

RECEIVED

AUG 13 2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP Department of Water Resources

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)
63-4327	<u>disallowed</u>		63-11439	<u>permit assignment received</u>	
PD 63-8206					
PD 63-8207					
UU 63-11051					
UU 63-11053					
PD 63-27144					

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)	Trinity Springs, Inc., a Delaware corporation, fka TSL Acquisition Corp. P.O. Box 641940, Omaha NE 68164
4. New Owner/Claimant(s)	Trinity Springs Ltd a/k/a Crystal Paradise Holdings, Inc. Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	c/o Hawley Troxell Ennis & Hawley LLP
City, State and ZIP Code	P.O. Box 1617, Boise, ID 83701
New Telephone Number	(208) 344-6000 Email:

SUPPORT DATA

IN FILE # 63-8206

5. Date you acquired the property May 4, 2009

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)  7/22/09
 (title if applicable)
Joseph Roxstrom, President
 (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 _____
 Received by SR7 Date 8-13-2009
 Processed by _____ AJ Date _____

Receipt Amt. \$175 -
 Receipt No. 089138
 WR _____ Date _____

**NOTICE OF SECURITY INTEREST IN A WATER RIGHT
SCHEDULE A**

1. Water Permit No. 63-11439 ✓
2. Water Permit No. 63-12316
3. Water Permit No. 63-12317
4. Water Permit No. 63-31526
5. Water Right Decree No. 63-4221, in re SRBA Case No. 39576;
6. Water Right No. 63-4327, Notice of Claim in re SRBA Case No. 39576;
7. Water Right Decree No. 63-8206, in re SRBA Case No. 39576, Water Right License No. 63-8206, and Partial Decree No. 63-8206;
8. Water Right Decree No. 63-8207, in re SRBA Case No. 39576, Water Right License No. 63-8207, and Partial Decree No. 63-8207;
9. Water Right License No. 63-10559, and any claim, decree or partial decree in re SRBA Case No. 39576;
10. Water Right License No. 63-10560, and any claim, decree or partial decree in re SRBA Case No. 39576;
11. Water Right License No. 63-11051, and any claim, decree or partial decree in re SRBA Case No. 39576;
12. Water Right License Number 63-11053, and any claim, decree or partial decree in re SRBA Case No. 39576;
13. Water Right Decree Number 63-27144, in re SRBA Case No. 39576; and Partial Decree Number 63-27144;
14. Any and all water rights, entitlements and other interests associated with the cold water well that serves the main office building and bottling facility and is believed to be located just south of the main office building near the common boundary between the SE1/4NE1/4 and the NE1/4NE1/4 of Section 5, Township 2 North, Range 10 East, Boise Meridian.

Recording Requested By and
When Recorded Return to:

William Wardwell
HAWLEY TROXELL ENNIS & HAWLEY LLP
Post Office Box 1617
Boise, ID 83702-1617

Instrument # 406428
Elmore County, Idaho
04:43pm May 04, 2009
For: FIRST AMERICAN TITLE COMPAN
No. of Pages: 11 Fee: \$33.00
MARSA GRIMMETT, Recorder
Deputy: DLE

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

This Special Warranty Deed is made this 1st day of May, 2009, between Trinity Springs, Inc., a Delaware corporation, formerly known as TSL Acquisition Corp., a Delaware corporation, whose address is Post Office Box 641940, Omaha, Nebraska, 68164, herein referred to as "**Grantor**," and Trinity Springs, LTD a/k/a Crystal Paradise Holdings, Inc., an Idaho corporation, whose address is c/o Hawley Troxell Ennis & Hawley LLP, P. O. Box 1617, Boise, ID 83701, herein referred to as "**Grantee**," witnesseth:

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and does, by these presents, grant, bargain, sell, convey, and confirm unto Grantee and its successors and assigns forever, all of the following described real property, together with improvements, situated in the County of Elmore, State of Idaho, and more particularly described as follows:

See Exhibit "A" attached hereto, incorporated herein, and by this reference made a part hereof.

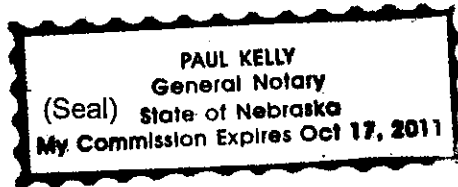
Together with all of Grantor's right, title and interest in and to all water and water rights, ditch or irrigation company shares, streets, alleys and rights of way adjacent thereto, all mineral rights appurtenant thereto, and all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the property, as well in law as in equity.

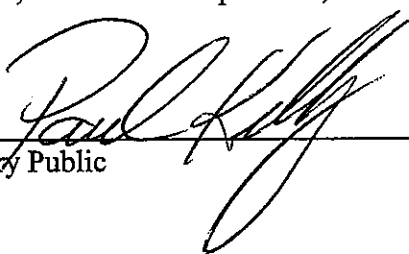
To have and to hold the property, with its appurtenances, unto the Grantee, its heirs and assigns forever. And Grantor does hereby represent, warrant and covenant to and with Grantee that Grantor is the owner in fee simple of the property; that Grantor has full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid; and that the property is free and clear from all former and other grants, bargains, sales, taxes, assessments, reservations, liens, encumbrances, covenants, conditions, restrictions, rights-of-way, liabilities and easements of whatever kind or nature whatsoever, except as set forth on Exhibit "B" attached hereto and by this reference made a part hereof.

SPECIAL WARRANTY DEED - 1

STATE OF NEBRASKA)
) ss.
County of Douglas)

The foregoing instrument was acknowledged before me this 1st day of May, 2009, by Andy Plummer, President of Trinity Springs, Inc., a Delaware corporation, on behalf of the corporation.





Notary Public

EXHIBIT A
LEGAL DESCRIPTION

The land referred to in this Commitment is described as follows:

Tract 1:

(Lot 5 in Block 3 of BALLANTYNE CAMP SUBDIVISION NO. 4)

A parcel of land being a portion of the north half of Section 5, Township 2 North, Range 10 East of the Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Commencing at a Brass Cap monument marking the corner common to Sections 32 and 33, Township 3 North, Range 10 East and Sections 4 and 5, Township 2 North, Range 10 East; thence South 00°06'43" West a distance of 720.36 feet along the line common to said Sections 4 and 5; thence leaving said Section line, South 46°31'18" West a distance of 1169.86 feet to the True Point of Beginning, said point being the most easterly corner of Lot 5 in Block 3 of Ballantyne Camp Subdivision No. 4, thence along the boundary of said Ballantyne Camp Subdivision No. 4 the following courses and distances;

Thence South 53°52'20" West 122.16 feet (formerly South 53°41'35" West 122.40 feet)

Thence North 38°25'31" West 70.40 feet (formerly North 38°13'00" West 70.79 feet)

Thence North 39°09'03" East 74.60 feet (formerly North 39°09'13" East 74.80 feet)

Thence South 66°44'20" East 103.75 feet (formerly South 66°43'45" East 103.77 feet) to the Point of Beginning.

EXCEPT all minerals in or under said land including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto, whether expressed or implied.

Tract 2 - Parcel 1

A parcel of land situated in U.S. Government Lots 1 and 4 in Section 33, Township 3 North, Range 10 East, of the Boise Meridian, Elmore County, Idaho, described as follows:

Commencing at a brass cap monument marking the center of Section 33, Township 3 North, Range 10 East of the Boise Meridian; thence North 00°27'34" East along the longitudinal centerline of said section a distance of 2638.44 feet to a brass cap monument marking the quarter corner common to Sections 28 and 33 in said township and range; thence South 24°34'20" West a distance of 1519.52 feet to a point on the northwesterly right-of-way line of the Featherville Road, marking the most southerly corner of a parcel of land depicted on a Record of Survey, recorded as Instrument No. 317532, records of Elmore County, Idaho, said point also marks the True Point of Beginning; thence along the southwesterly line of said parcel North 34°50'00" West a distance of 54.03 feet to a point; thence departing said line, North 63°00'00" West a distance of 505.34 feet to a point on the "left bank" of the South Fork Boise River, marking the approximate high water line; thence along the approximate high water line the following courses and distances;

South 27°08'11" West a distance of 274.73 feet;

South 25°03'12" West a distance of 122.27 feet;

South 10°44'20" West a distance of 53.96 feet;

South 06°46'53" West a distance of 61.17 feet;

South 04°03'07" West a distance of 359.47 feet;

South 22°00'46" West a distance of 147.83 feet to a point on the northwesterly right-of-way line of Featherville Road; thence along said right-of-way line, North 43°03'59" East a distance of 191.52 feet to the beginning of a

curve to the left, having a radius of 2011.03 feet; thence 94.35 feet along the arc of said curve; through a central angle of $02^{\circ}41'18''$, the long chord of which bears North $41^{\circ}41'19''$ East - 94.35 feet to a point of reverse curvature on a curve to the right, having a radius of 2004.47 feet; thence 236.53 feet along the arc of said curve, through a central angle of $06^{\circ}45'40''$, the long chord of which bears North $43^{\circ}40'33''$ East - 236.39 feet to a point of compound curvature, having a radius of 2011.03 feet; thence 189.21 feet along the arc of said curve, through a central angle of $05^{\circ}23'27''$, the long chord of which bears North $49^{\circ}44'01''$ East - 189.14 feet to a point of tangency; thence North $52^{\circ}25'44''$ East a distance of 134.79 feet to a point of curvature on a curve to the right, having a radius of 2301.01 feet; thence continuing along said right-of-way line 181.85 feet along the arc of said curve, through a central angle of $04^{\circ}31'41''$, the long chord of which bears North $54^{\circ}41'35''$ East a distance of 181.80 feet to the Point of Beginning.

Tract 2 - Parcel 2

A parcel of land being situated in Section 33, Township 3 North, Range 10 East, of the Boise Meridian, and being a portion of Lot 38, Block 1 in Willis Carrie's Paradise Subdivision, recorded as Instrument No. 193441, records of Elmore County, Idaho, described as follows:

Beginning at a point of tangency on the northeasterly right-of-way line of Grouse Creek Road, also being the southeasterly line of Lot 38, Block 1 of said Willis Carrie's Paradise Subdivision, said point being located North $58^{\circ}51'08''$ West a distance of 145.33 feet from a point marking the intersection of the northwesterly right-of-way line of Paradise Drive with the northeasterly right-of-way line of said Grouse Creek Road; thence from said beginning point, South $58^{\circ}51'08''$ East along the said northeasterly right-of-way line of Grouse Creek Road a distance of 145.33 feet to a point of curvature on a curve to the left, having a radius of 20.00 feet; thence along the northwesterly line of Lot 36, Block 1 of said Willis Carrie's Paradise Subdivision, 31.42 feet along the arc of said curve, through a central angle of $90^{\circ}00'00''$, the long chord of which bears North $76^{\circ}08'52''$ East - 28.28 feet to a point; thence continuing along the said northwesterly line of Lot 36, Block 1, North $31^{\circ}05'19''$ East (formerly N $31^{\circ}08'52''$ E) a distance of 68.90 feet to a point; thence departing said northwesterly line of Lot 36, Block 1, North $58^{\circ}51'08''$ West a distance of 165.33 feet to a point of curvature to the left, having a radius of 1045.04 feet; thence 196.38 feet along the arc of said curve, through a central angle of $10^{\circ}46'00''$, the long chord of which bears North $64^{\circ}14'08''$ West - 196.09 feet to a point; thence South $20^{\circ}22'37''$ West (formerly S $20^{\circ}22'52''$ W) a distance of 88.92 feet to a point on the said northeasterly right-of-way line of Grouse Creek Road on a curve to the right, having a radius of 956.12 feet; thence along said right-of-way line, 179.74 feet (formerly 179.67) along the arc of said curve, through a central angle of $10^{\circ}46'15''$ (formerly $10^{\circ}46'00''$), the long chord of which bears South $64^{\circ}14'15''$ East - 179.47 feet to the Point of Beginning.

Tract 2 - Parcel 3

A parcel of land being situated in Section 33, Township 3 North, Range 10 East of the Boise Meridian, and being a portion of Lot 38, Block 1 of Willis Carrie's Paradise Subdivision, recorded as Instrument No. 193441, records of Elmore County, Idaho, described as follows:

Beginning at a point marking the intersection of the southeasterly right-of-way of Featherville Road with the northeasterly right-of-way line of Grouse Creek Road, as shown on said subdivision; thence along the southeasterly right-of-way line of Featherville Road on a curve to the right, having a radius of 1931.03 feet, 47.37 feet along the arc of said curve, through a central angle of $01^{\circ}24'20''$ (formerly $01^{\circ}25'40''$), the long chord of which bears North $51^{\circ}43'34''$ East - 47.37 feet (formerly North $51^{\circ}42'54''$ East - 48.12 feet) to a point; thence North $52^{\circ}25'44''$ East a distance of 134.79 feet to a point on a curve to the right, having a radius of 2221.01 feet;

thence 212.03 feet along the arc of said curve, through a central angle of 05°28'11", the long chord of which bears North 55°09'49" East - 211.95 feet to a point; thence North 57°53'55" East a distance of 62.23 feet to a point marking the northwesterly corner of Lot 39, Block 1 of Willis Carrie's Paradise Subdivision; thence departing said southeasterly right-of-way line of Featherville Road, following westerly, southerly and southeasterly line of said Lot 39, Block 1 and the southeasterly line of Lots 40 through 46, Block 1 of said Willis Carrie's Paradise Subdivision, the following courses and distances;

South 04°12'55" West - 81.55 feet;

Thence 91.84 feet along the arc of a curve to the left, having a radius of 37.13 feet through a central angle of 141°42'55", the long chord of which bears South 66°38'33" East - 70.15 feet;

North 42°30'00" East a distance of 73.58 feet (formerly 73.47 feet);

North 56°44'46" East - 758.26 feet;

North 34°37'32" East - 175.53 feet;

Thence departing said line and following the north line of said Lot 38, Block 1, South 55°22'32" East a distance of 70.00 feet to a point; thence along the easterly line of said Lot 38, Block 1, south 12°58'37" West (formerly S 12°59'31" W) a distance of 859.17 feet (formerly 859.30 feet) to a found 5/8" iron pin marking the most northerly corner of Lot 29, Block 1 of said Willis Carrie's Paradise Subdivision; thence along the northerly line of Lots 30 through 31, Block 1 of said Willis Carrie's Paradise Subdivision, South 81°59'56" West (formerly S. 82°13'26" W) a distance of 178.37 feet (formerly 177.84 feet) to a found 1/2" iron pin, marking the northwesterly corner of said Lot 31, Block 1; thence along the northerly line of Lot 32, Block 1 of said subdivision, South 82°19'00" West (formerly S 82°13'26" W) a distance of 60.19 feet (formerly 60.00 feet) to a found 1/2" iron pin, marking the northwesterly corner of said Lot 32, Block 1; thence along the northerly line of Lot 33, Block 1 of said subdivision, South 82°48'53" West (formerly S 82°13'26" W) a distance of 52.74 feet (formerly 53.00) to a found 1/2" iron pin marking the northwesterly corner of said Lot 33, Block 1; thence along the northerly line of Lot 34, Block 1 of said subdivision, North 69°46'53" West (formerly N 73°54'20" W) a distance of 65.10 feet (formerly 65.00 feet) to a found 1/2" iron pin, marking the northwesterly corner of said Lot 34, Block 1, thence along the northerly line of Lot 35, Block 1 of said subdivision, North 79°52'57" West (formerly N 73°54'20" W) a distance of 42.01 feet (formerly 41.76 feet) to a found 1/2" iron pin, marking the northwesterly corner of said Lot 35, Block 1, thence along the westerly line of said Lot 35, Block 1, South 31°05'19" West (formerly S 31°08'52" West) a distance of 108.92 feet (formerly 108.73 feet) to a point marking the most westerly corner of said Lot 35, Block 1, also marking an angle point on Paradise Drive, as shown on said subdivision; thence North 58°51'08" West a distance of 165.33 feet to a point of curvature to the left, having a radius of 1045.04 feet; thence 196.38 feet along the arc of said curve, through a central angle of 10°46'00", the long chord of which bears North 64°14'08" West - 196.09 feet to a point; thence South 20°22'37" West (formerly S 20°22'52" W) a distance of 88.91 feet (formerly 88.92 feet) to a point of the said northeasterly right-of-way line of Grouse Creek Road on a curve to the left, having a radius of 956.12 feet; thence along said right-of-way line, 26.61 feet along the arc of said curve, through a central angle of 01°35'40", the long chord of which bears North 70°25'13" West - 26.60 feet to a point; thence continuing along said right-of-way line, North 71°13'03" West a distance of 147.78 feet to a point on a curve to the left, having a radius of 886.57 feet; thence continuing along said right-of-way line, 99.61 feet along the arc of said curve, through a central angle of 06°26'14", the long chord of which bears North 74°26'10" West - 99.55 feet to a point, thence continuing along said right-of-way line, North 77°39'17" West a distance of 12.66 feet to a point of a curve to the right, having a radius of 20.00 feet; thence continuing along said right-of-way line, 45.65 feet along the arc of said curve, through a central angle of 130°46'58" (formerly 128°39'21"), the long chord of which bears North 12°16'07" West - 36.37 feet (formerly North 13°19'36" West 36.05 feet) to the Point of Beginning.

Tract 2 - Parcel 4

A parcel of land being situated in Section 33, Township 3 North, Range 10 East of the Boise Meridian, and being

Not covered by any of these W&P

all of Lot 25, Block 1 in Willis Carrie's Paradise Subdivision, recorded as Instrument No. 193441, records of Elmore County, Idaho, described as follows:

Beginning at a point on the northeasterly right-of-way line of Paradise Drive (Lot 36, Block 1 of said subdivision), also marking the common corner of said Lot 25 and 26, Block 1 of said subdivision; thence along the southeasterly line of said Lot 26, Block 1, North 62°55'30" East a distance of 64.05 feet to a found 1/2" iron pin; thence along the northeasterly line of said Lot 25, Block 1, South 53°39'09" East a distance of 94.23 feet to a point marking the corner common to said Lot 25, Block 1 and Lot 24, Block 1, of said subdivision; thence along the northwesterly line of said Lot 24, Block 1, South 39°23'46" West a distance of 70.96 feet to a point on the said northeasterly right-of-way line of Paradise Drive on a curve to the right, having a radius of 465.00 feet; thence along said right-of-way line, 120.22 feet along the arc of said curve, through a central angle of 14°48'46", the long chord of which bears North 47°08'53" West - 119.88 feet to the Point of Beginning.

Partially covered by 63-27144

Tract 2 - Parcel 5

A parcel of land being situated in Section 33, Township 3 North, Range 10 East of the Boise Meridian, and being all of Lot 43, Block 1 in Willis Carrie's Paradise Subdivision, recorded as Instrument No. 193441, records of Elmore County, Idaho, described as follows:

Beginning at a point on the southeasterly right-of-way line of the Featherville Road, marking the most westerly corner of said Lot 43, Block 1; thence along said right-of-way line, North 46°15'20" East a distance of 111.39 feet (formerly 111.41') to a point of curvature to the left, having a radius of 1309.84 feet; thence 18.61 feet (formerly 18.59 feet) along the arc of said curve, through a central angle of 00°48'50" (formerly 0°48'47"), the long chord of which bears North 45°50'55" East - 18.61 feet to a found 1/2" iron pin; thence departing said right-of-way line South 44°33'27" East a distance of 193.25 feet (formerly 193.35') to a found 1/2" iron pin on the northwesterly line of Lot 38, Block 1 of said Willis Carrie's Paradise Subdivision; thence along said northwesterly line of Lot 38, Block 1, South 56°44'46" West (formerly S 56°45'09" W) a distance of 135.00 feet to a found 1/2" iron pin marking the most easterly corner of Lot 42, Block 1 of said Willis Carrie's Paradise Subdivision; thence along the northeasterly line of said Lot 42, Block 1, North 43°44'40" West a distance of 168.52 feet (formerly 168.61 feet) to the Point of Beginning.

63-11051, 8206, 8207, 11053

Tract 3

A parcel of land being a portion of the north half of Section 5, Township 2 North, Range 10 East of the Boise Meridian, Elmore County, Idaho more particularly described as follows:

Commencing at a Brass Cap monument marking the corner common to Sections 32 and 33, Township 3 North, Range 10 East and Sections 4 and 5, Township 2 North, Range 10 East; thence South 00°06'43" West a distance of 720.36 feet along the line common to said Sections 4 and 5; thence leaving said Section line South 46°31'18" West a distance of 1169.86 feet to the True Point of Beginning, said point being the most easterly corner of Lot 5, Block 3 of Ballantyne Camp No. 4, thence along the boundary of said Ballantyne Camp Subdivision No. 4, the following courses and distances;

South 53°52'20" West, 122.16 feet (formerly South 53°41'35" West 122.40 feet), thence South 59°34'06" West, 94.05 feet (formerly South 59°32'05" West 94.02 feet); thence South 64°28'52" West 205.01 feet (formerly South 64°37'05" West 205.18 feet); thence South 77°28'27" West 83.70 feet (formerly South 77°28'45" West 82.71 feet); thence North 47°41'13" West, 154.78 feet (formerly North 47°40'55" East 153.81 feet); thence North 82°42'25" West 123.06 feet (formerly North 82°34'07" West 125.25 feet); thence North 27°43'33" West, 38.49

feet (formerly North 27°14'15" West 38.16 feet); thence South 58°31'46" West 49.59 feet (formerly South 58°31'45" West, 49.28 feet); thence South 76°15'22" West 87.23 feet (formerly South 76°15'40" West 87.23 feet); thence North 73°04'38" West 80.11 feet (formerly North 73°04'20" West 80.11 feet); thence North 63°37'48" West, 116.16 feet (formerly North 63°37'30" West, 116.16 feet); thence North 13°17'18" West 61.71 feet (formerly North 13°17'00" West, 61.71 feet) to the most westerly corner of said Ballantyne Camp Subdivision No. 4; thence leaving said Subdivision boundary, North 13°17'18" West a distance of 36.81 feet (formerly North 13°17'00" West, 36.96 feet) to a point on the Southeasterly right-of-way line of the County Road (Pine-Featherville Highway); thence 66.42 feet along the arc of a 5769.58 foot radius curve to the left, through a central angle of 00°39'34", the chord of which bears South 68°25'54" West, 66.42 feet; thence continuing along said right-of-way line South 68°45'42" West a distance of 85.46 feet to a point on the high water line of the Left Bank of the South Fork of the Boise River; thence along said high water line of the South Fork of the Boise River, South 08°25'41" West a distance of 157.79 feet; thence South 14°29'48" West a distance of 213.37 feet; thence along said high water line of the South Fork of the Boise River, South 25°06'02" West a distance of 73.91 feet; thence leaving the high water line of the South Fork of the Boise River, South 89°49'59" East a distance of 222.59 feet; thence South 00°16'25" East a distance of 664.31 feet to a point on the north-south mid-section line of said Section 5; thence along said mid-section line South 89°49'19" East a distance of 1900.02 feet (formerly South 89°52'30" East) to the East one-quarter corner of said Section 5; thence along the East line of said Section 5, North 00°06'43" East a distance of 1908.85 feet (formerly North 00°03'00" West 1909.29 feet); thence North 83°14'13" West a distance of 477.34 feet (formerly North 83°13'21" West 466.16 feet) to a point on the Southeasterly right-of-way of the County Road (Pine-Featherville Highway); thence along said right-of-way line of 19.87 feet along the arc of a 6072.11 foot radius curve to the left, through a central angle of 00°11'15", the chord of which bears South 55°06'33" West 19.86 feet; thence continuing along said right-of-way line, South 56°21'18" West a distance of 424.48 feet; thence 614.41 feet along the arc of a 5754.58 foot radius curve to the left, through a central angle of 06°07'03", the chord of which bears South 59°24'49" West, 614.12 feet; thence leaving said right-of-way line, South 29°26'44" East a distance of 39.52 feet (formerly South 27°28'24" East, 30.90 feet) to the northwest corner of Lot 5, Block 1, Ballantyne Camp Subdivision No. 4; thence along the boundary line of said Ballantyne Camp Subdivision No. 4 along the following courses and distances: South 83°47'18" East, 85.34 feet (formerly South 83°51'05" East 85.25 feet) thence South 70°26'22" East 96.44 feet (formerly South 70°21'35" East, 96.17 feet); thence South 59°28'58" East 94.88 feet (formerly 58°32'05" East, 95.18 feet); thence South 53°20'33" East 173.97 feet (formerly South 53°53'35" East 173.91 feet); thence South 19°24'56" East, 35.19 feet (formerly South 19°24'07" East, 35.16 feet) thence South 66°44'20" East 103.75 feet (formerly South 66°43'45" East 103.77 feet) to the Point of Beginning.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Current year's ad valorem taxes (which will be prorated between Grantor and Grantee as of the date of closing).
2. Any claim arising from the difference in the mean high water line of the South Fork of the Boise River and the meander line as shown by the Original Government Survey.
3. Reservations in the United States Patent, recorded as Instrument Nos. 17278 and 22645.
4. Rights of way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provision of Section 58-604, Idaho Code
5. Exceptions and reservations contained in Deed from the State of Idaho, wherein mineral rights are reserved to the State under provisions of 47-701 and 47-701A, Idaho Code.
6. Power line easements granted to Idaho Power Company, a corporation, recorded as Instrument Nos. 30300 (Tract 3), 30402 and 30406 (Tract 2, Parcel 1)
7. Right-of-Way Deed executed by Edna Ballantyne, a widow as Grantor and the County of Elmore, State of Idaho as Grantee, recorded January 20, 1954 as Instrument No. 87117. (Tract 3).
8. Right of Way Deed executed by Edna Ballantyne, a widow as Grantor and the County of Elmore, State of Idaho as Grantee, recorded May 23, 1955 as Instrument No. 90428. (Tract 3).
9. Easement to Elmore County for Flood Control executed by Edna Ballantyne, a widow, recorded September 1, 1959 as Instrument No. 101406. (Tract 3)
10. Covenants, Conditions and Restrictions recorded as Instrument No. 113989.
11. Trust Agreement for the Water System in Ballantyne Camp Subdivisions 1, 2, 3 and 4, recorded July 28, 1966 as Instrument No. 129643.
12. All matters, covenants, conditions restrictions, easement and any rights, interest or claim which may exist by reason thereof, disclosed by the recorded plat of said subdivision recorded as Instrument No. 131510.
13. All matters, covenants, conditions restrictions, easement and any rights, interest or claim which may exist by reason thereof, disclosed by the recorded plat of said subdivision recorded as Instrument No. 193441.
14. Covenants, Conditions and restrictions recorded as Instrument No. 193442.

EXHIBIT B TO SPECIAL WARRANTY DEED - 1

15. Amendment to Covenants recorded as Instrument No. 195095 and Amendment to Covenants recorded as Instrument No. 308466.
16. Declaration and Acceptance of the Association Members as to their Right, Duties, Responsibilities and Liabilities to the Paradise Homeowners Association, Inc., recorded May 9, 1980, as Instrument No. 195096, and the First Amendment to Declaration and Acceptance of the Association Members as to their Right, Duties, Responsibilities and Liabilities to the Paradise Homeowners Association, Inc. recorded June 9, 1998 as Instrument No. 308467.
17. Easement of Use of Water System, executed by Paradise Resort, Inc. an Idaho corporation as Grantor and Paradise Inn, Inc. an Idaho nonprofit corporation, recorded December 20, 1985 as Instrument No. 232228. (Tract 2, Parcels 2 and 3).
18. Application for Membership and Agreement for Purchase of Power executed by and between Prairie Power Cooperative, Inc. and Paradise Homeowner's Association, recorded February 7, 1989 as Instrument No. 251901. (Tract 2, Parcel 4)
19. Memorandum for Recording executed by and between Trinity Springs, LTD, an Idaho corporation and William D. Johnson recorded October 7, 1991 as Instrument No. 265747
20. Memorandum of Agreement between Prairie Power cooperative, Inc. and Trinity Springs, LTD recorded November 27, 1991 as Instrument No. 266350.
21. Right of Way Easement executed by and between Trinity Springs, LTD and Prairie Power Cooperative, Inc., recorded November 27, 1991 as Instrument No. 266366. (Tract 2, Parcel 1).
22. All Matters and any rights, easements, interests or claims which may exist by reason thereof, disclosed by a survey made by Desert West Land Survey, recorded August 27, 1999, as Instrument No. 317532.
23. All Matters and any rights, easements, interests or claims which may exist by reason thereof, disclosed by a survey made by Anderson – David & Associates, Inc., recorded June 10, 2004, as Instrument No. 357330.
24. All Matters and any rights, easements, interests or claims which may exist by reason thereof, disclosed by a survey made by Anderson – David & Associates, Inc., recorded June 10, 2004, as Instrument No. 357331.
25. All Matters and any rights, easements, interests or claims which may exist by reason thereof, disclosed by a survey made by Anderson – David & Associates, Inc., recorded June 10, 2004, as Instrument No. 357332.
26. All matters, covenants, conditions, restrictions, easements and any right, interests or claims which may exist by reason thereof, disclosed by Records of Survey, recorded August 27, 1999 as Instrument No. 317532 and recorded June 10, 2004 as Instrument Nos. 357330, 357331 and 357332, but deleting any covenant, condition, or restriction indicating a preference,

EXHIBIT B TO SPECIAL WARRANTY DEED - 2

limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violation 42 USC 3604 (c).

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EXHIBIT B TO SPECIAL WARRANTY DEED - 3

43674.0001.1501682.5

Recording Requested By and
When Recorded Return to:
Theresa Howe
HAWLEY TROXELL ENNIS & HAWLEY LLP
P.O. Box 1617
Boise, Idaho 83701

Instrument # 406427
Elmore County, Idaho
04:43pm May 04, 2009
For: FIRST AMERICAN TITLE COMPAN
No. of Pages: 10 Fee: \$30.00
MARSA GRIMMETT, Recorder
Deputy: DLE

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

WATER RIGHT GRANT DEED AND ASSIGNMENT

Trinity Springs, Inc., a Delaware corporation, whose address is c/o AMCON Distributing Company, attn: Chief Financial Officer, 7405 Irvington Road, Omaha, Nebraska 68164-7940 ("Grantor"), does hereby grant, bargain, sell, assign, and convey unto Trinity Springs Ltd. a/k/a Crystal Paradise Holdings, Inc., an Idaho corporation, whose address is c/o Hawley Troxell Ennis & Hawley LLP, attn: Thomas B. Chandler, 877 W. Main St., Suite 1000, Boise, Idaho 83702 ("Grantee"), and to Grantee's heirs, successors, and assigns forever, all of Grantor's right, title, and interest in all of Grantor's water rights, claims to water rights, water right permits, water right licenses, water rights decrees, and applications for water rights (collectively the "Water Rights"), including but not limited to each of the following:

1. Water Right No. 63-4327

(a) that certain claim for a water right evidenced and represented by Notice of Claim to Water Right No. 63-4237 filed by Grantor or Grantor's predecessor in interest (if any and decreed as disallowed in SRBA) by the Fifth Judicial District, the State of Idaho, in and for the County of Twin Falls, In re SRBA Case No. 39576.

2. Water Right No. 63-8206

(a) that certain water right evidenced and represented by Water Right Decree Number 63-8206 issued to Grantor or Grantor's predecessor in interest (if any) by the Fifth Judicial District, the State of Idaho, in and for the County of Twin Falls, In re SRBA Case No. 39576;

(b) Idaho Water Right License Number 63-8206; and

(c) Idaho Partial Decree Number 63-8206.

3. Water Right No. 63-8207

(a) that certain water right evidenced and represented by Water Right Decree Number 63-8207 issued to Grantor or Grantor's predecessor in interest (if any) by the Fifth Judicial District, the State of Idaho, in and for the County of Twin-Falls, In re SRBA Case No. 39576;

(b) Idaho Water Right License Number 63-8207; and

(c) Idaho Partial Decree Number 63-8207.

4. Water Right No. 63-11051

(a) that certain water right evidenced and represented by Water Right License Number 63-11051 issued to Grantor or Grantor's predecessor in interest (if any) by the State of Idaho;

(b) Idaho Water Right License Number 63-11051; and

(c) any claim, decree or partial decree (including any amendments thereto) or other rights with respect to said water right or license filed in or issued pursuant to the Snake River Basin Adjudication, Fifth Judicial District, in the State of Idaho, in and for the County of Twin Falls, In re SRBA Case No. 39576.

5. Water Right No. 63-11053

(a) that certain water right evidenced and represented by Water Right License Number 63-11053 issued to Grantor or Grantor's predecessor in interest (if any) by the State of Idaho;

(b) Idaho Water Right License Number 63-11053; and

(c) any claim, decree or partial decree or other rights (including any amendments thereto) with respect to said water right or license filed in or issued pursuant to the Snake River Basin Adjudication, Fifth Judicial District, in the State of Idaho, in and for the County of Twin Falls, In re SRBA Case No. 39576.

6. Water Right No. 63-27144

(a) that certain water right evidenced and represented by Water Right Decree Number 63-27144 issued to Grantor or Grantor's predecessor in interest (if any) by the Fifth Judicial District, the State of Idaho, in and for the County of Twin Falls, In re SRBA Case No. 39576; and

(b) Idaho Partial Decree Number 63-27144.

7. All right, title and interest of Grantor in Water Right Permit Number 63-11439. Proof of Beneficial Use was made on November 13, 2000.

8. Any and all water rights, entitlements and other interests associated with the cold water well that serves the main office building and bottling facility and is believed to be located just south of the main office building near the common boundary between the SE1/4NE1/4 and the NE1/4NE1/4 of Section 5, Township 2 North, Range 10 East, Boise Meridian.

9. Any and all rights, title and interests Grantor has in Water Right No. 63-4221 and Idaho Partial Decree Number 63-4221; Water Right License No. 63-10559; Water Right License No. 63-10560; and Water Right Permit Numbers 63-12316 (Proof of Beneficial Use made on December 30, 2002), 63-12317 (Proof of Beneficial Use made on December 30, 2002), 63-31526 (Proof of Beneficial Use made on April 14, 2004), and 63-32016 (Proof of Beneficial Use due August 1, 2010). The foregoing Water Rights and Decrees, Water Rights Licenses and Water Rights Permits are held in the name of Paradise Homeowner's Association, Inc.; Grantee is successor to all of Grantor's right, title and interest in Paradise Homeowner's Association and said Water Rights and Decrees, Water Rights Licenses, and Water Right Permits.

Grantor retains no other residual or reversionary interest in any of the Water Rights.

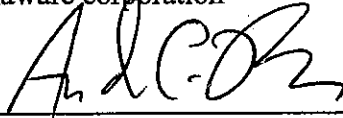
Grantor makes no guarantees or warranties herein as to the Water Rights, Water Rights Licenses, Water Right Permits or Water Rights Decrees, except as follows: Grantor and Grantee are parties to that certain Mutual Release and Settlement Agreement dated as of September 30, 2007 (the "Settlement Agreement"), pursuant to which Grantor has agreed to sell the Assets (as defined in the Settlement Agreement) to Grantee, and the terms of the Settlement Agreement, including, but not limited to, Grantor's representations, warranties, covenants, and agreements, and any limitations with regard to any of the foregoing, are incorporated herein by this reference and apply to this Water Right Grant Deed and Assignment ("Deed"). Grantor and Grantee acknowledge and agree that the representations, warranties, covenants, and agreements, and any limitations contained in the Settlement Agreement shall not be superseded hereby or implied by law, but shall remain in full force and effect to the full extent provided therein. In the event of any conflict or inconsistency between the terms of the Settlement Agreement and the terms hereof, the terms of the Settlement Agreement shall govern. Any claim or dispute arising out of the terms of this Deed shall be governed by and pursuant to the terms of the Settlement Agreement.

A legal description of the land to which the above Water Rights are appurtenant is attached hereto as Exhibit A.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed this 1st day of MAY, 2009.

GRANTOR:

TRINITY SPRINGS, INC.,
a Delaware corporation

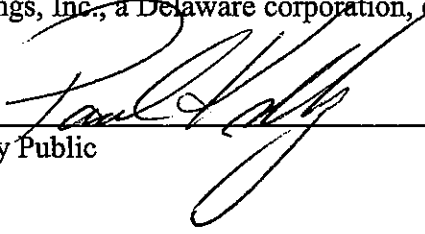
By: 

Name: Andy Plummer

Title: President

STATE OF NEBRASKA)
) ss.
County of Douglas)

The foregoing instrument was acknowledged before me this 1st day of May, 2009, by Andy Plummer, President of Trinity Springs, Inc., a Delaware corporation, on behalf of the corporation.



Notary Public

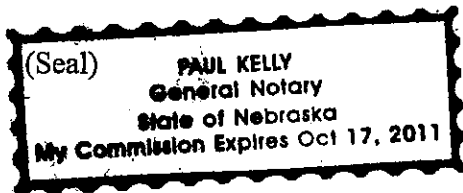


Exhibit A
Legal Description of Land

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EXHIBIT A
LEGAL DESCRIPTION

The land referred to in this Commitment is described as follows:

Tract 1:

(Lot 5 in Block 3 of BALLANTYNE CAMP SUBDIVISION NO. 4)

A parcel of land being a portion of the north half of Section 5, Township 2 North, Range 10 East of the Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Commencing at a Brass Cap monument marking the corner common to Sections 32 and 33, Township 3 North, Range 10 East and Sections 4 and 5, Township 2 North, Range 10 East; thence South 00°06'43" West a distance of 720.36 feet along the line common to said Sections 4 and 5; thence leaving said Section line, South 46°31'18" West a distance of 1169.86 feet to the True Point of Beginning, said point being the most easterly corner of Lot 5 in Block 3 of Ballantyne Camp Subdivision No. 4, thence along the boundary of said Ballantyne Camp Subdivision No. 4 the following courses and distances;
Thence South 53°52'20" West 122.16 feet (formerly South 53°41'35" West 122.40 feet)
Thence North 38°25'31" West 70.40 feet (formerly North 38°13'00" West 70.79 feet)
Thence North 39°09'03" East 74.60 feet (formerly North 39°09'13" East 74.80 feet)
Thence South 66°44'20" East 103.75 feet (formerly South 66°43'45" East 103.77 feet) to the Point of Beginning.

EXCEPT all minerals in or under said land including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto, whether expressed or implied.

Tract 2 - Parcel 1

A parcel of land situated in U.S. Government Lots 1 and 4 in Section 33, Township 3 North, Range 10 East, of the Boise Meridian, Elmore County, Idaho, described as follows:

Commencing at a brass cap monument marking the center of Section 33, Township 3 North, Range 10 East of the Boise Meridian; thence North 00°27'34" East along the longitudinal centerline of said section a distance of 2638.44 feet to a brass cap monument marking the quarter corner common to Sections 28 and 33 in said township and range; thence South 24°34'20" West a distance of 1519.52 feet to a point on the northwesterly right-of-way line of the Featherville Road, marking the most southerly corner of a parcel of land depicted on a Record of Survey, recorded as Instrument No. 317532, records of Elmore County, Idaho, said point also marks the True Point of Beginning; thence along the southwesterly lien of said parcel North 34°50'00" West a distance of 54.03 feet to a point; thence departing said line, North 63°00'00" West a distance of 505.34 feet to a point on the "left bank" of the South Fork Boise River, marking the approximate high water line; thence along the approximate high water line the following courses and distances;
South 27°08'11" West a distance of 274.73 feet;
South 25°03'12" West a distance of 122.27 feet;
South 10°44'20" West a distance of 53.96 feet;
South 06°46'53" West a distance of 61.17 feet;
South 04°03'07" West a distance of 359.47 feet;
South 22°00'46" West a distance of 147.83 feet to a point on the northwesterly right-of-way line of Featherville Road; thence along said right-of-way line, North 43°03'59" East a distance of 191.52 feet to the beginning of a

curve to the left, having a radius of 2011.03 feet; thence 94.35 feet along the arc of said curve; through a central angle of 02°41'18", the long chord of which bears North 41°41'19" East - 94.35 feet to a point of reverse curvature on a curve to the right, having a radius of 2004.47 feet; thence 236.53 feet along the arc of said curve, through a central angle of 06°45'40", the long chord of which bears North 43°40'33" East - 236.39 feet to a point of compound curvature, having a radius of 2011.03 feet; thence 189.21 feet along the arc of said curve, through a central angle of 05°23'27", the long chord of which bears North 49°44'01" East - 189.14 feet to a point of tangency; thence North 52°25'44" East a distance of 134.79 feet to a point of curvature on a curve to the right, having a radius of 2301.01 feet; thence continuing along said right-of-way line 181.85 feet along the arc of said curve, through a central angle of 04°31'41", the long chord of which bears North 54°41'35" East a distance of 181.80 feet to the Point of Beginning.

Tract 2 - Parcel 2

A parcel of land being situated in Section 33, Township 3 North, Range 10 East, of the Boise Meridian, and being a portion of Lot 38, Block 1 in Willis Carrie's Paradise Subdivision, recorded as Instrument No. 193441, records of Elmore County, Idaho, described as follows:

Beginning at a point of tangency on the northeasterly right-of-way line of Grouse Creek Road, also being the southeasterly line of Lot 38, Block 1 of said Willis Carrie's Paradise Subdivision, said point being located North 58°51'08" West a distance of 145.33 feet from a point marking the intersection of the northwesterly right-of-way line of Paradise Drive with the northeasterly right-of-way line of said Grouse Creek Road; thence from said beginning point, South 58°51'08" East along the said northeasterly right-of-way line of Grouse Creek Road a distance of 145.33 feet to a point of curvature on a curve to the left, having a radius of 20.00 feet; thence along the northwesterly line of Lot 36, Block 1 of said Willis Carrie's Paradise Subdivision, 31.42 feet along the arc of said curve, through a central angle of 90°00'00", the long chord of which bears North 76°08'52" East - 28.28 feet to a point; thence continuing along the said northwesterly line of Lot 36, Block 1, North 31°05'19" East (formerly N 31°08'52" E) a distance of 68.90 feet to a point; thence departing said northwesterly line of Lot 36, Block 1, North 58°51'08" West a distance of 165.33 feet to a point of curvature to the left, having a radius of 1045.04 feet; thence 196.38 feet along the arc of said curve, through a central angle of 10°46'00", the long chord of which bears North 64°14'08" West - 196.09 feet to a point; thence South 20°22'37" West (formerly S 20°22'52" W) a distance of 88.92 feet to a point on the said northeasterly right-of-way line of Grouse Creek Road on a curve to the right, having a radius of 956.12 feet; thence along said right-of-way line, 179.74 feet (formerly 179.67) along the arc of said curve, through a central angle of 10°46'15" (formerly 10°46'00"), the long chord of which bears South 64°14'15" East - 179.47 feet to the Point of Beginning.

Tract 2 - Parcel 3

A parcel of land being situated in Section 33, Township 3 North, Range 10 East of the Boise Meridian, and being a portion of Lot 38, Block 1 of Willis Carrie's Paradise Subdivision, recorded as Instrument No. 193441, records of Elmore County, Idaho, described as follows:

Beginning at a point marking the intersection of the southeasterly right-of-way of Featherville Road with the northeasterly right-of-way line of Grouse Creek Road, as shown on said subdivision; thence along the southeasterly right-of-way line of Featherville Road on a curve to the right, having a radius of 1931.03 feet, 47.37 feet along the arc of said curve, through a central angle of 01°24'20" (formerly 01°25'40"), the long chord of which bears North 51°43'34" East - 47.37 feet (formerly North 51°42'54" East - 48.12 feet) to a point; thence North 52°25'44" East a distance of 134.79 feet to a point on a curve to the right, having a radius of 2221.01 feet;

thence 212.03 feet along the arc of said curve, through a central angle of 05°28'11", the long chord of which bears North 55°09'49" East - 211.95 feet to a point; thence North 57°53'55" East a distance of 62.23 feet to a point marking the northwesterly corner of Lot 39, Block 1 of Willis Carrie's Paradise Subdivision; thence departing said southeasterly right-of-way line of Featherville Road, following westerly, southerly and southeasterly line of said Lot 39, Block 1 and the southeasterly line of Lots 40 through 46, Block 1 of said Willis Carrie's Paradise Subdivision, the following courses and distances;

South 04°12'55" West - 81.55 feet;

Thence 91.84 feet along the arc of a curve to the left, having a radius of 37.13 feet through a central angle of 141°42'55", the long chord of which bears South 66°38'33" East - 70.15 feet;

North 42°30'00" East a distance of 73.58 feet (formerly 73.47 feet);

North 56°44'46" East - 758.26 feet;

North 34°37'32" East - 175.53 feet;

Thence departing said line and following the north line of said Lot 38, Block 1, South 55°22'32" East a distance of 70.00 feet to a point; thence along the easterly line of said Lot 38, Block 1, south 12°58'37" West (formerly S 12°59'31" W) a distance of 859.17 feet (formerly 859.30 feet) to a found 5/8" iron pin marking the most northerly corner of Lot 29, Block 1 of said Willis Carrie's Paradise Subdivision; thence along the northerly line of Lots 30 through 31, Block 1 of said Willis Carrie's Paradise Subdivision, South 81°59'56" West (formerly S. 82°13'26" W) a distance of 178.37 feet (formerly 177.84 feet) to a found 1/2" iron pin, marking the northwesterly corner of said Lot 31, Block 1; thence along the northerly line of Lot 32, Block 1 of said subdivision, South 82°19'00" West (formerly S 82°13'26" W) a distance of 60.19 feet (formerly 60.00 feet) to a found 1/2" iron pin, marking the northwesterly corner of said Lot 32, Block 1; thence along the northerly line of Lot 33, Block 1 of said subdivision, South 82°48'53" West (formerly S 82°13'26" W) a distance of 52.74 feet (formerly 53.00) to a found 1/2" iron pin marking the northwesterly corner of said Lot 33, Block 1; thence along the northerly line of Lot 34, Block 1 of said subdivision, North 69°46'53" West (formerly N 73°54'20" W) a distance of 65.10 feet (formerly 65.00 feet) to a found 1/2" iron pin, marking the northwesterly corner of said Lot 34, Block 1, thence along the northerly line of Lot 35, Block 1 of said subdivision, North 79°52'57" West (formerly N 73°54'20" W) a distance of 42.01 feet (formerly 41.76 feet) to a found 1/2" iron pin, marking the northwesterly corner of said Lot 35, Block 1, thence along the westerly line of said Lot 35, Block 1, South 31°05'19" West (formerly S 31°08'52" West) a distance of 108.92 feet (formerly 108.73 feet) to a point marking the most westerly corner of said Lot 35, Block 1, also marking an angle point on Paradise Drive, as shown on said subdivision; thence North 58°51'08" West a distance of 165.33 feet to a point of curvature to the left, having a radius of 1045.04 feet; thence 196.38 feet along the arc of said curve, through a central angle of 10°46'00", the long chord of which bears North 64°14'08" West - 196.09 feet to a point; thence South 20°22'37" West (formerly S 20°22'52" W) a distance of 88.91 feet (formerly 88.92 feet) to a point of the said northeasterly right-of-way line of Grouse Creek Road on a curve to the left, having a radius of 956.12 feet; thence along said right-of-way line, 26.61 feet along the arc of said curve, through a central angle of 01°35'40", the long chord of which bears North 70°25'13" West - 26.60 feet to a point; thence continuing along said right-of-way line, North 71°13'03" West a distance of 147.78 feet to a point on a curve to the left, having a radius of 886.57 feet; thence continuing along said right-of-way line, 99.61 feet along the arc of said curve, through a central angle of 06°26'14", the long chord of which bears North 74°26'10" West - 99.55 feet to a point, thence continuing along said right-of-way line, North 77°39'17" West a distance of 12.66 feet to a point of a curve to the right, having a radius of 20.00 feet; thence continuing along said right-of-way line, 45.65 feet along the arc of said curve, through a central angle of 130°46'58" (formerly 128°39'21"), the long chord of which bears North 12°16'07" West - 36.37 feet (formerly North 13°19'36" West 36.05 feet) to the Point of Beginning.

Tract 2 - Parcel 4

A parcel of land being situated in Section 33, Township 3 North, Range 10 East of the Boise Meridian, and being

all of Lot 25, Block 1 in Willis Carrie's Paradise Subdivision, recorded as Instrument No. 193441, records of Elmore County, Idaho, described as follows:

Beginning at a point on the northeasterly right-of-way line of Paradise Drive (Lot 36, Block 1 of said subdivision), also marking the common corner of said Lot 25 and 26, Block 1 of said subdivision; thence along the southeasterly line of said Lot 26, Block 1, North 62°55'30" East a distance of 64.05 feet to a found ½" iron pin; thence along the northeasterly line of said Lot 25, Block 1, South 53°39'09" East a distance of 94.23 feet to a point marking the corner common to said Lot 25, Block 1 and Lot 24, Block 1, of said subdivision; thence along the northwesterly line of said Lot 24, Block 1, South 39°23'46" West a distance of 70.96 feet to a point on the said northeasterly right-of-way line of Paradise Drive on a curve to the right, having a radius of 465.00 feet; thence along said right-of-way line, 120.22 feet along the arc of said curve, through a central angle of 14°48'46", the long chord of which bears North 47°08'53" West - 119.88 feet to the Point of Beginning.

Tract 2 - Parcel 5

A parcel of land being situated in Section 33, Township 3 North, Range 10 East of the Boise Meridian, and being all of Lot 43, Block 1 in Willis Carrie's Paradise Subdivision, recorded as Instrument No. 193441, records of Elmore County, Idaho, described as follows:

Beginning at a point on the southeasterly right-of-way line of the Featherville Road, marking the most westerly corner of said Lot 43, Block 1; thence along said right-of-way line, North 46°15'20" East a distance of 111.39 feet (formerly 111.41') to a point of curvature to the left, having a radius of 1309.84 feet; thence 18.61 feet (formerly 18.59 feet) along the arc of said curve, through a central angle of 00°48'50" (formerly 0°48'47"), the long chord of which bears North 45°50'55" East - 18.61 feet to a found ½" iron pin; thence departing said right-of-way line South 44°33'27" East a distance of 193.25 feet (formerly 193.35') to a found ½" iron pin on the northwesterly line of Lot 38, Block 1 of said Willis Carrie's Paradise Subdivision; thence along said northwesterly line of Lot 38, Block 1, South 56°44'46" West (formerly S 56°45'09" W) a distance of 135.00 feet to a found ½" iron pin marking the most easterly corner of Lot 42, Block 1 of said Willis Carrie's Paradise Subdivision; thence along the northeasterly line of said Lot 42, Block 1, North 43°44'40" West a distance of 168.52 feet (formerly 168.61 feet) to the Point of Beginning.

Tract 3

A parcel of land being a portion of the north half of Section 5, Township 2 North, Range 10 East of the Boise Meridian, Elmore County, Idaho more particularly described as follows:

Commencing at a Brass Cap monument marking the corner common to Sections 32 and 33, Township 3 North, Range 10 East and Sections 4 and 5, Township 2 North, Range 10 East; thence South 00°06'43" West a distance of 720.36 feet along the line common to said Sections 4 and 5; thence leaving said Section line South 46°31'18" West a distance of 1169.86 feet to the True Point of Beginning, said point being the most easterly corner of Lot 5, Block 3 of Ballantyne Camp No. 4, thence along the boundary of said Ballantyne Camp Subdivision No. 4, the following courses and distances; South 53°52'20" West, 122.16 feet (formerly South 53°41'35" West 122.40 feet), thence South 59°34'06" West, 94.05 feet (formerly South 59°32'05" West 94.02 feet); thence South 64°28'52" West 205.01 feet (formerly South 64°37'05" West 205.18 feet); thence South 77°28'27" West 83.70 feet (formerly South 77°28'45" West 82.71 feet); thence North 47°41'13" West, 154.78 feet (formerly North 47°40'55" East 153.81 feet); thence North 82°42'25" West 123.06 feet (formerly North 82°34'07" West 125.25 feet); thence North 27°43'33" West, 38.49

feet (formerly North 27°14'15" West 38.16 feet); thence South 58°31'46" West 49.59 feet (formerly South 58°31'45" West, 49.28 feet); thence South 76°15'22" West 87.23 feet (formerly South 76°15'40" West 87.23 feet); thence North 73°04'38" West 80.11 feet (formerly North 73°04'20" West 80.11 feet); thence North 63°37'48" West, 116.16 feet (formerly North 63°37'30" West, 116.16 feet); thence North 13°17'18" West 61.71 feet (formerly North 13°17'00" West, 61.71 feet) to the most westerly corner of said Ballantyne Camp Subdivision No. 4; thence leaving said Subdivision boundary, North 13°17'18" West a distance of 36.81 feet (formerly North 13°17'00" West, 36.96 feet) to a point on the Southeasterly right-of-way line of the County Road (Pine-Featherville Highway); thence 66.42 feet along the arc of a 5769.58 foot radius curve to the left, through a central angle of 00°39'34", the chord of which bears South 68°25'54" West, 66.42 feet; thence continuing along said right-of-way line South 68°45'42" West a distance of 85.46 feet to a point on the high water line of the Left Bank of the South Fork of the Boise River; thence along said high water line of the South Fork of the Boise River, South 08°25'41" West a distance of 157.79 feet; thence South 14°29'48" West a distance of 213.37 feet; thence along said high water line of the South Fork of the Boise River, South 25°06'02" West a distance of 73.91 feet; thence leaving the high water line of the South Fork of the Boise River, South 89°49'59" East a distance of 222.59 feet; thence South 00°16'25" East a distance of 664.31 feet to a point on the north-south mid-section line of said Section 5; thence along said mid-section line South 89°49'19" East a distance of 1900.02 feet (formerly South 89°52'30" East) to the East one-quarter corner of said Section 5; thence along the East line of said Section 5, North 00°06'43" East a distance of 1908.85 feet (formerly North 00°03'00" West 1909.29 feet); thence North 83°14'13" West a distance of 477.34 feet (formerly North 83°13'21" West 466.16 feet) to a point on the Southeasterly right-of-way of the County Road (Pine-Featherville Highway); thence along said right-of-way line of 19.87 feet along the arc of a 6072.11 foot radius curve to the left, through a central angle of 00°11'15", the chord of which bears South 55°06'33" West 19.86 feet; thence continuing along said right-of-way line, South 56°21'18" West a distance of 424.48 feet; thence 614.41 feet along the arc of a 5754.58 foot radius curve to the left, through a central angle of 06°07'03", the chord of which bears South 59°24'49" West, 614.12 feet; thence leaving said right-of-way line, South 29°26'44" East a distance of 39.52 feet (formerly South 27°28'24" East, 30.90 feet) to the northwest corner of Lot 5, Block 1; Ballantyne Camp Subdivision No. 4; thence along the boundary line of said Ballantyne Camp Subdivision No. 4 along the following courses and distances: South 83°47'18" East, 85.34 feet (formerly South 83°51'05" East 85.25 feet) thence South 70°26'22" East 96.44 feet (formerly South 70°21'35" East, 96.17 feet); thence South 59°28'58" East 94.88 feet (formerly 58°32'05" East, 95.18 feet); thence South 53°20'33" East 173.97 feet (formerly South 53°53'35" East 173.91 feet); thence South 19°24'56" East, 35.19 feet (formerly South 19°24'07" East, 35.16 feet) thence South 66°44'20" East 103.75 feet (formerly South 66°43'45" East 103.77 feet) to the Point of Beginning.