

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 24 2012
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?
29-13886	(Split) Yes ☒	29-13886	Yes ☐	29-14054	Yes ☐
29-13888	(Split) Yes ☒	29-13888	Yes ☐	29-14055	Yes ☐
29-13890	(Split) Yes ☒	29-13890	Yes ☐	29-14056	Yes ☐
29-2182	(Split) Yes ☒	29-2182	Yes ☐	29-14053	Yes ☐
29-4264	(Split) Yes ☒	29-4264	Yes ☐	14052	Yes ☐

2. Previous Owner's Name: Trail Creek Development LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Howard and Marilyn Armstrong Trust
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
13244 West Trail Creek Road
Mailing address
Pocatello ID 83204
City State ZIP
208-232-5812
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: October 10, 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: [Signature] Title, if applicable: _____ Date: 10-24-12
Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by hm Date 10/24/2012 Receipt No. E038126 Receipt Amt. \$500.00
Approved by [Signature] Processed by [Signature] Date 12/20/2012

ORIGINAL

Jack H. Robison (ISB #2157)
JONES, CHARTERED
203 South Garfield - P.O. Box 967
Pocatello, Idaho 83204
Telephone: (208) 232-5911
FAX: (208) 232-5962
E-mail: jcjackrobison@cableone.net

21217393
960
JONES CHART
21217393
2012 OCT 10 P 1:02

21217393
RECORDED AT REQUEST OF
47.00 DEPUTY Jo

Attorney for Plaintiffs

11-1

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK**

HOWARD L. ARMSTRONG AND
MARILYN H. ARMSTRONG, husband
and wife,

Plaintiffs,

vs.

TRAIL CREEK DEVELOPMENT, LLC
and JOHN DOES 1-10, as occupants, and
BANK OF COMMERCE and JOHN
DOES 1-10 as alleged lien holders and
NORTHERN TITLE COMPANY OF
IDAHO, INC.,

Defendants.

CASE NO. CV 10-3514 OC

SHERIFF'S DEED

THIS INDENTURE, made the 10th day of October, 2012, by Lorin Nielsen, Sheriff
of the County of Bannock, State of Idaho, the Grantor and Howard L. Armstrong and Marilyn H.
Armstrong, the Purchasers.

WHEREAS, in and by a certain Amended Decree of Foreclosure and Order of Sale rendered by the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Bannock dated the 16th day of June, 2011, recorded Instrument No. 21109593, Bannock County Records; Supplemental Judgment dated July 19, 2011 recorded Instrument No. 21110833 and Second Supplemental Judgment dated September 13, 2011 in the above-entitled cause; and together with the original Amended Execution In Foreclosure and Notice of Levy recorded respectively on August 18, 2011 as Instrument Nos. 21112237 and 21112238, Bannock County Records delivered to the Sheriff for execution; it was, among other things, ordered adjudged, and decreed that all and singular property described in the amended Decree action, and specifically described in Schedule 1 to said Amended Decree, be sold as one parcel at public auction by the Sheriff of Bannock County, State of Idaho, in the manner prescribed by law and according to the course and practice of said court; that the Sheriff execute and deliver to the purchaser a certificate of sale, and that the purchaser shall be entitled to immediate possession of the property, free of any claims and liens, but subject to redemption rights of the Defendants, above-named, as well as all persons claiming through them for a period of twelve (12) months from the date of sale; that upon expiration of the redemption period, the Sheriff, or his duly authorized Deputy shall execute a Deed to the purchaser which shall describe the real property and appurtenant fixtures, together with other appurtenances.

WHEREAS, said Sheriff did, at the hour of 10:00 o'clock AM on the 14th day of September, 2011, after due public notice had been given, as required by the laws of this state, and the course and practice of said court, duly sell, at public auction, at the Bannock County Sheriff's

11 - 3

21217393

Office, 5800 S. 5th Avenue, Pocatello, Idaho, pursuant to said Amended Decree, and the provisions of law, the property described in said Amended Decree at which sale the property was fairly struck off to Howard L. Armstrong and Marilyn H. Armstrong for the sum of One Million Seven Thousand Six Hundred Forty and Thirty-Eight/100 Dollars (\$1,007,640.38) lawful money of the United States, they being the highest bidder, and that being the highest sum bid for the same; and

WHEREAS, Howard L. Armstrong and Marilyn H. Armstrong instructed the Sheriff to off-set against their Amended Decree and Supplemental Judgments the amount of money so bid by them; and

NOW, THEREFORE, said Sheriff, in order to carry into effect the sale so made by him, as aforesaid, in pursuance of said Amended Decree, and also, in consideration of said sum of One Million Seven Thousand Six Hundred Forty and Thirty Eight/100 Dollars (\$1,007,640.38) lawful money of the United States, so bid and credited by said Purchasers, upon their Amended and Supplemental Decrees, the receipt whereof is hereby acknowledged, has sold and conveyed, and by these presents does sell and convey unto the Purchasers, Howard L. Armstrong and Marilyn H. Armstrong, and to their successors and assigns forever, the property particularly described in Schedule 1 attached hereto and by reference incorporated herein.

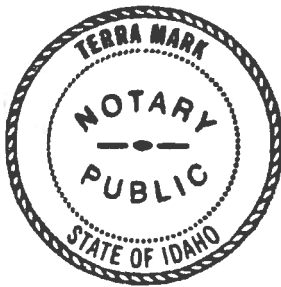
To have and to hold all and singular, the property above described, and hereby conveyed, together with the appurtenances, including appurtenant water rights to said Howard L. Armstrong and Marilyn H. Armstrong, their successors and assigns forever.

21217393

D. Syed

STATE OF IDAHO)
County of Bannock) ss

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: Bannock County
 My Commission Expires: 4/20/17

11-5.

21217393

SCHEDULE 1 TO SHERIFF'S DEED

11-6

21217393

Parcel 1:

A tract of land in Section 28 and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 6 South, Range 34 East of the Boise Meridian, Bannock County, Idaho, described as follows:

Beginning at the Northwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 28, said point being marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, South 89°43'09" East, along the North line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, a distance of 1313.01 feet to the Northeast corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, said point also being the Northwest corner of a parcel of land recorded in Warranty Deed Inst. No. 267346 and marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, South 00°40'05" West, along the West line of Warranty Deed Inst. No. 237346, a distance of 320.00 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence South 89°19'55" East, along the South line of said Warranty Deed, 416.00 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, North 00°40'05" East, along the East line of said Warranty Deed, 522.98 feet to a point on the North line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section, said point being marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, South 89°44'31" East, along the North line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1444.95 feet to the Northwest corner of a parcel described in Warranty Deed Inst. No. 484329 and marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, South 00°43'44" West, along the West line of said Warranty Deed Inst. No. 484329, a distance of 200.00 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, South 89°44'31" East, along the South line of said Warranty Deed Inst. No. 484329, a distance of 714.82 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, South 32°22'52" West, 193.52 feet to a 1/2" rebar and plastic cap stamped PLS 843;

Thence, South 07°30'09" East, 183.80 feet to a 1/2" rebar and plastic cap stamped PLS 843;

Thence, South 14°54'56" East 316.37 feet to a 1/2" rebar and plastic cap stamped PLS 843;

Thence, South 38°59'43" East, 126.44 feet to a 1/2" rebar and plastic cap stamped PLS 843;

Thence, North 45°45'50" East, 94.63 feet to a point on the Southerly line of a parcel shown on Warranty Deed Inst. No. 20106189 and marked with a 1/2" rebar and plastic cap stamped PLS 977;

Thence North 58°37'17" East, along said Southerly line, 184.70 feet to a point on the Southwesterly boundary line of the Revised plat of a portion of the West Pocatello Townsite, said point being marked with a 1/2" rebar and plastic cap stamped PLS 977;

Thence South 35°01'54" East, along said Southwesterly boundary line of said Plat, 1032.85 feet to a point which intersects the centerline of Trail Creek Road;

Thence, South 55°25'04" West, along said road centerline, 375.12 feet;

Thence continuing along said road centerline, along a curve to the right, having a radius of 968.00 feet, through a central angle of 11°12'50", for an arc length of 189.46 feet;

Thence, South 66°37'54" West, continuing along said centerline, 595.81 feet;

Thence continuing along said road centerline, along a curve to the left, having a radius of 286.49 feet, through a central angle of 30°35'00", for an arc length of 152.92 feet;

Thence, South 36°02'53" West, continuing along said road centerline, 25.20 feet;

Thence continuing along said road centerline, along a curve to the right, having a radius of 572.95 feet, through a central angle of 21°00'00", for an arc length of 210.00 feet;

Thence, South 57°02'55" West, continuing along said road centerline, 59.70 feet;

Thence continuing along said road centerline, along a curve to the left, having a radius of 572.93 feet, through a central angle of 16°00'00", for an arc length of 159.99 feet;

Thence, South 41°02'50" West, continuing along said road centerline, 112.70 feet;

Thence continuing along said road centerline, along a curve to the right, having a radius of 190.99 feet, through a central angle of 45°00'00", for an arc length of 150.00 feet;

Thence, South 86°02'56" West, continuing along said road centerline, 43.21 feet;

Thence continuing along said road centerline, along a curve to the left, having a radius of 280.29 feet, through a central angle of 41°19'13", for an arc length of 202.14 feet;

Thence, North 45°16'20" West, leaving said road centerline, 33.00 feet to a point on the Northwestern right of way line of said Trail Creek Road, said point being marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, North 66°21'34" West, 177.85 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, North 27°47'21" West 143.45 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, North 55°57'58" West, 138.42 feet to a 5/8" rebar and aluminum cap stamped PLS 843, said point being on the Easterly right-of-way of an access easement described in Warranty Deed Inst. No. 93016997;

Thence, North 89°52'25" West, 1377.90 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, South 00°40'05" West, 1086.24 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, North 89°55'09" West, 206.50 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, South 00°38'37" West, 661.12 feet to a 5/8" rebar and aluminum cap stamped PLS 843, said point being on the North line of a parcel shown on Warranty Deed Inst. No. 20008237;

Thence, South 89°56'03" West, along the North line of Warranty Deed Inst. No. 20008237 and the North line of Warranty Deed Inst. No. 20325691, a distance of 959.34 feet to the Northwest corner of Warranty Deed Inst. No. 20325691, said point also being on the West line of the NE¼ NW¼ of Section 33, said point being marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, North 00°45'16" East, along said West line, 327.84 feet to the Southwest corner of the SE¼ SW¼ of Section 28, said point being marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, North 00°38'37" East, along the West line of the SE¼ SW¼ and the NE¼ SW¼, a distance of 2629.11 feet to the Northwest corner of said NE¼ SW¼, said point being marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, North 00°42'00" East, along the West line of the SE¼ NW¼, a distance of 1312.37 feet to the Point of Beginning.

Subject to a 33.00 foot road easement being Northwesternly of and contiguous with the center line of Trail Creek Road.

Excepting therefrom a one acre parcel and access easement described in Warranty Deed Inst. No. 93016997.

21217393

Also excepting therefrom a parcel of land in the N $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 28, described as follows:

Beginning at the Northwest corner of Warranty Deed Inst. No. 93016997, said point being a $\frac{1}{2}$ " rebar and plastic cap stamped PLS 977;

Thence, North 68°39'40" East, 205.05 feet to a $\frac{1}{2}$ " rebar and plastic cap stamped PLS 843;

Thence, South 08°58'41" East, 436.34 feet to a $\frac{1}{2}$ " rebar and plastic cap stamped PLS 843;

Thence, South 68°40'55" West, 610.16 feet to a point on the Westerly right of way of an access easement described in Warranty Deed Inst. No. 93016997, said point being marked with a $\frac{1}{2}$ " rebar and plastic cap stamped PLS 843;

Thence, North 22°33'40" West, 401.76 feet to a $\frac{1}{2}$ " rebar and plastic cap stamped PLS 843;

Thence, North 43°13'54" East, 143.75 feet to a $\frac{1}{2}$ " rebar and plastic cap stamped PLS 843;

Thence, South 89°31'28" East, 173.02 feet to a $\frac{1}{2}$ " rebar and plastic cap stamped PLS 843;

Thence, North 61°38'36" East, 217.90 feet to a $\frac{1}{2}$ " rebar and plastic cap stamped PLS 977, said point being the Northwest corner of Warranty Deed Inst. No. 93016997;

Thence, South 02°14'31" East, along the Westerly boundary line of said parcel, 301.99 feet;

Thence, North 76°00'31" East, along the Southerly boundary line of said parcel, 147.33 feet;

Thence, North 02°14'31" West, along the Easterly boundary line of said parcel, 301.99 feet;

Thence, South 76°00'31" West, along the Northerly boundary line of said parcel, 147.33 feet to the Point of Beginning.

Excepting Therefrom:

A tract of land in the E $\frac{1}{2}$ E $\frac{1}{2}$ of Section 28 and the W $\frac{1}{2}$ W $\frac{1}{2}$ of Section 27, Township 6 South, Range 34 East of the Boise Meridian, Bannock County, Idaho, described as follows:

Commencing at the Northwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 28, said point being marked with a $\frac{5}{8}$ " rebar and aluminum cap stamped PLS 843;

Thence, S 89°43'09" E, along the North line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, a distance of 1313.01 feet to the Northeast corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, said point also being the Northwest corner of a parcel of land recorded in Warranty Deed Inst. No. 267346 and marked with a $\frac{5}{8}$ " rebar and aluminum cap stamped PLS 843;

Thence, S 00°40'05" W, along the west line of Warranty Deed Inst. No. 267346, a distance of 520.00 feet to a $\frac{5}{8}$ " rebar and aluminum cap stamped PLS 843;

Thence, S 89°19'55" E, along the south line of said Warranty Deed, 416.00 feet to a $\frac{5}{8}$ " rebar and aluminum cap stamped PLS 843;

Thence, N 00°40'05" E, along the east line of said Warranty Deed, 522.98 feet to a point on the North line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section, said point being marked with a $\frac{5}{8}$ " rebar and aluminum cap stamped PLS 843;

Thence, S 89°44'31" E, along the north line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 1444.95 feet to the Northwest corner of a parcel described in Warranty Deed Inst. No. 484329 and marked with a $\frac{5}{8}$ " rebar and aluminum cap stamped PLS 843;

Thence, S 00°43'44" W, along the West line of said Warranty Deed Inst. No. 484329, a distance of 200.00 feet to a $\frac{5}{8}$ " rebar and aluminum cap stamped PLS 843, the TRUE POINT OF BEGINNING;

Thence, S 89°44'31" E, along the south line of said Warranty Deed Inst. No. 484329, a distance of 714.82 feet to a $\frac{5}{8}$ " rebar and aluminum cap stamped PLS 843;

21217393

Thence, S 32°22'52" W, 193.52 } to a ½" rebar and plastic cap stamped PLS 843;

Thence, S 07°30'05" E, 183.80 feet to a ½" rebar and plastic cap stamped PLS 843;

Thence, S 14°54'56" E, 316.37 feet to a ½" rebar and plastic cap stamped PLS 843;

Thence, S 38°59'43" E, 126.44 feet to a ½" rebar and plastic cap stamped PLS 843;

Thence, N 45°45'50" E, 94.63 feet to a point on the Southerly line of a parcel shown on Warranty Deed Inst. No. 20106189 and marked with a ½" rebar and plastic cap stamped PLS 977;

Thence, N 58°37'17" E, along said Southerly line, 184.70 feet to a point on the Southwesterly boundary line of the Revised plat of a portion of the West Pocatello Townsite, said point being marked with a ½" rebar and plastic cap stamped PLS 977;

Thence, S 35°01'54" E, along said Southwesterly boundary line of said Plat, 1032.85 feet to a point which intersects the centerline of Trail Creek Road;

Thence, S 35°25'04" W, along said road centerline, 375.12 feet;

Thence continuing along said road centerline, along a curve to the right, having a radius of 968.00 feet, through a central angle of 11°12'50", for an arc length of 189.46 feet;

Thence, S 66°37'54" W, continuing along said centerline, 595.81 feet;

Thence continuing along said road centerline, along a curve to the left, having a radius of 286.49 feet, through a central angle of 30°35'00", for an arc length of 152.92 feet;

Thence, S 36°02'53" W, continuing along said road centerline, 25.20 feet;

Thence continuing along said road centerline, along a curve to the right, having a radius of 572.93 feet, through a central angle of 21°00'00", for an arc length of 210.00 feet;

Thence, S 57°02'55" W, continuing along said road centerline, 59.70 feet;

Thence continuing along said road centerline, along a curve to the left, having a radius of 572.93 feet, through a central angle of 16°00'00", for an arc length of 159.99 feet;

Thence, S 41°02'50" W, continuing along said road centerline, 112.70 feet;

Thence continuing along said road centerline, along a curve to the right, having a radius of 190.99 feet, through a central angle of 45°00'00", for an arc length of 150.00;

Thence, S 86°02'56" W, continuing along said road centerline, 43.21 feet;

Thence continuing along said road centerline, along a curve to the left, having a radius of 280.29 feet, through a central angle of 41°19'13", for an arc length of 202.14 feet;

Thence, N 45°16'20" W, leaving said road centerline, 33.00 feet to a point on the Northwesterly right-of-way line of said Trail Creek Road, said point being marked with a 3/8" rebar and aluminum cap stamped PLS 843;

Thence, N 13°45'28" E, 959.98' to a ½" rebar and plastic cap stamped PLS 843;

Thence, N 08°58'41" W, 436.04' to a ½" rebar and plastic cap stamped PLS 843;

Thence, N 07°07'24" E, 1231.27' to the TRUE POINT OF BEGINNING.

Subject to a 33.00 foot easement north of and contiguous with the center line of Trail Creek Road.

Excepting therefrom:

11-9
21217393

A parcel of land located Section 28, Township 6 South, Range 34 East, B^o Meridian, Bannock Co^y, Idaho, described as follows:

16-10

21217393

Commencing at the Southeast Corner of Section 28, Township 6 South, Range 34 East, Boise Meridian, being marked by a City of Pocatello 2 inch Alum. Cap. as described in Corner Perpetuation and Filing Record Instrument No. 20715397;

Thence North $00^{\circ}49'18''$ East (basis of bearing per Central Meridian of East Zone of the Idaho State Plane Coordinate System) along the East line of said section 28, a distance of 1181.16 feet;

Thence North $89^{\circ}10'42''$ West, perpendicular to said East line, a distance of 868.62 feet, to the Southwest Corner of Pocatello City Limits described in Ordinance No. 2789, and recorded in the County of Bannock under Instrument No. 20614097, common with centerline station 20+94.50 per Bannock County Trail Creek Road Survey depicted on the plan and profile sheet filed under Section 27 and 28, drawn No. 8, on file in the County, also being the POINT OF BEGINNING;

Thence in a Southwesterly Direction following said County Surveyed centerline following a 286.48 foot radius curve concave to the Southeast and whose center bears South $94^{\circ}19'01''$ East through a central angle of $40^{\circ}30'00''$ an arc-length of 202.50 feet, to centerline station 22+96.80 per County survey;

Thence North $59^{\circ}11'16''$ West leaving said County surveyed centerline, a distance of 206.16 feet;

Thence North $25^{\circ}17'16''$ West a distance of 138.56 feet;

Thence North $56^{\circ}12'02''$ West a distance of 140.32 feet;

Thence North $89^{\circ}53'55''$ West a distance of 1463.55 feet;

Thence North $00^{\circ}00'44''$ West a distance of 1089.34 feet;

Thence South $89^{\circ}41'51''$ East a distance of 1183.82 feet;

Thence North $00^{\circ}28'08''$ West a distance of 341.56 feet;

Thence North $20^{\circ}34'33''$ East a distance of 239.77 feet;

Thence North $74^{\circ}00'03''$ East a distance of 379.57 feet;

Thence North $49^{\circ}27'08''$ East a distance of 275.65 feet;

Thence South $54^{\circ}04'47''$ East a distance of 370.61 feet, to a point on the Pocatello City Limits line described in Ordinance No. 2789, and recorded in the County of Bannock under Instrument No. 20614097;

Thence in a Southerly direction following said City Limits line the next (3) five courses:

1. South $07^{\circ}10'36''$ West a distance of 255.47 feet;
2. South $22^{\circ}56'00''$ West a distance of 194.19 feet;
3. South $51^{\circ}39'30''$ West a distance of 48.42 feet;
4. South $10^{\circ}16'03''$ East a distance of 144.52 feet;
5. North $81^{\circ}53'35''$ East a distance of 42.46 feet, to Northeast Corner of a parcel of land described in Deed Instrument Nos. 20426187 and 20426188, being marked by a 1/2 inch rebar;

Thence following the Boundary line of said parcel for the next (6) six courses:

1. South $68^{\circ}38'26''$ West a distance of 205.85 feet;
2. South $61^{\circ}37'42''$ West a distance of 217.90 feet;
3. North $89^{\circ}32'42''$ West a distance of 173.02 feet;
4. South $43^{\circ}12'46''$ West a distance of 143.75 feet;
5. South $22^{\circ}34'54''$ East a distance of 401.77 feet;
6. North $68^{\circ}39'41''$ East a distance of 689.86 feet, to the Southeast Corner of said parcel, being marked by a 1/2 inch rebar, also being a point on said City Limits line;

21217393

Thence in a Southeasterly direction following said City Limits line the next (11) eleven courses:

1. South $34^{\circ}28'39''$ East a distance of 104.22 feet;
2. South $52^{\circ}15'01''$ West a distance of 176.12 feet;
3. South $57^{\circ}34'16''$ East a distance of 193.73 feet;
4. South $78^{\circ}34'42''$ East a distance of 148.51 feet;
5. South $00^{\circ}21'14''$ West a distance of 13.84 feet, to a point of tangency with a 135.00 foot radius curve whose center bears North $89^{\circ}38'46''$ West;
6. Following said curve in a Southwesterly direction through a central angle of $38^{\circ}39'00''$ an arc length of 91.85 feet (the chord of said curve bears South $19^{\circ}50'44''$ West a distance of 90.69 feet);
7. South $39^{\circ}28'14''$ West a distance of 148.82 feet, to a point of tangency with a 90.00 foot radius curve whose center bears South $30^{\circ}39'46''$ East;
8. Following said curve in a Southwesterly direction through a central angle of $55^{\circ}03'02''$ an arc length of 86.47 feet (the chord of said curve bears South $11^{\circ}48'43''$ West a distance of 83.19 feet);
9. South $15^{\circ}42'48''$ East a distance of 26.49 feet;
10. South $30^{\circ}26'06''$ West a distance of 51.81 feet, to a point on the North Right-of-way line of Trail Creek Road;
11. South $04^{\circ}19'01''$ East a distance of 33.00 feet, to the POINT OF BEGINNING.

WARRANTY DEED

For Value Received Howard L. Armstrong, Jr. and Marilyn H. Armstrong, husband and wife, hereinafter referred to as "Grantor," does hereby grant, bargain, sell and convey unto Howard L. Armstrong and Marilyn H. Armstrong, Trustees, or the successor Trustee, of the Howard L. and Marilyn H. Revocable Trust, being a trust created under instrument dated Jan 18, 2012, hereinafter referred to as "Grantee," whose current address is 13244 West Trail Creek Road, Pocatello, Idaho 83201, the following described premises, in Bannock County, Idaho, to wit:

See Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 18 day of Jan, 2012.

951

40 - DEPUTY

Howard L. Armstrong

Jones Chartered

21201155

2012 JAN 24 A 8:49

Marilyn H. Armstrong

STATE OF IDAHO)
:SS
County of Bannock)

On this 18 day of January, 2012, before me, the undersigned Notary Public, in and for said State, personally appeared Howard L. Armstrong and Marilyn H. Armstrong, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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: _____

EXHIBIT A

Parcel 1:

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 34 EAST OF BOISE MERIDIAN, CONTAINING 40 ACRES, MORE OR LESS; AND SUBJECT TO A RIGHT OF WAY EASEMENT TO THE AMERICAN TELEPHONE AND TELEGRAPH COMPANY OF WYOMING AND SUBJECT TO ALL OTHER RIGHTS OF WAY OR EASEMENTS NOW EXISTING, TOGETHER WITH ALL WATER AND WATER RIGHTS ON SAID PROPERTY AS A RESULT OF A DRILLED WELL THEREON, AND TOGETHER WITH A 3/4 INCH PIPE RUNNING WATER COMING FROM SPRINGS BELONGING TO THE GRANTORS. GRANTEES ARE TO HAVE NO RIGHTS IN OR TO GRANTORS SPRINGS WITH THE EXCEPTION OF THE 3/4 INCH PIPE FULL OF RUNNING WATER WHEN WATER IS AVAILABLE; AND TOGETHER WITH ALL BUILDINGS LOCATED ON SAID PREMISES, AND THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH QUARTER CORNER OF SECTION 33, TOWNSHIP 6 SOUTH, RANGE 34 EAST BOISE MERIDIAN, IN IDAHO, RUNNING THENCE NORTH 89° 34' EAST 662.56 FEET ALONG THE NORTH LINE OF SAID SECTION 33, RUNNING THENCE SOUTH 51° 05' WEST 283.23 FEET, RUNNING THENCE SOUTH 35° 21' WEST 206.04 FEET, RUNNING THENCE SOUTH 27° 21' WEST 305.00 FEET, RUNNING THENCE SOUTH 39° 43' WEST 282.15 FEET MORE OR LESS TO THE INTERSECTION WITH THE MERIDIONAL CENTERLINE OF SAID SECTION 33, 828.92 FEET, MORE OR LESS TO THE PLACE OF BEGINNING, ALL IN SECTION 33, TOWNSHIP 6 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, CONTAINING 5.7 ACRES MORE OR LESS.

Parcel 2:

Section 16, Township 10 South, Range 36 EBM:

E½NE¼

Parcel 3:

Section 21, Township 10 South, Range 36 EBM:

NW¼

Parcel 4:

A tract of land in Section 28 and in the NE1/4NW1/4 of Section 33, Township 6 South, Range 34 East of the Boise Meridian, Bannock County, Idaho, described as follows:

Beginning at the Northwest corner of the SE1/4NW1/4 of said Section 28, said point being marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence South 89°43'09" East, along the North line of said SE1/4NW1/4, a distance of 1313.01 feet to the Northeast corner of said SE1/4NW1/4, said point also being the Northwest corner of a parcel of land recorded in Warranty Deed Inst. No. 267346 and marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence South 00°40'05" West, along the West line of Warranty Deed Inst. No. 237346, a distance of 520.00 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence South 89°19'55" East, along the South line of said Warranty Deed, 416.00 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence North 00°40'05" East, along the East line of said Warranty Deed, 522.98 feet to a point on the North line of the SW1/4NE1/4 of said Section, said point being marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence South 89°44'31" East, along the North line of said SW1/4NE1/4 and the SE1/4NE1/4 a distance of 1444.95 feet to the Northwest corner of a parcel described in Warranty Deed Inst., No. 484329 and marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence South 00°43'44" West, along the West line of said Warranty Deed Inst. No. 484329, a distance of 200.00 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence South 89°44'31" East, along the South line of said Warranty Deed Inst. No. 484329, a distance of 714.82 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence South 32°22'52" West 193.52 feet to a 1/2" rebar and plastic cap stamped PLS 843;

Thence South 07°30'05" East 183.80 feet to a 1/2" rebar and plastic cap stamped PLS 843;

Thence South 14°54'56" East 316.37 feet to a 1/2" rebar and plastic cap stamped PLS 843;

Thence South 38°59'43" East 126.44 feet to a 1/2" rebar and plastic cap stamped PLS 843;

Thence North 45°45'50" East 94.63 feet to a point on the Southerly line of a parcel shown on Warranty Deed Inst. No. 20106189 and marked with a 1/2" rebar and plastic cap stamped PLS 977;

Thence North 58°37'17" East along said Southerly line, 184.70 feet to a point on the Southwesterly boundary line of the Revised plat of a portion of the West Pocatello Townsite, said point being marked with a ½" rebar and plastic cap stamped PLS 977;

Thence South 35°01'54" East along said Southwesterly boundary line of said Plat, 1032.85 feet to a point which intersects the centerline of Trail Creek Road;

Thence South 55°25'04" West, along said road centerline, 375.12 feet;

Thence continuing along said road centerline, along a curve to the right having a radius of 968.00 feet, through a central angle of 11°12'50" for an arc length of 189.46 feet;

Thence, South 66°37'54" West, continuing along said centerline, 595.81 feet;

Thence continuing along said road centerline, along a curve to the left, having a radius of 286.49 feet through a central angle of 30°35'00" for an arc length of 152.92 feet;

Thence, South 36°02'53" West, continuing along said road centerline, 25.20 feet;

Thence continuing along said road centerline, along a curve to the right, having a radius of 572.95 feet, through a central angle of 21°00'00", for an arc length of 210.00 feet;

Thence, South 57°02'55" West, continuing along said road centerline, 59.70 feet;

Thence continuing along said road centerline, along a curve to the left, having a radius of 572.93 feet through a central angle of 16°00'00", for an arc length of 159.99 feet;

Thence South 41°02'10" West, continuing along said road centerline, 112.70 feet;

Thence continuing along said road centerline, along a curve to the right, having a radius of 190.99 feet, through a central angle of 45°00'00" for an arc length of 150.00 feet;

Thence South 86°02'56" West, continuing along said road centerline, 43.21 feet;

Thence continuing along said road centerline, along a curve to the left, having a radius of 280.29 feet, through a central angle of 41°19'13", for an arc length of 202.14 feet;

Thence North 45°16'20" West, leaving said road centerline, 33.00 feet to a point on the Northwesterly right of way line of said Trail Creek Road, said point being marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, North 66°21'34" West, 177.85 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, North 27°47'21" West 143.45 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence North 55°57'58" West, 138.58 feet to a 5/8" rebar and aluminum cap stamped PLS 843, said point being on the Easterly right of way of an access easement described in Warranty Deed Inst. No. 93016997;

Thence North 89°52'25" West, 1377.90 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, South 00°40'05" West, 1086.24 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence North 89°55'09" West 206.50 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence South 00°38'37" West, 661.12 feet to a 5/8" rebar and aluminum cap stamped PLS 843, said point being on the North line of a parcel shown on Warranty Deed Inst. No. 20008237;

Thence South 89°56'03" West, along the North line of Warranty Deed Inst. No. 20008237 and the North line of Warranty Deed Inst. No. 20325691, a distance of 959.34 feet to the Northwest corner of Warranty Deed Inst. No. 20325691, said point also being on the West line of the NE1/4NW1/4 of Section 33, said point being marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence North 00°45'16" East, along said West line, 327.84 feet to the Southwest corner of the SE1/4SW1/4 of Section 28, said point being marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence North 00°38'37" East, along the West line of the SE1/4SW1/4 and the NE1/4SW1/4, a distance of 2629.11 feet to the Northwest corner of said NE1/4SW1/4, said point being marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence North 00°42'00" East along the West line of the SE1/4NW1/4, a distance of 1312.37 feet to the Point of Beginning;

Subject to a 33.00 foot road easement being Northwesterly of and contiguous with the center line of Trail Creek Road.

Excepting therefrom a one acre parcel and access easement described in Warranty Deed Inst. No. 93016997.

Also excepting therefrom a parcel of land in the N1/2SE1/4 of said Section 28 described as follows:

Beginning at the Northwest corner of Warranty Deed Inst. No. 93016997 said point being a ½" rebar and plastic cap stamped PLS 977;

Thence North 68°39'40" East 205.05 feet to a ½" rebar and plastic cap stamped PLS 843;

Thence South 08°58'41" East 436.34 feet to a ½" rebar and plastic cap stamped PLS 843;

Thence South 68°40'53" West 610.16 feet to a point on the Westerly right of way of an access easement described in Warranty Deed Inst. No. 93016997, said point being marked with a ½" rebar and plastic cap stamped PLS 843;

Thence North 22°33'40" West 401.76 feet to a ½" rebar and plastic cap stamped PLS 843;

Thence North 43°13'54" East 143.75 feet to a ½" rebar and plastic cap stamped PLS 843;

Thence South 89°31'28" East 173.02 feet to a ½" rebar and plastic cap stamped PLS 843;

Thence North 61°38'56" East 217.90 feet to a ½" rebar and plastic cap stamped PLS977, said point being the Northwest corner of Warranty Deed Inst. No. 93016997;

Thence South 02°14'31" East, along the Westerly boundary line of said parcel 301.99 feet;

Thence North 76°00'31" East along the Southerly boundary line of said parcel 147.33 feet;

Thence North 02°14'31" West along the Easterly boundary line of said parcel 301.99 feet;

Thence South 76°00'31" West along the Northerly boundary line of said parcel 147.33 feet to the Point of Beginning,

Excepting therefrom:

A tract of land in the E1/2E1/2 of Section 28 and the W1/2W1/2 of Section 27, Township 6 South, Range 34 East of the Boise Meridian, Bannock County, Idaho, described as follows:

Commencing at the Northwest corner of the SE1/4NW1/4 of said Section 28, said point being marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence S 89°43'09" E, along the North line of said SE1/4NW1/4, a distance of 1313.01 feet to the Northeast corner of said SE1/4NW1/4, said point also being the Northwest corner of a parcel of land recorded in Warranty Deed Inst. No. 267346 and marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence S 00°40'05" W, along the west line of Warranty Deed Inst. No. 267346, a distance of 520.00 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence S 89°19'55" E, along th south line of said Warranty Deed, 416.00 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence N 00°40'05" E, along the east line of said Warranty Deed, 522.98 feet to a point on the North line of the SW1/4NE1/4 of said Section, said point being marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence S 89°44'31" E, along the north line of said SW1/4NE1/4 and the SE1/4NE1/4 a distance of 1444.95 feet to the Northwest corner of a parcel described in Warranty Deed Inst. No. 484329 and marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence S 00°43'44" W, along the West line of said Warranty Deed Inst. No. 484329, a distance of 200.00 feet to a 5/8" rebar and aluminum cap stamped PLS 843; the TRUE POINT OF BEGINNING;

Thence, S 89°44'31" E, along the south line of said Warranty Deed Inst. No. 484329, a distance of 714.82 feet to a 5/8" rebar and aluminum cap stamped PLS 843;

Thence S 32°22'52" W, 193.52 feet to a 1/2" rebar and plastic cap stamped PLS 843;

Thence S 0°30'05" E, 183.80 feet to a 1/2" rebar and plastic cap stamped PLS 843;

Thence S 14°54'56" E, 316.37 feet to a 1/2" rebar and plastic cap stamped PLS 843;

Thence S 38°59'43" E, 126.44 feet to a 1/2" rebar and plastic cap stamped PLS 843;

Thence, N 45°45'50" E, 94.63 feet to a point on the Southerly line of a parcel shown on Warranty Deed Inst. No. 20106189 and marked with a 1/2" rebar and plastic cap stamped PLS 977;

Thence, N 58°37'17" E, along said Southerly line, 184.70 feet to a point on the Southwesterly boundary line of the Revised plat of a portion of the West Pocatello Townsite, said point being marked with a 1/2" rebar and plastic cap stamped PLS 977;

Thence S 35°01'54" E, along said Southwesterly boundary line of said Plat, 1032.85 feet to a point which intersects the centerline of Trail Creek Road;

Thence, S 55°25'04" W along said road centerline, 375.12 feet;

Thence continuing along said road centerline, along a curve to the right, having a radius of 968.00 feet, through a central angle of 11°12'50" for an arc length of 189.46 feet;

Thence S 66°37'54" W, continuing along said centerline, 595.81 feet:

Thence continuing along said road centerline, along a curve to the left, having a radius of 286.49 feet, through a central angle of 30°35'00" for an arc length of 152.92 feet;

Thence, S 36°02'53" W, continuing along said road centerline, 25.20 feet;

Thence continuing along said road centerline, along a curve to the right, having a radius of 572.95 feet, through a central angle of 21°00'00" for an arc length of 210.00 feet;

Thence S 57°02'55" W, continuing along said road centerline 59.70 feet;

Thence continuing along said road centerline, along a curve to the left having a radius of 572.93 feet, through a central angle of 16°00'00" for an arc length of 159.99 feet;

Thence, S 41°02'50" W, continuing along said road centerline 112.70 feet;

Thence continuing along said road centerline, along a curve to the right, having a radius of 190.99 feet, through a central angle of 45°00'00" for an arc length of 150.00;

Thence, S 86°02'56" W, continuing along said road centerline, 43.21 feet;

Thence continuing along said road centerline, along a curve to the left, having a radius of 280.29 feet, through a central angle of 41°19'13", for an arc length of 202.14 feet;

Thence N 45°16'20" W, leaving said road centerline, 33.00 feet to a point on the Northwesterly right of way line of said Trail Creek Road, said point being marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence N 13°45'28" E, 959.98 to a 1/2" rebar and plastic cap stamped PLS 843;

Thence N 08°58'41" W, 436.04 to a 1/2" rebar and plastic cap stamped PLS 843;

Thence. N 07°07'24" E, 1231.27 to the TRUE POINT OF BEGINNING.

Subject to a 33.00 foot easement north of and contiguous with the center line of Trail Creek Road.

Excepting therefrom:

A parcel of land in Section 28, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, described as follows:

Commencing at the Southeast Corner of Section 28, Township 6 South, Range 34 East, Boise Meridian, being marked by a City of Pocatello 2 inch Alum. Cap. as described in Corner Perpetuation and Filing Record Instrument No. 20715537;

Thence North 00°49'18" East (basis of bearing per Central Meridian of East Zone of the Idaho State Plane Coordinate System) along the East line of said section 28, a distance of 1181.16 feet;

Thence North 89°10'42" West, perpendicular to said East line, a distance of 868.62 feet, to the Southwest Corner of Pocatello City Limits described in Ordinance No. 2789, and recorded in the County of Bannock under Instrument No. 20614097, common with centerline station 20+94.30 per Bannock County Trail Creek Road Survey depicted on the plan and profile sheer filed under Section 27 and 28, drawer no. 8 on file in the County, also being the POINT OF BEGINNING;

Thence in a Southwesterly Direction following said County Surveyed centerline following a 286.48 foot radius curve concave to the Southeast and whose center bears South 04°19'01" East

through a central angle of 40°30'80" an arc length of 209.50 feet to centerline station 22+96.80 per County survey;

Thence North 59°11'16" West leaving said County surveyed centerline, a distance of 206.16 feet;
Thence North 25°17'16" West a distance of 138.56 feet;
Thence North 56°12'62" West a distance of 140.32 feet;
Thence North 89°53'58" West a distance of 1465.55 feet;
Thence North 80°00'44" West a distance of 1089.34 feet;
Thence South 89°41'58" East a distance of 1185.01 feet;
Thence North 80°28'08" West a distance of 341.56 feet;
Thence North 20°34'33" East a distance of 239.77 feet;
Thence North 74°00'03" East a distance of 279.57 feet;
Thence North 49°27'08 East a distance of 275.65 feet;
Thence South 54°04'47" East a distance of 370.61 feet to a point on the Pocatello City Limit lines described in Ordinance No. 2789 and recorded in the County of Bannock under Instrument No. 20614097;

Thence in a Southerly direction following said City Limits line the next (5) five courses:

1. South 07°10'36" West a distance of 255.47 feet;
2. South 22°56'00" West a distance of 194.19 feet;
3. South 51°39' 30" West a distance of 48.42 feet;
4. South 10°16'03" East a distance of 141.52; feet
5. North 81°55'35" East a distance of 42.46 feet to Northeast Corner of a parcel of land described in Deed Instrument Nos. 20426187 and 20426188, being marked by a ½ inch rebar;

Thence following the boundary line of said parcel for the next (6) six courses:

1. South 58°38'26" West a distance of 205.05 feet;
2. South 61°37'42" West a distance of 217.30 feet;
3. North 89°32'42" West a distance of 173.02 feet;
4. South 43°12'40" West a distance of 143.75 feet;
5. South 22°34'54" East a distance of 401.77 feet;
6. North 68°39'41" East a distance of 809.86 feet to the Southeast Corner of said parcel, being marked by a ½ inch rebar, also being a point to said City Limits line:

Thence in a Southerly direction following said City Limits line the next (11) eleven courses:

1. South 34°28'59" East a distance of 104.22 feet;
2. South 52°15'01" West a distance of 176.12 feet;
3. South 57°34'16" East a distance of 193.73 feet;
4. South 78°34'42" East a distance of 168.51 feet;
5. South 00°21'14" West a distance of 13.84 feet, to a point of tangency with a 135.00 foot radius curve whose center bears North 89°38'46" West;

6. Following said curve in a Southwesterly direction through a central angle of $18^{\circ}59'00''$ an arc length of 91.85 feet (the chord of said curve bears South $19^{\circ}50'44''$ West a distance of 90.89 feet);
7. South $39^{\circ}26'14''$ West a distance of 348.82 feet to a point of tangency with a 90.00 foot radius curve whose center bears South $50^{\circ}39'46''$ East;
8. Following said curve in a Southwesterly direction through a central angle of $55^{\circ}03'02''$ an arc length of 86.47 feet (the chord of said curve bears South $11^{\circ}48'43''$ West a distance of 83.19 feet);
9. South $15^{\circ}42'48''$ East a distance of 26.49 feet;
10. South $30^{\circ}26'06''$ West a distance of 51.81 feet to a point on the North right of way line of Trail Creek Road;
11. South $04^{\circ}19'01''$ East a distance of 33.00 feet to the POINT OF BEGINNING.

AFFIDAVIT FOR HOMEOWNER'S EXEMPTION

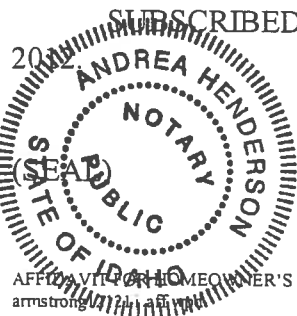
STATE OF IDAHO)
 :SS
 County of Bannock)

Thomas J. Holmes, being first duly sworn state:

1. I am the attorney for Howard L. Armstrong and Marilyn H. Armstrong, Grantors and Trustees of the Howard L. and Marilyn H. Armstrong Revocable Trust which Trust is the owner of the residence at 13244 W. Trail Creek Road, Pocatello, Idaho 83201
2. I know of my own personal knowledge that the Grantors of said Trust are also the beneficiaries of said Trust.
3. Attached as an exhibit are copies of page 1 and the signature page of said Trust which show that the Grantors are the Trustees of said Trust and page 2 which shows the Grantors are the beneficiaries of the Trust.
4. This affidavit is given pursuant to Idaho Code §63-703(4)(b) to show the property remains eligible for the homeowner's exemption under Idaho Code §63-602(G).
6. If there are questions regarding the continued qualification for the homeowner's exemption, the attorney for the Trust, Thomas J. Holmes, should be contacted at 232-5911.

DATED this 18 day of January, 2012.

 Thomas J. Holmes



AFFIDAVIT FOR HOMEOWNER'S EXEMPTION
 armstrong

 NOTARY PUBLIC FOR IDAHO
 Commission Expires 3-10-2012

HOWARD L. AND MARILYN H. ARMSTRONG

REVOCABLE TRUST

This TRUST AGREEMENT, establishing the above-named Trust, is made between

Howard L. Armstrong

and

Marilyn H. Armstrong

Husband and Wife,

hereinafter called

"Grantors"

and

Howard L. Armstrong and Marilyn H. Armstrong

hereinafter called

"Trustee"

and shall be as follows:

ARTICLE 1. TRUST ESTATE

1.1 Name. The name of this Trust shall be as set forth in the caption to this Agreement.

1.2 Conveyance. Grantors convey to Trustee the property described in the attached Exhibit "A". This property, together with any additions acceptable to Trustee made by Grantors or any other person, and all death benefits payable to Trustee as beneficiary, shall constitute the trust estate.

1.3 Failure to Fund. Grantors' failure to fund this Trust currently by not attaching an Exhibit "A" or identifying any property therein shall not affect the validity of this Trust Agreement.

1.4 Revocability. While not incapacitated or under any legal disability and prior to the death of the Grantor who dies first, Grantors reserve the right to:

- a. Amend or revoke the trust under this Agreement, in whole or in part, at any time or times, by a writing delivered to Trustee.
- b. Withdraw any property from the Trust. The Trustee shall execute and deliver all instruments required to release the Trustee's interest in the withdrawn property.
- c. Remove the Trustee and appoint a substitute Trustee.

ARTICLE 2. DISPOSITION OF TRUST DURING GRANTORS' LIFE.

2.1 Distribution to Grantors. As long as both Grantors are living, the Trustee shall pay to or apply for the benefit of the Grantors such sums from the income and principal as Grantors, or either of them, may at any time request.

2.2 Character of Property. All community property transferred to this trust by the Grantors shall retain its character as community property during the joint lifetime of the Grantors and any withdrawal from the trust by the Grantors of such property shall be their community property. All separate property of either Grantor transferred to this trust shall likewise retain its character as separate property. Grantors further agree, as between themselves, and pursuant to Idaho Code Section 32-906A as now enacted or as later amended or changed by other statutes, that the income from each respective Grantor's separate property shall remain the separate property of the Grantor owning or having contributed said separate property to this trust. Either Grantor may, upon written request, withdraw any property that is community property and all or part of the income. Separate property may be withdrawn only by the written request of the Grantor to whom that property belongs. All property transferred to this Trust during the lifetime of either Grantor shall be presumed to be the community property of the Grantors unless otherwise so designated.

2.3 Life Insurance: The following rights and obligations apply to any life insurance policies which designate the Trustee as beneficiary.

- a. Premium Payment. The owner or owners of any life insurance policies shall pay all premiums and other charges to keep in force life insurance policies which such owner or owners desire to maintain on the life of either or both Grantors. The Trustee shall be under no obligation to pay premiums or other charges but may make such payments if sufficient cash is available to the Trustee.
- b. Collection of Benefits. Upon the death of the insured, the Trustee shall collect any benefits. The Trustee is authorized to take any action to collect the benefits which it

manner.

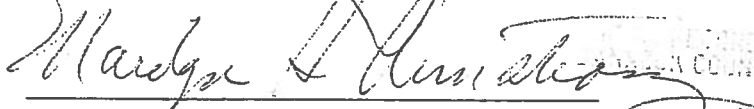
6.8 Gender. Unless context requires otherwise, words denoting the singular may be construed as denoting the plural, and words of the plural may be construed as denoting the singular, and words of one gender may be construed as denoting such other gender as is appropriate.

6.9 Acceptance. By the signing of this Agreement, Trustee accepts appointment as Trustee and consents and agrees to all of the terms, duties and conditions of this Revocable Trust Agreement.

The Grantors and the Trustee have executed this Revocable Trust Agreement this 18 day of Jan, 2012.

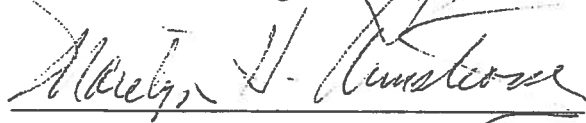
TRUSTEE:


Howard L. Armstrong


Marilyn H. Armstrong

GRANTORS:


Howard L. Armstrong


Marilyn H. Armstrong

951
COUNTY
21201156

Jones Chartered

19- DEPUTY - 107
2012 JAN 24 A 8:20

Map of Property
Foreclosed on From
Trail Creek Development
by Howard Armstrong -

I was told there is
~~about~~ 150 acres plus in
The deed of Foreclosure
according to Bannock Co.
Assessor

Howard Armstrong

