

RECEIVED

MAR 14 2011

Department of Water Resources  
Eastern Region

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

| Water Right No(s)   | Adjudication Claim No(s) | Split(s) | Water Right No(s) | Adjudication Claim No(s) | Split(s) |
|---------------------|--------------------------|----------|-------------------|--------------------------|----------|
| 34-2410             | Parent                   | ONE      |                   |                          |          |
| <del>34-14080</del> | 34-14251                 | ✓        |                   |                          |          |
| <del>34-14082</del> | 34-14253                 | ✓        |                   |                          |          |
|                     |                          |          |                   |                          |          |
|                     |                          |          |                   |                          |          |
|                     |                          |          |                   |                          |          |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

KING MT. ROUCH INC  
3477 KING MT RD  
MOORE, ID 83255

4. New Owner/Claimant(s)

JAMES E POINTER  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

456 HICKORY CIRCLE

City, State and ZIP Code

IDAHO FALLS, ID 83404

New Telephone Number

(208) 360-6561 Email: jepoul@cablcone.net

5. Date you acquired the property

11-18-2010

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation <input checked="" type="checkbox"/>                                                                       | <u>1.30 CFS OR 15 min/mo</u>                                               | <u>15 ACRES</u>                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

James Gault

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

## For IDWR Office Use Only:

Received by JB  
 Received by JB  
 Processed by AJ

Date 3/14/2011  
 Date 3/14/2011  
 Date 3/14/2011

Receipt Amt. \$100.  
 Receipt No. E036475  
 WR                      Date                     

E036861\$100.-

Larry P &  
Sharon K. Barnes

Larry P &  
Sharon K.  
Barnes

Graig & Ellen  
Clark

Clark

King Mt. Ranch

Andrew Jack Dickerson & Trist  
Vaneta Dickerson

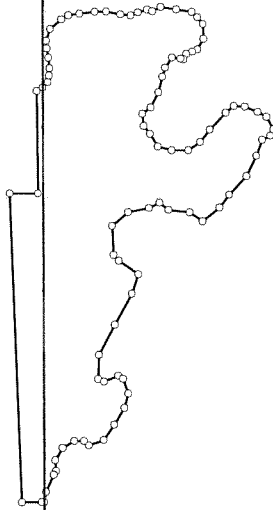
Andrew & Elaine  
Stat T# 33383

King Mt. Ranch

Jack Dickerson  
Dickerson  
32364

King Mt. Ranch

Patricia



|                                                                                                                  |                      |                      |
|------------------------------------------------------------------------------------------------------------------|----------------------|----------------------|
| Title:                                                                                                           |                      | Date: 07-11-2011     |
| Scale: 1 inch = 800 feet                                                                                         | File:                |                      |
| Tract 1: 23.176 Acres: 1009560 Sq Feet: Closure = n34.1834e 0.77 Feet: Precision = 1/8626: Perimeter = 6660 Feet |                      |                      |
| 001=se,9,5n,26e                                                                                                  | 032=s67.2343w 23.29  | 063=n83.3138w 88.62  |
| 002=/n00.4215w 1371.99                                                                                           | 033=s69.3553w 27.39  | 064=n51.3558w 47.64  |
| 003=s89.0440w 83.53                                                                                              | 034=s26.3446w 25.35  | 065=s63.2703w 48.93  |
| 004=n02.1420w 1288.10                                                                                            | 035=n74.4457w 13.61  | 066=s78.1214w 88.12  |
| 005=s89.5615e 118.03                                                                                             | 036=n84.1157w 35.41  | 067=s49.2400w 87.48  |
| 006=n00.4209w 426.68                                                                                             | 037=s34.2718w 50.65  | 068=s02.4537e 121.00 |
| 007=n60.5217e 28.63                                                                                              | 038=s17.3725w 39.45  | 069=s41.2634e 33.02  |
| 008=n44.2125e 32.45                                                                                              | 039=s13.5205w 67.75  | 070=s55.24e 98.59    |
| 009=n09.0523e 26.70                                                                                              | 040=s26.1117w 71.02  | 071=s18.4510w 86.12  |
| 010=n04.5249e 31.36                                                                                              | 041=s53.5913w 44.09  | 072=s28.2110w 147.26 |
| 011=n06.1617w 43.50                                                                                              | 042=s06.0439e 51.06  | 073=s28.1415w 141.74 |
| 012=n09.0524w 40.04                                                                                              | 043=s39.4910e 42.19  | 074=s01.5818w 101.57 |
| 013=n05.4304w 31.79                                                                                              | 044=s31.2929e 62.07  | 075=s67.5038e 26.78  |
| 014=n18.3509e 51.70                                                                                              | 045=s74.1220e 59.53  | 076=n67.0818e 63.80  |
| 015=n49.1423e 63.06                                                                                              | 046=n89.0620e 69.18  | 077=s57.3255e 23.95  |
| 016=n60.3914e 32.88                                                                                              | 047=n55.4556e 61.44  | 078=s19.4305e 65.33  |
| 017=n81.5846e 47.03                                                                                              | 048=n37.3827e 65.48  | 079=s15.2918w 61.92  |
| 018=n81.5701e 63.92                                                                                              | 049=n42.4333e 95.58  | 080=s31.1157w 81.56  |
| 019=n88.3040e 47.36                                                                                              | 050=n50.5518e 44.55  | 081=s34.1209w 77.91  |
| 020=s79.0827e 60.18                                                                                              | 051=s87.2022e 46.53  | 082=s70.2734w 65.19  |
| 021=s83.3945e 43.25                                                                                              | 052=s66.4841e 57.61  | 083=n50.5907w 27.35  |
| 022=n67.1347e 32.38                                                                                              | 053=s60.0508e 41.15  | 084=n88.2317w 40.78  |
| 023=n73.4245e 40.43                                                                                              | 054=s30.1605e 60.03  | 085=s58.1525w 56.71  |
| 024=s73.0107e 22.48                                                                                              | 055=s28.2704w 29.49  | 086=s30.1843w 59.16  |
| 025=n62.3009e 38.59                                                                                              | 056=s62.4248w 37.70  | 087=s03.3724e 45.42  |
| 026=s81.0827e 65.86                                                                                              | 057=s19.3249w 71.07  | 088=s32.1235w 18.31  |
| 027=s80.3742e 65.96                                                                                              | 058=s25.5913w 93.73  | 089=s24.2634w 78.42  |
| 028=s48.0139e 32.12                                                                                              | 059=s43.0012w 107.05 | 090=s10.3316w 42.88  |
| 029=s39.4211e 36.45                                                                                              | 060=s37.3510w 66.86  | 091=s89.0440w 9.58   |
| 030=s01.3909e 62.08                                                                                              | 061=s49.3532w 89.77  |                      |
| 031=s29.2921w 51.04                                                                                              | 062=n55.4343w 67.39  |                      |

CORPORATION  
WARRANTY DEED

NO. 0048206  
RECORDED

NOV 18 2010

10:10 A.M.  
BUTTE COUNTY RECORDER  
Rim Samell

Order No. 5873LRT

For Valuable Consideration Received:

**KING MOUNTAIN RANCH, INC.**

the Grantor, does hereby grant, bargain, sell, convey and warrant unto

**JAMES E. POULTER, an Unmarried Man,**

the Grantee, whose current address is:

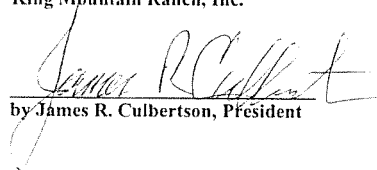
**456 Hickory Circle, Idaho Falls, ID 83404**

the following described premises, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

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

**King Mountain Ranch, Inc.**

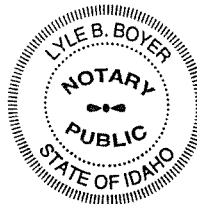
  
by James R. Culbertson, President

11-17-10  
Date

STATE OF IDAHO )  
 )ss.  
COUNTY OF BUTTE )

On this 17th day of November, 2010, before me, the undersigned, a Notary Public, in and for said State, personally appeared James R. Culbertson, known to me to be the President of the corporation that executed the instrument of behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS MY HAND AND OFFICIAL SEAL



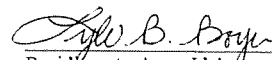
  
Residing at: Arco, Idaho  
Commission Expires: 06/05/2015

EXHIBIT "A"

Part of the W1/2 of Section 10 and the SE1/4 of Section 9, lying West of the center line of the Big Lost River, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, more particularly described as follows:

Beginning at a point on the East line of said Section 9, point being N. 00°42'15" W., 1371.99 feet along said East line from the Southeast corner of said Section 9, running thence S. 89°04'40" W., 83.53 feet; thence N. 02°14'20" W., 1288.10 feet to the East-West center section line of said Section 9; thence along said East-West line S. 89°56'15" E., 118.03 feet to the 1/4 corner common to Sections 9 and 10; thence along the East line common to Sections 9 and 10, N. 00°42'09" W., 426.68 feet to the center line of the Big Lost River; thence along said center line the following eighty-four (84) courses; (1) N. 60°52'17" E., 28.63 feet; (2) thence N. 44°21'25" E., 32.45 feet; (3) thence N. 09°05'23" E., 26.70 feet; (4) thence N. 04°52'49" E., 31.36 feet; (5) thence N. 06°16'17" W., 43.50 feet; (6) thence N. 09°05'24" W., 40.04 feet; (7) thence N. 05°43'04" W., 31.79 feet; (8) thence N. 18°35'09" E., 51.70 feet; (9) thence N. 49°14'23" E., 63.06 feet; (10) thence N. 60°39'14" E., 32.88 feet; (11) thence N. 81°58'46" E., 47.03 feet; (12) thence N. 81°57'01" E., 63.92 feet; (13) thence N. 88°30'40" E., 47.36 feet; (14) thence S. 79°08'27" E., 60.18 feet; (15) thence S. 83°39'45" E., 43.25 feet; (16) thence N. 67°13'47" E., 32.38 feet; (17) thence N. 73°42'45" E., 40.43 feet; (18) thence S. 73°01'07" E., 22.48 feet; (19) thence N. 62°30'09" E., 38.59 feet; (20) thence S. 81°08'27" E., 65.86 feet; (21) thence S. 80°37'42" E., 65.96 feet; (22) thence S. 48°01'39" E., 32.12 feet; (23) thence S. 39°42'11" E., 36.45 feet; (24) thence S. 01°39'09" E., 62.08 feet; (25) thence S. 29°29'21" W., 51.04 feet; (26) thence S. 67°23'43" W., 23.29 feet; (27) thence S. 69°35'53" W., 27.39 feet; (28) thence S. 26°34'46" W., 25.35 feet; (29) thence N. 74°44'57" W., 13.61 feet; (30) thence N. 84°11'57" W., 35.41 feet; (31) thence S. 34°27'18" W., 50.65 feet; (32) thence S. 17°37'25" W., 39.45 feet; (33) thence S. 13°52'05" W., 67.75 feet; (34) thence S. 26°11'17" W., 71.02 feet; (35) thence S. 53°59'13" W., 44.09 feet; (36) thence S. 06°04'39" E., 51.06 feet; (37) thence S. 39°49'10" E., 42.19 feet; (38) thence S. 31°29'29" E., 62.07 feet; (39) thence S. 74°12'20" E., 59.53 feet; (40) thence N. 89°06'20" E., 69.18 feet; (41) thence N. 55°45'56" E., 61.44 feet; (42) thence N. 37°38'27" E., 65.48 feet; (43) thence N. 42°43'33" E., 95.58 feet; (44) thence N. 50°55'18" E., 44.55 feet; (45) thence S. 87°20'22" E., 46.53 feet; (46) thence S. 66°48'41" E., 57.61 feet; (47) thence S. 60°05'08" E., 41.15 feet; (48) thence S. 30°16'05" E., 60.03 feet; (49) thence S. 28°27'04" W., 29.49 feet; (50) thence S. 62°42'48" W., 37.70 feet; (51) thence S. 19°32'49" W., 71.07 feet; (52) thence S. 25°59'13" W., 93.73 feet; (53) thence S. 43°00'12" W., 107.05 feet; (54) thence S. 37°35'10" W., 66.86 feet; (55) thence S. 49°35'32" W., 89.77 feet; (56) thence N. 55°43'43" W., 67.39 feet; (57) thence N. 83°31'38" W., 88.62 feet; (58) thence N. 51°35'58" W., 47.64 feet; (59) thence S. 63°27'03" W., 48.93 feet; (60) thence S. 78°12'14" W., 88.12 feet; (61) thence S. 49°24'00" W., 87.48 feet; (62) thence S. 02°45'37" E., 121.00 feet; (63) thence S. 41°26'34" E., 33.02 feet; (64) thence S. 55°51'24" E., 98.59 feet; (65) thence S. 18°45'10" W., 86.12 feet; (66) thence S. 28°21'10" W., 147.26 feet; (67) thence S. 28°14'15" W., 141.74 feet; (68) thence S. 01°58'18" W., 101.57 feet; (69) thence S. 67°50'38" E., 26.78 feet; (70) thence N. 67°08'18" E., 63.80 feet; (71) thence S. 57°32'55" E., 23.95 feet; (72) thence S. 19°43'05" E., 65.33 feet; (73) thence S. 15°29'18" W., 61.92 feet; (74) thence S. 31°11'57" W., 81.56 feet; (75) thence S. 34°12'09" W., 77.91 feet; (76) thence S. 70°27'34" W., 65.19 feet; (77) thence N. 50°59'07" W., 27.35 feet; (78) thence N. 88°23'17" W., 40.78 feet; (79) thence S. 58°15'25" W., 56.71 feet; (80) thence S. 30°18'43" W., 59.16 feet; (81) thence S. 03°37'24" E., 45.42 feet; (82) thence S. 32°12'35" W., 18.31 feet; (83) thence S. 24°26'34" W., 78.42 feet; (84) thence S. 10°33'16" W., 42.88 feet; thence S. 89°04'40" W., 9.58 feet to the Point of Beginning.

Parcel contains 23.17 Acres, more or less.

EXHIBIT "A" (cont.)

TOGETHER WITH a 20.00 foot wide Ingress-Egress Easement:

Part of Section 9, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, described as:

Beginning at a point on the South line of said Section 9, point being N. 89°51'22" W., 1198.47 feet from the Southeast corner of said Section;  
running thence N. 05°50'00" E., 397.75 feet; thence N. 23°36'37" E., 97.77 feet;  
thence N. 29°00'56" E., 104.82 feet; thence N. 01°02'19" E., 573.06 feet;  
thence N. 06°12'22" E., 121.87 feet; thence N. 27°40'06" W., 48.70 feet;  
thence N. 45°09'42" W., 24.55 feet; thence N. 89°03'23" E., 975.03 feet;  
thence N. 65°29'06" E., 15.07 feet; thence S. 89°06'30" W., 20.00 feet;  
thence S. 89°03'23" W., 1020.03 feet; thence S. 84°07'35" W., 25.55 feet;  
thence S. 18°13'35" E., 20.47 feet; thence N. 84°07'35" E., 20.31 feet;  
thence N. 89°03'23" E., 16.73 feet; thence S. 45°09'42" E., 40.94 feet;  
thence S. 27°40'06" E., 39.54 feet; thence S. 06°12'22" E., 116.69 feet;  
thence S. 01°02'19" W., 568.98 feet; thence S. 29°00'56" W., 100.78 feet;  
thence S. 23°36'37" W., 101.85 feet; thence S. 05°50'00" W., 402.87 feet to the South line of said Section 9;  
thence along said South line S. 89°51'22" E., 20.10 feet to the Point of Beginning.

RECEIVED

AUG 01 2011

Department of Water Resources  
Eastern Region

NO. 0042183

RECORDED

JUL 26 2005

A.M. 4:20 P.M.  
BUTTE COUNTY RECORDER  
*Lynn Schmitt*

INSTRUMENT NO.

FILE No. 02050065  
5349LRT

## WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED of "ten dollars and other adequate consideration pursuant to a 1031 exchange"

RANDAL G. DAMIANA and SANDRA L. DAMIANA, husband and wife Grantor(s), do hereby grant, bargain, sell and convey unto JR-N-CC, Inc., a Utah Corporation Grantee(s), whose current address is 2556 East 2300 South Circle, St. George, UT 84780, the following described real estate situated in BUTTE COUNTY, State of Idaho, to wit:  
See Exhibit A attached hereto and made a part hereof.

ALSO: Any and all water rights appurtenant thereto..

TO HAVE AND TO HOLD the described premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the Grantee, his/her/it successors and assigns forever, Grantor does hereby covenant to and with the Grantee that he/she is the owner in fee simple of said premises and that he/she will warrant and defend the same from all lawful claims whatsoever.

DATED: 7-22-2005

*Randal G. Damiana*  
\_\_\_\_\_  
RANDAL G. DAMIANA

*Sandra L. Damiana*  
\_\_\_\_\_  
SANDRA L. DAMIANA

STATE OF IDAHO

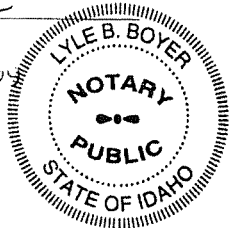
THIS SPACE FOR COUNTY RECORDERS USE ONLY

COUNTY OF BUTTE COUNTY

} ss

On this 22<sup>nd</sup> day of July, 2005,  
before me, the undersigned, a Notary Public in and for the State, personally appeared RANDAL G. DAMIANA and SANDRA L. DAMIANA, HUSBAND AND WIFE, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he executed the same.

*Lyle B. Boyer*  
\_\_\_\_\_  
Notary Public  
Residing at: Arco, ID  
My Commission Expires: 6-5-2009



Idaho Title & Trust, Inc.  
260 W. Grand, Arco, ID 83213

## Exhibit A

Tract A:

Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, Section 9, Northeast Quarter Northeast Quarter.

Tract B:

Section 10; SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; W $\frac{1}{2}$ , EXCEPT: A parcel of land generally described as being a portion of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section 10, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho; being more particularly described as follows:

Commencing at the South one-quarter corner of said Section 10, from which the Southeast corner of said Section 10 bears North 89°43'07" East, 2643.50 feet; thence from the South one-quarter corner of said Section 10, North 00°28'35" East along the East boundary of the Southwest quarter of said Section 10, a distance of 621.48 feet to the point of beginning.

Thence continuing along the East boundary of the Southwest Quarter of said Section 10, North 00°28'35" East, a distance of 658.20 feet; thence South 86°48'46" West, a distance of 15.00 feet to an existing fence line; thence along said fence line the following two courses:

South 86°48'46" West, 202.12 feet;

South 64°25'06" West, 74.94 feet;

thence South 64°25'07" West, 1.83 feet to an existing fence line;  
thence along said fence line the following 10 courses and distances:

South 09°52'44" West, 232.38 feet;

South 05°21'50" West, 59.69 feet;

South 02°08'36" East, 100.30 feet;

South 08°58'51" East, 78.01 feet;

South 17°26'55" East, 100.39 feet;

South 19°46'57" East, 108.62 feet;

South 55°22'52" East, 73.90 feet;

South 59°50'43" East, 117.18 feet;

South 51°12'17" East, 80.85 feet;

North 01°18'45" West, 202.40 feet;

thence leaving said fence line, South 89°31'25" East, a distance of 22.70 feet to the point of beginning.

ALSO EXCEPTING THEREFROM: a parcel of land generally described as being a portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 10, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho; being more particularly described as follows:

Commencing at the E $\frac{1}{4}$  corner of said Section 10 from which the NE corner of said Section 10 bears North 00°01'48" West 2,694.19 feet; thence from said E $\frac{1}{4}$  corner of Section 10, North 89°12'34" West along the South boundary of the NE $\frac{1}{4}$  of Section 10, a distance of 1,310.40 feet to the Southeast corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 10; thence North 00°13'20" East along the East boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 10, a distance of 456.82 feet to the point of beginning. Thence continuing along the East boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 10, North 00°13'20" a distance of 208.34 feet; Thence South 75°48'41" West a distance of 450.09 feet to the Easterly right-of-way of the King Mountain Road, defined by an existing fence line; thence South 25°39'38" East along the Easterly right-of-way of said road, a distance of 225.91 feet; thence North 72°37'58" East, a distance of 353.85 feet to the point of beginning.

ALSO EXCEPTING THEREFROM:

A parcel of land generally described as being a portion of the Southeast Quarter of the Southwest Quarter of Section 10, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, and being more particularly described as follows:

Beginning at the South one-quarter corner of said Section 10, from which the Southwest corner of said Section 10 bears North 88°22'58" West, a distance of 2532.12 feet; thence from the South one-quarter corner of said Section 10, North 88°22'58" West along the South boundary of the Southwest Quarter of said Section 10, a distance of 986.11 feet; thence North 05°49'03" West, a distance of 563.31 feet; thence North 86°35'08" East, a distance of 783.11 feet to an existing fence line; thence along said fence line the following six courses:

South 19°46'57" East, 68.10 feet;

South 55°22'52" East, 73.90 feet;

South 59°50'43" East 117.18 feet;

South 51°12'17" East, 80.85 feet;

South 00°47'47" East, 155.12 feet;

South 02°13'43" East, 240.22 feet to an existing fence corner;

thence South 03°18'53" East, a distance of 24.20 feet to the South one-quarter corner of said Section 10, and the point of beginning.

SUBJECT TO: a portion of a county road right-of-way easement adjoining the southerly boundary thereof. Said parcel of land is also subject to an easement of record, (M# 5774-Butte Co. records) for the purpose of ingress and egress over and across a portion of the above described parcel of land.

#### ALSO EXCEPTING THEREFROM

A parcel of land generally described as being a portion of the Southeast Quarter of the Southwest Quarter of Section 10, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, and being more particularly described as follows:

Beginning at the South one-quarter corner of said Section 10 (Recorded - Instrument No. 32355, Butte County records), from which the Southeast corner of said Section 10, (Recorded - Instrument No. 32354, Butte County, Records), bears North 89°43'07" East, 2643.50 feet; thence from the South one-quarter corner of said Section 10, North 01°45'42" West, on or along an existing fence line, a distance of 419.50 feet; thence continuing along said fence line, North 01°18'45" West, a distance of 202.40 feet; thence leaving said fence line, South 89°31'25" East, a distance of 22.70 feet to the East boundary of the Southeast quarter of the Southwest quarter of said Section 10; thence South 00°28'35" West along the East boundary of the Southeast quarter of the Southwest quarter of said Section 10, a distance of 621.48 feet to the South one-quarter corner of said Section 10, and the POINT OF BEGINNING.

The above-described parcel of land contains 0.17 acres, more or less, and is subject to a portion of a county road right-of-way easement adjoining a portion of the Southerly boundary thereof.

#### Tract C:

A parcel of land generally described as being a portion of The East half of the Southeast Quarter of Section 9, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho and lying East of the following described line;

Commencing at the Southeast corner of said Section 9, (Recorded under Instrument No. 31451, records of Butte County, Idaho), from which the South Quarter Corner of said Section 9, (Recorded under Instrument No. 31454, records of Butte County, Idaho), bears North 89°22'46" West 2640.82 feet; Thence from the Southeast corner of said Section 9, North 89°22'46" West along the South boundary of the Southeast Quarter of said Section 9 a distance of 374.95 feet to the point of beginning of said line and centerline of a county road right-of-way. Thence along the centerline of said county road right-of-way the following two courses and distances:

North 80°31'20" East, 146.90 feet; North 76°41'25" East, 150.96 feet; thence North 78°15'33" East, 60.49 feet to a point on the Westerly bank of the Big Lost River; Thence along said river bank the following two courses and distances: North 18°08'15" West 77.36 feet; North 08°10'55" West 42.68 feet; Thence North 01°24'55" West, a distance of 233.93 feet to a point on said westerly river bank and an existing Fence line; Thence North 01°27'23" West along said fence line a distance of 219.62 feet; Thence continuing on or along an existing fence line the following two courses and distances: North 01°27'29" West 75.14 feet; North 01°54'09" West 652.09 feet to an existing fence corner; Thence on or along an existing fence line North 01°45'44" West, a distance of 1288.10 feet to the North boundary of the SE¼ of said section and the end of described line.

LESS and EXCEPT THE FOLLOWING: A parcel of land generally described as being a portion of the E½SE¼ of Section 9, Township 5 North, Range 26 East of the Boise Meridian, and a portion of the W½SW¼ of Section 10, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho; said parcel of land being more particularly described as follows:

Commencing at the SE Corner of said Section 9 (recorded - Instrument No. 31451, Butte County, records) from which the S¼ Corner of said Section 9 (recorded - Instrument No. 31454, Butte County, records), bears North 89°22'46" West 2640.82 feet; thence from the SE corner of said Section 9, North 00°01'00" West, a distance of 429.12 feet to a 1/2 inch diameter steel rod on the westerly bank of the Big Lost River and the Point of Beginning of this land description:

Thence along an existing fence line the following two courses: North 01°27'24" West 294.76 feet to a 1/2 inch steel rod; North 01°54'09" West 652.09 feet to a 1/2 inch steel rod at an existing fence corner; thence leaving said fence line, North 89°33'16" East, a distance of 217.00 feet; thence South 01°45'49" East, a distance of 946.84 feet; thence South 89°33'16" West, a distance of 217.00 feet to the point of beginning.

Subject to the following described easement for the purpose of ingress and egress over and across the northwesterly most portion of the above described parcel of land; said twenty feet wide access easement being contained within the following described bounds: Beginning at the NW Corner of the above described parcel of land, from which the SE corner of said Section 10, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, bears South 03°42'46" East, 1374.21 feet; thence from the NW Corner of the above described parcel of land South 01°54'09" East, a distance of 20.00 feet; thence North 65°57'42" East, 15.07 feet; thence North 21°42'24" East, 15.07 feet to the North boundary of the above described parcel of land; thence South 89°33'16" West along the North boundary of said parcel of land, a distance of 20.00 feet to the NW Corner of the above described parcel of land.

Order No: 5349LRT

NO. 0044203

RECORDED

FEB 26 2007

CORPORATION  
QUITCLAIM DEED

10:52 A.M. PM.  
BUTTE COUNTY RECORDER  
*Tully S. McAlpin*

THIS INDENTURE, Made this 26<sup>th</sup> day of February, 2007, between JR-N-CC, INC., a Utah Corporation, as Grantor, and KING MOUNTAIN RANCH, INC., an Idaho Corporation, as Grantee, whose current address is 3477 King Mountain Road, Moore, ID 83255.

WITNESSETH That said Grantor for and in consideration in lawful money of the United States of America, in hand paid by the Grantees, the receipt whereof is hereby acknowledged, does by these premises remise, release and forever QUITCLAIM, unto the said Grantees and to their heirs and assigns all that certain lot, piece or parcel of land, situate, lying and being in, County of BUTTE, State of Idaho, bounded and particularly described as follows, to wit:

See attached EXHIBIT A

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in otherwise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Grantees and to their heirs and assigns forever.

IN WITNESS WHEREOF, The said Grantor has hereunto set its hand and seal the day and year first above written.

ATTEST:

*James R. Culbertson*  
President

State of IDAHO

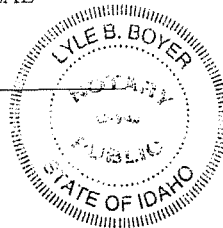
ss.

County of BUTTE

On this 26<sup>th</sup> day of February, 2007, before me, Lyle B. Boyer, the undersigned, a Notary Public, in and for said State, personally appeared, JAMES R. CULBERTSON, known to me, and/or identified to me on the basis of satisfactory evidence, to be the PRESIDENT of the corporation that executed the instrument, and that the foregoing instrument was signed on behalf of said corporation, by authority of a resolution of its board of directors, and acknowledged to me that such corporation executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

*Lyle B. Boyer*  
Notary Public



Residing at: Arco, Idaho  
Commission Expires: 6-5-2009

Exhibit A

Tract A:

Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho. Section 9, Northeast Quarter Northeast Quarter.

Tract B:

Section 10; SW¼NE¼; NW¼SE¼; W¼, EXCEPT: A parcel of land generally described as being a portion of the Southeast Quarter of the Southwest Quarter (SE¼SW¼) of Section 10, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho; being more particularly described as follows:

Commencing at the South one-quarter corner of said Section 10, from which the Southeast corner of said Section 10 bears North 89°43'07" East, 2643.50 feet; thence from the South one-quarter corner of said Section 10, North 00°28'35" East along the East boundary of the Southwest quarter of said Section 10, a distance of 621.48 feet to the point of beginning.

Thence continuing along the East boundary of the Southwest Quarter of said Section 10, North 00°28'35" East, a distance of 658.20 feet; thence South 86°48'46" West, a distance of 15.00 feet to an existing fenceline; thence along said fenceline the following two courses:

South 86°48'46" West, 202.12 feet;

South 64°25'06" West, 74.94 feet;

thence South 64°25'07" West, 1.83 feet to an existing fenceline;  
thence along said fenceline the following 10 courses and distances:

South 09°52'44" West, 232.38 feet;

South 05°21'50" West, 59.69 feet;

South 02°08'36" East, 100.30 feet;

South 08°58'51" East, 78.01 feet;

South 17°26'57" East, 100.39 feet;

South 19°46'57" East, 108.62 feet;

South 55°22'52" East, 73.90 feet;

South 59°50'43" East, 117.18 feet;

South 51°12'17" East, 80.85 feet;

North 01°18'45" West, 202.40 feet;

thence leaving said fenceline, South 89°31'25" East, a distance of 22.70 feet to the point of beginning.

ALSO EXCEPTING THEREFROM: a parcel of land generally described as being a portion of the SW¼NE¼ of Section 10, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho; being more particularly described as follows:

Commencing at the E¼ corner of said Section 10 from which the NE corner of said Section 10 bears North 00°01'48" West 2,694.19 feet; thence from said E¼ corner of Section 10, North 89°12'34" West along the South boundary of the NE¼ of Section 10, a distance of 1,310.40 feet to the Southeast corner of the SW¼NE¼ of said Section 10; thence North 00°13'20" East along the East boundary of the SW¼NE¼ of said Section 10, a distance of 456.82 feet to the point of beginning. Thence continuing along the East boundary of the SW¼NE¼ of Section 10, North 00°13'20" a distance of 208.34 feet; Thence South 75°48'41" West a distance of 450.09 feet to the Easterly right-of-way of the King Mountain Road, defined by an existing fenceline; thence South 25°39'38" East along the Easterly right-of-way of said road, a distance of 225.91 feet; thence North 72°37'58" East, a distance of 353.85 feet to the point of beginning.

ALSO EXCEPTING THEREFROM:

A parcel of land generally described as being a portion of the Southeast Quarter of the Southwest Quarter of Section 10, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, and being more particularly described as follows:

Beginning at the South one-quarter corner of said Section 10, from which the Southwest corner of said Section 10 bears North 88°22'58" West, a distance of 2532.12 feet; thence from the South one-quarter corner of said Section 10, North 88°22'58" West along the South boundary of the Southwest Quarter of said Section 10, a distance of 986.11 feet; thence North 05°49'03" West, a distance of 563.31 feet; thence North 86°35'08" East, a distance of 783.11 feet to an existing fenceline; thence along said fenceline the following six courses:

South 19°46'57" East, 68.10 feet;

South 55°22'52" East, 73.90 feet;

South 59°50'43" East 117.18 feet;

South 51°12'17" East, 80.85 feet;

South 00°47'47" East, 155.12 feet;

South 02°13'43" East, 240.22 feet to an existing fence corner; thence South 03°18'53" East, a distance of 24.20 feet to the South one-quarter corner of said Section 10, and the point of beginning.

SUBJECT TO: a portion of a county road right-of-way easement adjoining the southerly boundary thereof. Said parcel of land is also subject to an easement of record. (M# 5774-Butte Co. records) for the purpose of ingress and egress over and across a portion of the above described parcel of land.

#### ALSO EXCEPTING THEREFROM

A parcel of land generally described as being a portion of the Southeast Quarter of the Southwest Quarter of Section 10, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, and being more particularly described as follows:

Beginning at the South one-quarter corner of said Section 10 (Recorded - Instrument No. 32355, Butte County records), from which the Southeast corner of said Section 10, (Recorded - Instrument No. 32354, Butte County, records), bears North 89°43'07" East, 2643.50 feet; thence from the South one-quarter corner of said Section 10, North 01°45'42" West, on or along an existing fenceline, a distance of 419.50 feet; thence continuing along said fenceline, North 01°18'45" West, a distance of 202.40 feet; thence leaving said fenceline, South 89°31'25" East, a distance of 22.70 feet to the East boundary of the Southeast quarter of the Southwest quarter of said Section 10; thence South 00°28'35" West along the East boundary of the Southeast quarter of the Southwest quarter of said Section 10, a distance of 621.48 feet to the South one-quarter corner of said Section 10, and the POINT OF BEGINNING.

The above-described parcel of land contains 0.17 acres, more or less, and is subject to a portion of a county road right-of-way easement adjoining a portion of the Southerly boundary thereof.

#### Tract C:

A parcel of land generally described as being a portion of The East half of the Southeast Quarter of Section 9, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho and lying East of the following described line;

Commencing at the Southeast corner of said Section 9, (Recorded under Instrument No. 31451, records of Butte County, Idaho), from which the South Quarter Corner of said Section 9, (Recorded under Instrument No. 31454, records of Butte County, Idaho), bears North 89°22'46" West 2640.82 feet; Thence from the Southeast corner of said Section 9, North 89°22'46" West along the South boundary of the Southeast Quarter of said Section 9 a distance of 374.95 feet to the point of beginning of said line and centerline of a county road right-of-way. Thence along the centerline of said county road right-of-way the following two courses and distances:

North 80°31'20" East, 146.90 feet; North 76°41'25" East, 150.96 feet; thence North 78°15'33" East, 60.49 feet to a point on the Westerly bank of the Big Lost River; Thence along said river bank the following two courses and distances: North 18°08'15" West 77.36 feet; North 08°10'55" West 42.68 feet; Thence North 01°24'55" West, a distance of 233.93 feet to a point on said westerly river bank and an existing Fenceline; Thence North 01°27'23" West along said fenceline a distance of 219.62 feet; Thence continuing on or along an existing fenceline the following two courses and distances: North 01°27'29" West 75.14 feet; North 01°54'09" West 652.09 feet to an existing fence corner; Thence on or along an existing fenceline North 01°45'44" West, a distance of 1288.10 feet to the North boundary of the SE¼ of said section and the end of described line.

LESS and EXCEPT THE FOLLOWING: A parcel of land generally described as being a portion of the E½SE¼ of Section 9, Township 5 North, Range 26 East of the Boise Meridian, and a portion of the W½SW¼ of Section 10, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho; said parcel of land being more particularly described as follows:

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Thence along an existing fenceline the following two courses: North 01°27'24" West 294.76 feet to a 1/2 inch steel rod; North 01°54'09" West 652.09 feet to a 1/2 inch steel rod at an existing fence corner; thence leaving said fenceline, North 89°33'16" East, a distance of 217.00 feet; thence South 01°45'49" East, a distance of 946.84 feet; thence South 89°33'16" West, a distance of 217.00 feet to the point of beginning.

Subject to the following described easement for the purpose of ingress and egress over and across the northwesterly most portion of the above described parcel of land; said twenty feet wide access easement being contained within the following described bounds: Beginning at the NW Corner of the above described parcel of land, from which the SE corner of said Section 10, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, bears South 03°42'46" East, 1374.21 feet; thence from the NW Corner of the above described parcel of land South 01°54'09" East, a distance of 20.00 feet; thence North 65°57'42" East, 15.07 feet; thence North 21°42'24" East, 15.07 feet to the North boundary of the above described parcel of land; thence South 89°33'16" West along the North boundary of said parcel of land, a distance of 20.00 feet to the NW Corner of the above described parcel of land.