

RECEIVED

SEP 09 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE 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)
PD 45-2250B	45-14344	✓	PD 45-13762	45-14350	✓
PD 45-2496	45-14345	✓	PD 45-13764	45-14351	✓
PD 45-2647	45-14346	✓			
PD 45-4100	45-14347	✓			
PD 45-13571	45-14348	✓			
PD 45-13760	45-14349	✓			

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) H & S Farms Limited Partnership
1687 South Hwy. 27
Oakley, ID 83346
4. New Owner/Claimant(s) Wybenga Dairy, LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 460 West 90 North
- City, State and ZIP Code Burley, ID 83318
- New Telephone Number (208) 862-7880 Email: SUPPORT DATA

IN FILE # 45-2250B

5. Date you acquired the property _____

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 (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
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) _____

(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 [Signature] Date 9/9/08
 Received by [Signature] Date 9/17/08
 Processed by _____ AJ Date _____

Receipt Amt. \$200 \$600 6/13/11
 Receipt No. 5030418 C093321
 WR SR Date 7-13-11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
 JUL 23 2009
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

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)
45-2250	45-2250	B			
45-2496	45-2496				
45-2647	45-2647				
45-4100	45-4100				

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) H & S Farms Limited Partnership
1687 S Hwy 27
Oakley ID 83346
4. New Owner/Claimant(s) Wybenga DAiry, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 460 W. 90 N.
- City, State and ZIP Code Burley ID 83318
- New Telephone Number (208) 678-1713 Email: _____

5. Date you acquired the property _____
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.

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Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
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) _____
 _____ (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 _____	Date _____	Receipt Amt. _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

#46274

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
4:05:50 pm 06-18-2009
2009-003093
NO. PAGES: 2 FEE: \$6.00
LARRY A. NICKELSEN
COUNTY CLERK
DEPUTY: VIKI

WARRANTY DEED

FOR VALUE RECEIVED,

H & S FARMS LIMITED PARTNERSHIP, an Idaho limited partnership, "Grantor", does hereby grant, bargain, sell and convey unto **WYBENGA DAIRY, LLC** an Idaho limited liability company, whose address is 460 West 90 North, Burley, Idaho 83318, the "Grantee", the following described premises located in Cassia County, Idaho, to wit:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN, CASSIA
COUNTY, IDAHO

Section 15: E $\frac{1}{2}$ SE $\frac{1}{4}$

Together with all water rights appurtenant thereto, including but not limited to, Water Right No. 45-2250B, Water Right No. 45-2496, Water Right No. 45-2647, and Water Right No. 45-4100.

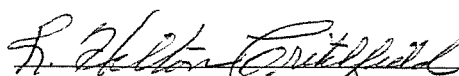
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever. The said Grantor does hereby covenant to and with the said Grantee, that it is the owner of said premises; that it will warrant and defend the same from all lawful claims whatsoever, except as hereinabove specifically provided, and the specific exceptions listed below:

1. Taxes for 2009 and subsequent years, a lien, but not yet due or payable.
2. Assessments levied, or to be levied, by the Goose Creek Irrigation District.

DATED THIS 15th day of June, 2009.

"GRANTOR"

H & S FARMS LIMITED PARTNERSHIP,
R. Hilton and Suzanne Critchfield Living Trust u/a/d 7/18/1995, General Partner


R. HILTON CRITCHFIELD, Trustee of the R.
Hilton and Suzanne Critchfield Living Trust
u/a/d 7/18/1995, General Partner

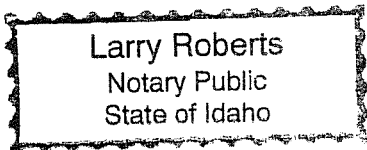

SUZANNE CRITCHFIELD, Trustee of the R.
Hilton and Suzanne Critchfield Living Trust
u/a/d 7/18/1995, General Partner

STATE OF IDAHO)

County of Cassia) ss:

On this 15th day of June, 2009, before me, the undersigned, a Notary Public in and for said County and State, personally appeared R. Hilton Critchfield, Trustee of the R. Hilton and Suzanne Critchfield Living Trust u/a/d 7/18/1995, General Partner of H & S Farms Limited Partnership, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same in such capacity.

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



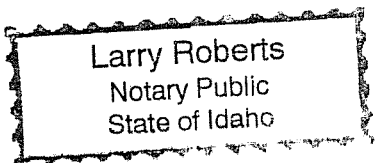
[Signature]
NOTARY PUBLIC for Idaho
Residing at: Burley, ID
Commission Expires: 6-30-09

STATE OF IDAHO)

County of Cassia) ss:

On this 15th day of June, 2009, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Suzanne Critchfield, Trustee of the R. Hilton and Suzanne Critchfield Living Trust u/a/d 7/18/1995, General Partner of H & S Farms Limited Partnership, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same in such capacity.

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



[Signature]
NOTARY PUBLIC for Idaho
Residing at: Burley, ID
Commission Expires: 6-30-09

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
1:50:13 pm 09-05-2008
2008-005031
NO. PAGES: 7 FEE: \$21.00
LARRY A. NICKELSEN
COUNTY CLERK
DEPUTY: VIKI

WARRANTY DEED

FOR VALUE RECEIVED,

45101

H & S FARMS LIMITED PARTNERSHIP, an Idaho limited partnership, "Grantor", does hereby grant, bargain, sell and convey unto WYBENGA DAIRY, LLC an Idaho limited liability company, whose address is 460 West 90 North, Burley, Idaho 83318, the "Grantee", the following described premises located in Cassia County, Idaho, to wit:

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 15: W1/2SE1/4; SW1/4, SAVE AND EXCEPT the following described tract:

Beginning at the Southwest corner of the SW1/4
Thence North along the section line for 295.17 feet;
Thence East for 295.17 feet;
Thence South 295.17 feet to the South section line of said Section 15;
Thence West 295.17 feet to the True Point of Beginning.

Section 22: NW1/4; NE1/4, EXCEPT the West 100 feet; N1/2SE1/4, EXCEPT the West 100 feet of the NW1/4SE1/4

Section 22: Beginning at the Northwest corner of the NW1/4SW1/4 of said Section 22;
Thence South 18 rods;
Thence East 160 rods;
Thence North 18 rods;
Thence West 160 rods to the Place of Beginning.

Section 22: Beginning at a point 18 rods South of the Northwest corner of the NW1/4SW1/4;
Thence South 33 rods;
Thence East 160 rods;
Thence North 33 rods;
Thence West 160 rods to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

13S, 22E
Section 27: E1/2NW1/4; S1/2NW1/4NW1/4; NE1/4, EXCEPT the West 100 feet, thereof, which has been deeded to Oakley Canal Company for canal right of way.

Section 27: SW1/4NW1/4, SAVE AND EXCEPT the following described tracts:

Tract No. 1:

Beginning at the Southwest corner of the NW1/4 of said Section 27;
Thence East 300 feet;
Thence North 150 feet;
Thence West 300 feet;
Thence South 150 feet to the Point of Beginning.

Tract No. 2:

Beginning at the Southwest corner of the NW1/4 of said Section 27; Thence North along the West section line for 150 feet to the True Point of Beginning;
Thence North 231 feet;
Thence East 306 feet;
Thence South 381 feet to a point South of the boundary line of the NW1/4;
Thence West 6 feet;
Thence North 150 feet;
Thence West 300 feet to the True Point of Beginning.

PARCEL NO. 3:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY,
IDAHO

Section 27: N1/2NW1/4NW1/4, EXCEPT the West 396 feet.

ALSO EXCEPTING the following described tract:

Commencing at the Northwest section corner (monumented by a 3 inch aluminum cap);
Thence South 89°20'02" East for 396.00 feet along the North section line to a ½ inch rebar which shall be the True Point of Beginning.
Thence continuing South 89°20'02" East for 553.44 feet along said North Section line to a ½ inch rebar;
Thence South 00°39'58" West (South 00°39'58" East, rec) for 44.91 feet to a ½ inch rebar on the South side of an irrigation lateral;
Thence along a non-tangent curve to the left with a radius of 1325.57 ^{feet} ~~feet~~, central angle of 27°53'04" length of 645.12 feet, chord of 638.78 feet and a chord bearing of South 60°06'34" West to a ½ inch rebar;
Thence North 00°08'38" East parallel with the West section line for 369.67 feet to the True Point of Beginning.

Section 27: That part of the N1/2NW1/4NW1/4, more particularly described as follows:

Commencing at the Northwest section corner (Monumented by a 3 inch aluminum cap);
Thence South 89°20'02" East for 396.00 feet along the North section line to a ½ inch rebar;
Thence South 00°08'38" West parallel with the West section line for 369.67 feet to a ½ inch rebar which shall be the True Point of Beginning;
Thence South 00°08'38" West parallel with the West section line for 288.23 feet to a ½ inch rebar on the South line of the N1/2NW1/4NW1/4;
Thence North 89°18'04" West for 224.61 feet along the South line to a ½ inch rebar;
Thence along a non-tangent curve to the right with a radius of 1325.57 feet, central angle of 15°46'11", length of 364.84 feet, chord of 363.69 feet and a chord bearing of North 38°16'56" East to the True Point of Beginning.

Together with all water rights appurtenant thereto, including but not limited to, Water Right No. 45-2250B, Water Right No. 45-2496, Water Right No. 2647, Water Right 45-4100, Water Right 13571, Water Right 13760, Water Right 13762, Water Right 13764 and 250 shares in the Oakley Canal Company.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever. The said Grantor does hereby covenant to and with the said Grantee, that it is the owner of said premises; that it will warrant and defend the same from all lawful claims whatsoever, except as hereinabove specifically provided, and the specific exceptions listed below:

1. Taxes for 2008 and subsequent years, a lien, but not yet due or payable.
2. Assessments levied, or to be levied, by the Goose Creek Irrigation District.
3. Mineral Deed from Ennis B. Matthews and wife, Mabel Matthews, Grantors, to Fred F. Foss, Grantee, dated December 19, 1952 and recorded February 2, 1953 as Instrument No. 177878, in Book 57 of Deeds, Page 104, records of Cassia County, Idaho, for an undivided one-half interest in and to all of the oil, gas and other minerals including coal, phosphates, gold, silver, lead, tungsten, uranium and any other known and unknown minerals that may be deposited thereon, in and under and that may be produced from a portion of said property.
4. Power Line Easement from H. P. Matthews and Clara B. Matthews, his wife, as Grantors, to Idaho Power Company, a corporation, its licensees, successors and assigns, as Grantee, dated November 17, 1954 and recorded April 8, 1955 as Instrument No. 185769 in Book 15 of Miscellaneous, Page 246, records of Cassia County, Idaho, over and across the NW¼SW¼ of Section 15, Township 13 South, Range 22 East of the Boise Meridian.

5. Exception and Reservation contained in Corporation Quitclaim Deed from Ranch Development Corporation, a corporation, to Pacific Cattle Company, a Delaware Corporation, dated February 6, 1957, and recorded November 4, 1957, as Instrument No. 195125 in Book 59 of Deeds, records of Cassia County, Idaho, which reads as follows: "Excepting and reserving unto the Grantor herein 50% of all oil, gas, mineral, uranium, and other hydrocarbon substances in and under said land."
6. Power Line Easement from Lewis R. Critchfield and Zella Critchfield, his wife, to Idaho Power Company, a corporation, dated May 4, 1961 and recorded June 20, 1961 as Instrument No. 2150, records of Cassia County, Idaho, over and across the S½NW¼ of Section 22, Township 13 South, Range 22 East of the Boise Meridian.
7. Terms and conditions of Easement from Oakley Canal Company, an Idaho corporation, to P. S. Nelson and Zella Nelson, husband and wife, dated March 30, 1964, and recorded April 7, 1964 as Instrument No. 17825 on Film No. 26, records of Cassia County, Idaho, for irrigation pipeline across the Main East Side Canal at the Southeast corner of the NW¼ of Section 27, Township 13 South, Range 22 East, Boise Meridian, Cassia County, Idaho.
8. Power Line Easement from Matthews Bros. Inc., as Grantors, to Idaho Power Company, a corporation, its licensees, successors and assigns, as Grantee, dated February 12, 1975 and recorded June 20, 1975 as Instrument No. 84318 on Film No. 96, records of Cassia County, Idaho, over and across the SE¼ SE¼ SE¼ SW¼ of Section 15, Township 13 South, Range 22 East of the Boise Meridian.
9. Power Line Easement from Matthews Bros. Inc., as Grantors, to Idaho Power Company, a corporation, its licensees, successors and assigns, as Grantee, dated February 12, 1975 and recorded June 30, 1975 as Instrument No. 84319 on Film No. 96, records of Cassia County, Idaho, over and across the SW¼ SW¼ SW¼ SW¼ SE¼ of Section 15, Township 13 South, Range 22 East of the Boise Meridian.
10. Power Line Easement from Matthews Brothers, a corporation, as Grantors, to Idaho Power Company, a corporation, its licensees, successors and assigns, as Grantee, dated March 23, 1976 and recorded November 8, 1976 as Instrument No. 94240 on Film No. 104, records of Cassia County, Idaho, over and across the S½ NW¼ SW¼ SW¼ SW¼ NE¼ of Section 22, Township 13 South, Range 22 East of the Boise Meridian.
11. Effects of Power Line Easement from Oakley Canal Company, as Grantor, to Idaho Power Company, a corporation, its licensees, successors and assigns, as Grantee, dated August 23, 1976 and recorded November 8, 1976 as Instrument No. 94241 on Film No. 104, records of Cassia County, Idaho, over and across the S½ NW¼ SW¼

SW¼ SW¼ NE¼ of Section 22, Township 13 South, Range 22 East of the Boise Meridian.

12. Power Line Easement from Ennis B. Matthews and Maurice J. Matthews, his wife, as Grantors, to Idaho Power Company, a corporation, its licensees, successors and assigns, as Grantee, dated January 27, 1978 and recorded June 5, 1978 as Instrument No. 108287 on Film No. 118, records of Cassia County, Idaho, over and across the W½ W½ W½ SW¼ SW¼ SW¼ SE¼ of Section 15, Township 13 South, Range 22 East of the Boise Meridian.
13. Reservation contained in Deed from Matthews Bothers, Inc., an Idaho Corporation, to L. & M. Farms, a Partnership consisting of John R. Martin and Harold Loveless, dated November 19, 1980 and recorded December 4, 1980 as Instrument No. 130900 on Film No. 138, records of Cassia County, Idaho, which reads as follows: "Reserving unto the Grantor their survivors and assigns a right of way for existing irrigation ditches located along the North and West boundaries of the above described property."
14. Assignment Of Mineral, Oil And Gas, And/Or Geothermal Resource Lease(s) executed by Steven W. Davis and Karen M. Davis, Assignor to Bridger Energy Association, Assignee, dated November 24, 1981 and recorded March 11, 1982 as Instrument No. 141700 on Film No. 148, records of Cassia County, Idaho. (Affects N½NW¼NW¼ of Section 22, Township 13 South, Range 22 East of the Boise Meridian.
15. Underground Power Line Easement from Critchfield Land & Livestock, Inc., R. Hilton Critchfield, Vice President and Daren F. Critchfield, Secretary, as Grantors, to the Idaho Power Company, a corporation, its licensees, successors and assigns, as Grantee, dated January 21, 1983 and recorded June 10, 1983 as Instrument No. 152494 on Film No. 157, records of Cassia County, Idaho, over and across a portion of the W½SW¼ of Section 15, Township 13 South, Range 22 East of the Boise Meridian.
16. Reservation contained in Deed from Matthews Brothers, Inc., an Idaho corporation, to Critchfield Land & Livestock Co. Inc., an Idaho corporation, dated June 17, 1973 and recorded December 22, 1986 as Instrument No. 184378 on Film No. 186, records of Cassia County, Idaho, which reads as follows: "excepting and reserving all water and water rights". (Affects the North 18 rods of the SW¼ of Section 22, Township 13 South, Range 22 East of the Boise Meridian.
17. Reservation contained in Warranty Deed from Matthews Brothers, Inc., an Idaho corporation, to Critchfield Land and Livestock Co., Inc., dated July 19, 1986 and recorded December 22, 1986 as Instrument No. 184381 on Film No. 186, records of

Cassia County, Idaho, which reads as follows: "Reserving unto the Grantor a right of way for ingress and egress across the South 2 rods of the above described land situated in Section 15 which said right of way shall be appurtenant to the property belonging to Matthews in Section 14, Township 13 South, Range 22 East of the Boise Meridian."

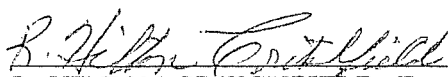
18. Effects of Water Rotation Agreement, dated September 10, 1992 and recorded May 27, 1993 as Instrument No. 224804 on Film No. 245, records of Cassia County, Idaho.
19. Reservation contained in Deed from Matthews Brothers, Inc., an Idaho Corporation, to R. Hilton Critchfield and Sons, a Partnership, dated March 30, 1994 and recorded March 31, 1994 as Instrument No. 229978 on Film No. 254, records of Cassia County, Idaho, which reads as follows: "Reserving unto the Grantors, its Successors and assigns, all water and water rights". (Affects the E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 27, Township 13 South, Range 22 East of the Boise Meridian)
20. Reservation contained in Warranty Deed from Ronald K. Martin, A Single Person, to H & S Farms Limited Partnership, dated January 22, 2003 and recorded January 28, 2003 as Instrument No. 286203, records of Cassia County, Idaho, which reads as follows: "THIS PROPERTY IS BEING CONVEYED DRY AND WITHOUT ANY WATER RIGHTS." (Affects the N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Township 13 South, Range 22 East of the Boise Meridian)
21. Amendment to Pipeline Easement Agreement, by and between H & S Limited Farms Partnership and Oakley Canal Company, dated May 15, 2008 and recorded May 29, 2008 as Instrument No. 2008-003271, records of Cassia County, Idaho. (Affects Part of Section 22, Township 13 South, Range 22 East of the Boise Meridian and additional property not included herein.)

DATED THIS 21st day of September, 2008.

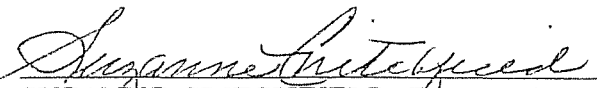
"GRANTOR"

H & S FARMS LIMITED PARTNERSHIP,

R. Hilton and Suzanne Critchfield Living Trust u/a/d 7/18/1995, General Partner



R. HILTON CRITCHFIELD, Trustee of the R. Hilton and Suzanne Critchfield Living Trust u/a/d 7/18/1995, General Partner

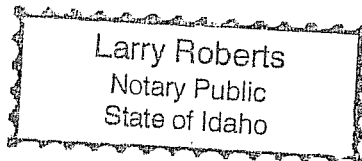


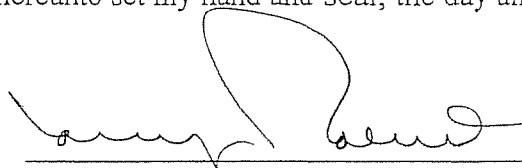
SUZANNE CRITCHFIELD, Trustee of the R. Hilton and Suzanne Critchfield Living Trust u/a/d 7/18/1995, General Partner

STATE OF IDAHO)
SS:
County of Cassia)

On this 4th day of September, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared R. Hilton Critchfield, Trustee of the R. Hilton and Suzanne Critchfield Living Trust u/a/d 7/18/1995, General Partner of H & S Farms Limited Partnership, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same in such capacity.

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

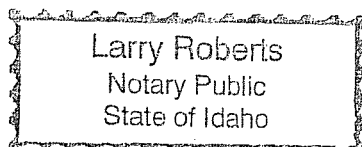


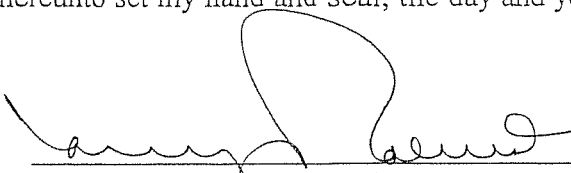

NOTARY PUBLIC for Idaho
Residing at: Burley, ID
Commission Expires: 6-30-09

STATE OF IDAHO)
SS:
County of Cassia)

On this 4th day of September, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Suzanne Critchfield, Trustee of the R. Hilton and Suzanne Critchfield Living Trust u/a/d 7/18/1995, General Partner of H & S Farms Limited Partnership, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same in such capacity.

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




NOTARY PUBLIC for Idaho
Residing at: Burley, ID
Commission Expires: 6-30-09