

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

RECEIVED

AUG 25 2010

Department of Water Resources
 Eastern Region

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?
34-2315 OK ✓	Yes ☐	34-2417A ✓ OK	Yes ☐	34-7136 OK	Yes ☐
34-2472A OK ✓	Yes ☐	34-2419A ✓ OK	Yes ☐	34-7169 OK	Yes ☒
34-2358A OK ✓	Yes ☐	34-10821 OK ✓	Yes ☐	34-7080A OK	Yes ☐
34-2429B OK ✓	Yes ☐	34-10781 OK ✓	Yes ☐	34-10036 OK	Yes ☐
34-12419 OK	Yes ☐	34-10782 OK ✓	Yes ☐		Yes ☐

2. Previous Owner's Name: Juel Aikele; Kirby Jensen (34-10036); Ronald C. Rish (34-10782); Irene Allen (34-10781)

Name of current water right holder/claimant

SUPPORT DATA

3. New Owner(s)/Claimant(s): Natural Guardian Limited Partnership

Name of each new owner as listed on the conveyance document

IN FILE # 34-23154

Name Connector ☐ and ☐ or ☐ and/or

PO Box 50305

Mailing Address

Idaho Falls

City

ID

State

83405

Zip

208-528-6635

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. November 29, 2006

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]

Signature of new owner/claimant

ATTORNEY

Title, if applicable

Aug 23, 2010

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by [Signature]

Date 8/26/2010

Receipt No. E031078

Receipt Amt. \$425.-

MWT 2006080172
#5536LRT

COPY

WARRANTY DEED

NO.

0043808

RECORDED

NOV 29 2006

A.M. 2:30 P.M.
BUTTE COUNTY RECORDER
Kim Daniels

THIS INDENTURE is made this 29th day of November, 2006, by JUEL AIKELE and MARY ANNE AIKELE, husband and wife, the "Grantor", to NATURAL GUARDIAN LIMITED PARTNERSHIP, an Idaho limited partnership, whose mailing address is P.O. Box 50305, Idaho Falls, Idaho 83405, the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's successors and assigns forever, all of the following described property in the County of Butte, State of Idaho, to-wit:

Tract 1:

A fraction of the SW1/4NW1/4 of Section 29, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho, described as:

Beginning at the SW corner of said 40 acres; thence North 247 feet; thence East 640 feet; thence Southeast to a point on the South line of said 40 acres 990 feet East of the point of beginning; thence West 990 feet along the South line of said 40 acres to the Place of Beginning.

Tract 2:

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 29: W1/2SW1/4SW1/4; N1/2NW1/4NE1/4SW1/4SW1/4; NW1/4SW1/4, EXCEPT that portion described as follows:

A fraction of the NW1/4SW1/4 of said Section 29, more particularly described as follows, to-wit:

Beginning at the Northeast corner of said 40 acres; thence South 400 feet to a point on the East line of said 40 acres; thence West 330 feet; thence North 400 feet to a point on the North line of said 40 acres 330 feet West of the Place of Beginning; thence East 330 feet along the North line of said 40 acres to the Place of Beginning.

Tract 3a:

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 30: SE1/4SE1/4

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Tract 3b:

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 30: NE1/4SE1/4 and that portion of the SE1/4NE1/4 lying South of the field road.

Tract 3c:

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 30: A parcel of land in the SW1/4NE1/4 of said Section 30, described as follows: Beginning at a point 2473.43 feet South 0°21'24" West of the Northwest corner of the NE1/4NE1/4 of said Section 30; thence North 89°20'46" West 55 feet to the West boundary line of a County Road; thence North 0°21'24" East 160 feet to the True Point of Beginning of the described parcel; thence continuing along the West boundary of said County Road North 0°21'24" East 350 feet to a point; thence South 71° West, more or less, 560 feet to a point; thence South 40 feet to a point; thence South 76° West (should be East), more or less, a distance of 550 feet, to the True Point of Beginning.

Tract 4:

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 31: ALL, EXCEPT the following five parcels:

Parcel 1: The West 300 feet of the NW1/4NW1/4.

Parcel 2: E1/2NW1/4NE1/4NW1/4NW1/4; W1/2NE1/4NE1/4NW1/4NW1/4;
NE1/4SW1/4NE1/4NW1/4NW1/4; NW1/4SE1/4NE1/4NW1/4NW1/4

Parcel 3: A portion of the NW1/4NE1/4; more particularly described as:
Beginning at a point 1425.82 feet West of the NE corner of Section 31; which is the NE corner of the plot of land and the Point of Beginning; thence West 250 feet; thence South 400 feet; thence East 250 feet; thence North 400 feet to the NE corner of the plot of land and Point of Beginning.

Parcel 4: Beginning at the Northeast Corner of Section 31, Township 4 North, Range 26, East of the Boise Meridian, Butte County, Idaho, and running then S89°46'31"W along the North line of said Section 405 feet; thence S0°31'58"E 400 feet; thence N89°46'31"E 75 feet; thence S0°31'58"E 300.00 feet; thence S19°17'21"E 1026.27 feet, to the East line of said Section 31; thence N0°31'58"W 1670 feet, to the point of beginning.

Parcel 5: A portion of the NE1/4NW1/4NW1/4 of Section 31, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho described as follows:

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Beginning at a point 825 feet East and 495 feet South of the Northwest corner of said Section 31 (also described as the Southwest corner of the NE1/4SW1/4NE1/4NW1/4); thence South 132 feet; thence East 330 feet; thence North 132 feet to the Southeast corner of the NW1/4SE1/4NE1/4NW1/4; thence West 330 feet to the POINT OF BEGINNING.

Tract 5:

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 32: SE1/4; NE1/4, EXCEPT,

Beginning at the corner of Sections 28, 29, 32, and 33; thence South 0°17' East along the line between Sections 32 and 33, a distance of 208.71 feet; thence West on a bearing of South 89°43' West, a distance of 208.71 feet; thence North on a bearing North 0°17' West, a distance of 208.71 feet to a point on the South boundary of said Section 29; thence East on a bearing North 89°43' to the Point of Beginning.

Tract 6:

Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 6: Lots 1, 2, 3, 4 (N1/2N1/2); S1/2N1/2; N1/2S1/2; S1/2S1/2

Section 5: SW1/4SW1/4, EXCEPT:

Part of the South Half of the Southeast Quarter (S1/2SE1/4) of Section 6 and part of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section 5, all in Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho described as follows:

Beginning at the Southeast corner of said Section 6 and running thence South 89°52'24" West 1698.16 feet along the section line to a point on a curve created by an existing irrigation pivot; thence 2628.32 feet to the right along said curve, Curve Data: Radius = 1562.00 feet, Delta = 96°24'34", Chord bearing = North 89°50'41" East 2277.88 feet to the South line of said Section 5; thence South 89°46'03" West 630.88 feet along said south line to the point of beginning.

ALSO EXCEPTING THEREFROM: Part of the South Half of Section 6, Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho described as follows:

Beginning at the South Quarter corner of said Section 6 and running thence South 89°52'24" West 2119.30 feet along the section line to a point on a curve created by an existing irrigation pivot; thence 2575.39 feet to the right along said curve. Curve Data: Radius = 1562.00 feet, Delta = 94°28'05", Chord bearing = North 89°52'24" East 2293.43 feet to the South line of said Section 6, thence South 89°52'24" West 174.13 feet along said South line to the Point of Beginning.

ALSO EXCEPTING THEREFROM a parcel of land in said Section 6, being that portion of the SW1/4 and the West 450 feet of the SE1/4 of said section which is irrigated by a certain 11 Tower, 1560 foot Wade Rain Center Pivot Irrigation System, which pivot has its center point in the SW1/4 of Section 7, Township 3 North, Range 26 East of the Boise Meridian.

Tract 7:

Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 7: The following Four Parcels of land:

Parcel I: Part of Lot 1 of Section 7, Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho described as follows:

Beginning at the Northwest corner of said Section 7 and running thence North $89^{\circ}52'24''$ East 515.06 feet along the section line to a point on a curve created by an existing irrigation pivot; thence 1427.92 feet to the left along said curve, Curve Data: Radius = 1562.00 feet, Delta = $52^{\circ}22'39''$, Chord bearing = South $16^{\circ}27'02''$ West 1378.71 feet to the South line of Lot 1 of said Section 7; thence South $89^{\circ}52'22''$ West 115.18 feet along said South line to the West line of said Section 7; thence North $00^{\circ}24'34''$ West 1321.42 feet along said West line to the Point of Beginning.

Parcel is subject to the existing County Road right-of-way along the West side of the above described parcel.

Parcel II: Part of Lot 2 of Section 7, Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho described as follows:

Beginning at the West Quarter corner of said Section 7 and running thence North $00^{\circ}24'34''$ West 1321.42 feet along the section line to the Northwest corner of Lot 2 of said Section 7; thence North $89^{\circ}52'22''$ East 115.18 feet along the North line of said Lot 2 to a point on a curve created by an existing irrigation pivot; thence 1848.65 feet to the left along said curve, Curve Data: Radius = 1562.00 feet, Delta = $67^{\circ}48'38''$, Chord bearing = South $43^{\circ}38'37''$ East 1742.63 feet to the East line of Lot 2 of said Section 7; thence South $00^{\circ}30'18''$ East 57.68 feet along said East line to the Southeast corner of said Lot 2; thence South $89^{\circ}52'20''$ West 1308.96 feet to the Point of Beginning.

Parcel is subject to the existing County Road right-of-way along the West side of the above described parcel.

Parcel III: Part of the West 454 feet of the Northeast Quarter of Section 7, Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho described as follows:

Beginning at a point that is North 89°52'24" East 174.13 feet along the section line from the North Quarter corner of said Section 7 and running thence North 89°52'24" East 279.88 feet along said section line to a point that is 454.00 feet perpendicular to the West line of the Northeast Quarter of said Section 7; thence South 00°33'26" East 431.81 feet parallel with said East line to a point on a curve created by an existing irrigation pivot; thence 518.72 feet to the left along said curve, Curve Data = Radius 1562.00 feet, Delta = 19°01'38", Chord bearing = North 33°22'45" West 516.34 feet to the Point of Beginning.

Parcel IV: Part of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) and part of the West 454 feet of the Northeast Quarter of Section 7, Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho described as follows:

Beginning at a point that is North 89°52'20" East 1308.96 feet along the east-west centerline through the section from the West Quarter corner of said Section 7 and running thence North 89°52'20" East 1786.23 feet to a point that is 454.00 feet perpendicular to the West line of the Northeast Quarter of said Section 7; thence North 00°33'26" West 974.94 feet parallel with said West line of the Northeast Quarter to a point on a curve created by an existing irrigation pivot; thence 2172.80 feet to the right along said curve, Curve Data: Radius = 1562.00 feet, Delta = 79°42'02", Chord bearing = South 62°36'04" West 2001.81 feet to the West line of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) of said Section 7; thence South 00°30'18" East 57.68 feet along said West line to the point of beginning.

Tract 8:

Township 3 North, Range 25 East of the Boise Meridian, Butte County, Idaho.
Section 13: E1/2 and E1/2W1/2, EXCEPT that portion lying South of U.S. Highway 93 right-of-way.

Tract 9:

An undivided 1/2 interest in the following property:
Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho.
Section 31: The West 300 feet of the NW1/4NW1/4.

Tract 10:

Township 4 North, Range 25 East of the Boise Meridian, Butte County, Idaho.
Section 26: SE1/4

Tract 12:

Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho.
Section 7: Two parcels of land in Section 7, being described as follows:

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Parcel I: Part of the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4) of Section 7, Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho described as follows:

Beginning at a point that is North $89^{\circ}52'24''$ East 454.01 feet along the section line from the North Quarter corner of said Section 7 and running thence North $89^{\circ}52'24''$ East 507.43 feet along said section line to a point on a curve created by an existing irrigation pivot; thence 951.58 feet to the left along said curve, Curve Data: Radius = 1562.00 feet, Delta = $34^{\circ}54'18''$, Chord bearing = South $24^{\circ}11'15''$ West 936.93 feet to a point on a curve created by an existing irrigation pivot; thence 439.78 feet to the left along said curve, Curve Data: Radius = 1562.00 feet, Delta = $16^{\circ}07'54''$, Chord bearing = North $15^{\circ}47'59''$ West 438.33 feet to a point that is 454.00 feet perpendicular to the West line of the Northeast Quarter of said Section 7; thence North $00^{\circ}33'26''$ West 431.81 feet parallel with said West line to the Point of Beginning.

Parcel II: Part of the Northeast Quarter of Section 7, Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho described as follows:

Beginning at a point that is North $89^{\circ}52'20''$ East 3095.19 feet along the east-west centerline through the section from the West Quarter corner of said Section 7 and running thence North $89^{\circ}52'20''$ East 2203.11 feet along said east-west centerline to the Southeast corner of the Northeast Quarter of said Section 7; thence North $00^{\circ}30'13''$ West 140.16 feet along the East line of said Northeast Quarter to a point on a curve created by an existing irrigation pivot; thence 2807.80 feet to the right along said curve, Curve Data: Radius = 1562.00 feet, Delta = $102^{\circ}59'35''$, Chord bearing = North $59^{\circ}13'49''$ West 2444.75 feet to a point on a curve created by an existing irrigation pivot; thence 436.63 feet to the right along said curve, Curve Data: Radius = 1562.00 feet, Delta = $16^{\circ}00'57''$, Chord bearing = South $14^{\circ}44'34''$ West 435.20 feet to a point that is 454.00 feet perpendicular to the West line of the Northeast Quarter of said Section 7; thence South $00^{\circ}33'26''$ East 974.94 feet parallel with said West line to the Point of Beginning.

Tract 13:

An easement to the following three (3) existing irrigation wells located in the SW1/4 of Section 17, Township 4 North, Range 26 East of the Boise Meridian described as follows:

Well No. 1: Beginning at the SW corner of Section 17, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho; thence East 1050 feet, more or less; thence North 521 feet.

Well No. 2: Beginning at Well No. 1, thence North 200 feet, more or less; thence East 30 feet, more or less.

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Well No. 3: Beginning at the NW corner of said SW1/4, Section 17, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho; thence East 2,140 feet; thence South 30 feet.

Well No. 1 and Well No. 2 includes the land within a radius of 25 feet of each well as contained in Warranty Deed dated April 1, 1962 and recorded December 10, 1976 under Instrument No. —5481, records of Butte County, Idaho.

Well No. 3 is on land granted by easement dated December 5, 1969 and recorded December 11, 1969 in Book 5 of Miscellaneous, at Page 374, Instrument No. 50880, records of Butte County, Idaho.

The easements to these 3 wells were clarified in Grant of Easement dated June 1996 and recorded June 18, 1996, under Instrument No. 30314, records of Butte County, Idaho.

TOGETHER WITH all pumps, panels, mainline and all other irrigation equipment located on the above-described real property owned by Seller.

SUBJECT TO THE FOLLOWING:

1. All existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.
2. All easements and rights-of-way for highways, roads, railroads, ditches, canals, gas, pole, power and transmission lines as they may exist.
3. Reservations and exceptions in all U.S. Patent for Right of way for ditches and canals constructed by the authority of the United States and reserving all mineral deposits in Lands so Patented dated October 23, 1980, recorded November 3, 1980, under Instrument No. —9928, Records of Butte County, Idaho. (Tract 2)
4. Right of way for Irrigation ditch over the E1/2SW1/4 of Section 17, granted W.I. Nielson by Instrument dated March 2, 1926, and recorded June 9, 1926, in Book 7 of Contracts, at Page 54, and elsewhere, records of Butte County, Idaho. (Tract 13)
5. Right of way and easement granted United States of America by Andreas Aikele over and "along West boundary of W1/2 NW1/4 Section 6, Township 3 North, Range 26 East of the Boise Meridian, NW 1/4 SW 1/4 Section 31, SW1/4NW1/4

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Section 30 Township 4 North, Range 26 East of the Boise Meridian" as disclosed by instrument dated April 21, 1944, recorded June 9, 1944 in Book 7 of Contracts, at Page 197, under filing No. 23118, records of Butte County, Idaho. (Tracts 4, 6, and 11)

6. Right of way granted the Utah Construction Company, a corporation by Butte County, a political subdivision, of a 75-foot right of way for what is known as the Lava Canal, starting 150 feet East from the Northwest corner of Section 29, Township 4 North, Range 26 East of the Boise Meridian and meandering in a Southeasterly direction and leaving 800 feet East from the Southwest corner of NW 1/4 SW 1/4 of Section 29, Township 4 North, Range 26 East of the Boise Meridian, as disclosed by instrument dated August 1, 1931, recorded August 5, 1931 in Book 6 of Deeds, at page 294, under filing No. 14102, records of Butte County, Idaho. (Tract 2)
7. Right of way of "a strip of land 125 feet wider or 62 1/2 feet on either side of a center line of the proposed Blaine Canal now being constructed by the said party of the second part in Blaine County, Idaho, as the same as surveyed and cross sectioned across the land of the said first parties; all situated in Sections 20 and 29, Township 4 North, Range 26 East of the Boise Meridian in Blaine County, Idaho, the same to be used for right of way for the aforesaid canal," granted George S. Speer by Hyrum A. Smith and Rebecca Smith, his wife, by Instrument dated June 12, 1909, recorded in Book 4 of Deeds, at Page 155, under filing No. 11063, records of Butte County, Idaho. (Tract 2)
8. ⁽²³⁾ Easement of construction and maintenance of an irrigation well and right of way granted by Don A. Aikele and Caroline Aikele, husband and wife, to Juel Aikele and Mary Ann Aikele, husband and wife, recorded December 11, 1959, in Book 5 of Miscellaneous, at Page 374, under Instrument No. 50880, records of Butte County, Idaho.

The easements to these 3 wells were clarified in Grant of Easement dated June 1996 and recorded June 18, 1996, under Instrument No. 30314, records of Butte County, Idaho.

9. ⁽²⁴⁾ Easement and right of way granted to the United States of America by Andreas Aikele over SW1/4NW1/4 Section 30, NW1/4SW1/4 Section 31, Township 4 North, Range 26 East of the Boise Meridian and W1/2NW1/4 Section 6, Township 3 North, Range 26 East of the Boise Meridian, as disclosed by Instrument dated December 12, 1945, recorded May 8, 1946 in Book 3 of Miscellaneous, at Page 153, under filing No. 24514, records of Butte County, Idaho. (Tracts 4, 6, and 11)

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10. Grant of Easement dated April 30, 1985 between Juel Aikele and Mary Anne Aikele, Husband and wife "Grantors" to Don Aikele and Carolyn Aikele, Husband and Wife, "Grantees" for "an easement across Grantor's property for egress and ingress" recorded May 22, 1985, under Instrument No. 15979, records of Butte County, Idaho (Tracts 2 and 3b)
11. Right of way for an irrigation ditch as provided in the Instrument dated December 29, 1955 and recorded December 30, 1955 in Book 3 of Miscellaneous, page 551, as filing No. 33932, records of Butte County, Idaho, between A. Aikele and Elaine Aikele, husband and wife, and Herman Aikele and Atha Aikele, husband and wife, and Don A. Aikele, a bachelor, to Juel Aikele in the W1/2 W1/2 of Section 20. (Tract 4)
12. Terms and conditions of the Operating Agreement between Herman Aikele and Atha M. Aikele, husband and wife, Andreas Aikele, and Elaine Aikele, husband and wife, and Gerald J. Stewart and Rella O. Stewart, husband and wife, dated October 3, 1961 and recorded October 3, 1961 in Book 7 of Contracts, at Page 565, records of Butte County, Idaho. (Tract 4)
13. Grant of Easement dated December 18, 1984, Juel Aikele and Mary Ann Aikele, having mortgaged certain lands to the Federal Land Bank of Spokane, recorded January 17, 1985, under Instrument No. —15387, records of Butte County, Idaho. (Tract 4)
14. Easement and Right of Way dated December 9, 1983, by and between Juel Aikele and Mary Anne Aikele, Husband and Wife, and Michael Aikele and Lori K. Aikele, Husband and Wife, recorded December 9, 1983, under Instrument No. —13315, records of Butte County, Idaho. (Tract 4)
15. Easement for Irrigation Ditch/Canal dated May 16, 1989, by and between Don A. Aikele and Caroline Aikele, husband and wife, Juel Aikele and Mary Anne Aikele, husband and wife; Herman Aikele and Atha Aikele, husband and wife; Susan Aikele, a widow, Steven Aikele and Peggy Aikele, husband and wife; Michael Aikele and Lori Aikele, husband and wife; Eric M. Aikele and Janet Aikele, husband and wife, recorded June 16, 1989, under Instrument No. 22230, records of Butte County, Idaho. (Tracts 1, 2, 4, 6, 7, and 12)
16. Easement for ingress and egress to a well as set forth in Memorandum Agreement dated January 16, 1984 by and between Herman Aikele et ux "seller" and Juel Aikele et ux "buyer" recorded January 16, 1984, under Instrument No. —13473, records of Butte County, Idaho. (Tract 4)

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This easement clarified in Irrigation Well and Pipeline Easement dated June 14, 1996, recorded June 14, 1996, under Instrument No. 30304, records of Butte County, Idaho. (Tract 4)

17. Reservation and 2 easements in Warranty Deed; EXIE SOELBERG ET AL, grantor, and Juel Aikele and Mary Anne Aikele, husband and wife, grantee, recorded August 22, 1990, under Instrument No. 24009, records of Butte County, Idaho. (Tract 6)

18. Reservation and easements in Warranty Deed dated November 20, 1980, executed by EXIE SOELBERG, a widow, et al, grantor, to MICHAEL AIKELE, a single man, grantee; recorded August 9, 1993, under Instrument No. 27114, records of Butte County, Idaho. (Tract 6)

19. Agreement for Electric Service Irrigation dated April 20, 1987 between Lost River Electric Cooperative, Inc. and Juel and Mary Anne Aikele recorded June 3, 1987, under Instrument No. 19674, records of Butte County, Idaho. (Tract 8)

20. Agreement for Electric Service Irrigation, dated May 18, 1988, between Lost River Electric Cooperative, Inc., an Idaho rural electric cooperative of Custer County, "Seller", and Juel & Mary Anne Aikele, "Consumer", recorded July 13, 1988, under Instrument No. 21245, records of Butte County, Idaho. (Tract 8)

21. Agreement for Electric Service Irrigation dated June 11, 1990, between LOST RIVER ELECTRIC COOPERATIVE, INC., and Juel and Mary Anne Aikele recorded August 23, 1990, under Instrument No. 24010, records of Butte County, Idaho. (Tract 4)

22. Agreement for Electric Service Irrigation dated March 10, 1991, between LOST RIVER ELECTRIC COOPERATIVE, INC., and Juel and Mary Anne Aikele, recorded June 6, 1991, under Instrument No. 24885, records of Butte County, Idaho. (Tract 6)

23. Agreement for Electric Service Irrigation dated April 10th, 1991, between LOST RIVER ELECTRIC COOPERATIVE, INC., and Idaho rural electric cooperative; recorded January 21, 1991, under Instrument No. 24962, records of Butte County, Idaho. (Tract 6)

24. Agreement for Electric Service Irrigation dated May 23, 1991, between LOST RIVER ELECTRIC COOPERATIVE, INC., an Idaho rural electric cooperative, and Juel and Mary Anne Aikele and Don A. and Caroline R. Aikele; recorded September 1, 1992, under Instrument No. 26146, records of Butte County, Idaho. (Tract 6)

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25. Deed dated November 4, 1909 executed by Charles A. Mathews et ux to Big Lost River Irrigation District for a strip of land 28 feet in width for irrigation canal as recorded November 9, 1909, under Instrument No. 12102 in Book 3 of Deeds, at Page 526, records of Butte County, Idaho. (Tract 8)

26. Easement for Irrigation Well and Ditch and Bill of Sale dated May 1, 1984 by and between Leo M. Jensen and Bonnie Jensen, Husband and Wife, as Grantors and Juel Aikele and Mary Anne Aikele, Husband and Wife as Water Users recorded May 1, 1984, under Instrument No. —14000, records of Butte County, Idaho. (Tract 8)

27. Agreement for Electric Service Irrigation dated April 9, 1992 by and between Lost River Electric Cooperative, Inc., and Juel and Mary Anne Aikele, recorded August 14, 1992, under Instrument No. 26093, records of Butte County, Idaho. (Tract 4)

28. Agreement for Electric Service Irrigation dated May 8, 1996 between Lost River Electric Cooperative, Inc., and Idaho Corp, "Seller", and Juel and Mary Ann Aikele and Marc T. and Teena M. Hansen, "Consumer", recorded September 23, 1996, under Instrument No. 30659, records of Butte County, Idaho.

Amendment to Agreement for Electric Service Irrigation as contained in Amendment dated June 12, 2002, recorded January 6, 2003, under Instrument No. 38868, records of Butte County, Idaho. (Tract 6)

29. Agreement for Electric Service Irrigation dated March 18, 1997, by and between Lost River Electric Cooperative, Inc. and Juel and Mary Anne Aikele recorded July 8, 1997, under Instrument No. 31492, records of Butte County, Idaho. (Tract 4)

30. Mortgage dated November 7, 2002, executed by Juel Aikele and Mary Anne Aikele, Husband and Wife, as Mortgagor, and Northwest Farm Credit Services, FLCA, a corporation, as Mortgagee, to secure payment of \$510,000.00 and interest; recorded November 8, 2002, under Instrument No. 38672, records of Butte County, Idaho. (Tracts 1, 2, 3a, 3b, 4, and 6).

31. UCC Financing Statement by and between Juel Aikele and Mary Anne Aikele and Northwest Farm Credit Services, FLCA, recorded November 13, 2002, under Instrument No. 38686, records of Butte County, Idaho.

32. Intentionally omitted.

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33. Intentionally omitted.

34. (49) The right of the United States of America to sell said land in the enforcement of any federal tax lien attaching to the interest of any co-tenant other than the vestee (or insured) set out in paragraph (3) of Schedule A in accordance with the provisions of 26 USCA 6321 and 7403 as construed by the courts. (Tract 9)
35. (50) The right to sell said land in the bankruptcy proceeding of any co-tenant other than the vestee set out in paragraph (3) of Schedule A in accordance with the provisions of 11 USCA 363 (h). (Tract 9)
36. (51) Grant of Easement by and between Juel Aikele and Mary Anne Aikele, husband and wife, Grantors, and Jay VanEtten and Andrea VanEtten, Grantees, an easement and right of way being on an existing road generally being described as follows: Beginning approximately 1300 feet East of the NW1/4 corner of Section 31, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho, thence Southerly 330 feet to the property of the Grantees. Dated December 8, 2003 and recorded December 9, 2003, under Instrument No. 40134, records of Butte County, Idaho. (Tract 4)
37. (52) The effects of an easement dated December 5, 1969 between Don A. Aikele et ux. ("Grantors") and Juel Aikele et ux. ("Grantees") recorded December 11, 1969 under Instrument No. 50880 in Book 5 of Miscellaneous, at Page 374, records of Butte County, Idaho. This agreement clarified by Easement dated June 1996 and recorded June 18, 1996, under Instrument No. 30314, records of Butte County, Idaho. (Tract 13) (Duplicated on #8)
38. (53) Mortgage dated April 15, 2004, executed by Juel Aikele and Mary Anne Aikele, husband and wife, as Mortgagor, and Northwest Farm Credit Services, FLCA, as Mortgagee, to secure payment of \$250,000.00 and \$510,000.00 and interest; recorded April 15, 2004, under Instrument No. 40548, records of Butte County, Idaho. (Tracts 1, 2, 3a, 3b, 4, 6, 8, and 13)

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39. Financing Statement by and between Juel Aikele and Mary Anne Aikele and Northwest Farm Credit Services, FLCA, recorded April 15, 2004, under Instrument No. 40549, records of Butte County, Idaho.
40. Financing Statement by and between Juel Aikele and Mary Anne Aikele, Debtors, and Northwest Farm Credit Services, FLCA, Secured Party, recorded April 15, 2004, under Filing No. B 2004-0963312-9, records of the State of Idaho.
41. Financing Statement by and between Juel Aikele and Mary Anne Aikele, Debtors, and Northwest Farm Credit Services, FLCA, Secured Party, recorded November 8, 2002, under Filing No. B 2002-0934240-5, records of the State of Idaho.
42. Financing Statement by and between Juel Aikele and Mary Anne Aikele, Debtors, and Northwest Farm Credit Services, ACA, Secured Party, recorded June 28, 1996, under Filing No. B 712767, records of the State of Idaho.
43. Grant of Irrigation Ditch Easement and Agreement dated May 30, 2006, by and between Juel Aikele and Mary Anne Aikele, Husband and Wife, and Steven Aikele and Peggy Aikele, Husband and Wife, as "Grantors", and Eric Aikele and Janet Aikele, Husband and Wife; Herman Aikele and Atha Aikele, Husband and Wife; and Marc Hansen and Teen Hansen, Husband and Wife, as "Grantees", recorded August 4, 2006, under Instrument No. 43360, records of Butte County, Idaho. (Tracts 1, 2, 3a, 3b, 3c, 4, 6, 7, 8, 12, and 13)
44. Grant of Road Right-of-Way Easement dated September 15, 2006 executed by Juel Aikele and Mary Anne Aikele, husband and wife, and Marc Hansen and Teena Hansen, husband and wife, to Eric Aikele and Janet Aikele, husband and wife, and Herman Aikele and Atha Aikele, husband and wife, for a 30 foot field and farm access road. Recorded September 18, 2006, under Instrument No. 43602, records of Butte County, Idaho. (Tracts 6, 7, and 12)

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the property and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor and the Grantor's successors shall warrant and defend the property in the quiet and peaceable possession of the Grantee and the Grantee's successors and assigns, against the Grantor and the Grantor's successors,

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and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the property as of the date hereof.

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

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

GRANTOR:



Juel Aikele

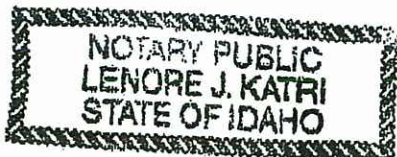


Mary Anne Aikele

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 29th day of November, 2006, before me, the undersigned, a notary public in and for said State, personally appeared Juel Aikele, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that such person executed the same.

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



(seal)

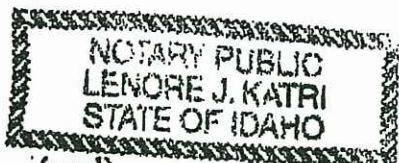
Lenore J. Katri
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: _____

Residing at Idaho Falls, Idaho
My Commission Expires: 01/30/09

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 29th day of November, 2006, before me, the undersigned, a notary public in and for said State, personally appeared Mary Anne Aikele, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that such person executed the same.

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

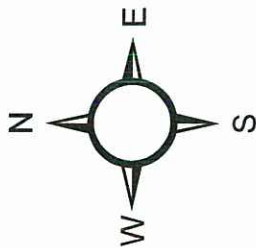


(seal)

Lenore J. Katri
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: _____

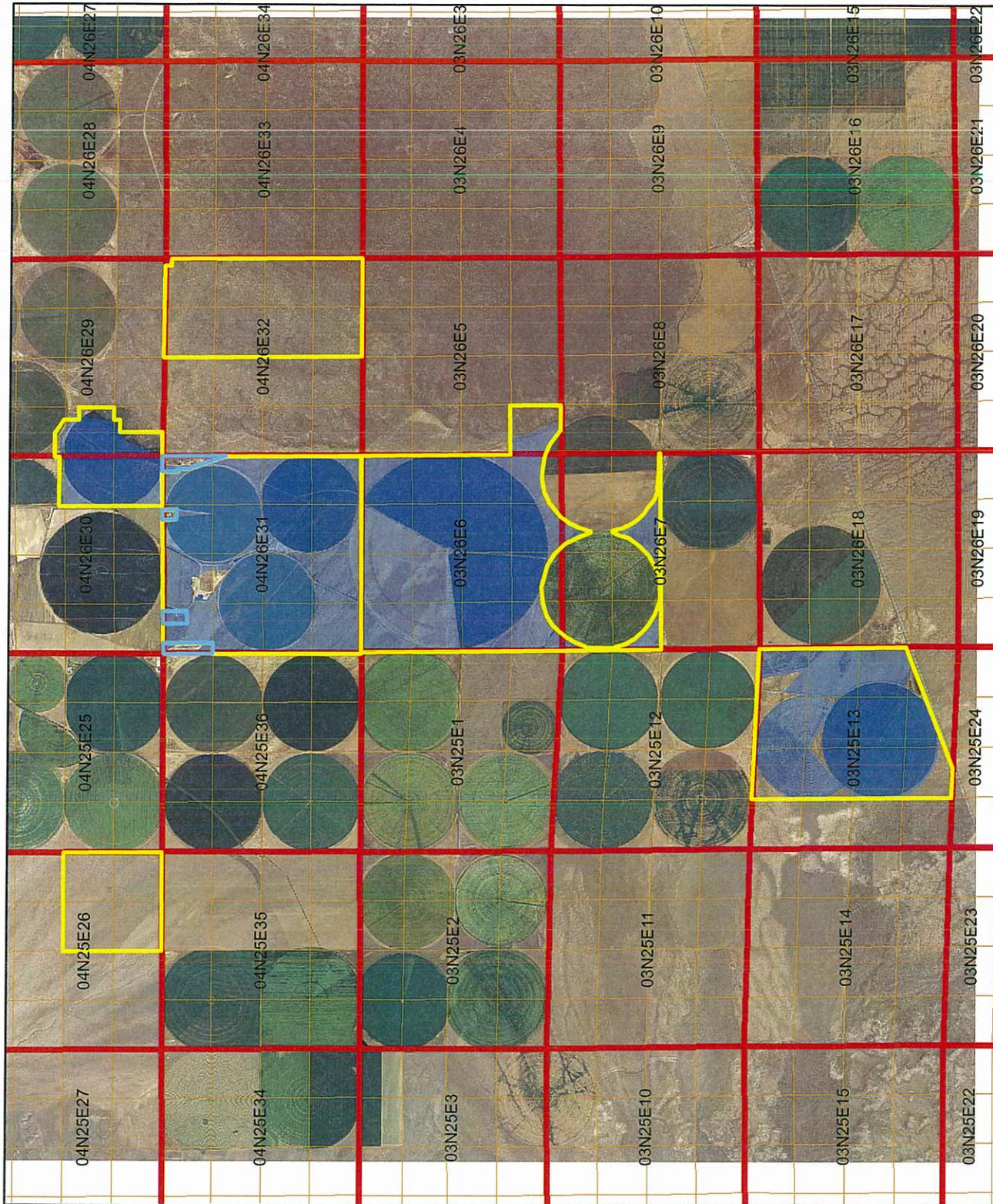
Residing at Idaho Falls, Idaho
My Commission Expires: 01/30/09

NATURAL GUARDIAN - JUEL AIKELE WATER RIGHT NCO



Legend

- Exempted_Parcels
- NG_Property_Line
- 1750.7_Acre_POU
- Section_Lines
- Quarter-quarters

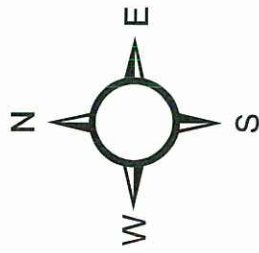


Prepared by:
Robert L. Harris
2004 NAIP Aerial Photo



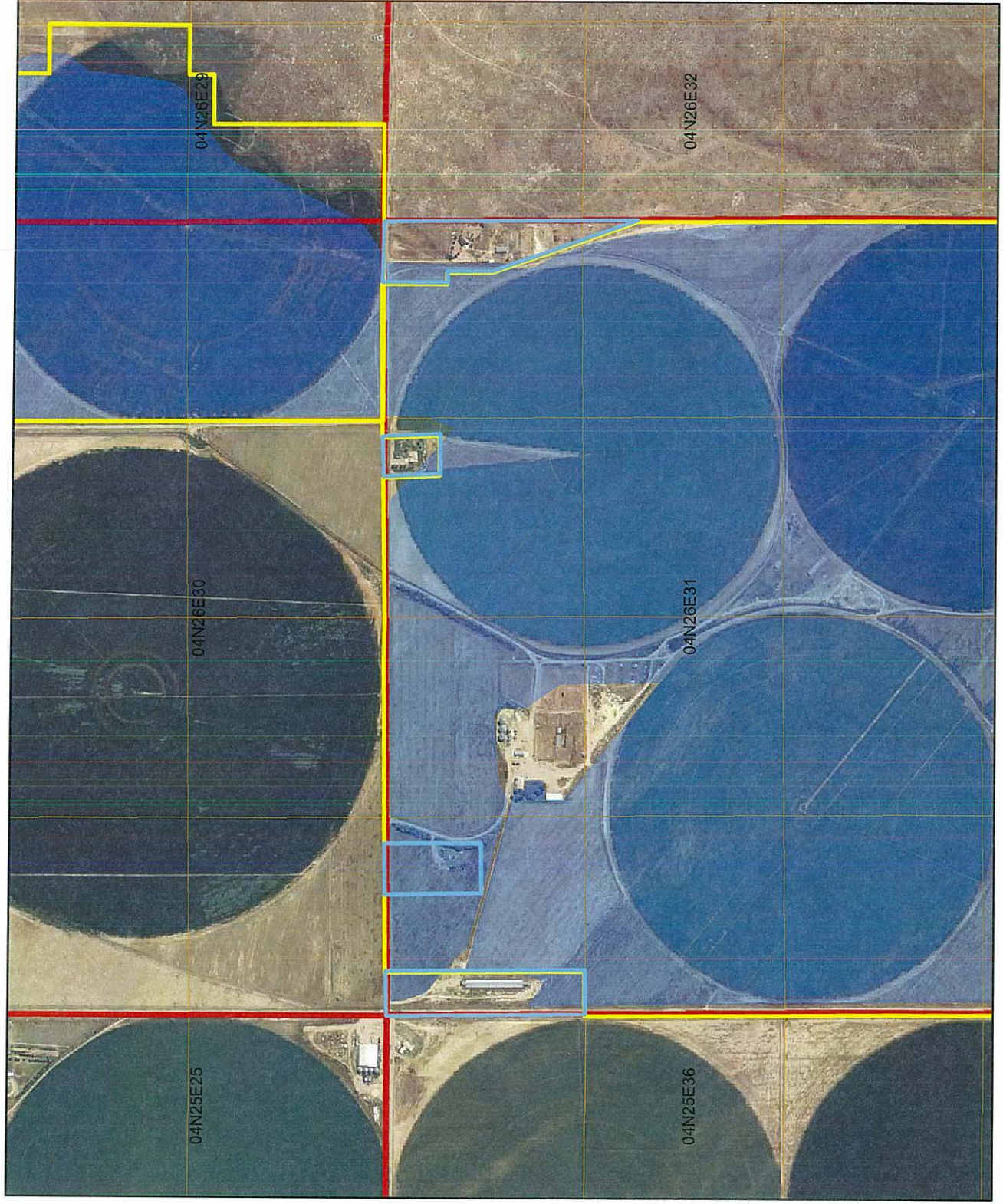
0 0.2 0.4 0.8 Miles

NATURAL GUARDIAN - JUEL AIKELE WATER RIGHT NCO



Legend

-  Exempted_Parcels
-  NG_Property_Line
-  1750.7_Acre_POU
-  Section_Lines
-  Quarter-quarters



0 0.05 0.1 0.2 Miles

Prepared by:
Robert L. Harris
2004 NAIP Aerial Photo

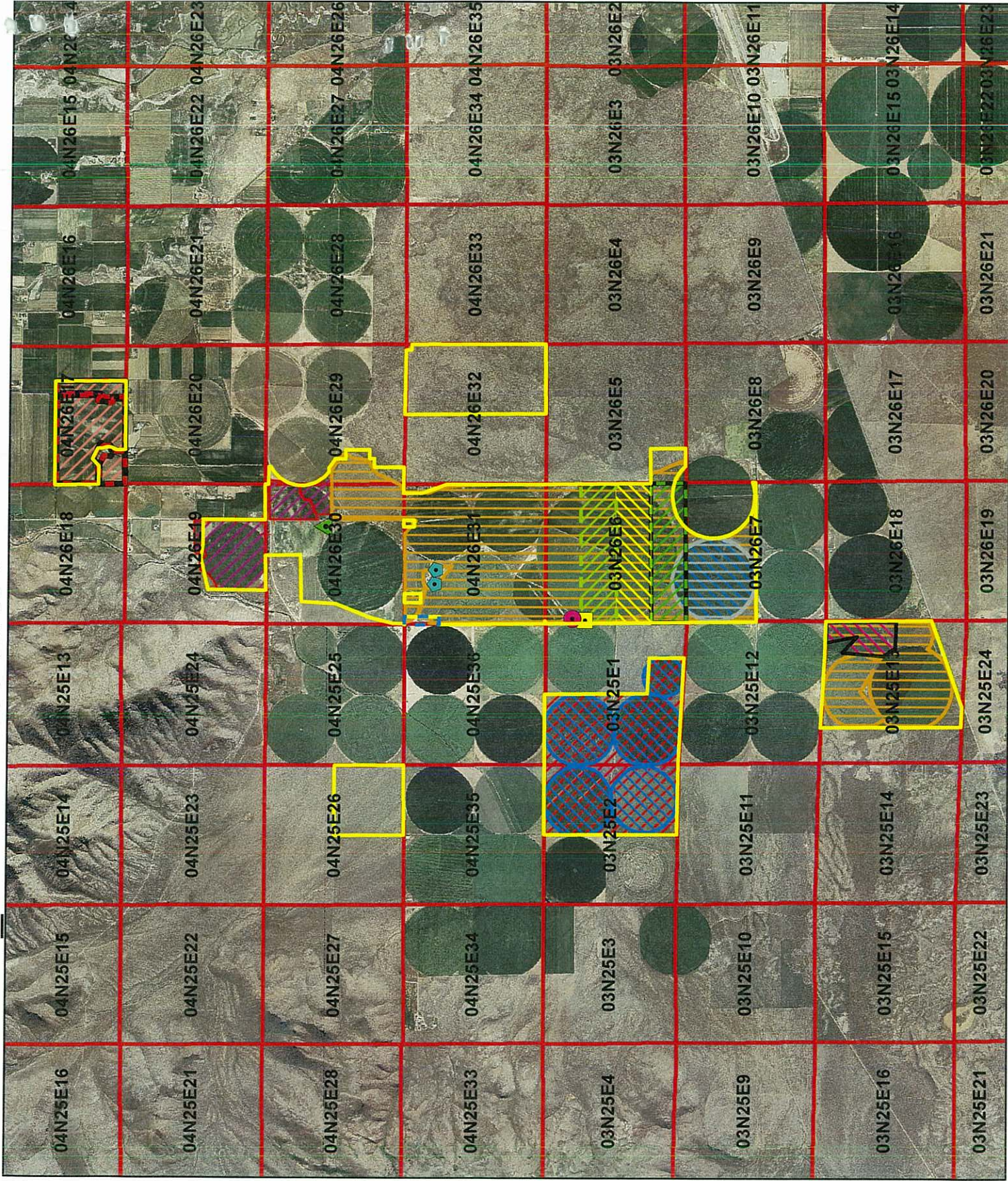


NATURAL GUARDIAN_ARCO PROPERTY



Legend

- Half Interest
- Revised Property Lines
- 34-10781_(D)
- 34-10782_(D)
- 34-10820_(D)
- 34-10821_(SW_D)
- 34-7080A_(Irr)
- 34-7136_(Irr)
- 34-7169_(Irr)
- 34-2272A_34-2308A
- 34-7059C_(Irr)
- 34-7122B_34-7154_(Irr)
- 34-10036_(Irr)
- 34-12419_34-2315
- 34-2419A_34-2429B
- 34-2417A_34-2358A
- 34-2472A_(Irr)
- 34-315_34-10832
- 34-2417B_34-2358D_(Irr)
- 34-654B_34-2358E
- 34-17C_34-168G_(Irr)
- 34-7430_(Irr)
- Sections



2009 NAIP Photo
Prepared by:
Luke H. Marchant

