#45194

DE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
SEP 0 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
PD 45-10407					
45-2054 - not claimed					

The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE.** See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

Name and Address of Former Owner/Claimant(s)	45-10407 Winecup, Inc. (Ray C. Bedke) & 45-2054 Winecup, Inc. (Martha D. Worthington) P. O. Box 283 Oakley, ID 83346
New Owner/Claimant(s)	Wybenga Dairy, LLC Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
New Mailing Address	460 West 90 North
City, State and ZIP Code	Burley, ID 83318
New Telephone Number	(208) 862-7880
Date you acquired the property	September 4, 2008

SUPPORT DATA
IN FILE # 45-10407

5. Date you acquired the property _____

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right will not be split, skip this area and proceed to line 7)

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. **Signature(s) of New Owner(s) or Claimant(s)** WYBENGA DAIRY, LLC
By: _____
Steve Wybenga, Manager (title if applicable)
_____ (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____	Date 9/9/08	Receipt Amt. $50
Receipted by JR	Date 9/17/08	Receipt No. 5030416
Processed by _____ AJ	Date _____	WR _____ Date _____

#121809 COMPARED

Deed of County Property

THIS INDENTURE, made this 13th day of October, 19 36, between Cassia County, State of Idaho, party of the first part, and Ray Bedke of Oakley, Idaho, party of the second part:

WITNESSETH, That whereas the hereinafter described parcel of land situated within the County of Cassia, State of Idaho, and hereinafter more particularly described, has heretofore been offered for sale at public auction held under the provisions of Section 30-718 of the Idaho Code Annotated; and

WHEREAS, pursuant to the provisions of Section 30-713 of the Idaho Code Annotated, the Board of County Commissioners in and for the County of Cassia, State of Idaho, did on the 11th day of December, 19 35, by order recorded in Book 8 of Commissioners' Minutes at page 150 thereof, fix a minimum price on said parcel of land, to wit: the price of $ 120.00; and

WHEREAS, said order as so recorded was published as a part of said Commissioners' proceedings in the Oakley Herald, then the official county newspaper, published weekly at Oakley, Cassia County, Idaho, in an issue of said newspaper bearing date the 13th day of December, 19 35, affidavit of the publication of which is on file in the office of the County Recorder of Cassia County, Idaho, as Document No. 117603 and recorded in Book 8 of Commissioners' Minutes at page 152 thereof; and

WHEREAS, at a meeting of the said Board of County Commissioners of Cassia County, Idaho, on the 13th day of October, 19 36, the matter of the private sale of said parcel of land came before the board and the board finding that no person had appeared within a period of thirty days between the date of publication of said proceedings of date December 11, 19 35, and those of the said October 13, 19 36, or at all, to file a protest with the clerk of said board; and

WHEREAS, Ray Bedke of Oakley, Idaho, appeared before the board and offered to purchase the said parcel of land for the sum of $ 120.00, and said price being no less than the minimum price so heretofore fixed by the board, and said sum appearing to the board to be a reasonable price for such land, it was ordered by the board that such offer be accepted and that private sale be made of such parcel of land for the said sum of $ 120.00 to the said Ray Bedke

NOW, THEREFORE, the said party of the first part, for and in consideration of the said sum of $ 120.00, lawful money of the United States, paid to W. R. Stearman, the County Treasurer of Cassia County, State of Idaho, by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold and by these presents does grant, bargain, sell and convey unto the said party of the second part and to his heirs and assigns, forever, all the following described real estate situated in Cassia County, State of Idaho, and more particularly described as follows, to-wit:

S½NE¼, NW¼, N½S½ Sec. 25; E½NE¼ Sec. 26 -- All in Twp. 12 S. R. 22 E. B. M.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, The Board of County Commissioners of said Cassia County, State of Idaho, has caused the name of said county to be hereunto subscribed by its Chairman, and the seal of said Board of County Commissioners to be hereunto affixed.

ATTEST:

Calvin E. Wright
County Auditor and Ex-officio Clerk of the Board of County Commissioners

CASSIA COUNTY
STATE OF IDAHO

By H. P. Matthews
Chairman of the Board of County Commissioners

(COMMISSIONERS' SEAL)

STATE OF IDAHO)
COUNTY OF CASSIA) ss.

On this 13th day of October, 19 36, before me, Henry W. Tucker, a Notary Public for the State of Idaho in the County of Cassia, personally appeared H. P. Matthews, known to me to be the chairman of the Board of County Commissioners of said Cassia County, the municipal corporation which executed the within and foregoing instrument, and acknowledged to me that such municipal corporation executed the same by and through him as such officer.

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

(NOTARIAL SEAL)

Henry W. Tucker
Notary Public for the State of Idaho, residing at Burley, Idaho

My Commission expires June 1, 1938

Filed for record at request of Ray Bedke at 10:29 A. M., Oct. 15, 1936.
Fee: $1.00.
Calvin E. Wright, County Recorder.

25-1222

(1)

95

TAX DEED

B 7 T DEED

FORM 10

#105007

CERT. No. 553-65

THIS INDENTURE, Made the 1st day of March, A. D. 19 3" ,

between Lawrence J. Dunn County Treasurer and ex-Officio Tax Collector of Cassia County, State of Idaho (hereinafter generally referred to as "Tax Collector"), the party of the first part, and Cassia County, State of Idaho, the party of the second part,

WITNESSETH, WHEREAS, The County Treasurer and ex-Officio Tax Collector of said County, pursuant to law, did on or before the first Monday of January, 19 '6 , carry over and enter delinquent taxes and penalties thereon, in the proper columns provided therefor in the real property assessment roll, against the property hereinafter described, which property was entered on the assessment roll and upon which taxes had not been paid; which delinquency entry, under the provisions of Section 3241 of the Compiled Statutes of Idaho, operated as a tax sale of said property to said tax collector as grantee in trust for the County;

WHEREAS, As shown by said delinquency entry, said property was duly and regularly assessed in the name of

International Mortgage Bank for taxes levied for the year 19 27 , which taxes were and are a lien upon said property and were and are now unpaid and delinquent;

WHEREAS, The amount of the said delinquent taxes, being the taxes of all taxing units for said year which the said County is authorized to collect upon said property, together with penalties and interest, is the sum of Fifty Two & 98/100 Dollars;

WHEREAS, The said delinquency entry stated all matters and things required by law to be stated therein;

WHEREAS, The said property was subject to taxes for the said year and was assessed and equalized, as required by law; the taxes so levied on said property were levied and the penalties added according to law; the taxes on any personal property included in said delinquency entry were payable by the owner of the real estate in said delinquency entry and hereinafter described; the said taxes were extended upon the real property assessment roll at the proper time and place by the proper officer; the delinquency entry was made as prescribed by law, and said taxes have not been paid and the property has not been redeemed therefrom;

WHEREAS, The Tax Collector did heretofore, at the time prescribed by law, issue a notice, partly written and partly printed, stating when the delinquency entry was made, in whose name the property was assessed, the description of the said property, for what year taxed and assessed, and that the time of redemption thereon would expire on the 4th day of January, A. D. 19 32 , and did serve the same on the persons in actual possession and occupancy of such property and also the persons in whose names the same stands upon the records in the Recorder's office of said County, by personal service, where such persons could be found in the State, and where the said persons or any of them could not be found, by posting a true copy of said notice upon said land, by publication as required by law, and by mailing to the record owner of said property as required by law; and the said Tax Collector did, at the same time, send a similar notice by registered mail to the following named mortgagees or other holders of recorded liens against said property who had previously filed in his office a written request for such notice, to-wit:

WHEREAS, The said Tax Collector has made an affidavit of service of said notice, as required by law, which was delivered to the County Auditor of Cassia County, Idaho, and by such officer entered on the records of his office;

WHEREAS, Said property has never been redeemed and the time for redemption has expired;

NOW, THEREFORE, The Tax Collector, pursuant to law and in consideration of the premises and of the sum of

Fifty Two & 98/100 DOLLARS

to him paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm unto the said County of Cassia, State of Idaho, and to its successors and assigns forever, all and singular, the following described property situated in said Cassia County, State of Idaho, to-wit:

South Half Northeast Quarter (S½NE¼); Northwest Quarter (NW¼); North Half South Half (N½S½) Section Twenty Five (25); East Half Northeast Quarter (E½NE¼) Section Twenty Six (26) Twp. Twelve (12) South Rge. Twenty Two (22) E. B. M.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, possession and claim, as well in law as in equity, of the said Tax Collector and of the said County as a taxing unit and Collector for other taxing units, and all owners and claimants thereof, and all owners or claimants of any interest therein, or any lien upon, in and to the above described property and every part and parcel thereof, except as provided in Section 3263 of the Compiled Statutes of Idaho as amended, reserving therefrom any and all right, title and interest in and to any and all subsequent tax certificates, delinquent taxes, and taxes levied and assessed against said property constituting a lien upon the above described property at the date hereof.

TO HAVE AND TO HOLD, All and singular the above last mentioned and described property, together with the appurtenances thereof, unto the said party of the second part and its successors and assigns forever.

IN WITNESS WHEREOF, Lawrence C. Dunn the duly authorized County Treasurer and ex-Officio Tax Collector of Cassia County, Idaho, has hereunto set his hand and affixed the seal of his office at Burley in said County of Cassia, State of Idaho, the day and year first above written.

Lawrence C. Dunn
County Treasurer and ex-Officio Tax Collector of
Cassia *County, State of Idaho.*

(SEAL)

STATE OF IDAHO,
COUNTY OF Cassia } ss.

On this 1st day of March, A. D. 19 32, before me, B. F. Wilson, a Clerk of the District Court in and for said County of Cassia, in the State of Idaho, personally appeared Lawrence C. Dunn known to me to be the County Treasurer and ex-Officio Tax Collector of said Cassia County, and who executed the within instrument as such and acknowledged to me that he executed the same as such officer.

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

(SEAL)

B. F. Wilson
Clerk of the District Court, in and for Cassia County, Idaho.

STATE OF IDAHO,
COUNTY OF Cassia } ss.

I hereby certify that this instrument was filed for record at the request of L. C. Dunn, Treas. at 12 minutes past 9 o'clock A.M., this 1 day of March, 19 32, in my office, and duly recorded in Book 7 of Tax Deeds at page 95.

Fees $ x

B. F. Wilson
Ex-Officio Recorder.

By Margaret Romney
Deputy.

STEPHAN, BALLEISEN AND SLAVIN
Robert W. Stephan
P. O. Box 83
Twin Falls, Idaho 83301
Telephone: 208-733-2721
Of Counsel for Administratrix

DEC 1 9 1973 1:00 p.m. COPY

J. Maupin

74351

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA

MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE	Case No. _____
	ORDER AND DECREE OF DISTRIBUTION.
OF S. RAY BEDKE,	
DECEASED.	

The Petition of ANNE C. BEDKE for settlement and distribution of the above named estate having come before the Court for hearing without notice, the Court makes the following findings:

Anne C. Bedke is the duly appointed, qualified and acting Personal Representative of the above named estate.

The Personal Representative has filed an Inventory and Appraisement of all property of the estate known to her; Notice to Creditors has been published and the time for presenting claims that arose prior to the death of decedent has expired; all debts of the decedent and of the estate, and all expenses of administration, and all taxes that have attached to or accrued

is

against the estate have been paid, with the exception that the Federal Estate Tax return has not, as yet, been audited and approved.

The Personal Representative has waived filing of a Final Account and Notice of Hearing of her Petition for Distribution, and the estate is in a condition to be closed; no objections have been filed.

The decedent died intestate on January 26, 1973 and your Petitioner, as widow of decedent and sole heir of decedent is entitled to distribution of the remaining estate property. The remaining estate property is more particularly described in Schedule "A" attached hereto and by reference made a part hereof.

IT IS HEREBY ORDERED AND DECREED:

No Final Account was required in this estate because the only heir of decedent waived filing of the same.

No notice was given of the hearing on distribution since the only heir of decedent waived filing of such notice.

The Personal Representative is hereby directed to make distribution of the remaining estate property, more particularly described in Schedule "A" attached hereto, and any other property of the decedent or the estate not now known or discovered, to the said Anne C. Bedke, widow of decedent.

Dated this 12 day of ~~November~~ December, 1973.

Magistrate

SCHEDULE "A"

REAL PROPERTY:

The following described property is owned by the partnership composed of S. Ray Bedke, Anne C. Bedke and Ray C. Bedke, in which partnership the said S. Ray Bedke and Anne C. Bedke owned an undivided 47.1 per cent interest:

All partnership real property located in Cassia County, State of Idaho:

JEWS HARP RANCH:

SCHEDULE "A"

REAL PROPERTY:

The following described property is owned by the partnership composed of S. Ray Bedke, Anne C. Bedke and Ray C. Bedke, in which partnership the said S. Ray Bedke and Anne C. Bedke owned an undivided 47.1 per cent interest:

All partnership real property located in Cassia County, State of Idaho:

JEWS HARP RANCH:

Section 23, Township 16 South, Range 21, E.B.M., Northwest Quarter (NW¼); Northwest Quarter of the Southwest Quarter (NW¼SW¼)

Section 22, Township 16 South, Range 21, E.B.M., East Half of the East Half (E½E½)

OAKLEY FLAT RANCH:

Section 24, Township 12 South, Range 22, E.B.M., Northeast Quarter (NE¼); West Half (W½)

Section 25, Township 12 South, Range 22, E.B.M., Northwest Quarter (NW¼); West Half of the Northeast Quarter of the Southwest Quarter (W½NE¼SW¼); Northwest Quarter of the Southwest Quarter (NW¼SW¼); Southwest Quarter of the Southwest Quarter (SW¼SW¼); West Half of the Southeast Quarter of the Southwest Quarter (W½SE¼SW¼)

Section 26, Township 12 South, Range 22, E.B.M., East Half of the Northeast Quarter (E½NE¼)

OAKLEY RANCH--LADLOCK:

Section 29, Township 13 South, Range 22, E.B.M., Northwest Quarter of the Southwest Quarter (NW¼SW¼) and Tax No. 339 described as follows:

BEGINNING at the Northwest corner of the Northeast Quarter of the Southeast Quarter (NE¼SE¼) of said Section 29, Township 13 South, Range 22, E.B.M., THENCE East 46 rods, THENCE South [illegible] rods, THENCE West 46 rods, THENCE North [illegible] rods to the place of beginning.

Tax No. 340 described as follows:

BEGINNING 46 rods East of the Northeast corner of the Northeast Quarter of the Southeast Quarter (NE¼SE¼) of Section 29, Township 13 South, Range 22, E.B.M., and THENCE South 40 rods, THENCE West 34 rods, and THENCE North 40 rods, THENCE East [illegible] rods, to the place of beginning.

LIGHT AIR FLAT RANCH:

Section 32, Township 14 South, Range 22, E.B.M., East Half of the West Half (E½W½); Southeast Quarter (SE¼)

BLUE HILL CREEK RANCH:

Section 21, Township 16 South, Range 22, E.B.M., West Half (W½)

HARPER RANCH:

Section 23, Township 13 South, Range 22, E.B.M.,

LIGHT AIR FLAT RANCH:

Section 32, Township 14 South, Range 22, E.B.M., East Half of the West Half (E½W½); Southeast Quarter (SE¼)

BLUE HILL CREEK RANCH:

Section 21, Township 16 South, Range 22, E.B.M., West Half (W½)

HARPER RANCH:

Section 33, Township 13 South, Range 22, E.B.M.,

BEGINNING at a point 1890 feet North from the Southeast corner of Section 33, Township 13 South, Range 22, E.B.M., THENCE North 756 feet, THENCE West 1,002 feet, THENCE South 878 feet, THENCE East 919 feet, THENCE North 32°56' East 152.6 feet to the point of beginning.

BASIN RANCH:

Section 17, Township 13 South, Range 23, E.B.M., East Half (E½); East Half of the Northwest Quarter (E½NW¼); Southeast Quarter of the Southwest Quarter (SE¼SW¼)

Section 20, Township 13 South, Range 23, E.B.M., North Half of the Northeast Quarter (N½NE¼); Southwest Quarter of the Northeast Quarter (SW¼NE¼); Northwest Quarter (NW¼)

Section 21, Township 13 South, Range 23, E.B.M., North Half of the Northwest Quarter (N½NW¼)

Section 19, Township 13 South, Range 23, E.B.M., Northeast Quarter of the [illegible] Quarter ([illegible])

Included with the real property are [illegible] head of grazing rights located in Utah, [illegible] head of [illegible] rights and 194 head grazing rights [illegible]

The following described property is not partnership property but is the community property of [illegible] Bedke and Anne C. Bedke:

HOME RANCH:

Part of Lots 1 and 2 in Block 11 of the Oakley Townsite, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of the County of Cassia, State of Idaho, described as:

BEGINNING at the [illegible] corner of Lot [illegible] in Block 11 of the Oakley Townsite, THENCE South 17 rods, THENCE East 5½ feet, THENCE North 17 rods, THENCE West 5½ feet to the point of beginning.

AND BEGINNING at the Northeast corner of Lot 2 in Block 11 of the Oakley Townsite, THENCE West 107.5 feet, THENCE South 17 rods, THENCE East 107.5 feet, THENCE North 17 rods to the point of beginning.

Together with the improvements located thereon.

LANGLOIS RANCH:

Section 18, Township 13 South, Range 22, E.B.M.,

East 5½ feet, THENCE North 17 rods, THENCE West 5½ feet to the point of beginning.

AND BEGINNING at the Northeast corner of Lot 2 in Block 11 of the Oakley Townsite, THENCE West 107.5 feet, THENCE South 17 rods, THENCE East 107.5 feet, THENCE North 17 rods to the point of beginning.

Together with the improvements located thereon.

LANGLOIS RANCH:

Section 18, Township 13 South, Range 22, E.B.M., South Half of the Northwest Quarter of the Northeast Quarter (S½NW¼NE¼); South Half of the Northeast Quarter (S½NE¼)

WILSON RANCH:

Section 21, Township 13 South, Range 22, E.B.M., Southeast Quarter of the Southeast Quarter (SE¼SE¼)

PERSONAL PROPERTY:

The following described Personal Property is owned by the partnership composed of S. Ray Bedke and Anne C. Bedke and Ray C. Bedke, in which partnership said S. Ray Bedke and Anne C. Bedke owned an undivided 47.1 per cent interest therein:

Partnership Savings Account

Partnership Checking Account in Cassia National Bank, Burley, Idaho, in the names of Ray Bedke and son.

247 shares of Stock [illegible] Packing Company - undivided 47.1% interest owned by S. Ray Bedke and Anne C. Bedke.

United Coop Certificate [illegible] 47.1% interest owned by S. Ray Bedke and Anne C. Bedke

The following described property is the community property of S. Ray Bedke and Anne C. Bedke.

Checking account in Cassia National Bank, Burley, Idaho in the names of Ray and Anne Bedke.

Special checking account in Cassia National Bank, Burley, Idaho, in the name of Ray Bedke.

Household furniture, furniture and appliances.

Farm House Addition (Langlois Ranch).

Brand known as the Starting Gate Brand.

The following are improvements located on the partnership real property - 47.1 per cent interest owned by S. Ray Bedke and Anne C. Bedke:

Steel Granary - Oakley Ranch

Warehouse - Oakley Ranch.

Granary - Oakley Ranch.

Pipeline - Light Air Flats Ranch.

Steel Granary - Oakley Ranch.

Warehouse - Oakley Ranch.

Granary - Oakley Ranch.

Pipeline - Light Air Flats Ranch.

Adding Machine - Oakley Ranch.

G.M.C. - Oakley Ranch.

Pickup - Oakley Ranch.

Ski Doo - Oakley Ranch.

Ranch Car.

Fifteen Bulls - Idaho.

Three Bulls - Idaho

One Bull - Utah.

54 Heifers - 3 years.

20 Heifers - coming 2 years.

312 cows - 3 years and up.

Interest and rent due to partnership in the sum of $110.73. Undivided 47.1% owned by S. Ray Redke and Anne Redke in the amount of $52.06.

Partnership is owner of house [illegible] by Ray Redke (son of decedent) which [illegible] located in Section 33, Township 13 South, Range [illegible], Cassia County, Idaho which land is owned [illegible]

Modern brick house with [illegible], undivided 47.1% owned by S. Ray Redke and Anne Redke.

[illegible]

ATTORNEYS AT LAW

82419

WARRANTY DEED

For value received, $10.00 and other valuable consideration, ANNE C. BEDKE, a widow, and RAY C. BEDKE and NEDRA BEDKE, Husband and Wife, and RAY BEDKE and SON , A Partnership, hereinafter called the Grantors, hereby grant, bargain, sell and convey unto WINECUP, INC., an Idaho Corporation, hereinafter called the Grantee, the following described premises situated in Cassia County, State of Idaho, to-wit:

Township 16 S, Range 21 EBM

Section 23: NW¼; NW¼SW¼ - Jews Harp Ranch
Section 22: E½E½ - Jews Harp Ranch

Township 12 S Range 22 EBM

Section 24: NE¼; W½
25: NW¼: W½NE¼SW¼: NW¼SW¼: SW¼SW¼: W½SE¼SW¼
26: E½NE¼
Oakley Flat Ranch

Township 13 S, Range 22 EBM

Section 29: NW¼SW¼ and Tax No. 339 described as follows: BEGINNING at the NW corner of the NE¼SW¼ of said Section 29, Township 13 S, Range 22 EBM, Thence East 46 rods; thence South 80 rods; thence West 46 rods; thence North 80 rods to the place of beginning.

Section 29: Tax No. 340 described as follows: BEGINNING 46 rods East of the NW corner of the NE¼SW¼ of said Section, thence South 80 rods; thence East 34 rods; thence North 80 rods; thence West 34 rods to the place of beginning -
Oakley Ranch-- Tadlock

Township 14 S, Range 22, EBM

Section 32: E½W½, SE¼ - Light Air Flat Ranch

Township 16 S, Range 22, EBM

Section 21: W½ - Blue Hill Creek Ranch

Township 13 S, Range 22 EBM

Section 33: Beginning at a point 1890 feet North from the SW Corner of Section 33; thence North 750 feet; thence West 1,002 feet; thence South 870 feet; thence East 919 feet; thence North 32°56' East 152.6 feet to the point of beginning. -
Harper Ranch

Township 13S, Range 23 EBM

Section 17: E½; E½NW¼; SE¼SW¼
20: N½NE¼; SW¼NE¼; NW¼
21: N½NW¼
19: NE¼NE¼ -
Basin Ranch

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

DATED: 1st day of June, 1973.

Anne C. Bedke

Ray C. Bedke

Nedra D. Bedke

Ray Bedke Jr.

by Ray C. Bedke, Jr.

by Anne C. Bedke, Jr.

STATE OF IDAHO)
)ss
County of Cassia)

On this 1st day of June, 1973, before me a notary public in and for said State, personally appeared ANNE C. BEDKE, a widow, and RAY C. BEDKE and NEDRA BEDKE, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public for Idaho
Residing at Burley, Idaho

STATE OF IDAHO)

COUNTY OF CASSIA)ss

Residing at Burley, Idaho

STATE OF IDAHO)
COUNTY OF CASSIA) ss
)

On this 1st day of June, 1974, before me, a Notary Public for said State, personally appeared RAY C. BEDKE and ANNE C. BEDKE, known to me to be the partners in the partnership of RAY BEDKE & SON, and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

Herman E. Bedke
Notary Public

State of Idaho
County of Cassia) ss 8211[illegible]

I hereby certify that the within instrument was filed at the request of [illegible]
On [illegible]
At [illegible], 19 75
[illegible] M. and recorded on File
Inst. # 8211[illegible]
Frank B. Kearns, Recorder
[illegible], Deputy

Box 249
Burley, Ida.

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
1:50:12 pm 09-05-2008
2008-005030
NO. PAGES: 2 FEE: $6.00
LARRY A. MICKELSEN
COUNTY CLERK
DEPUTY: VIKI

WARRANTY DEED

#45194

FOR VALUE RECEIVED,

WINECUP, INC., an Idaho corporation, "Grantor", does hereby grant, bargain, sell and convey unto **WYBENGA DAIRY, LLC**, an Idaho limited liability company, whose address is 460 West 90 North, Burley, Idaho 83318, the "Grantee", the following described premises located in Cassia County, Idaho, to wit:

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

Section 24: SW1/4;

Section 25: NW1/4; W1/2SW1/4; W1/2E1/2SW1/4

Together with all water rights appurtenant thereto, including but not limited to Water Right No. 45-10407 and Water Right No. 45-2054, if such right exists.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. The said Grantor does hereby covenant to and with the said Grantee, that it is the owner of said premises; that it will warrant and defend the same from all lawful claims whatsoever, except as hereinabove specifically provided, and the specific exceptions listed below:

1. Taxes for 2008 and subsequent years, a lien but not yet due or payable.

2. Assessments levied, or to be levied, by the Goose Creek Irrigation District.

3. Power Line Easement executed by Ray Bedke and Anne C. Bedke, his wife to Idaho Power Company, a corporation, its licensees, successors and assigns, dated May 18, 1953 and recorded April 27, 1954 as Instrument No. 182236 in Book 15 of Miscellaneous, Page 128, records of Cassia County, Idaho. Affects the W½SW¼ and S½NW¼ of Section 25, Township 12 South, Range 22, East Boise Meridian and additional property not included herein.

4. Effects of Power Line Easement executed by Albert Anderson and Sons, a corporation to Idaho Power Company, a corporation, its licensees, successors and assigns, dated 14 July 1971 and recorded November 4, 1971 as Instrument No. 59136 on Film No. 72, records of Cassia County, Idaho. Affects the East 30 feet of the NW¼ of Section 25, Township 12 South, Range 22, East Boise Meridian.

5. Grant of Easement executed by Winecup, Inc., an Idaho corporation to First Security

Bank of Idaho, N.A., dated April 13, 1985 and recorded April 15, 1985 as Instrument No. 168587 on Film No. 171. records of Cassia County, Idaho. Affects part of the S½ of Section 25, Township 12 South, Range 22, East Boise Meridian.

6. Grant of Easement executed by Winecup, In., an Idaho corporation to First Security Bank of Idaho, N.A., dated April 13, 1985 and recorded April 15, 1985 as Instrument No. 168589 on Film No. 171, records of Cassia County, Idaho. Affects part of the SE¼NW¼ Section 25, Township 12 South, Range 22, East Boise Meridian.

7. Grant of Easement executed by Winecup, Inc., to First Security Bank of Idaho, N.A., a national banking association, dated April 13, 1985 and recorded April 15, 1985 as Instrument No. 168596 on Film No. 171, records of Cassia County, Idaho. Affects part of the SW¼SW¼ and part of the W½SE¼SW¼ Section 25, Township 12 South, Range 22, East Boise Meridian.

8. Agreement executed by Winecup, Inc., an Idaho corporation to First Security Bank of Idaho, dated March 20,* Instrument No. 169816 on Film No. 173, records of Cassia County, Idaho. Affects the SW ¼ of Section 24; W ½ of Section 25, Township 12 South, Range 22, East Boise Meridian, and additional property not included herein.
*1985

DATED THIS 5th day of September, 2008.

"GRANTOR"
WINECUP, INC.

Nedra G. Bedke
NEDRA BEDKE, President/Secretary

STATE OF IDAHO)
ss:
County of Cassia)

On this 5th day of September, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared NEDRA BEDKE, President/Secretary of WINECUP, INC., known to me to be such officer and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same in such capacity.

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

Larry Roberts
Notary Public
State of Idaho

NOTARY PUBLIC for Idaho
Residing at: Burley, ID
Commission Expires: 6-30-09