}{4}$ NE $\frac{1}{2}$ of Section 27, Township 7 South, Range 29 East, Boise Meridian, deeded to Idaho Power Company by Deed recorded January 3, 1962, in Book 109, as Instrument No. 82896, as follows: Beginning at a point, said point being the Northeast corner of Section 27, Township 7 South, Range 29 East, Boise Meridian, Idaho; Thence West 25 feet along the North boundary of said Section 27 to a point, said point being the REAL POINT OF BEGINNING; Thence West 150 feet along said North boundary to a point; Thence South 0°2' West, 330 feet to a point; Thence South 89°58' East, 150 feet to a point; Thence North 0°2' East, 330 feet to THE POINT OF BEGINNING.
2. The Northwest Quarter (NW $\frac{1}{4}$) of Section 27, the North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 27, and the South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 22, Township 7 South, Range 29 E.B.M.

The following described real estate located in Bingham County, Idaho.

1. Township 6 South, Range 31, E.B.M., Bingham County, Idaho

Section 20: W $\frac{1}{2}$ SE $\frac{1}{4}$; Excepting the canal right of way of the Aberdeen-Springfield Canal Company.

Section 29: N $\frac{1}{2}$ NE $\frac{1}{4}$

Together with all ditches, ditch rights of way, water rights thereunto appertaining and belonging and irrigation pump, motor and panel and appurtenant irrigation equipment.

Subject to reservations in U.S. Patent, existing and recorded easements, zoning and building ordinances, levies and assessments of the Aberdeen-Springfield Canal Company, borrow permit in favor of the State of Idaho recorded as Instrument No. 82023 and eight-twelfths (8/12ths) of the taxes and assessments for the year 1973.

2. All portions of the SW $\frac{1}{4}$ of Section 9, Township 6 South, Range 31 E.B.M., Bingham County, Idaho, which lay W. of the drainage ditch, EXCEPTING THE FOLLOWING DESCRIBED PARCELS:

Parcel I:

A tract of land in the SW $\frac{1}{4}$ of Section 9, Township 6 South, Range 31 E.B.M., Bingham County, Idaho, described as follows: Beginning at a Brass Cap Highway Monument, 50 feet right of centerline Station 568+10.80 P.T.; thence along the E. right-of-way of State Highway 39, from which a tangent bearing S. 2°35'40" W., along a curve to the right, having a radius of 57,245.78 feet, through a central angle of 0°46'38.9" for an arc length of 776.80 feet, to a Brass Cap Highway Monument, 50 feet right of centerline Station 560+34.00; thence S. 89°41'20" E. 216.00 feet to the center of Hege Drain; thence along the center of said Hege Drain N. 17°05' E. 67.05 feet; thence N. 38°48' E. 362.20 feet; thence N. 23°54' E. 427.40 feet; thence N. 12°22' E. 423.00 feet; thence leaving said Drain, W. 679.50 feet to the E. right-of-way of said State Highway 39; thence S.

2°35'40" W. along said right-of-way 379.29 feet to the POINT OF BEGINNING.

Parcel II:

A tract of land in the SW¼SW¼ of Section 9, Township 6 South, Range 31 E.B.M., Bingham County, Idaho, described as follows: Commencing at the SW corner of said Section 9; thence N. 89°37'23" W. 1.90 feet to the Southerly extension of the centerline of State Highway 39 as shown on Highway plans of F.A.P. Project S. 1721(6); thence N. 2°35'40" E. along said extension, 808.20 feet to centerline station 568+10.8 P.T.; thence S. 87°24'20" E. 50.00 feet to a concrete Highway right-of-way monument; thence N. 2°35'40" E., along the Easterly right-of-way of said Highway, 373.29 feet to a ½" iron pin with a plastic cap marked LS 843, THE TRUE POINT OF BEGINNING; thence E. 679.60 feet to a ½" iron pin with a plastic cap marked LS 843; thence N. 2°35'40" E. 50.05 feet; thence W. 679.60 feet to the Easterly right-of-way of said Highway; thence S. 2°35'40" W. along said right-of-way, 50.05 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: The right-of-way for State Highway 39.

3. Tract A:

Township 6 South, Range 31 E.B.M., Bingham County, Idaho
Section 29:

S½SE¼, except: Beginning at the SE corner of said Section 29, thence N. 89°48' W. along the South line of said Section 29, 624.2 feet to a point; thence N. 8°42' W. 179.3 feet to a point; thence N. 21°49' W. 254.7 feet to a point; thence N. 87°51' E. 162.4 feet to a point; thence N. 1°14' E. 261.2 feet to a point, thence S. 80°35' E. 413.5 feet to a point; thence N. 77°27' E. 173.9 feet, more or less, to the East line of said Section 29; thence S. 0°02' E. along the East line of said Section, 653.3 feet, more or less, to the point of beginning.

Tract B:

Township 6 South, Range 31 E.B.M., Bingham County, Idaho
Section 29:

N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$; and that portion of the SW $\frac{1}{4}$ lying East of State Highway No. 39, excepting therefrom: Beginning at the NE corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, thence S. 0°51' E. 655 feet; thence N. 53°04' W. 271.5 feet; thence S. 57°53' W. 320.3 feet; thence S. 68°47' W. 262.3 feet; thence N. 47°24' E. 197.8 feet; thence N. 09°45' W. 300.1 feet; thence N. 72°43' W. 260.5 feet; thence N. 48°44' E. 388.3 feet, more or less, to the North line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence S. 89°43' E. 589.1 feet, more or less, to the point of beginning.

G:\WPDATA\GAS\5819\GSBR0807.WD:sjw

Instrument # 645100

BINGHAM COUNTY

12-31-2012 09:04:53 No. of Pages: 5

Recorded for : CK 8158 TOM HOLMES

SARA J. STAUB

Ex-Officio Recorder Deputy

Fee: 22.00

Omiles

Instrument # 203483

POWER COUNTY, IDAHO

12-28-2012

04:14:24

No. of Pages: 5

Recorded for : TOM HOLMES

CHRISTINE STEINLICHT

Ex-Officio Recorder Deputy

Fee: 22.00

Linda Ann

WARRANTY DEED

Date: December 20, 2012

Grantor: Richard M. Giesbrecht and Robert J. Giesbrecht, Co-Personal Representatives of the Richard H. Giesbrecht Estate pursuant to appointment in Bingham County, Idaho Magistrate's Court, Case No. CV-2010-1686

Grantee: Robert J. Giesbrecht

Grantee's Mailing Address: 2636 Olive Road, American Falls, ID 83211

Consideration: TEN AND NO/100 DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION

Property Conveyed (including any Improvements):

Undivided one-half (½) representing the community interest of Richard H. Giesbrecht in the real estate described on the attached Exhibit A.

This conveyance is given and accepted subject to any and all restrictions, reservations, covenants, conditions, rights-of-way, easements of record in said County, and municipal and other governmental zoning laws, regulations and ordinances, if any, affecting the herein described property. Additionally said property is conveyed subject to the existing mortgages of record.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee, as his sole and separate property, the property, together with all and singular the rights and appurtenances thereto in any wise belonging to have and to hold it to Grantee, Grantee's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

Richard H. Giesbrecht Estate

By:

Richard M. Giesbrecht

Richard M. Giesbrecht, Co-Personal Representative

By:

Robert J. Giesbrecht

Robert J. Giesbrecht, Co-Personal Representative

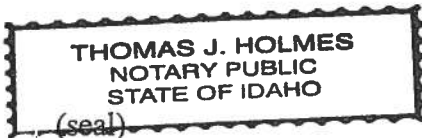
STATE OF IDAHO)

:SS

County of Bannock)

On this 20 day of December, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert J. Giesbrecht, known or identified to me to be the person whose name is subscribed to the within instrument as a Co-Personal Representative of the Estate of Richard H. Giesbrecht Estate, Deceased, and acknowledged to me that he executed the same as such Co-Personal Representative of the Estate of Richard H. Giesbrecht Estate, Deceased.

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



NOTARY PUBLIC-STATE OF IDAHO
Commission Expires: _____

MY COMMISSION EXPIRES FEB 16, 2018

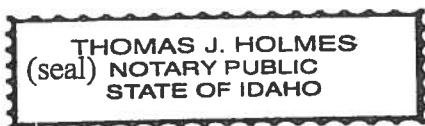
STATE OF IDAHO)

:SS

County of Bannock)

On this 20 day of December, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard M. Giesbrecht, known or identified to me to be the person whose name is subscribed to the within instrument as a Co-Personal Representative of the Estate of Richard H. Giesbrecht Estate, Deceased, and acknowledged to me that he executed the same as such Co-Personal Representative of the Estate of Richard H. Giesbrecht Estate, Deceased.

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



NOTARY PUBLIC-STATE OF IDAHO
Commission Expires: _____

MY COMMISSION EXPIRES FEB 16, 2018

EXHIBIT "A"

The following real estate located in Power County, Idaho:

1. Township 7 South, Range 29 East, Boise Meridian:

Section 22: S $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27: N $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$

EXCEPTING THEREFROM that portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 7 South, Range 29 East, Boise Meridian, deeded to Idaho Power Company by Deed recorded January 3, 1962, in Book 109, as Instrument No. 82896, as follows: Beginning at a point, said point being the Northeast corner of Section 27, Township 7 South, Range 29 East, Boise Meridian, Idaho; Thence West 25 feet along the North boundary of said Section 27 to a point, said point being the REAL POINT OF BEGINNING; Thence West 150 feet along said North boundary to a point; Thence South 0°2' West, 330 feet to a point; Thence South 89°58' East, 150 feet to a point; Thence North 0°2' East, 330 feet to THE POINT OF BEGINNING.

SUBJECT to easements and rights of way of record and taxes for 1991 and subsequent years.

The following described real estate located in Bingham County, Idaho.

1. Tract A:

Township 6 South, Range 31 E.B.M., Bingham County, Idaho

Section 29: S $\frac{1}{2}$ SE $\frac{1}{4}$, except: Beginning at the SE corner of said Section 29, thence N. 99°48' W. along the South line of said Section 29, 624.2 feet to a point; thence N. 8°42' W. 179.3 feet to a point; thence N. 21°49' W. 254.7 feet to a point; thence N. 87°51' E. 162.4 feet to a point; thence N. 1°14' E. 261.2 feet to a point, thence S. 80°35' E. 413.5 feet to a point; thence N. 77°27' E. 173.9 feet, more or less, to the East line of said Section 29; thence S. 0°02' E. along the East line of said Section, 653.3 feet, more or less, to the point of beginning.

Tract B:

Township 6 South, Range 31 E.B.M., Bingham County, Idaho

Section 29: N $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$; and that portion of the SW $\frac{1}{4}$ lying East of State Highway No. 39, excepting therefrom: Beginning at the NE corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, thence S. 0°51' E. 655 feet; thence N. 53°04' W. 271.5 feet; thence S. 57°53' W. 320.3 feet; thence S. 68°47' W. 262.3 feet; thence N. 47°24' E. 197.8 feet; thence N. 09°45' W. 300.1 feet; thence N. 72°43' W. 260.5 feet; thence N. 48°44' E. 388.3 feet, more or less, to the North line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence S. 89°43' E. 589.1 feet, more or less, to the point of beginning.

2. Undivided one-half (½) interest in the following described real estate in Bingham County, Idaho:

All portions of the SW¼ of Section 9, Township 6 South, Range 31 E.B.M., Bingham County, Idaho, which lay W. of the drainage ditch, EXCEPTING THE FOLLOWING DESCRIBED PARCELS:

Parcel I:

A tract of land in the SW¼ of Section 9, Township 6 South, Range 31 E.B.M., Bingham County, Idaho, described as follows: Beginning at a Brass Cap Highway Monument, 50 feet right of centerline Station 568+10.80 P.T.; thence along the E. right-of-way of State Highway 39, from which a tangent bearing S. 2°35'40" W., along a curve to the right, having a radius of 57,245.78 feet, through a central angle of 0°46'38.9" for an arc length of 776.80 feet, to a Brass Cap Highway Monument, 50 feet right of centerline Station 560+34.00; thence S. 89°41'20" E. 216.00 feet to the center of Hege Drain; thence along the center of said Hege Drain N. 17°05' E. 67.05 feet; thence N. 38°48' E. 362.20 feet; thence N. 23°54' E. 427.40 feet; thence N. 12°22' E. 423.00 feet; thence leaving said Drain, W. 679.60 feet to the E. right-of-way of said State Highway 39; thence S. 2°35'40" W. along said right-of-way 379.29 feet to the POINT OF BEGINNING.

Parcel II:

A tract of land in the SW¼SW¼ of Section 9, Township 6 South, Range 31 E.B.M., Bingham County, Idaho, described as follows: Commencing at the SW corner of said Section 9; thence N. 89°37'23" W. 1.90 feet to the Southerly extension of the centerline of State Highway 39 as shown on Highway plans of F.A.P. Project S. 1721(6); thence N. 2°35'40" E. along said extension, 808.20 feet to centerline station 568+10.8 P.T.; thence S. 87°24'20" E. 50.00 feet to a concrete Highway right-of-way monument; thence N. 2°35'40" E., along the Easterly right-of-way of said Highway, 373.29 feet to a ½" iron pin with a plastic cap marked LS 843, THE TRUE POINT OF BEGINNING; thence E. 679.60 feet to a ½" iron pin with a plastic cap marked LS 843; thence N. 2°35'40" E. 50.05 feet; thence W. 679.60 feet to the Easterly right-of-way of said Highway; thence S. 2°35'40" W. along said right-of-way, 50.05 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: The right-of-way for State Highway 39.

Instrument # 645102

BINGHAM COUNTY

12-31-2012 09:10:25 No. of Pages: 5

Recorded for : CK 8158 TOM HOLMES

SARA J. STAUB Fee: 22.00

Ex-Officio Recorder Deputy

Amiles**Instrument # 203485**

POWER COUNTY, IDAHO

12-28-2012 04:17:14 No. of Pages: 5

Recorded for : TOM HOLMES

CHRISTINE STEINLICHT

Ex-Officio Recorder Deputy

Fee: 22.00

Amiles**WARRANTY DEED**Date: December 20, 2012

Grantor: E. Lou Giesbrecht, Trustee of the Richard H. Giesbrecht and E. Lou Giesbrecht Family Trust u/i/d August 7, 1996

Grantee: Robert J. Giesbrecht

Grantee's Mailing Address: 2636 Olive Road, American Falls, ID 83211

Consideration: TEN AND NO/100 DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION

Property Conveyed (including any Improvements):

Undivided one-half (1/2) representing the community interest of Richard H. Giesbrecht in the real estate described on the attached Exhibit A, and undivided one-half interest of Richard H. Giesbrecht in the real estate described on Exhibit A.

This conveyance is given and accepted subject to any and all restrictions, reservations, covenants, conditions, rights-of-way, easements of record in said County, and municipal and other governmental zoning laws, regulations and ordinances, if any, affecting the herein described property. Additionally said property is conveyed subject to the existing mortgages of record.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee, as his sole and separate property, the property, together with all and singular the rights and appurtenances thereto in any wise belonging to have and to hold it to Grantee, Grantee's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

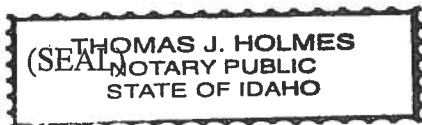
Richard H. Giesbrecht and E. Lou
Giesbrecht Family Trust u/i/d August 7, 1996By: E. Lou Giesbrecht
E. Lou Giesbrecht, Trustee

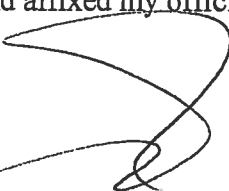
1 - 5

STATE OF IDAHO)
:SS
County of Bannock)

On this 20 day of December, 2012, before me, the undersigned Notary Public, in and for said State, personally appeared E. Lou Giesbrecht, Trustee of the Richard H. Giesbrecht and E. Lou Giesbrecht Family Trust u/i/d August 7, 1996, known to me to be the person whose name is subscribed to the within instrument as Trustee of the Richard H. Giesbrecht and E. Lou Giesbrecht Family Trust u/i/d August 7, 1996 and acknowledged to me that he executed the same as Trustee of the Richard H. Giesbrecht and E. Lou Giesbrecht Family Trust u/i/d August 7, 1996.

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





NOTARY PUBLIC-STATE OF IDAHO
My Commission Expires: _____

MY COMMISSION EXPIRES FEB 18, 2016

2-5

EXHIBIT "A"

The following real estate located in Power County, Idaho:

1. Township 7 South, Range 29 East, Boise Meridian:

Section 22: S $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27: N $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$

EXCEPTING THEREFROM that portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 7 South, Range 29 East, Boise Meridian, deeded to Idaho Power Company by Deed recorded January 3, 1962, in Book 109, as Instrument No. 82896, as follows: Beginning at a point, said point being the Northeast corner of Section 27, Township 7 South, Range 29 East, Boise Meridian, Idaho; Thence West 25 feet along the North boundary of said Section 27 to a point, said point being the REAL POINT OF BEGINNING; Thence West 150 feet along said North boundary to a point; Thence South 0°2' West, 330 feet to a point; Thence South 89°58' East, 150 feet to a point; Thence North 0°2' East, 330 feet to THE POINT OF BEGINNING.

SUBJECT to easements and rights of way of record and taxes for 1991 and subsequent years.

The following described real estate located in Bingham County, Idaho.

1. **Tract A:**

Township 6 South, Range 31 E.B.M., Bingham County, Idaho
Section 29: S½SE¼, except: Beginning at the SE corner of said Section 29, thence N. 99°48' W. along the South line of said Section 29, 624.2 feet to a point; thence N. 8°42' W. 179.3 feet to a point; thence N. 21°49' W. 254.7 feet to a point; thence N. 87°51' E. 162.4 feet to a point; thence N. 1°14' E. 261.2 feet to a point, thence S. 80°35' E. 413.5 feet to a point; thence N. 77°27' E. 173.9 feet, more or less, to the East line of said Section 29; thence S. 0°02' E. along the East line of said Section, 653.3 feet, more or less, to the point of beginning.

Tract B:

Township 6 South, Range 31 E.B.M., Bingham County, Idaho
Section 29: N¼SE¼, SE¼NE¼; and that portion of the SW¼ lying East of State Highway No. 39, excepting therefrom: Beginning at the NE corner of said SE¼NE¼, thence S. 0°51' E. 655 feet; thence N. 53°04' W. 271.5 feet; thence S. 57°53' W. 320.3 feet; thence S. 68°47' W. 262.3 feet; thence N. 47°24' E. 197.8 feet; thence N. 09°45' W. 300.1 feet; thence N. 72°43' W. 260.5 feet; thence N. 48°44' E. 388.3 feet, more or less, to the North line of said SE¼NE¼; thence S. 89°43' E. 589.1 feet, more or less, to the point of beginning.

2. Undivided one-half ($\frac{1}{2}$) interest in the following described real estate in Bingham County, Idaho:

All portions of the SW $\frac{1}{4}$ of Section 9, Township 6 South, Range 31 E.B.M., Bingham County, Idaho, which lay W. of the drainage ditch, EXCEPTING THE FOLLOWING DESCRIBED PARCELS:

Parcel I:

A tract of land in the SW $\frac{1}{4}$ of Section 9, Township 6 South, Range 31 E.B.M., Bingham County, Idaho, described as follows: Beginning at a Brass Cap Highway Monument, 50 feet right of centerline Station 568+10.80 P.T.; thence along the E. right-of-way of State Highway 39, from which a tangent bearing S. 2°35'40" W., along a curve to the right, having a radius of 57,245.78 feet, through a central angle of 0°46'38.9" for an arc length of 776.80 feet, to a Brass Cap Highway Monument, 50 feet right of centerline Station 560+34.00; thence S. 89°41'20" E. 216.00 feet to the center of Hege Drain; thence along the center of said Hege Drain N. 17°05' E. 67.05 feet; thence N. 38°48' E. 362.20 feet; thence N. 23°54' E. 427.40 feet; thence N. 12°22' E. 423.00 feet; thence leaving said Drain, W. 679.60 feet to the E. right-of-way of said State Highway 39; thence S. 2°35'40" W. along said right-of-way 379.29 feet to the POINT OF BEGINNING.

Parcel II:

A tract of land in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, Township 6 South, Range 31 E.B.M., Bingham County, Idaho, described as follows: Commencing at the SW corner of said Section 9; thence N. 89°37'23" W. 1.90 feet to the Southerly extension of the centerline of State Highway 39 as shown on Highway plans of F.A.P. Project S. 1721(6); thence N. 2°35'40" E. along said extension, 808.20 feet to centerline station 568+10.8 P.T.; thence S. 87°24'20" E. 50.00 feet to a concrete Highway right-of-way monument; thence N. 2°35'40" E., along the Easterly right-of-way of said Highway, 373.29 feet to a $\frac{1}{2}$ " iron pin with a plastic cap marked LS 843, THE TRUE POINT OF BEGINNING; thence E. 679.60 feet to a $\frac{1}{2}$ " iron pin with a plastic cap marked LS 843; thence N. 2°35'40" E. 50.05 feet; thence W. 679.60 feet to the Easterly right-of-way of said Highway; thence S. 2°35'40" W. along said right-of-way, 50.05 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: The right-of-way for State Highway 39.