

Rushing, Emalee

From: Susan Ford [sford@kmclaw.com]
Sent: Thursday, June 25, 2009 3:46 PM
To: Rushing, Emalee
Subject: CPB/Bean Holding, LLC & Black Magic Farms, L.L.C.
Attachments: cpb.pdf

RECEIVED**JUN 25 2009***Department of Water Resources*

Hi Emalee,

I have attached a copy of two recorded quitclaim deeds regarding the Bean water transfers. These two deeds should convey the remaining water rights to CPB. Do you need anything else to complete our transfer?

Please feel free to call with any questions you may have. Thanks.

Susan Ford, Paralegal
 Kirton & 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 KIRTON & 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.

From: Nancy Garrett [mailto:ngarrett@landtitleandescrow.com]
Sent: Thursday, June 25, 2009 3:34 PM
To: Susan Ford
Subject: CPB/Bean Holding, LLC & Black Magic Farms, L.L.C.

Susan: Attached are copies of the two recorded Quitclaim Deed Conveying Water Rights on the above referred to transactions. Should you need anything further, please contact Larry Roberts.

Thank you,

Nancy Garrett
 Land Title and Escrow, Inc.
 P. O. Box 177
 Burley, ID 83318
 208-878-3524
 Fax 208-878-4435
 Email ngarrett@landtitleandescrow.com

6/25/2009

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
1:49:40 pm 06-25-2009
2009-003207
NO. PAGES: 12 FEE: \$36.00
LARRY A. NICKELSEN
COUNTY CLERK
DEPUTY: VIKI

#45029

After recording, return to:
Eric B. Robinson
Kirton & McConkie
60 East South Temple, #1800
Salt Lake City, Utah 84111

RECEIVED

JUN 25 2009

Department of Water Resources

Tax statements to be sent to:
c/o LDS Church Tax Division
Attn: Property No. 507-6544
50 East North Temple St., 22nd Floor
Salt Lake City, UT 84150-3620

(Space above for Recorder's use only)

QUITCLAIM DEED
CONVEYING WATER RIGHTS
(Water Rights Only)

For Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, BEAN HOLDING, LLC, an Idaho limited liability company, company ("Grantor"), hereby remises, releases, and quitclaims to CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, of 50 East North Temple, Salt Lake City, Utah 84150 ("Grantee"), and Grantee's successors and assigns, all right, title, and interest in and to:

All of Grantor's right, title, and interest to those certain Idaho State water right numbers, 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 and Exhibit C, attached hereto and incorporated herein by this reference (the "Property"), and all ditches and ditch rights, reservoir and reservoir rights, pipelines, wells, well permits, pumps, storage tanks, rights-of-way, easements and associated rights or privileges appurtenant to or used in connection with either the Property or the Idaho State Water Rights (collectively, the "Water Rights").

[Signatures and acknowledgement are on the following page.]

IN WITNESS WHEREOF, Grantor has signed and delivered this Quitclaim Deed this
13th day of June, 2009.

Grantor:

BEAN HOLDING, LLC,
an Idaho limited liability company

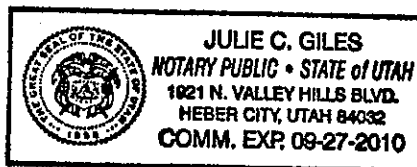
By: Roland C. Bean
Roland C. Bean, member

By: Wayne Bean
Wayne Bean, member

By: Brian Bean
Brian Bean, member

STATE OF UTAH)
COUNTY OF Wasatch) ss.

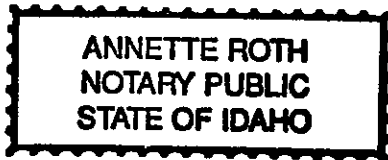
On this 23rd day of June, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared **Roland C. Bean**, known or identified to me to be the person whose name is subscribed to the within instrument as Member of **Bean Holding, LLC**, an Idaho limited liability company, and acknowledged to me that he executed the same as such.



Julie C. Giles
Notary Public
Residing at: 1921 N. Valley Hills Blvd. Heber City, UT 84032
My Commission expires: 09-27-2010

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

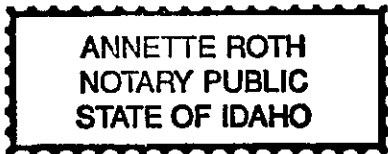
On this 13 day of June, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared **Wayne Bean**, known or identified to me to be the person whose name is subscribed to the within instrument as member of **Bean Holding, LLC**, an Idaho limited liability company, and acknowledged to me that he executed the same as such.



Annette Roth
Notary Public
Residing at: Rupert, Idaho
My Commission expires: 8-4-2011

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 13 day of June, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared **Brian Bean**, known or identified to me to be the person whose name is subscribed to the within instrument as member of **Bean Holding, LLC**, an Idaho limited liability company, and acknowledged to me that he executed the same as such.



Annette Roth
Notary Public
Residing at: Rupert, Id
My Commission expires: 8-4-2011

EXHIBIT A

(Idaho State Water Rights)

Idaho Division of Water Rights Water Nos:

- (1) 45-2353B,
- (2) 45-2378B,
- (3) 45-2357B,
- (4) 45-2377F,
- (5) 45-2423B,
- (6) 45-2424B,
- (7) 45-2475B,
- (8) 45-2533B,
- (9) 45-2534D,
- (10) 45-2606D,
- (11) 45-2702B,
- (12) 45-4076B,
- (13) 45-13781,
- (14) 45-13805,
- (15) 45-13806.
- (16) 45-2441,
- (17) 45-10975,
- (18) 45-11037, and
- (19) 45-2590.

EXHIBIT B

(Legal Description of the Property)

Real Property situated in the County of Cassia, State of Idaho, specifically described as:

**TOWNSHIP 11 SOUTH, RANGE 22 EAST FROM THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 25: NE¼, EXCEPTING THEREFROM the following described tracts;

Tract No. 1:

Beginning at the North ¼ section corner of Section 25 of T.11 S., R.22 E., B.M., said corner marked by a iron pipe with brass cap on top; Thence South 89 degrees 22 minutes 34 seconds East (East rec.) along the north section line for a distance of 260.00 feet to the Point of Beginning;
Thence South 89 degrees 22 minutes 34 seconds East continuing along said line for a distance of 372.53 feet to a ½" rebar;
Thence South 00 degrees 03 minutes 01 seconds West for a distance of 25.00 feet to a ½" rebar;
Thence South 00 degrees 03 minutes 01 seconds West for a distance of 25.00 feet;
Thence along a non-tangent curve to the left for a distance of 832.77 feet to a ½" rebar, said curve having a radius of 1458.77 feet and a central angle of 32°42'31" and a long chord bearing of South 45 degrees 12 minutes 32 seconds West for a distance of 821.51 feet;
Thence North 89 degrees 22 minutes 34 seconds West for a distance of 50.00 feet to a ½" rebar on the west line of the NE¼;
Thence North 00 degrees 03 minutes 01 seconds East for a distance of 218.12 feet to a ½" rebar;
Thence North 89 degrees 04 minutes 54 seconds East for a distance of 2.81 feet to a ½" rebar;
Thence North 00 degrees 03 minutes 01 seconds East for a distance of 69.98 feet to a ½" rebar;
Thence South 89 degrees 04 minutes 54 seconds West for a distance of 2.81 feet to a ½" rebar on the west line of the NE¼;
Thence North 00 degrees 03 minutes 01 seconds East for a distance of 102.01 feet to a ½" rebar;
Thence South 89 degrees 22 minutes 34 seconds East (East rec.) for a distance of 260.00 feet;
Thence North 00 degrees 03 minutes 01 seconds East (North rec.) for a distance of 245.00 feet to the Point of Beginning.

Tract No. 2:

Beginning at the Northwest corner of the NE¼ of said Section 25;
Thence South along the West boundary line of said NE¼ for 245 feet;
Thence East parallel with the North boundary line of said NE¼ for 260 feet;
Thence North parallel with the West boundary line of said NE¼ for 245 feet to a point on the North boundary line of said NE¼;
Thence West along the North boundary line of said NE¼ for 260 feet to the Point of Beginning.

PARCEL NO. 1

TOWNSHIP 11 SOUTH, RANGE 22 EAST FROM THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 13: Part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 13, more particularly described as follows:

Beginning at the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 13, said corner marked by a 5/8 inch rebar on top of a U.S.R.S. pipe with cap which shall be the Point of Beginning;

Thence North 87°50'00" West (N 87°47'08" W, rec.) along section line for 421.19 feet;

Thence North 0°50'57" East (North 0°53'59" E, rec.) for 216.51 feet to a 1/2" rebar;

Thence North 0°50'57" East (North 0°53'59" E, rec.) for 33.67 feet to a point on the approximate centerline of the "J" Canal;

Thence South 79°01'17" East (S 78°58'21" E, rec.) along the approximate centerline of the "J" Canal for 275.50 feet to a point;

Thence South 59°27'50" East (S 59°25'03" E, rec.) along the approximate centerline of the "J" Canal for 172.52 feet to a point on the East line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence South 0°50'57" West (S 0°53'49" W, rec.) along the East line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ for 30.43 feet to a 1/2 inch rebar;

Thence South 0°50'57" West (S 0°53'49" W, rec.) along the East line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ for 95.54 feet to the Point of Beginning.

PARCEL NO. 2

TOWNSHIP 11 SOUTH, RANGE 22 EAST FROM THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 13: Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 13, said corner marked by a 5/8 inch rebar on top of a U.S.R.S. pipe with cap which shall be the Point of Beginning;

Thence North 0°50'57" East (N 0°53'49" E, rec.) along the West line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ for 95.54 feet to a 1/2 inch rebar;

Thence North 0°50'57" East (N 0°53'49" E, rec.) along the West line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ for 30.43 feet to a point on the approximate centerline of the "J" Canal;

Thence South 59°27'50" East (S 59°25'03" E, rec.) along the approximate centerline of the "J" Canal for 264.75 feet to a point on the South line of Section 13;

Thence North 87°52'04" West (N 87°49'18" W, rec.) along the South line of Section 13 for 230.06 feet to the Point of Beginning.

PARCEL NO. 3

TOWNSHIP 11 SOUTH, RANGE 22 EAST FROM THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 23: SE $\frac{1}{4}$

Section 24: W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, EXCEPT the following described tract:

Beginning at the Northwest corner of Section 24 of T.11 S., R.22 E., B.M., said corner marked by a $\frac{5}{8}$ " rebar with 3" aluminum cap on top which shall be the Point of Beginning;

Thence South 87 degrees 50 minutes 00 seconds East along the north section line for a distance of 818.06 feet;

Thence South 02 degrees 10 minutes 00 seconds West for a distance of 25.00 feet to a $\frac{1}{2}$ " rebar;

Thence South 02 degrees 10 minutes 00 seconds West for a distance of 25.00 feet to a $\frac{1}{2}$ " rebar;

Thence along a curve to the left for a distance of 1036.27 feet; said curve having a radius of 1442.34 feet and a central angle of 41°09'54" and a long chord bearing of South 47 degrees 44 minutes 20 seconds West for a distance of 1014.13 feet;

Thence South 88 degrees 52 minutes 16 seconds West for a distance of 25.00 feet to a $\frac{1}{2}$ " rebar;

Thence South 88 degrees 52 minutes 16 seconds West for a distance of 25.00 feet to a $\frac{1}{2}$ " rebar on the west section line;

Thence North 01 degrees 07 minutes 44 seconds West along said line for a distance of 764.04 feet to the Point of Beginning.

Section 25: W $\frac{1}{2}$, EXCEPT the following described tract:

Beginning at the South $\frac{1}{4}$ section corner of Section 25 of T.11 S., R.22 E., B.M., said corner marked by a iron pipe with brass cap on top which shall be the Point of Beginning;

Thence South 89 degrees 25 minutes 24 seconds West along the south section line for a distance of 232.30 feet;

Thence North 00 degrees 43 minutes 30 seconds East for a distance of 30.79 feet to a $\frac{1}{2}$ " rebar;

Thence North 00 degrees 43 minutes 30 seconds East for a distance of 158.22 feet to a $\frac{1}{2}$ " rebar;

Thence North 49 degrees 18 minutes 36 seconds East for a distance of 303.64 feet to a $\frac{1}{2}$ " rebar on the east line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence South 00 degrees 03 minutes 01 seconds West along said line for a distance of 384.63 feet to the Point of Beginning.

Section 26:

E $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, EXCEPT the following described tracts:

Tract No. 1

Beginning at the Southeast corner of the NE $\frac{1}{4}$;
Thence N 00°05'53" W (north, rec.) for a distance of 330 feet;
Thence S 89°44'44" W (west, rec.) for a distance of 330 feet;
Thence S 00°05'53" E (south, rec.) for a distance of 330 feet;
Thence N 89°44'44" E (east, rec.) for a distance of 330 feet to the Point of Beginning.

Tract No. 2

Beginning at the North $\frac{1}{4}$ section corner of Section 26 of T.11 S., R.22 E., B.M., said corner marked by a iron pipe with brass cap on top which shall be the Point of Beginning;
Thence North 89 degrees 33 minutes 55 seconds East along the north section line for a distance of 727.57 feet to a $\frac{1}{2}$ " rebar;
Thence South 00 degrees 00 minutes 18 seconds East for a distance of 25.00 feet to a $\frac{1}{2}$ " rebar;
Thence South 00 degrees 00 minutes 18 seconds East for a distance of 23.79 feet to a $\frac{1}{2}$ " rebar;
Thence along a non-tangent curve to the left for a distance of 957.25 feet, said curve having a radius of 1435.80 feet and a central angle of 38°11'57" and a long chord bearing of South 46 degrees 08 minutes 20 seconds West for a distance of 939.62 feet;
Thence South 89 degrees 33 minutes 55 seconds West for a distance of 50.00 feet to a $\frac{1}{2}$ " rebar on the west line of the NE $\frac{1}{4}$;
Thence North 00 degrees 00 minutes 18 seconds West along said line for a distance of 694.26 feet to the Point of Beginning.

PARCEL NO. 4

TOWNSHIP 11 SOUTH, RANGE 23 EAST FROM THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 30: Part of Lots 2,3, and 4, more particularly described as follows:

THE NORTH 863.83 FEET OF THE FOLLOWING DESCRIBED PARCEL

Beginning at the Southwest corner of Lot 4 of said Section 30, said corner marked by a 5/8 inch rebar with a 3 inch cap on top; Thence North 00°20'12" East (N 00°21'49" E, rec.) along the West line of Section 30 for a distance of 429.13 feet to the Westerly right of way of State Highway 27 which shall be the Point of Beginning;
Thence North 00°20'12" East (N 00°21'49" E, rec.) along the West line of Section 30 for a distance of 2189.28 feet to a U.S.R.S. iron pipe with cap;
Thence North 00°19'54" East (N 0°21'49" E, rec.) along the West line of Section 30 for a distance of 863.83 feet to a 1/2" rebar;
Thence South 00°06'01" West (S 00°07'37" W, rec.) for a distance of 3030.51 feet (3030.49', rec.) to a 1/2 inch rebar on the Westerly right of way of State Highway 27;
Thence South 29°06'35" West (S 29°08'13" W, rec.) along the Westerly right of way of State Highway 27 for a distance of 25.82 feet (25.83, rec.) to the Point of Beginning.

Parcel 5:

TOWNSHIP 11 SOUTH, RANGE 23 EAST FROM THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 24: BURIED IRRIGATION PIPELINE EASEMENT over and
across and under part of the NW1/4NW1/4, more particularly described as follows:

Beginning at the Northwest corner of Section 24 of T.11 S., R.22 E., B.M., said corner marked by a 3/4" rebar with 3" aluminum cap on top; Thence South 01 degrees 07 minutes 44 seconds East along the west line of Section 24 for a distance of 764.04 feet; Thence South 88 degrees 52 minutes 15 seconds West for a distance of 13.12 feet to the Point of Beginning;
Thence North 01 degrees 07 minutes 44 seconds West for a distance of 405.69 feet;
Thence North 75 degrees 23 minutes 07 seconds East for a distance of 547.90 feet;
Thence along a non-tangent curve to the left for a distance of 58.11 feet, said curve having a radius of 1442.34 feet and a central angle of 2°18'30" with a long chord of South 55 degrees 15 minutes 09 seconds West for a distance of 58.11 feet;
Thence South 75 degrees 23 minutes 07 seconds West for a distance of 477.57 feet;
Thence South 01 degrees 07 minutes 44 seconds East for a distance of 389.92 feet;
Thence South 88 degrees 52 minutes 15 seconds West for a distance of 20.00 feet to the Point of Beginning.

EXHIBIT C

(Legal Description of Dry Corners)

PARCEL NO. 1:

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

Section 24: Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northwest corner of said Section 24, said corner marked by a 5/8 inch rebar with 3 inch aluminum cap on top which shall be the Point of Beginning: Thence South 87°50'00" East along the North section line for a distance of 818.06 feet; Thence South 02°10'00" West for a distance of 25.00 feet to a ½ inch rebar; Thence South 02°10'00" West for a distance of 25.00 feet to a ½ inch rebar; Thence along a curve to the left for a distance of 1036.27 feet, said curve having a radius of 1442.34 feet and a central angle of 41°09'54" and a long chord bearing of South 47°44'20" West for a distance of 1014.13 feet; Thence South 88°52'16" West for a distance of 25.00 feet to a ½ inch rebar; Thence South 88°52'16" West for a distance of 25.00 feet to a ½ inch rebar on the West section line; Thence North 01°07'44" West along said line for a distance of 764.04 feet to the Point of Beginning.

EXCEPTING THEREFROM, the following:

Beginning at the Northwest corner of said Section 24, said corner marked by a 5/8 inch rebar with a 3 inch Cassia County Survey cap which shall be the Point of Beginning: Thence South 87°47'08" East along the North line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 229.45 feet to a ½ inch rebar; Thence South 01°12'02" East for a distance of 118.22 feet to a ½ inch rebar; Thence South 85°30'12" West for a distance of 10.70 feet to a ½ inch rebar; Thence South 00°34'15" East for a distance of 32.07 feet to a ½ inch rebar; Thence South 15°16'27" East for a distance of 21.51 feet to a ½ inch rebar; Thence South 01°34'22" East for a distance of 145.09 feet to a ½ inch rebar; Thence South 88°55'31" West for a distance of 224.86 feet to a ½ inch rebar on the West line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$; Thence North 01°05'00" West along said line for a distance of 330.03 feet to the Point of Beginning.

PARCEL NO. 2:

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

Section 25: Part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northwest corner of the NE¼ of said Section 25;
Thence South along the West boundary line of said NE¼ for 245 feet;
Thence East parallel with the North boundary line of said NE¼ for 260 feet; Thence North parallel with the West boundary line of said NE¼ for 245 feet to a point on the North boundary line of said NE¼. Thence West along the North boundary line of said NE¼ for 260 feet to the Point of Beginning.

PARCEL NO. 3:

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

Section 25: Part of the NW¼NE¼, more particularly described as follows:

Beginning at the N¼ section corner of said Section 25, said corner marked by a iron pipe with brass cap on top; Thence South 89°22'34" East (East rec.) along the North section line for a distance of 260.00 feet to the Point of Beginning; Thence South 89°22'34" East continuing along said line for a distance of 372.53 feet to a ½ inch rebar; Thence South 00°03'01" West for a distance of 25.00 feet to a ½ inch rebar; Thence South 00°03'01" West for a distance of 25.00 feet; Thence along a non-tangent curve to the left for a distance of 832.77 feet to a ½ inch rebar, said curve having a radius of 1458.77 feet and a central angle of 32°42'31" and a long chord bearing of South 45°12'32" West for a distance of 821.51 feet; Thence North 89°22'34" West for a distance of 50.00 feet to a ½ inch rebar on the West line of the NE¼; Thence North 00°03'01" East for a distance of 218.12 feet to a ½ inch rebar; Thence North 89°04'54" East for a distance of 2.81 feet to a ½ inch rebar; Thence North 00°03'01" East for a distance of 69.98 feet to a ½ inch rebar; Thence South 89°04'54" West for a distance of 2.81 feet to a ½ inch rebar on the West line of the NE¼; Thence North 00°03'01" East for a distance of 102.01 feet to a ½ inch rebar; Thence South 89°22'34" East (East rec.) for a distance of 0260.00 feet; Thence North 00°03'01" East (North rec.) for a distance of 245.00 feet to the Point of Beginning.

PARCEL NO. 4:

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

Section 26: Part of the NW¼NE¼, more particularly described as follows:

Beginning at the North ¼ section corner of Section 26 of T.11 S., R.22 E., B.M., said corner marked by a iron pipe with brass cap on top which shall be the Point of Beginning; Thence North 89 degrees 33 minutes 55 seconds East along the

north section line for a distance of 727.57 feet to a ½" rebar; Thence South 00 degrees 00 minutes 18 seconds East for a distance of 25.00 feet to a ½" rebar; Thence South 00 degrees 00 minutes 18 seconds East for a distance of 23.79 feet to a ½" rebar; Thence along a non-tangent curve to the left for a distance of 957.25 feet, said curve having a radius of 1435.80 feet and a central angle of 38°11'57" and a long chord bearing of South 46 degrees 08 minutes 20 seconds West for a distance of 939.62 feet; Thence South 89 degrees 33 minutes 55 seconds West for a distance of 50.00 feet to a ½" rebar on the west line of the NE¼; thence North 00 degrees 00 minutes 18 seconds West along said line for a distance of 694.26 feet to the Point of Beginning.

#45029

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
1:53:14 pm 06-25-2009
2009-003208
NO. PAGES: 11 FEE: \$33.00
LARRY A. NICKELSEN
COUNTY CLERK
DEPUTY: VIKI

After recording, return to:
Eric B. Robinson
Kirton & McConkie
60 East South Temple, #1800
Salt Lake City, Utah 84111

Tax statements to be sent to:
c/o LDS Church Tax Division
Attn: Property No. 507-6544
50 East North Temple St., 22nd Floor
Salt Lake City, UT 84150-3620

(Space above for Recorder's use only)

QUITCLAIM DEED
CONVEYING WATER RIGHTS
(Water Rights Only)

For Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, BLACK MAGIC FARMS, L.L.C., an Idaho limited liability company that acquired title as BLACK MAGIC FARMS, LLC, an Idaho limited liability company, and BRIAN R. BEAN, a married man contracting as his sole and separate property, successor to Bean Holding, LLC an Idaho limited liability company (collectively "Grantor"), hereby remises, releases, and quitclaims to CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, of 50 East North Temple, Salt Lake City, Utah 84150 ("Grantee"), and Grantee's successors and assigns, all right, title, and interest in and to:

All of Grantor's right, title, and interest to those certain Idaho State water right numbers, 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 and Exhibit C, attached hereto and incorporated herein by this reference (the "Property"), and all ditches and ditch rights, reservoir and reservoir rights, pipelines, wells, well permits, pumps, storage tanks, rights-of-way, easements and associated rights or privileges appurtenant to or used in connection with either the Property or the Idaho State Water Rights (collectively, the "Water Rights").

[Signatures and acknowledgements are on the following page.]

IN WITNESS WHEREOF, Grantor has signed and delivered this Quitclaim Deed this
13th day of June, 2009.

Grantor:

BLACK MAGIC FARMS, L.L.C.,
an Idaho limited liability company that acquired
title as BLACK MAGIC FARMS, LLC, and Idaho
limited liability company

By: Brian Bean
_____, Manager

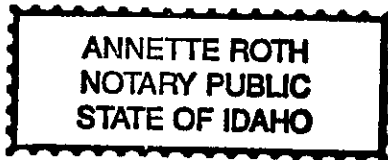
By: Wayne Bean
_____, Manager

Brian Bean

BRIAN R. BEAN, individually

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 13 day of June, 2009, before me, the undersigned, a Notary Public in
and for said State, personally appeared Brian Bean Wayne Bean, known or identified to me to be the person
whose name is subscribed to the within instrument as a member of Black Magic Farms, L.L.C.,
an Idaho limited liability company that acquired title as Black Magic Farms, LLC, an Idaho
limited liability company, and acknowledged to me that he executed the same as such.

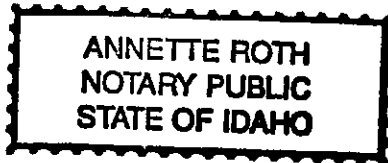


Annette Roth

Notary Public
Residing at: Rupert, Idaho
My Commission expires: 8-4-2011

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 13 day of June, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared Wayne Beck, known or identified to me to be the person whose name is subscribed to the within instrument as a member of Black Magic Farms, L.L.C., an Idaho limited liability company that acquired title as Black Magic Farms, LLC, an Idaho limited liability company, and acknowledged to me that he executed the same as such.



Annette Roth
Notary Public
Residing at: Rupert, Id
My Commission expires: 8-4-2011

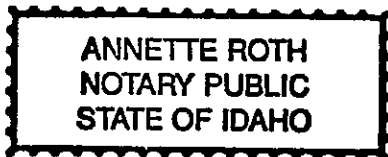
~~STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)~~

~~On this _____ day of _____, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, known or identified to me to be the person whose name is subscribed to the within instrument as a member of Black Magic Farms, L.L.C., an Idaho limited liability company that acquired title as Black Magic Farms, LLC, an Idaho limited liability company, and acknowledged to me that he executed the same as such.~~

~~_____
Notary Public
Residing at:
My Commission expires:~~

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 13 day of June, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared Brian R. Bean, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Annette Roth
Notary Public
Residing at: Rupert, Id
My Commission expires: 8-4-2011

EXHIBIT A

(Idaho State Water Rights)

Idaho Division of Water Rights Water Nos:

- (1) 45-2353B,
- (2) 45-2378B,
- (3) 45-2357B,
- (4) 45-2377F,
- (5) 45-2423B,
- (6) 45-2424B,
- (7) 45-2475B,
- (8) 45-2533B,
- (9) 45-2534D,
- (10) 45-2606D,
- (11) 45-2702B,
- (12) 45-4076B,
- (13) 45-13781,
- (14) 45-13805, and
- (15) 45-13806.

EXHIBIT B

(Legal Description of the Property)

Real Property situated in the County of Cassia, State of Idaho, specifically described as:

PARCEL NO. 1

TOWNSHIP 11 SOUTH, RANGE 22 EAST FROM THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 13: Part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 13, more particularly described as follows:

Beginning at the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 13, said corner marked by a 5/8 inch rebar on top of a U.S.R.S. pipe with cap which shall be the Point of Beginning;

Thence North 87°50'00" West (N 87°47'08" W, rec.) along section line for 421.19 feet;

Thence North 0°50'57" East (North 0°53'59" E, rec.) for 216.51 feet to a ½" rebar;

Thence North 0°50'57" East (North 0°53'59" E, rec.) for 33.67 feet to a point on the approximate centerline of the "J" Canal;

Thence South 79°01'17" East (S 78°58'21" E, rec.) along the approximate centerline of the "J" Canal for 275.50 feet to a point;

Thence South 59°27'50" East (S 59°25'03" E, rec.) along the approximate centerline of the "J" Canal for 172.52 feet to a point on the East line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence South 0°50'57" West (S 0°53'49" W, rec.) along the East line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ for 30.43 feet to a ½ inch rebar;

Thence South 0°50'57" West (S 0°53'49" W, rec.) along the East line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ for 95.54 feet to the Point of Beginning.

PARCEL NO. 2

TOWNSHIP 11 SOUTH, RANGE 22 EAST FROM THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 13: Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 13, said corner marked by a 5/8 inch rebar on top of a U.S.R.S. pipe with cap which shall be the Point of Beginning;

Thence North 0°50'57" East (N 0°53'49" E, rec.) along the West line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ for 95.54 feet to a ½ inch rebar;

Thence North 0°50'57" East (N 0°53'49" E, rec.) along the West line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ for 30.43 feet to a point on the approximate centerline of the "J" Canal;

Thence South 59°27'50" East (S 59°25'03" E, rec.) along the approximate centerline of the "J" Canal for 264.75 feet to a point on the South line of Section 13;

Thence North 87°52'04" West (N 87°49'18" W, rec.) along the South line of Section 13 for 230.06 feet to the Point of Beginning.

PARCEL NO. 3

TOWNSHIP 11 SOUTH, RANGE 22 EAST FROM THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 23: SE $\frac{1}{4}$

Section 24: W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, EXCEPT the following described tract:

Beginning at the Northwest corner of Section 24 of T.11 S., R.22 E., B.M., said corner marked by a $\frac{3}{8}$ " rebar with 3" aluminum cap on top which shall be the Point of Beginning;

Thence South 87 degrees 50 minutes 00 seconds East along the north section line for a distance of 818.06 feet;

Thence South 02 degrees 10 minutes 00 seconds West for a distance of 25.00 feet to a $\frac{1}{2}$ " rebar;

Thence South 02 degrees 10 minutes 00 seconds West for a distance of 25.00 feet to a $\frac{1}{2}$ " rebar;

Thence along a curve to the left for a distance of 1036.27 feet; said curve having a radius of 1442.34 feet and a central angle of 41°09'54" and a long chord bearing of South 47 degrees 44 minutes 20 seconds West for a distance of 1014.13 feet;

Thence South 88 degrees 52 minutes 16 seconds West for a distance of 25.00 feet to a $\frac{1}{2}$ " rebar;

Thence South 88 degrees 52 minutes 16 seconds West for a distance of 25.00 feet to a $\frac{1}{2}$ " rebar on the west section line;

Thence North 01 degrees 07 minutes 44 seconds West along said line for a distance of 764.04 feet to the Point of Beginning.

Section 25: W $\frac{1}{2}$, EXCEPT the following described tract:

Beginning at the South $\frac{1}{4}$ section corner of Section 25 of T.11 S., R.22 E., B.M., said corner marked by a iron pipe with brass cap on top which shall be the Point of Beginning;

Thence South 89 degrees 25 minutes 24 seconds West along the south section line for a distance of 232.30 feet;

Thence North 00 degrees 43 minutes 30 seconds East for a distance of 30.79 feet to a $\frac{1}{2}$ " rebar;

Thence North 00 degrees 43 minutes 30 seconds East for a distance of 158.22 feet to a $\frac{1}{2}$ " rebar;

Thence North 49 degrees 18 minutes 36 seconds East for a distance of 303.64 feet to a $\frac{1}{2}$ " rebar on the east line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence South 00 degrees 03 minutes 01 seconds West along said line for a distance of 384.63 feet to the Point of Beginning.

Section 26:

E½, S½NW¼, EXCEPT the following described tracts:

Tract No. 1

Beginning at the Southeast corner of the NE¼;

Thence N 00°05'53" W (north, rec.) for a distance of 330 feet;

Thence S 89°44'44" W (west, rec.) for a distance of 330 feet;

Thence S 00°05'53" E (south, rec.) for a distance of 330 feet;

Thence N 89°44'44" E (east, rec.) for a distance of 330 feet to the Point of Beginning.

Tract No. 2

Beginning at the North ¼ section corner of Section 26 of T.11 S., R.22 E., B.M., said corner marked by a iron pipe with brass cap on top which shall be the Point of Beginning;

Thence North 89 degrees 33 minutes 55 seconds East along the north section line for a distance of 727.57 feet to a ½" rebar;

Thence South 00 degrees 00 minutes 18 seconds East for a distance of 25.00 feet to a ½" rebar;

Thence South 00 degrees 00 minutes 18 seconds East for a distance of 23.79 feet to a ½" rebar;

Thence along a non-tangent curve to the left for a distance of 957.25 feet, said curve having a radius of 1435.80 feet and a central angle of 38°11'57" and a long chord bearing of South 46 degrees 08 minutes 20 seconds West for a distance of 939.62 feet;

Thence South 89 degrees 33 minutes 55 seconds West for a distance of 50.00 feet to a ½" rebar on the west line of the NE¼;

Thence North 00 degrees 00 minutes 18 seconds West along said line for a distance of 694.26 feet to the Point of Beginning.

PARCEL NO. 4

TOWNSHIP 11 SOUTH, RANGE 23 EAST FROM THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 30: Part of Lots 2,3, and 4, more particularly described as follows:

THE NORTH 863.83 FEET OF THE FOLLOWING DESCRIBED PARCEL

Beginning at the Southwest corner of Lot 4 of said Section 30, said corner marked by a 5/8 inch rebar with a 3 inch cap on top; Thence North 00°20'12" East (N 00°21'49" E, rec.) along the West line of Section 30 for a distance of 429.13 feet to the Westerly right of way of State Highway 27 which shall be the Point of Beginning;

Thence North 00°20'12" East (N 00°21'49" E, rec.) along the West line of Section 30 for a distance of 2189.28 feet to a U.S.R.S. iron pipe with cap;

Thence North 00°19'54" East (N 0°21'49" E, rec.) along the West line of Section 30 for a distance of 863.83 feet to a 1/2" rebar;

Thence South 00°06'01" West (S 00°07'37" W, rec.) for a distance of 3030.51 feet (3030.49', rec.) to a 1/2 inch rebar on the Westerly right of way of State Highway 27;

Thence South 29°06'35" West (S 29°08'13" W, rec.) along the Westerly right of way of State Highway 27 for a distance of 25.82 feet (25.83, rec.) to the Point of Beginning.

Parcel No. 5

TOWNSHIP 11 SOUTH, RANGE 23 EAST FROM THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 24: **BURIED IRRIGATION PIPELINE EASEMENT** over and across and under part of the NW1/4NW1/4, more particularly described as follows:

Beginning at the Northwest corner of Section 24 of T.11 S., R.22 E., B.M., said corner marked by a 3/4" rebar with 3" aluminum cap on top; Thence South 01 degrees 07 minutes 44 seconds East along the west line of Section 24 for a distance of 764.04 feet; Thence South 88 degrees 52 minutes 15 seconds West for a distance of 13.12 feet to the Point of Beginning;

Thence North 01 degrees 07 minutes 44 seconds West for a distance of 405.69 feet;

Thence North 75 degrees 23 minutes 07 seconds East for a distance of 547.90 feet;

Thence along a non-tangent curve to the left for a distance of 58.11 feet, said curve having a radius of 1442.34 feet and a central angle of 2°18'30" with a long chord of South 55 degrees 15 minutes 09 seconds West for a distance of 58.11 feet;

Thence South 75 degrees 23 minutes 07 seconds West for a distance of 477.57 feet;

Thence South 01 degrees 07 minutes 44 seconds East for a distance of 389.92 feet;

Thence South 88 degrees 52 minutes 15 seconds West for a distance of 20.00 feet to the Point of Beginning.

EXHIBIT C

(Legal Description of Dry Corners)

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

Section 24: Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northwest corner of said Section 24, said corner marked by a 5/8 inch rebar with 3 inch aluminum cap on top which shall be the Point of Beginning; Thence South 87°50'00" East along the North section line for a distance of 818.06 feet; Thence South 02°10'00" West for a distance of 25.00 feet to a ½ inch rebar; Thence South 02°10'00" West for a distance of 25.00 feet to a ½ inch rebar; Thence along a curve to the left for a distance of 1036.27 feet, said curve having a radius of 1442.34 feet and a central angle of 41°09'54" and a long chord bearing of South 47°44'20" West for a distance of 1014.13 feet; Thence South 88°52'16" West for a distance of 25.00 feet to a ½ inch rebar; Thence South 88°52'16" West for a distance of 25.00 feet to a ½ inch rebar on the West section line; Thence North 01°07'44" West along said line for a distance of 764.04 feet to the Point of Beginning.

EXCEPTING THEREFROM, the following:

Beginning at the Northwest corner of said Section 24, said corner marked by a 5/8 inch rebar with a 3 inch Cassia County Survey cap which shall be the Point of Beginning; Thence South 87°47'08" East along the North line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 229.45 feet to a ½ inch rebar; Thence South 01°12'02" East for a distance of 118.22 feet to a ½ inch rebar; Thence South 85°30'12" West for a distance of 10.70 feet to a ½ inch rebar; Thence South 00°34'15" East for a distance of 32.07 feet to a ½ inch rebar; Thence South 15°16'27" East for a distance of 21.51 feet to a ½ inch rebar; Thence South 01°34'22" East for a distance of 145.09 feet to a ½ inch rebar; Thence South 88°55'31" West for a distance of 224.86 feet to a ½ inch rebar on the West line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$; Thence North 01°05'00" West along said line for a distance of 330.03 feet to the Point of Beginning.

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

Section 26: Part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the North ¼ section corner of Section 26 of T.11 S., R.22 E., B.M., said corner marked by a iron pipe with brass cap on top which shall be the Point of Beginning; Thence North 89 degrees 33 minutes 55 seconds East along the north section line for a distance of 727.57 feet to a ½" rebar; Thence South 00

degrees 00 minutes 18 seconds East for a distance of 25.00 feet to a ½" rebar; Thence South 00 degrees 00 minutes 18 seconds East for a distance of 23.79 feet to a ½" rebar; Thence along a non-tangent curve to the left for a distance of 957.25 feet, said curve having a radius of 1435.80 feet and a central angle of 38°11'57" and a long chord bearing of South 46 degrees 08 minutes 20 seconds West for a distance of 939.62 feet; Thence South 89 degrees 33 minutes 55 seconds West for a distance of 50.00 feet to a ½" rebar on the west line of the NE¼; thence North 00 degrees 00 minutes 18 seconds West along said line for a distance of 694.26 feet to the Point of Beginning.