

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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MAR 01 2013

Department of Water Resources  
Eastern Region

Notice of Change in Water Right Ownership

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

| Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 27-11915 <i>OK</i>    | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Pearson / Torgesen  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Nu-West Industries, Inc.  
Name of each new owner as listed on the conveyance document  
Attn: Jon Goode  
New owner continued Name connector ☐ and ☐ or ☐ and/or  
3010 Conda Road  
Mailing address  
Soda Springs ID 83276  
City State ZIP  
208 547-4381, ext. 204 jon.goode@agrium.com  
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?  
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: December 13, 2012
6. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
  - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
  - Filing fee (see instructions for further explanation):
    - \$25 per *undivided* water right.
    - \$100 per *split* water right.
    - No fee is required for pending adjudication claims.

7. Signature: *Jon Goode* Vice President February 27, 2013  
Signature of new owner/claimant Title, if applicable Date
- Signature: \_\_\_\_\_ Title, if applicable Date

For IDWR Office Use Only:

Received by *[Signature]* Date 3/1/2013 Receipt No. E03446 Receipt Amt. \$25.-  
Approved by *[Signature]* Processed by *[Signature]* Date 3/12/2013

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Department of Water Resources  
Eastern Region

Instrument # 190752

CARIBOU COUNTY

12-18-2012 12:24:09 No. of Pages: 6

Recorded for : CARIBOU TITLE

VEDA MASCARENAS

Fee: 25.00

Ex-Officio Recorder Deputy

Index to QUITCLAIM DEED

When recorded, please return to:

Givens Pursley LLP  
Attention: L. Edward Miller  
601 West Bannock Street  
Boise, Idaho 83702

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**QUITCLAIM DEED  
FOR WATER RIGHTS AND MINERAL RIGHTS**

THIS QUITCLAIM DEED ("Quitclaim Deed") is made this 13 day of December, 2012, by Mary Lou Newson, who took title as Mary Lou Pearson, a married woman, as her sole and separate property, Bradley C. Torgesen, a married man, as his sole and separate property, and Cindy H. Cartwright, who took title as Cindy H. Torgesen, a married woman, as her sole and separate property, ("Grantor") in favor of Nu-West Industries, Inc., whose principal place of business is 3010 Conda Road, Soda Springs, ID 83276 ("Grantee").

WITNESSETH, that the Grantor, for and in consideration of the sum of \$10.00 in lawful money of the United States of America and other good and valuable consideration in hand paid by the Grantee to Grantor, the receipt and sufficiency of which are hereby acknowledged by Grantor, does by these presents grant, bargain, sell and quitclaim unto the Grantee, and to Grantee's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in:

- A. All water and water rights or portions thereof and all other entitlements to receive water for beneficial use upon certain land legally described on Exhibit A to this Quitclaim Deed, including, without limitation, (i) all rights represented by any decree, license, permit, claim, permit application or storage entitlement, if any; (ii) all ditch and canal company and irrigation district shares and entitlements to receive water from any such company, association, district or other water delivery entity, if any; (iii) all ditch rights, easements and rights of way associated with any irrigation or other water delivery ditch canal, lateral or pipeline, if any; and (iv) the specific water rights identified on Exhibit B to this Deed (collectively, the "Water Rights"). The Water Rights do not include those water rights appurtenant to or placed to beneficial use upon lands other than the land identified on Exhibit A. To the extent the Water Rights include any water right permit, claim or application, this Quitclaim Deed also shall be deemed an assignment of such permit, claim or application.

- B. All of the oil, gas and other minerals in and under and that may be produced from certain land legally described on Exhibit A to this Quitclaim Deed, including, without limitation, (i) the rights of ingress and egress at all times for the purpose of mining, drilling, exploring, operating and developing said lands for oil, gas or other minerals, and storing, handling, transportation and marketing the same therefrom; (ii) all of Grantor's interest in and to all monies, proceeds, income and all other personal properties now on hand or in the possession of any third party, bank, trustee or pipeline company, which have heretofore accrued to the mineral and/or royalty interest of Grantor in the land identified on Exhibit A; and (iii) all bonuses, rents, royalties and other benefits from and after the date hereof that may accrue under any valid and subsisting oil and gas lease heretofore executed and now of legal record, precisely as if the Grantee herein had been at the date of the making of said lease the owner of a similar undivided interest in and to the land identified on Exhibit A and Grantee one of the lessors therein (collectively, the "Mineral Rights"). To the extent the Mineral Rights include any mineral right permit, claim or application, this Quitclaim Deed also shall be deemed an assignment of such permit, claim or application.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and any reversions, remainders or rents, issues and profits therefrom.

Grantor hereby covenants and represents to and with Grantee, its successors and assigns forever, that Grantor has not conveyed or encumbered the Water Rights or Mineral Rights in favor of any other person or entity. Grantor makes no warranty as to the yield in actual water that may be approved by the State of Idaho or any court for diversion or use pursuant to any transfer of place or period of use, point of diversion or nature of use of any of the Water Rights, or as to the effect on the Water Rights of any priority administration, adjudication or similar action by any court or agency. Grantor further makes no warranty as to the yield in oil, gas or other minerals that may be available.

TO HAVE AND TO HOLD the Water Rights or Mineral Rights unto the Grantee, and to Grantee's successors and assigns forever.

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

IN WITNESS WHEREOF, the Grantor has executed this Quitclaim Deed the day and year first above written.

**GRANTOR:**

Mary Lou Newson

Date: 12/14/2012

Mary Lou Newson

Bradley C. Torgesen

Date: 12/13/2012

Bradley C. Torgesen

Cindy H. Cartwright

Date: 12-13-12

Cindy H. Cartwright

STATE OF UTAH       )  
                                  ) ss.  
County of Utah       )

On this 14<sup>th</sup> day of December, 2012, before me, a Notary Public in and for said State, personally appeared MARY LOU NEWSON, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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

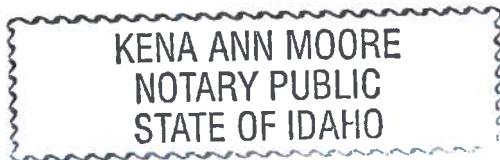


[Signature]  
Notary Public for Utah  
Residing at American Fork  
My commission expires Dec 5, 2013

STATE OF IDAHO       )  
                                  ) ss.  
County of Caribou       )

On this 13<sup>th</sup> day of December, 2012, before me, a Notary Public in and for said State, personally appeared BRADLEY C. TORGESEN, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

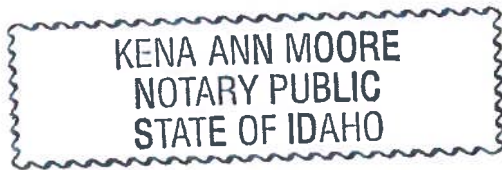


[Signature]  
Notary Public for Idaho  
Residing at : Soda Springs, Idaho  
My commission expires : 8/15/15

STATE OF IDAHO     )  
                                      ) ss.  
County of Caribou     )

On this 13<sup>th</sup> day of December, 2012, before me, a Notary Public in and for said State, personally appeared CINDY H. CARTWRIGHT, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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



  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at : Soda Springs, Idaho  
My commission expires 8/15/15

**EXHIBIT A**

**Legal Description**

Caribou County, Idaho:

Township 7 South, Range 44 East of the Boise Meridian:

Section 7: NE¼, and that part of the W½SE¼ lying Northerly of the Rasmussen Valley Road, as presently located.

**EXHIBIT B**

**Water Rights**

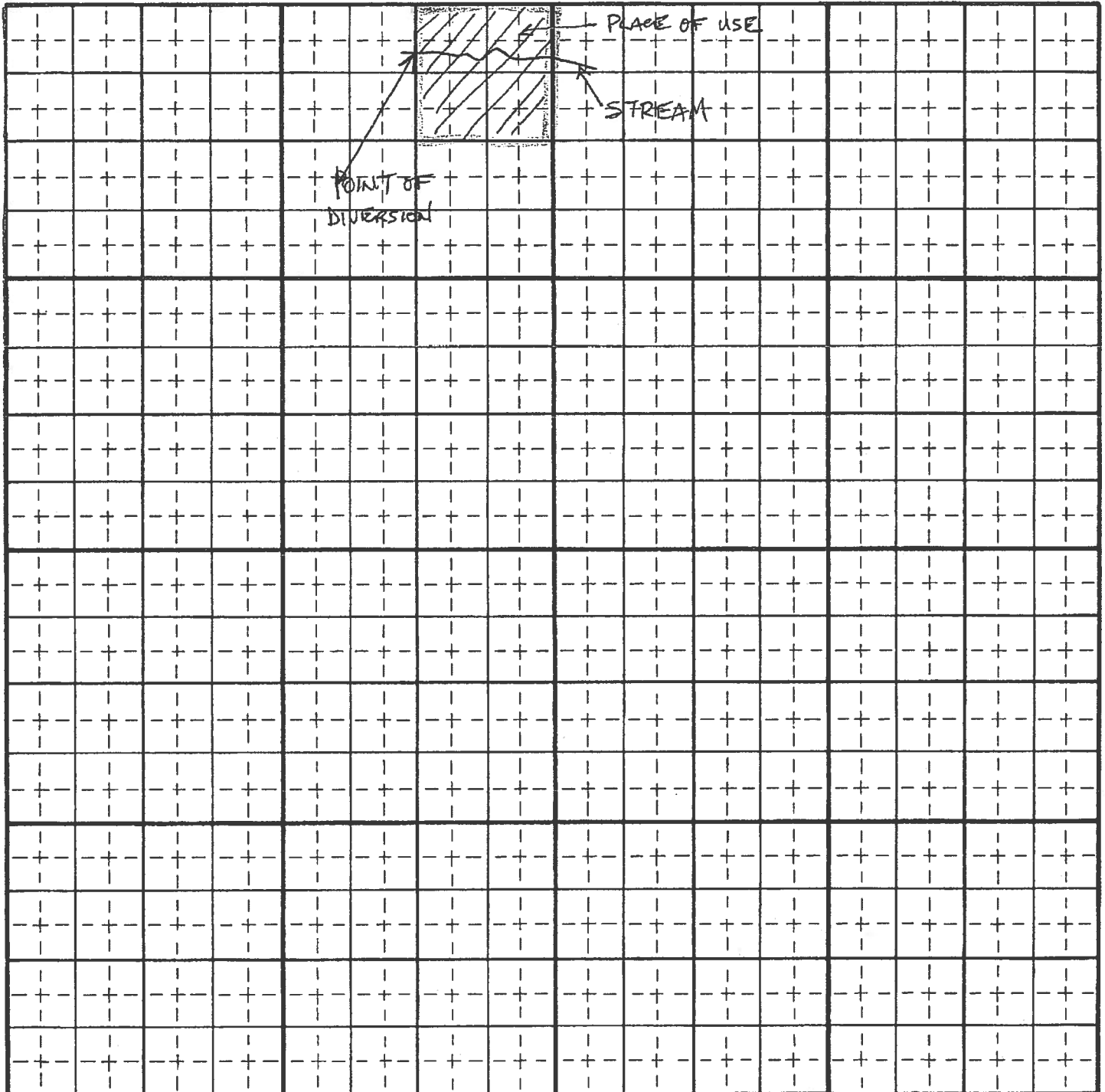
Water Right No. 27-11915

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T 7S  
R 44E  
SECTION 7

~~~~~ = STREAM



Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant