

Rushing, Emalee

From: Susan Ford [sford@kmcclaw.com]
Sent: Friday, January 23, 2009 11:15 AM
To: Rushing, Emalee
Subject: Bean Water Right Transfer
Attachments: Prefontaine Deed.pdf; Bean Farm Deed.pdf

Hi Emalee,

I just left you a voice mail regarding these deeds. Please feel free to call me with any questions or concerns.
Thanks.

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 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.

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 Salt Lake City, Utah 84111

CASSIA COUNTY
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 LAND TITLE AND ESCROW
 4:21:09 pm 01-02-2009
2009-000007
 NO. PAGES: 5
 LARRY A. NICKELSEN
 COUNTY CLERK
 DEPUTY: WILMAR
 FEE: \$15.00

RECEIVED

JAN 23 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, DANIEL C. PREFONTAINE, a married man contracting with his sole and separate property, successor to Bean Holding, LLC, an Idaho limited liability 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").

[Signature and acknowledgment are on the following page]

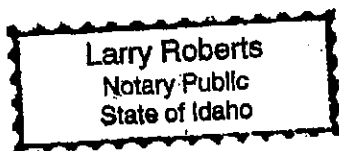
IN WITNESS WHEREOF, Grantor has signed and delivered this Quitclaim Deed this
30th day of December 2008.

Grantor:

By: 
Daniel C. Prefontaine

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 30th day of December, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Daniel C. Prefontaine, 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.



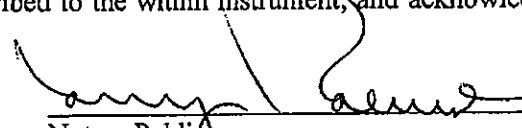

Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

EXHIBIT A

(Idaho State Water Rights)

Idaho Division of Water Rights Water Nos:

- (1) 45-2441,
- (2) 45-10975,
- (3) 45-11037, and
- (4) 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.

EXHIBIT C

(Legal Description of Dry Corners)

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 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.

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.

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

CASSIA COUNTY
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 LAND TITLE AND ESCROW
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DEPARTMENT OF WATER RESOURCES

Tax statements to be sent to:
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 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 FARMS, INC., an Idaho corporation, also appearing of record as BEAN FARMS INC., an Idaho corporation* ("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, 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").

[Signature and acknowledgment are on the following page.]

* and Delma G. Bean, Trustee of the Raymond and Delma Bean Family Trust

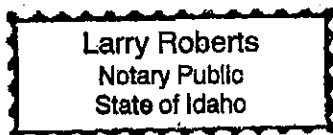
19th IN WITNESS WHEREOF, Grantor has signed and delivered this Quitclaim Deed this
day of December, 2008.

Grantors: BEAN FARMS, INC.,
an Idaho corporation

By: Delma Bean
Delma Bean, President and Secretary
Trustor Delma Bean
Delma Bean, aka Delma G. Bean, Trustee of
the Raymond and Delma Bean Family Trust

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

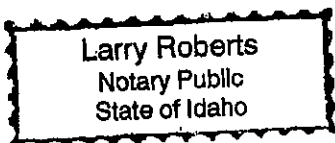
On this 19th day of December, 2008, before me, the undersigned, a Notary Public in and
for said State, personally appeared Delma Bean, known or identified to me to be the person
whose name is subscribed to the within instrument as the Secretary of BEAN FARMS, INC., an
Idaho corporation, and acknowledged to me that she executed the same as such.



[Signature]
Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09.

STATE OF IDAHO)
) ss.
County of Cassia)

On this 19th day of December, 2008, before me, the undersigned, a
Notary Public in and for said State, personally appeared Delma Bean,
aka Delma G. Bean, known or identified to be to be the person whose
name is subscribed to the within instrument as Trustee of the Raymond
and Delma Bean Family Trust, and acknowledged to me that she
executed the same as such Trustee.



[Signature]
Larry Roberts, Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

EXHIBIT A

(Idaho State Water Rights)

Idaho Division of Water Rights Water Nos:

- (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

(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 25: Part of the SE¼ more particularly described as follows:

Beginning at the South ¼ Section corner of Section 25 of T. 11 S., R. 22 E., B.M. said corner marked by an iron pipe with brass cap which shall be the Point of Beginning;
Thence North 00 degrees 03 minutes 01 seconds East along the west line of the SE¼ for a distance of 2644.19 feet to the Center ¼ Section corner of Section 25;
Thence South 89 degrees 56 minutes 20 seconds East along the north line of the SE¼ for a distance of 2637.39 feet to a USRS iron pipe with cap at the East ¼ Section corner of Section 25;
Thence South 00 degrees 20 minutes 12 seconds West along the east line of the SE¼ for a distance of 2189.28 feet to the westerly right of way of State Highway 27;
Thence South 29 degrees 06 minutes 35 seconds West along the westerly right of way of State Highway 27 for a distance of 493.55 feet to a ½" rebar on the south line of Section 25;
Thence South 89 degrees 29 minutes 52 seconds West along the south line of Section 25 for a distance of 2386.84 feet to the Point of Beginning.

PARCEL NO. 2

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

Section 27: S½SW¼

PARCEL NO. 3

**TOWNSHIP 12 SOUTH, RANGE 22 EAST FROM THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 3:

Beginning at the North $\frac{1}{4}$ Section corner of Section 3 of T. 12 S., R. 22 E., B.M. said corner marked by a 5/8" rebar which shall be the Point of Beginning;
Thence South 00 degrees 11 minutes 14 seconds West along the north-south $\frac{1}{4}$ Section line for a distance of 5303.98 feet to a USGLO iron pipe at the South $\frac{1}{4}$ Section corner of Section 3;
Thence North 89 degrees 57 minutes 54 seconds West along the south line of Section 3 for a distance of 2648.60 feet to a 5/8" rebar with a 3" cap on top at the SW corner of Section 3;
Thence North 00 degrees 13 minutes 08 seconds East along the west line of Section 3 for a distance of 2649.00 feet to a 5/8" rebar with a 3" cap on top at the West $\frac{1}{4}$ Section corner of Section 3;
Thence North 00 degrees 13 minutes 38 seconds East along the west line of Section 3 for a distance of 403.79 feet to the easterly right of way of the Eastern Idaho Railroad;
Thence North 21 degrees 42 minutes 02 seconds East along the easterly right of way of said railroad for a distance of 2416.94 feet to the north line of Section 3;
Thence North 89 degrees 52 minutes 19 seconds East along the north line of Section 3 for a distance of 1760.53 feet to the Point of Beginning.

PARCEL NO. 4

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

Section 34: Part of the W $\frac{1}{2}$ of Section 34 more particularly described as follows:

Beginning at the NW corner of Section 34 of T.11 S., R.22 E., B.M. said corner marked by an iron pipe with brass cap which shall be the Point of Beginning;

Thence North 89 degrees 46 minutes 21 seconds East along the north line of Section 34 for a distance of 1792.08 feet;

Thence South 00 degrees 28 minutes 21 seconds West for a distance of 30.42 feet to a $\frac{1}{2}$ " rebar;

Thence South 00 degrees 28 minutes 21 seconds West for a distance of 1749.34 feet to a $\frac{1}{2}$ " rebar on the west line of the Amalgamated Sugar Company property;

Thence South 21 degrees 43 minutes 02 seconds West along the Amalgamated Sugar Company property line for a distance of 938.65 feet to a $\frac{1}{2}$ " rebar on the south line of the NW $\frac{1}{4}$;

Thence North 89 degrees 49 minutes 11 seconds East along the south line of the NW $\frac{1}{4}$ for a distance of 377.22 feet to the west right of way of the Eastern Idaho Railroad;

Thence South 21 degrees 43 minutes 02 seconds West along said railroad right of way for a distance of 2855.79 feet to the south line of Section 34;

Thence South 89 degrees 52 minutes 19 seconds West for a distance of 777.05 feet to a $\frac{5}{8}$ " rebar with a 3" cap on top at the SW corner of Section 34;

Thence North 00 degrees 17 minutes 12 seconds East along the west line of Section 34 for a distance of 2649.13 feet to an iron pipe with brass cap;

Thence North 00 degrees 17 minutes 10 seconds East along the west line of Section 34 for a distance of 2649.17 feet to the Point of Beginning.

PARCEL NO. 5 & 6

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

Section 34: Part of Section 34 more particularly described as follows:

Beginning at the NE corner of Section 34 of T.11 S., R.22 E., B.M. said corner marked by an iron pipe with brass cap which shall be the Point of Beginning;

Thence South 00 degrees 10 minutes 14 seconds West along the east line of Section 34 for a distance of 2653.88 feet to a 5/8" rebar with a 3" cap on top at the East 1/4 corner;

Thence South 00 degrees 10 minutes 14 seconds West along the east line of Section 34 for a distance of 2653.88 feet to a 5/8" rebar with a 3" cap on top at the SE corner of Section 34;

Thence South 89 degrees 52 minutes 17 seconds West along the south line of Section 34 for a distance of 2645.17 feet to a 5/8" rebar with a 3" cap on top at the S 1/4 corner of Section 34;

Thence South 89 degrees 52 minutes 19 seconds West along the south line of Section 34 for a distance of 1760.53 feet to the east right of way of the Eastern Idaho Railroad;

Thence along the east right of way of the Eastern Idaho Railroad on the following courses and distances:

North 21 degrees 43 minutes 02 seconds East for a distance of 2455.89 feet;

North 89 degrees 49 minutes 11 seconds East for a distance of 53.89 feet;

North 21 degrees 43 minutes 02 seconds East for a distance of 400.00 feet;

North 89 degrees 49 minutes 11 seconds East for a distance of 80.83 feet;

North 21 degrees 43 minutes 02 seconds East for a distance of 322.23 feet;

North 53 degrees 10 minutes 12 seconds West for a distance of 129.48 feet;

North 21 degrees 43 minutes 02 seconds East for a distance of 93.22 feet;

South 53 degrees 10 minutes 12 seconds East for a distance of 129.48 feet;

North 21 degrees 43 minutes 02 seconds East for a distance of 650.00 feet;

North 53 degrees 10 minutes 12 seconds West for a distance of 129.48 feet;

North 21 degrees 43 minutes 02 seconds East for a distance of 788.02 feet;

South 00 degrees 10 minutes 10 seconds West for a distance of 136.14 feet;

North 21 degrees 43 minutes 02 seconds East for a distance of 1067.07 feet to the north line of Section 34;

North 89 degrees 45 minutes 51 seconds East for a distance of 2253.40 feet to the Point of Beginning.