

Instrument # 2094022

JEROME COUNTY, JEROME, IDAHO

8-13-2009 01:07:40 No. of Pages: 5

Recorded for : PETERSON LAW OFFICES

MICHELLE EMERSON Fee: 15.00

Ex-Officio Recorder Deputy

Bunch

RECORDING REQUESTED BY:
Steven D. Peterson - Attorney

AND WHEN RECORDED MAIL TO:
Steven D. Peterson
P.O. Box 5827
Twin Falls, ID 83303-5827

RECEIVED

AUG 18 2009

DEPT. OF WATER RESOURCES
SOUTHERN REGION

QUIT-CLAIM DEED

(Jerome County Property)

Grantor: ROTH INVESTMENTS, L.L.C. aka ROTH INVESTMENTS LLC dba SI ELLEN DAIRY

Grantee: ROTH INVESTMENTS, L.L.C.

KNOW ALL MEN BY THESE PRESENTS THAT:

ROTH INVESTMENTS, L.L.C. aka ROTH INVESTMENTS, LLC, dba SI ELLEN DAIRY hereinafter referred to as "Grantor" hereby conveys, releases, transfers, remises and forever quitclaims all their interest as tenants in common unto, ROTH INVESTMENTS, L.L.C., hereinafter referred to as "Grantee," whose address is 539 S 800 E, Jerome, Idaho 83338, in and to certain real property located in Jerome County, Idaho, legally described on Exhibit A attached hereto and incorporated in full herein.

Together with any and all improvements, appurtenances and water rights.

IN WITNESS WHEREOF, We have hereunto set our hand hereto this 3rd day of August, 2009.

ROTH INVESTMENTS, L.L.C., aka
ROTH INVESTMENTS, LLC dba
SI ELLEN DAIRY

By

Donna Roth Habersetter

Donna Roth Habersetter

STATE OF IDAHO

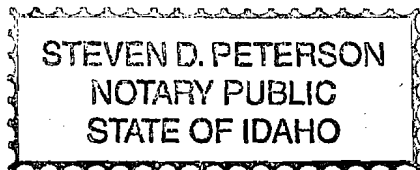
)
) ss.

County of Twin Falls

)

On this 3rd day of August, 2009, before me, a Notary Public in and for said county and state, personally appeared DONNA ROTH HABERSETZER, authorized agent for ROTH INVESTMENTS, L.L.C. aka ROTH INVESTMENTS, LLC, dba SI ELLEN DAIRY known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same on behalf of ROTH INVESTMENTS, L.L.C. aka ROTH INVESTMENTS, LLC, dba SI ELLEN DAIRY.

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



Steven D. Peterson
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls, ID
My Commission Expires: 5-2-2012

EXHIBIT A

Jerome Property Legal Descriptions

Parcel 1: (Commonly known as Thomas Property)

TOWNSHIP 9 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, JEROME
COUNTY, IDAHO

Section 3: Tract A and B

Parcel 2: (Commonly known as Spanbauer Property)

TOWNSHIP 9 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, JEROME
COUNTY, IDAHO

Parcel A: Section 8: S $\frac{1}{2}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Section 9: SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Section 16: NW $\frac{1}{4}$; SW $\frac{1}{4}$;
 Section 17: All;

Parcel B: Section 16: NW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$;

CORRECTED EXHIBIT "A"
LEGAL DESCRIPTION

Si-Ellen (Roth) Dairy

Township 9 South, Range 18, East of the Boise Meridian
Jerome County, Idaho

Section 8: S 1/2 SE 1/4, S 1/2 SW 1/4

Section 9: SW 1/4 SW 1/4

Section 16: NW 1/4, SW 1/4, NW 1/4 NE 1/4, S 1/2 NE 1/4, SE 1/4

Section 17: All

EXCEPTING THEREFROM the following described parcel of land:
Part of NE 1/4 of Section 17 and part of NW 1/4 of Section 16,
more particularly described as follows: Beginning at the
Northeast corner of Section 17, thence South 0° 05' 14" East
651.07 feet along the boundary between Section 16 and Section 17
to the TRUE POINT OF BEGINNING, thence South 89° 29' 37" East
259.28 feet, thence South 0° 05' 14" East 480.64 feet, thence
North 89° 52' 42" West 185.14 feet, thence South 74° 18' 21" West
77.18 feet to the section line common to Section 16 and 17, thence
South 74° 18' 21" West 299.23 feet, thence South 65° 46' 31" West
255.09 feet, thence South 79° 58' 09" West 205.86 feet, thence
North 27° 41' 19" East 820.10 feet, thence South 89° 29' 37" East
341.58 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH the following non-exclusive Access Easement;
Beginning at the Northeast corner for Section 17, thence South 0°
05' 14" East 651.07 feet, thence North 89° 29' 37" West 341.58
feet, thence South 27° 41' 19" West 820.10 feet to the TRUE POINT
OF BEGINNING, thence South 79° 58' 09" West 50.00 feet along the
Northerly boundary of a 25.00 feet, in width Access Easement to a
certain County Road, thence South 10° 01' 51" East 25.00 feet,
thence North 79° 58' 09" East 255.86 feet along the Southerly
boundary of said Access Easement, thence North 10° 01' 51" West
25.00 feet, thence South 79° 58' 09" West 205.86 feet along the
Northerly boundary of said Access Easement to the TRUE POINT OF
BEGINNING.

ALSO, EXCEPTING THEREFROM the following described parcel of
land; Beginning at the Southeast corner for Section 8, thence
North 89° 39' 26" West 1,516.87 feet along the Southerly boundary
of Section 8 to the TRUE POINT OF BEGINNING, thence North 0° 05'
15" West 436.54 feet, thence North 89° 39' 26" West 773.92 feet,
thence South 4° 07' 24" West 437.48 feet to the Southerly boundary
of Section 8, thence South 4° 07' 24" West 91.41 feet to a point
on a non-tangent curve right, thence Southeasterly 573.77 feet
along the arc of a curve right having a radius of 1,296.14 feet
and a chord of South 79° 53' 43" East 569.10 feet, thence

departing said curve North 74° 07' 04" East 160.00 feet, thence North 59° 42' 58" East 114.14 feet to the center of a concrete bridge, thence North 0° 05' 15" West 84.85 feet to the TRUE POINT OF BEGINNING.

Said parcel of land containing 10.26 acres, more or less.

TOGETHER WITH the following non-exclusive Access Easement; Beginning at the Northeast corner for Section 17, thence North 89° 39' 26" West 1,516.87 feet along the Northerly boundary for Section 17, thence South 0° 05' 15" East 84.85 feet to the center of a concrete bridge and the centerline of a 25.00 feet, in width, Access Easement, thence along the center of said Access Easement the following courses: South 55° 20' 19" East 201.83 feet, South 85° 07' 49" East 429.79 feet, South 12° 25' 00" East 590.93 feet, South 41° 15' 01" East 118.00 feet to the center of a certain County Road.

Instrument # 2094023

JEROME COUNTY, JEROME, IDAHO

8-13-2009 01:11:22 No. of Pages: 5

Recorded for : PETERSON LAW OFFICE

MICHELLE EMERSON Fee: 15.00

Ex-Officio Recorder Deputy

RECORDING REQUESTED BY:
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Grantee: ROTH INVESTMENTS, L.L.C.

KNOW ALL MEN BY THESE PRESENTS THAT:

ROTH INVESTMENTS, L.L.C. aka ROTH INVESTMENTS, LLC, dba SI ELLEN DAIRY hereinafter referred to as "Grantor" hereby conveys, releases, transfers, remises and forever quitclaims all their interest as tenants in common unto, ROTH INVESTMENTS, L.L.C., hereinafter referred to as "Grantee," whose address is 539 S 800 E, Jerome, Idaho 83338, in and to certain real property located in Jerome County, Idaho, legally described on Exhibit A attached hereto and incorporated in full herein.

Together with any and all improvements, appurtenances and water rights.

IN WITNESS WHEREOF, We have hereunto set our hand hereto this 3rd day of August, 2009.

ROTH INVESTMENTS, L.L.C., aka
ROTH INVESTMENTS, LLC dba
SI ELLEN DAIRY

By Donna Roth Habersetter
Donna Roth Habersetter

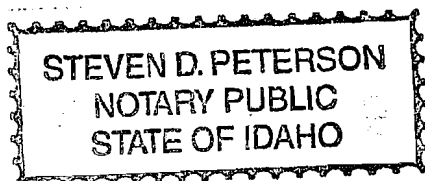
STATE OF IDAHO

)
) ss.
)

County of Twin Falls

On this 3rd day of August, 2009, before me, a Notary Public in and for said county and state, personally appeared DONNA ROTH HABERSETZER, authorized agent for ROTH INVESTMENTS, L.L.C. aka ROTH INVESTMENTS, LLC, dba SI ELLEN DAIRY known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same on behalf of ROTH INVESTMENTS, L.L.C. aka ROTH INVESTMENTS, LLC, dba SI ELLEN DAIRY.

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



Steven D. Peterson
NOTARY PUBLIC FOR IDAHO
Residing at: TWIN FALLS, ID
My Commission Expires: 5-2-2012

**EXHIBIT A
TRACT I**

PARCEL NO. 1

**TOWNSHIP 8 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO**

Section 1: W $\frac{1}{2}$ SW $\frac{1}{4}$;

Section 2: SE $\frac{1}{4}$;

TOGETHER WITH easement rights as set forth in Irrigation Easement recorded January 3, 1988 as Instrument Number 314166, records of Jerome County, Idaho, over, upon and across the following described property:

W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 1, Township 8 South, Range 17, East of the Boise Meridian, Jerome County, Idaho.

EXCEPT U.S. Highway No. 93 right-of-way.

PARCEL NO. 2:

**TOWNSHIP 8 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO**

Section 2: SW $\frac{1}{4}$ SW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$;

EXCEPT U.S. Highway No. 93 right-of-way.

Section 10: E $\frac{1}{4}$;

Section 11: W $\frac{1}{2}$ lying West of U.S. Highway No. 93;

Section 14: W $\frac{1}{2}$ NW $\frac{1}{4}$ lying West of U.S. Highway No.93; NW $\frac{1}{4}$ SW $\frac{1}{4}$ lying West of U.S. Highway No. 93;

Section 15: N $\frac{1}{4}$; N $\frac{1}{2}$ S $\frac{1}{2}$; EXCEPTING that portion of the following described property lying within said Section 15:

A portion of the Southeast $\frac{1}{4}$ of Section 16 and a portion of the Southwest $\frac{1}{4}$ of Section 15 all in Township 8 South, Range 17 East Boise Meridian, Jerome County, Idaho, more particularly described as follows:

-Continued-

CONTINUATION

EXHIBIT A

Commencing at the Southwest corner of said Section 15;
Thence North 0°02'00" West, along the westerly boundary of said Section 15,
1,324.06 feet to the Northwest corner of the S½ of the S½ of said
Section 15 and the REAL POINT OF BEGINNING;
Thence South 0°02'00" East, 71.10 feet;
Thence North 79°56'24" West, 1,473.27 feet;
Thence North 82°35'42" East, 413.76 feet;
Thence North 67°39'05" East, 176.46 feet;
Thence North 55°47'46" East, 44.86 feet;
Thence South 79°56'24" East, 1,910.39 feet, more or less, to the Northerly
boundary of said S½S½ of Section 15;
Thence North 89°53'47" West, along the Northerly boundary of said S½S½
of Section 15, 1,041.10 feet, more or less, to the REAL POINT OF
BEGINNING.

TRACT IV

**TOWNSHIP 9 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO**

**Section 3: That part of the W½SW¼ lying South and West of the Oregon Short Line Railroad
right-of-way.**

**EXCEPTING THEREFROM a parcel of land in the W½SW¼, being more
particularly described as follows:**

Commencing at the Southeast corner of the SW¼ of said Section 3;
Thence South 89°50' West, 1315.35 feet to the Southeast corner of the said W½SW¼
and THE TRUE POINT OF BEGINNING;
Thence South 89°50' West, 483.77 feet along the Southerly boundary of said W½SW¼;
Thence along a fence line the following courses and distances:
North 12°50'27" West, 816.43 feet;
North 78°44'10" West, 70.06 feet;
North 3°31'57" West, 486.15 feet;
North 8°20'40" East, 353.08 feet;
North 38°54'55" East, 129.56 feet to the Southwesterly boundary of the
Oregon Short Line Railroad property;
Thence South 51°43'13" East, 795.62 feet along said Southwesterly boundary to the
Easterly boundary of said W½SW¼;
Thence South 0°18'23" East, 1250.79 feet along said Easterly boundary to THE TRUE
POINT OF BEGINNING.

**TOGETHER with an easement for the purpose of ingress and egress over the Westerly
100.00 feet of the parcel described above.**

-continued-

**CONTINUATION
EXHIBIT A**

and **TOWNSHIP 9 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO**

Section 4: That part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Lot 2, 3 and 4 lying South and West of the Oregon Short Line Railroad right-of-way, S $\frac{1}{2}$ S $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;

EXCEPTING THEREFROM a parcel of land in Lots 3 and 4 being more particularly described as follows:

Beginning at the Northwest corner of said Section 4;

Thence running East along the North boundary line of said Section to a point of intersection with the Southwesterly boundary line of said Railroad right-of-way;

Thence Southeasterly along said right-of-way, 1030.72 feet on a 0°39'13" curve right, having a radius of 8764.89 feet and Delta angle of 6°44'16";

Thence North 89°52' West, 2150.21 feet to a point on the West boundary of said Section 4;

Thence North along said West boundary a distance of 523.08 feet to THE POINT OF BEGINNING.

and **TOWNSHIP 9 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO**

Section 9: NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only			
Well ID No.			
Inspected by			
Twp	Rge	Sec	
1/4	1/4	1/4	
Lat:	:	Long:	:

1. WELL TAG NO. D 0043235
DRILLING PERMIT NO. 841905 App 896287
Water Right or Injection Well No. _____

2. OWNER:

Name SI- Ellen Dairy
Address 539 S 800 E
City Jerome State ID Zip 83338

3. LOCATION OF WELL by legal description:

You must provide address or Lot, Blk, Sub. or Directions to well.

Twp. 9 North ☐ or South ☒
Rge. 18 East ☒ or West ☐
Sec. 9 1/4 SW 1/4 SW 1/4
Gov't Lot _____
County Jerome

Lat: 42 : 39.315 Long: 114 : 21.821
Address of Well Site 825 Simons Way
City Jerome

(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐
☐ Thermal ☐ Injection ☒ Other Livestock

5. TYPE OF WORK check all that apply

(Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

Seal Material	From	To	Weight / Volume	Seal Placement Method
<u>Bentonite</u>	<u>0</u>	<u>18</u>	<u>3bags</u>	<u>poured</u>

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____

Was drive shoe seal tested? ☐ Y ☐ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>6</u>	<u>+2</u>	<u>18</u>	<u>.230</u>	<u>steel</u>	☒	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

Packer ☐ Y ☐ N Type _____

9. PERFORATIONS/SCREENS PACKER TYPE

Perforation Method _____

Screen Type & Method of Installation _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. FILTER PACK

Filter Material	From	To	Weight / Volume	Placement Method

11. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

169 ft. below ground Artesian pressure _____ lb.

Depth flow encountered _____ ft. Describe access port or control devices: _____

plate

12. WELL TESTS:

☐ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encounter _____

13. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>8</u>	<u>0</u>	<u>2</u>	<u>topsoil</u>		
<u>2</u>	<u>20</u>	<u>20</u>	<u>gray basalt</u>		
<u>6</u>	<u>20</u>	<u>107</u>	<u>gray basalt</u>		
<u>107</u>	<u>111</u>	<u>111</u>	<u>brown ash + cinders</u>		☒
<u>111</u>	<u>202</u>	<u>202</u>	<u>fractured gray basalt</u>	☒	
<u>202</u>	<u>209</u>	<u>209</u>	<u>brown ash + cinders</u>	☒	
<u>209</u>	<u>241</u>	<u>241</u>	<u>fractured gray basalt</u>	☒	
<u>241</u>	<u>245</u>	<u>245</u>	<u>tan clay</u>		☒
<u>245</u>	<u>300</u>	<u>300</u>	<u>fractured gray basalt</u>	☒	

actual hole sizes are
8 1/4" + 6 1/8"

RECEIVED
OCT 04 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Completed Depth 300' (Measurable)

Date: Started 9.5.06 Completed 9.5.06

14. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Elsing Drilling + Pump Firm No. 669

Principal Driller Craig Egan Date 9.6.06

Driller or Operator II _____ Date _____

Operator I Alex Pater Date 9.6.06

Principal Driller and Rig Operator Required.
Operator I must have signature of Driller/Operator II