

Rushing, Emalee

From: Susan Ford [sford@kmclaw.com]
Sent: Monday, May 11, 2009 3:51 PM
To: Rushing, Emalee
Subject: FW: Deed
Attachments: 307926.tif

Hi Emalee,

This deed might also help on the Prefontaine issue. Please let me know if you need anything else. 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.

QUITCLAIM DEED

#41420

307926

For Value Received

BEAN HOLDING, LLC., an Idaho limited liability company

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

ROLAND C. BEAN and DENISE BEAN, Trustees of the ROLAND C. BEAN AND DENISE BEAN FAMILY TRUST

ADDRESS: 1924 Mohawk Lane, Ogden, UT 84403

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

See Attached Exhibit 'A'

RECEIVED

MAY 11 2009

DEPARTMENT OF WATER RESOURCES

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

Dated: April 11, 2006

BEAN HOLDING, LLC, an Idaho limited liability company

By: Roland Bean Roland Bean
Roland Bean, Member

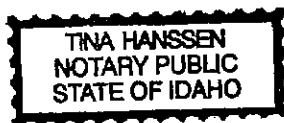
By: Denise Bean
Denise Bean, Member

RECORDED AT THE REQUEST OF
LAND TITLE & EGRESS
2006 APR 13 PM 4 46

307926
CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 0.00 DEPUTY pm

STATE OF IDAHO)
)ss.
COUNTY OF CASSIA)

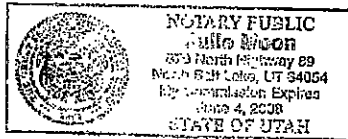
On this 11th day of April, 2006, before me, the undersigned, a Notary Public, personally appeared Roland Bean, known or identified to me (or proved on the oath of) to be the member of Bean Holding, LLC the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.



Tina Hansen
Notary Public
Residing at: Rupert, ID
My Commission Expires: 05/07/09

STATE OF Utah
COUNTY OF Davis) ss.

On this 14 day of April, 2006, before me, the undersigned, a Notary Public, personally appeared Denise Bean known or identified to me (or proved on the oath of) to be a member, of Bean Holding, LLC, the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.



Julie Bacon
Notary Public
Residing at: 4236 Horn Ln
My Commission Expires: June 4, 2008

EXHIBIT 'A'

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 N $\frac{1}{4}$ 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 $\frac{1}{2}$ inch rebar;
Thence South 00°03'01" West for a distance of 25.00 feet to a $\frac{1}{2}$ 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 $\frac{1}{2}$
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 $\frac{1}{2}$ inch rebar on the
West line of the NE $\frac{1}{4}$;
Thence North 00°03'01" East for a distance of 218.12 feet to a $\frac{1}{2}$ inch rebar;
Thence North 89°04'54" East for a distance of 2.81 feet to a $\frac{1}{2}$ inch rebar;
Thence North 00°03'01" East for a distance of 69.98 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°04'54" West for a distance of 2.81 feet to a $\frac{1}{2}$ inch rebar on the
West line of the NE $\frac{1}{4}$;
Thence North 00°03'01" East for a distance of 102.01 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°22'34" East (East rec.) for a distance of 260.00 feet;
Thence North 00°03'01" East (North rec.) for a distance of 245.00 feet to the
Point of Beginning.

WARRANTY DEED
307928

#41420

For Value Received

**ROLAND C. BEAN and DENISE BEAN, Trustees of the ROLAND C. AND DENISE BEAN
FAMILY TRUST**

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

DANIEL C. PREFONTAINE, a married man contracting with his sole and separate property
Address: 149 West 600 South, Burley, ID 83318

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

See Attached Exhibit "A"

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

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2006 and subsequent years.

Assessments of the Southwest Irrigation District and the rights and powers of said District as by law provided.

Power Line Easement from Alfred N. Knight and Belle Knight, husband and wife to Idaho Power Company, a corporation, dated May 5, 1955 and recorded July 13, 1956 as Instrument No. 190515 in Book 15 of Miscellaneous on Page 364 in the office of the County Recorder of the County of Cassia, State of Idaho, over, on and across the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 11 South, Range 22, East of the Boise Meridian. (Parcel No. 1)

Road Right of Way contained in Deed from Judd Farms, Inc., an Idaho Corporation to Steven R. Judd and Julie G. Judd, husband and wife, dated September 22, 1980 and recorded September 26, 1980 as Instrument No. 129431 on Film No. 137, records of Cassia County, Idaho, which reads as follows: **SUBJECT TO** a county road right-of-way over the North 25 feet of said property."

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

RECORDED AT THE REQUEST OF
LAND TITLE ASSOCIATION
2003 APR 13 PM 4 46
FEE \$20.00
CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
DUTY *Law*

307928

RECEIVED

MAY 11 2009

DEPARTMENT OF WATER RESOURCES

Dated: April 11, 2006

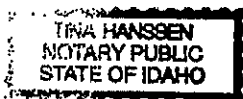
ROLAND C. AND DENISE BEAN FAMILY TRUST

BY: Roland C Bean Roland C Bean
ROLAND C. BEAN, Trustee

BY: Denise Bean
DENISE BEAN, Trustee

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

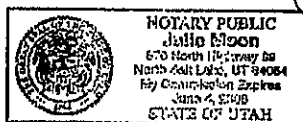
On this 11th day of April, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Roland C. Bean, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Roland C and Denise Bean Family Trust, and acknowledged to me that he executed the same as such Trustee.



Tina Hansen
Notary Public
Residing at: Rupert, ID
My Commission expires: 05/07/09

STATE OF UTAH)
) ss.
COUNTY OF Davis)

On this 14 day of April, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Denise Bean, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Roland C and Denise Bean Family Trust, and acknowledged to me that she executed the same as such Trustee.



Julie Moon
Notary Public
Residing at: 484 Hamilton
My Commission expires: June 4, 2008

EXHIBIT 'A'

PARCEL NO. 1:

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 NE $\frac{1}{4}$ of said Section 25;
Thence South along the West boundary line of said NE $\frac{1}{4}$ for 245 feet;
Thence East parallel with the North boundary line of said NE $\frac{1}{4}$ for 260 feet;
Thence North parallel with the West boundary line of said NE $\frac{1}{4}$ for 245 feet to a
point on the North boundary line of said NE $\frac{1}{4}$.
Thence West along the North boundary line of said NE $\frac{1}{4}$ for 260 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:

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