

Rushing, Emalee

From: Susan Ford [sford@kmclaw.com]
Sent: Thursday, May 07, 2009 4:42 PM
To: Rushing, Emalee
Subject: Roland Bean (Recorded Deed)
Attachments: bean.deed.pdf

RECEIVED

MAY 07 2009

DEPARTMENT OF WATER RESOURCES

Hi Emalee,

I have attached a copy of a recorded Quitclaim Deed regarding the Bean water right transfer. This deed should complete all the transfers of water rights for Bean Holding, LLC (Request #3 of your notes). Please make the changes necessary to reflect the current owner.

Please let me know if you need any additional information. By the way, we are still waiting for a deed regarding the Black Magic Farms water rights.

Susan Ford, Paralegal
Kirtan & McConkie
60 E. South Temple, #1800
Salt Lake City, Utah 84111
(801) 323-5962

THIS TRANSMISSION AND ANY DOCUMENTS ACCOMPANYING THIS TRANSMISSION CONTAIN INFORMATION FROM THE LAW FIRM OF KIRTAN & McCONKIE THAT IS INTENDED TO BE EXCLUSIVELY FOR THE USE OF THE INDIVIDUALS OR ENTITIES NAMED ABOVE. SUCH DOCUMENTS OR INFORMATION MAY BE CONFIDENTIAL, PRIVILEGED, OR ATTORNEY WORK PRODUCT. IF SO, INADVERTENT DISCLOSURE TO THIRD PARTIES IS NOT INTENDED TO WAIVE SUCH CONFIDENTIALITY OR PRIVILEGE. IF YOU ARE NOT THE INTENDED RECIPIENT, BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR USE OF THE CONTENT OF THIS TRANSMISSION IS STRICTLY PROHIBITED. IF YOU RECEIVE THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AT (801) 328-3600.

5/7/2009

When Recorded Return to:

Corporation of the Presiding Bishop of
The Church of Jesus Christ of Latter-day Saints
Attn: Real Estate Division
50 E. North Temple, 12th Floor
Salt Lake City, Utah 84150

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
1:54:49 pm 05-07-2009
2009-002308
NO. PAGES: 4 FEE: \$12.00
LARRY A. NICKELSEN
COUNTY CLERK
DEPUTY: VIKI

RECEIVED

MAY 07 2009

DEPARTMENT OF WATER RESOURCES

WATER DEED
Property No. 507-6544

THIS WATER DEED is made and entered into this 28 day of April, 2009, by and between ROLAND BEAN, an individual, dealing with his sole and separate property, Grantor, whose address is 275 N. Valley View Dr. #7, *, and CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantee, whose address is 50 East North Temple, Twelfth Floor, Salt Lake City, UT 84150-0012.

* St. George, UT 84770

Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00), to it in hand paid by Grantee, and other good and valuable consideration, the receipt whereof is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto Grantee, and to its successors and assigns forever, all portions of those certain Idaho State water right numbers not already conveyed to Grantee, whether appurtenant or not to the Property (as defined below), which Idaho State water right numbers are described and enumerated on Exhibit A, attached hereto and incorporated herein by this reference (the "Idaho State Water Rights"), together with all water rights appurtenant to the real property located in Cassia County, Idaho, specifically described in Exhibit B, attached hereto and incorporated herein by this reference (the "Property"), and all ditches and ditch rights, reservoir and reservoir rights, well permits, rights-of-way, easements and associated rights or privileges used in connection with the Idaho State Water Rights, if any (collectively, the "Water Rights").

TO HAVE AND TO HOLD the said Water Rights, together with all the appurtenances, rights and privileges thereunto belonging unto Grantee and to its successors and assigns forever.

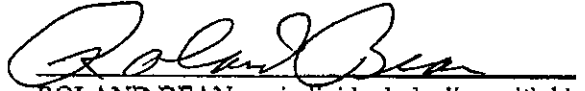
And Grantor, his heirs, executors, personal representatives, successors and assigns covenants jointly and severally unto Grantee, its heirs, executors, personal representatives, successors and assigns, that he is lawfully seised of the Water Rights hereby conveyed; that he has good right to convey the same; that he guarantees Grantee, its successors and assigns in the quiet possession thereof; that the Water Rights hereby conveyed are free from all encumbrances; and that Grantor, his heirs, successors, assigns, executors and personal representatives will forever warrant

and defend the title thereof in Grantee, its heirs, successors and assigns against all lawful claims whatsoever and that the said Water Rights have been in use or subject to a valid extension order in such a manner that it has not been forfeited or abandoned.

Grantor warrants unto Grantee that Grantor will defend Grantee's title against all debts, taxes, charges and assessments against the Water Rights hereby conveyed as of the date of this Deed,

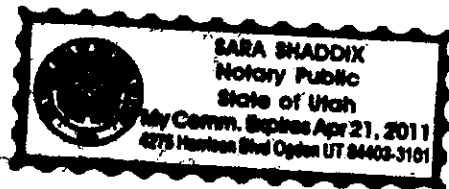
IN WITNESS WHEREOF, the said Grantor has caused this Deed to be executed as of the day and year first above written.

Grantor:


ROLAND BEAN, an individual, dealing with his
sole and separate property

STATE OF UTAH)
COUNTY OF Weber) ss.

On this 28 day of April, 2009, before me a Notary Public, personally appeared Roland Bean, an individual, known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same.




Notary public
My commission expires: 4/21/2011
Residing at: 4275 Harrison Blvd
Ogden, UT 84403

EXHIBIT A

to Deed

(The Idaho State Water Rights)

Idaho State Water Rights:

- (1) 45-2353A
- (2) 45-2357A,
- (3) 45-2377E,
- (4) 45-2378A,
- (5) 45-2423A,
- (6) 45-2424A,
- (7) 45-2440,
- (8) 45-2475A,
- (9) 45-2533A,
- (10) 45-2606C,
- (11) 45-2702A,
- (12) 45-4076A,
- (13) 45-13803,
- (14) 45-13782,
- (15) 45-13804,
- (16) 45-2534C, and
- (17) 45-11864.

EXHIBIT B

to Deed

(Legal Description of the Property)

That certain real property located in Cassia County, Idaho, specifically described as:

TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, STATE OF IDAHO.

Part of the NW ¼ of Section 34 of Township 11 South, Range 22 East of the
Boise Meridian, Cassia County, State of Idaho.

Beginning at the North ¼ section corner of Section 34 of T.11 S., R.22 E., B.M.
said corner marked by an iron pipe with brass cap; Thence South 89 degrees 46
minutes 21 seconds West along the north line of Section 34 for a distance of
147.16 feet to the Point of Beginning;

Thence South 21 degrees 43 minutes 02 seconds West along the west line of the
Amalgamated Sugar Company property for a distance of 1918.64 feet to a ½”
rebar; Thence North 00 degrees 28 minutes 21 seconds East for a distance of
1749.34 feet to a ½” rebar; Thence North 00 degrees 28 minutes 21 seconds East
for a distance of 30.42 feet to the north line of Section 34; Thence North 89
degrees 46 minutes 21 seconds East along the north line of Section 34 for a
distance of 695.28 feet to the Point of Beginning.