

Notice of Change in Water Right Ownership
Water Right Nos. 36-2659, 36-7004
Dated February 29, 2012

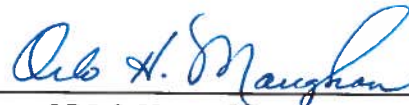
**AMERICAN FALLS-ABERDEEN GROUND
WATER DISTRICT**

By: 
NIC BEHREND, Chairman

BINGHAM GROUND WATER DISTRICT

By: 
CRAIG EVANS, Chairman

**MAGIC VALLEY GROUND WATER
DISTRICT**

By: 
ORLO H. MAUGHAN, Chairman

**NORTH SNAKE GROUND WATER
DISTRICT**

By: 
LYNN CARLQUIST, Chairman

Prepared by, and
after recording return to:

Randall C. Budge, Esq.
Racine, Olson, Nye, Budge & Bailey
P.O. Box 1391
Pocatello, Idaho 83204-1391

Instrument # 240398
GOODING COUNTY, GOODING, IDAHO
02-29-2012 13:31:30 No. of Pages: 8
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$31.00
Ex-Officio Recorder Deputy: MJS
Electronically Recorded by Simplifile

373917-J

(Space above reserved for County Recorder's Use Only)

WARRANTY DEED

For value received, Clear Lakes Trout Co., Inc., an Idaho corporation (also shown of record as Clear Lakes Trout Company, Inc. and Clear Lakes Trout Co.) and Hardy Properties L.P., an Idaho limited partnership (collectively "Grantors"), do hereby grant, sell and convey unto North Snake Ground Water District an undivided 40% interest as tenant-in-common, to Magic Valley Ground Water District, an undivided 30% interest as tenant-in-common, to American Falls-Aberdeen Ground Water District, an undivided 17.5% interest as tenant-in-common, and to Bingham Ground Water District, an undivided 12.5% interest as tenant-in-common (collectively "Grantees"), whose address is in care of P.O. Box 1391, Pocatello, Idaho 83204-1391, and their successors and assigns forever, the real property, improvements and water rights located in Gooding County, Idaho, as described in Exhibit "A" attached hereto and incorporated by this reference (the "Property").

TOGETHER WITH all and singular the tenements, hereditaments, easements, rights and appurtenances thereto belonging or in any way appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits therefrom; and all estate, right, and interest in and to the Property, as well in law as in equity.

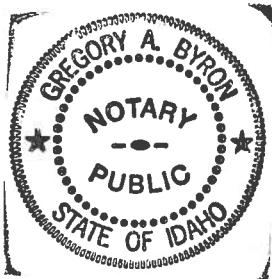
SUBJECT only to those matters set forth on Exhibit "B", attached hereto and incorporated by this reference ("Permitted Exceptions").

Grantors, for themselves and their successors and assigns, covenants and agrees with Grantees that Grantors are lawfully seized in fee simple of the Property herein conveyed; that they have good right to sell and convey the same in the manner set forth herein and the Property is free and clear of all liens, claims and encumbrances by and through and under Grantors, except for the Permitted Exceptions; that Grantors, their successors and assigns shall warrant and defend the same unto Grantees forever against the lawful claims and demands of all persons.

STATE OF IDAHO)
 : SS
COUNTY OF ADA)

On February 28, 2012, before me, the undersigned Notary Public in and for said State, personally appeared **Anita Kay Hardy**, known or identified to me to be the General Partner of Hardy Properties L.P., the Idaho limited partnership that executed the foregoing instrument and the person whose name is subscribed to the within instrument, and acknowledged to me that said limited partnership executed the same.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.



NOTARY PUBLIC FOR IDAHO
Residing at: Nampa, Idaho
My Commission Expires: November 13, 2013

EXHIBIT "A"

CLEAR LAKES LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN A PORTION OF GOVERNMENT LOT 12 OF SECTION 1, AND A PORTION OF GOVERNMENT LOTS 5, 6, 8, AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 9 SOUTH, RANGE 14 EAST, BOISE MERIDIAN, GOODING COUNTY IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 2, TOWNSHIP 9 SOUTH, RANGE 14 EAST, B.M., MARKED BY A 5/8 INCH REBAR WITH PLASTIC CAP STAMPED PELS 3260 AS DESCRIBED IN CORNER PERPETUATION INSTRUMENT NO. 105192, THENCE SOUTH 00°59'29" WEST, ALONG THE MERIDIONAL CENTERLINE OF SAID SECTION 2, (BASIS OF BEARING PER CENTRAL MERIDIAN OF CENTRAL ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 2669.71 FEET TO THE CENTER 1/4 CORNER OF SAID SECTION 2, MARKED BY A 5/8 INCH REBAR WITH PLASTIC CAP STAMPED PELS 3260 AS DESCRIBED IN CORNER PERPETUATION INSTRUMENT NO. 105196; THENCE SOUTH 89°21'07" EAST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 2, A DISTANCE OF 1232.95 FEET BEING THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 125633, ALSO BEING THE **POINT OF BEGINNING**.

THENCE ALONG THE NORTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 125633, FOR THE NEXT THREE (3) COURSES;

- (1) CONTINUING SOUTH 89°21'07" EAST A DISTANCE OF 95.12 FEET;
- (2) NORTH 00°54'21" EAST A DISTANCE OF 75.24 FEET;
- (3) NORTH 80°46'55" EAST A DISTANCE OF 932.50 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 125633, COMMON TO THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 197431;

THENCE SOUTH 85°29'04" EAST, ALONG THE NORTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 197431, A DISTANCE OF 134.03 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 197431;

THENCE IN A SOUTHEASTERLY DIRECTION FOR THE NEXT EIGHT (8) COURSES ON THE EASTERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN SAID DEED INSTRUMENT NO. 197431 AND DEED INSTRUMENT NO. 79691 AND THE WESTERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO.'S 89238 AND 104634;

- (1) SOUTH 21°12'32" EAST A DISTANCE OF 97.30 FEET;
- (2) SOUTH 42°43'17" EAST A DISTANCE OF 153.38 FEET;
- (3) SOUTH 51°30'54" EAST A DISTANCE OF 214.44 FEET;
- (4) SOUTH 58°06'57" EAST A DISTANCE OF 179.61 FEET;
- (5) SOUTH 55°32'52" EAST A DISTANCE OF 167.26 FEET;
- (6) SOUTH 53°17'37" EAST A DISTANCE OF 83.05 FEET;
- (7) SOUTH 74°05'32" EAST A DISTANCE OF 110.81 FEET;
- (8) SOUTH 06°52'35" EAST A DISTANCE OF 129.28 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 79691, ALSO BEING A POINT ON THE NORTHERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 199356;

THENCE IN A WESTERLY DIRECTION FOR THE NEXT FOUR (4) COURSES, ALONG THE NORTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESCRIBED IN INSTRUMENT NO. 199356, AND THE SOUTHERLY BOUNDARY LINE OF SAID PARCELS OF LAND DESCRIBED IN DEED INSTRUMENT NO.'S 79691, 197431 AND 125633;

- (1) SOUTH 83°58'21" WEST A DISTANCE OF 1195.54 FEET;
- (2) NORTH 81°27'29" WEST A DISTANCE OF 98.83 FEET;
- (3) NORTH 58°07'39" WEST A DISTANCE OF 119.95 FEET;
- (4) SOUTH 85°36'22" WEST A DISTANCE OF 424.77 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 125633;

THENCE NORTH 11°41'19" WEST, ALONG THE WESTERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 125633, COMMON WITH THE EASTERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 104634, A DISTANCE OF 614.52 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 26.19 ACRES MORE OR LESS.

WATER RIGHTS

CLEAR LAKE TROUT CO., INC.:

Water Source:	Water Right No.	Priority Date
Springs tributary to Clear Lakes	36-2659	6/23/1966
Springs tributary to Clear Lakes	36-7004	7/21/1967

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. 2012 taxes that are not yet due and payable.
3. Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code.
4. Levies and assessments for delivery of water levied by the Lower Snake River Aquifer Recharge District.
5. Levies and assessments due Gooding County for solid waste. (Said assessments are included in the taxes.)
6. Right of way for underground pipe lines.
7. Reservations in United States Patent.
8. The effect of Easement for road right of way granted to Lincoln County, recorded January 13, 1913, as Instrument No. 30894.
9. Easement granted to Idaho Power Company, recorded August 30, 1927, as Instrument No. 44023.
10. Terms and conditions and easement created in Agreement between Otis E. Syster and Mary E. Syster and J.W. Tingey, recorded November 30, 1928, as Instrument No. 47154, Supplemental Agreement recorded October 22, 1934 as Instrument No. 60159 and Agreement recorded April 29, 1935 as Instrument No. 61523.
11. Transmission Line Easement granted to Idaho Power Company, recorded January 28, 1938, as Instrument No. 69627.
12. Easement granted to Idaho Power Company, recorded February 17, 1960, as Instrument No. 140053 and Partial Release of Easement recorded September 30, 1986 as Instrument No. 124088.
13. Easement granted to Idaho Power Company, recorded December 5, 1966, as Instrument No. 20083.
14. Easement granted to Mountain States Telephone and Telegraph Company, recorded April 12, 1967, as Instrument No. 21489.
15. Easement granted to Idaho Power Company, recorded January 28, 1971, as Instrument No. 34315 and Partial Release of Easement recorded September 30, 1986 as Instrument No. 124089.
16. Easement granted to Idaho Power Company, recorded November 30, 1972, as Instrument No. 42954 and Partial Release of Easement recorded September 30, 1986 as Instrument No. 124092.
17. Provisions in deed to Wes Trounson and Mary E. Brush, recorded December 20, 1976, as Instrument No. 62402.
18. Provisions in deeds to Earl M. Hardy, recorded March 29, 1976, as Instrument No. 58794 and 58796.
19. All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded September 20, 1983, as Instrument No. 103618.

20. Easement granted to Idaho Power Company, recorded February 5, 1986, as Instrument No. 119528 (Previously and Erroneously shown as 119526).
21. Easement granted to Idaho Power Company, recorded February 5, 1986, as Instrument No. 119527.
22. All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded October 14, 1986, as Instrument No. 124284.
23. All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded December 31, 1986, as Instrument No. 125619.
23. Provisions in deed to Clear Lake Ranch, Inc., an Idaho Corporation, recorded December 31, 1986, as Instrument No. 125632.
24. Provisions in deed to Hardy Properties L.P., an Idaho limited partnership, recorded October 23, 2002, as Instrument No. 197431.