

**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

September 1, 2010

Mr. Allen Merritt  
Idaho Department of Water Resources  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301-3380

RECEIVED  
SEP 02 2010  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

RE: Amended Water Right Transfer Application #74429– WG Farms LLC.

Dear Allen,

Enclosed is an amended Part 1 of the WG Farms LLC transfer application for water right transfer # 74429 which is intended to supersede the amended application submitted to your office on August 25<sup>th</sup> 2010. In addition to all hardscapes and county roads being removed from the proposed PPU, the proposed PPU excludes parcels not owned by WG Farms as identified by IDWR in recent correspondence. An electronic GIS shapefile of the amended PPU will be emailed to you shortly. The total acre limit for all water rights identified in water right transfer application 74429 is less than the proposed 4385.1 acre place of use. Also attached are the deeds for T.07S R.25E Sections 18 and 19.

Please copy our office on all correspondence regarding this water right transfer application. Thank you for your assistance on this matter and if you have any questions or comments, please don't hesitate to give me a call.

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

Regards,

Zach Latham, M.S., Hydrologist

Attachments: (1) Amended Applications for Transfer of Water Rights, Map  
And Combined Acre Limits Calculations.

cc: WG Farms LLC c/o: Steve Whitesides

# CORRECTIVE WARRANTY DEED

to correct Legal Description  
Recording No. 495634 Minidoka County Records

#21466

For Value Received

KENT M. HARMAN and TAMARA S. HARMAN, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MOUNTAIN VIEW LAND LP, an Idaho limited partnership, an 75% undivided interest  
and GRANT 4-D FARMS, an Idaho general partnership, an 25% undivided interest  
Address: 719 East 700 North Rupert, Id. 83350

Hereinafter called the Grantee, the following described premises situated in MINIDOKA County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO:

Instrument # 503258  
MINIDOKA COUNTY, RUPERT, IDAHO  
7-7-2009 04:17:07 No. of Pages: 3  
Recorded for: RUPERT LAND TITLE  
DUANE SMITH Fee: 9.00  
Ex-Officio Recorder Deputy *Wil*

See permitted encumbrances attached hereto as Exhibit "B"

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: JUNE 23, 2009

*Kent M. Harman*  
KENT M. HARMAN

*Tamara S. Harman*  
TAMARA S. HARMAN

STATE OF ~~UTAH~~ *Idaho* )  
COUNTY OF *Minidoka* ) ss.

On this *2nd* day of *July*, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared KENT M. HARMAN and TAMARA S. HARMAN, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same

*Terr L. Smith*  
Notary Public  
Residing at: *Burley, Id.*  
My Commission expires *8/2/14*

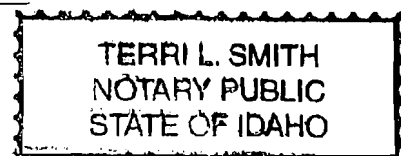


EXHIBIT "A"

Order Number: 21466

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO

SECTION 18: That part of the SE $\frac{1}{4}$ , more particularly described as follows:

The TRUE POINT OF BEGINNING is located South 89°20' East 3007.80 feet from the Southwest corner of Section 18; Thence South 89°20' East for 337.50 feet along the South section line;  
Thence North 0°40' East for 546.00 feet;  
Thence North 89°20' West for 337.50 feet;  
Thence South 0°40' West for 546.00 feet to the POINT OF BEGINNING.

## Exhibit B

### Permitted Encumbrances

1. Taxes for 2008 and subsequent years, a lien, but not yet due or payable.
2. Assessments of the Magic Valley Ground Water District and the rights and powers of said District as by law provided.
3. A Power Line Easement, dated April 19, 1952, executed by Lawrence H. Duffin and Doris E. Duffin, his wife, to Idaho Power Company, a corporation, recorded August 19, 1955 as Document No. 121468, in Book 36 of Deeds, Page 75, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over, on and across the following location in Minidoka County, Idaho: SE¼, Section 18, Township 7 South, Range 25 East, Boise Meridian; together with all rights of ingress and egress.  
(Affects the herein described and other real property.)
4. A Power Line Easement, dated March 22, 1965, executed by Max V. Herbold and Norma Herbold, his wife, to Idaho Power Company, a corporation, its licensees, successors and assigns, recorded August 16, 1965 as Document No. 179626, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over the herein described real property, together with all rights of ingress and egress.  
(Affects the herein described and other real property.)
5. A Power Line Easement, dated August 22, 1978, executed by Max Herbold, Inc., to Idaho Power Company, a corporation, recorded December 14, 1978 as Document No. 287731, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over, on and across the following location in Minidoka County, Idaho: E½ SW¼ SE¼ SW¼ SE¼ of Section 18, Township 7 South, Range 25 East, Boise Meridian; together with all rights of ingress and egress.
6. A 25 foot county road easement along the South boundary of the herein described real property as contained in Warranty Deed, dated July 24, 1979, executed by Dean B. Nielsen and S. Jill Nielsen, husband and wife, to Richard G. Nielsen and Carol Nielsen, husband and wife, recorded July 25, 1979 as Document No. 295121, Minidoka County records.
7. Exception contained in Patent, dated May 25, 1966, between the Bureau of Land Management, and James E. Brennan, recorded March 20, 1986 as Document No. 362102, Minidoka County records, which reads as follows: "Excepting and reserving, also, to the United States all the oil and gas in the land so patented, and to it or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of July 17, 1914 (38 Stat. 509)."  
(Affects the herein described and other real property.)
8. Memorandum of License Agreement, dated April 26, 2002, by and between Bobby M. Harman and Twila Harman, Kent M. Harman and Tamara Harman, husband and wife, and Jack J. Harman and Shelley Harman, husband and wife, Licensor, and Edge Wireless LLC, an Oregon limited liability company, Licensee, recorded June 9, 2004 as Document No. 472775, Minidoka County records.

\*Re-record to correct legal description

# QUITCLAIM DEED

21466

For Value Received

Mountain View Land, LP, an Idaho limited partnership an undivided 75% interest  
Grant 4-D Farms, an Idaho general partnership, an undivided 25% interest

Instrument # 503370

MINIDOKA COUNTY, RUPERT, IDAHO

7-15-2009 03:50:17 No. of Pages: 2

Recorded for: RUPERT LAND TITLE

DUANE SMITH Fee: 6.00

Ex-Officio Recorder Deputy

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

WG Farms, LLC, an Idaho limited liability company  
ADDRESS: 719 East 700 North, Rupert, Idaho 83350

Hereinafter called the grantee, the following described premises, in Minidoka County, Idaho County, Idaho to-wit:

Improvements which constitute land including but not limited to a dwelling located on the following described real property:

*SW* TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO

*D.A.B.* SECTION 18: That part of the SE1/4, more particularly described as follows:

The TRUE POINT OF BEGINNING is located South 89°20' East 3007.80 feet from the Southwest corner of Section 18;  
Thence South 89°20' East for 387.50 feet along the South section line;  
Thence North 0°40' East for 546.00 feet;  
Thence North 89°20' West for 387.50 feet;  
Thence South 0°40' West for 546.00 feet to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: March 11, 2008

Mountain View Land, LP, an Idaho limited partnership

BY: S&B Management, L.C., an Idaho limited liability company

BY: *St. R. Whitesides*

Steven R. Whitesides, Co-Operating Manager

BY: *Brandon Whitesides*

Brandon Whitesides, Co-Operating Manager

Grant 4-D Farms, an Idaho general partnership

BY: *Duane R. Grant*

Duane R. Grant, partner

BY: *Douglas E. Grant*

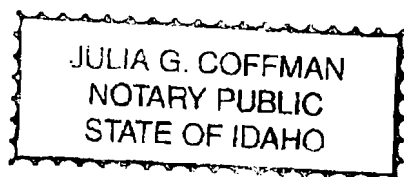
Douglas E. Grant, partner

STATE OF IDAHO )

) ss.

COUNTY OF CASSIA )

On this 11th day of March, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Steven R. Whitesides and Brandon Whitesides, known or identified to me to be the Co-Operating Managers of the Limited Liability Company, S&B Management, L.C., that executed the instrument or the persons who executed the instrument on behalf of said Limited Liability Company which is subscribed to the within instrument as Partner of Mountain View Land, LP, and acknowledged to me that such Limited Liability Company executed the same as such partner.



*Julia M. Coffman*  
Notary Public  
Residing at: *Rupert, Idaho*  
My Commission expires: *6-20-08*

STATE OF IDAHO )

) ss.

COUNTY OF CASSIA )

On this 11<sup>th</sup> day of March, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Duane R. Grant and Douglas E. Grant, known or identified to me to be the partners in the Partnership of Grant 4-D Farms, and the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said Partnership name.

JULIA G. COFFMAN  
NOTARY PUBLIC  
STATE OF IDAHO

*Julia G. Coffman*  
Notary Public

Residing at: Rupert, Idaho

My Commission expires: 06-20-2008

Instrument # 495638

MINIDOKA COUNTY, RUPERT, IDAHO  
3-12-2008 04:41:00 No. of Pages: 2

Recorded for: RUPERT LAND TITLE

DUANE SMITH

Fee: 6.00

Ex-Officio Recorder Deputy *lit*

# QUITCLAIM DEED

For Value Received

Grant 4-D Farms, an Idaho general partnership, as to a 25% interest and Mountain View Land, LP, who acquired a portion of its interest as Mountain, an Idaho limited partnership, as to an undivided 75% interest

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

WG Farms, LLC, an Idaho limited liability company  
ADDRESS: 719-A East 700 North  
Rupert, Idaho 83350

Hereinafter called the grantee, the following described premises, in Minidoka County, Idaho to-wit:

TOWNSHIP 7 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO

Section 18: All, SAVE AND EXCEPT the following described parcel:

Beginning at the Southwest corner of said Section 18; thence South 89°20' East for 3007.80 feet to the Point of Beginning;  
Thence South 89°20' East for 337.50 feet along the South section line;  
Thence North 0°40' East for 546.00 feet;  
Thence North 89°20' West for 337.50 feet;  
Thence South 0°40' West for 546.00 feet to the Point of Beginning.

Section 19: Lots 1, 2, 3, 4. NW¼NE¼NW¼, S¼NE¼NW¼, SE¼NW¼, E¼SW¼

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: February 9<sup>th</sup> 2010

GRANT 4-D FARMS

By: Douglas E. Grant  
Douglas E. Grant, Partner

By: Diane R. Grant  
Diane R. Grant, Partner

By: Kalvin W. Miller  
Kalvin W. Miller, Partner

MOUNTAIN VIEW LAND, LP

By: S & B MANAGEMENT L.C. General Partner

By: Steven Whitesides  
Steven Whitesides, Manager of S & B  
Management L.C.

By: Brandon Whitesides  
Brandon Whitesides, Manager of S & B  
Management L.C.