

COPY

TWIN FALLS COUNTY

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2008-017324

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KRISTINA GLASCOCK

County Clerk

Deputy: JEFF NETER

581815m

WARRANTY DEED

For Value Received, **Driscoll Brothers Partnership**, an Idaho general partnership, (Grantor), hereby grants, bargains, sells and conveys unto **Visser Holsteins**, a California General Partnership dba Eagle View Farms, ("Grantee") the premises located in Twin Falls County, Idaho, and legally described in the attached Exhibit A. Grantee's address is provided below:

Visser Holsteins
450 E. 3950 N.
Buhl, ID 83316

RECEIVED
AUG 01 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Grantor conveys said premises, with their appurtenances, to Grantee and to its successors and assigns to have and to hold forever. Grantor does hereby covenant to and with Grantee that Grantor owns said premises in fee simple, that the premises are free from all encumbrances, except as otherwise provided below, and that Grantor will forever warrant the title to said premises.

Notwithstanding the foregoing, this conveyance is subject to federal patents; building and use restrictions; building and zoning regulations and ordinances of any governmental unit; all rights of way, ditch rights, and easements claimed, established or of record; accruing taxes and assessments; encumbrances which are not shown by public records and which were created prior to Grantor's ownership of the property; discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records; and unpatented mining claims.

This conveyance is further subject to those property interests listed in the attached Exhibit B and to that certain Lease Agreement, of even date herewith, wherein Grantor is Tenant and Grantee is Landlord. The term of said lease ends July 31, 2009 or at such earlier date as more particularly set forth in the Lease Agreement.

GRANTOR:

Driscoll Brothers Partnership, an Idaho
general partnership

Date: 7/31/08

By: [Signature]
Brock Driscoll, Partner

Date: July 31st 2008

By: [Signature]
Dirk Driscoll, Partner

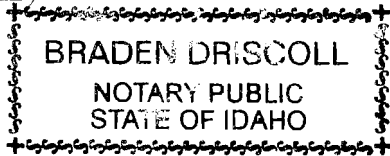
STATE OF IDAHO)
)ss.

COUNTY OF TWIN FALLS) BD

On this 31 day of ~~June~~^{July}, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Dirk Driscoll and Brock Driscoll, known or identified to me to be two of the Partners in the partnership of **Driscoll Brothers Partnership**, and the partners who subscribed said partnership name to the foregoing instrument and acknowledged to me that such partnership executed the same in said partnership name.

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

(SEAL)



Braden Driscoll
NOTARY PUBLIC STATE OF IDAHO
Residing at: Power County
Commission expires: Oct 18, 2012

EXHIBIT 'A'

PARCEL NO. 1

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 28: NW $\frac{1}{4}$ NW $\frac{1}{4}$

SUBJECT TO Twin Falls County Highway Right of Way

EXCEPT a parcel of land 250 feet by 400 feet located in the Northwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, more particularly described as follows:

BEGINNING at the Northwest corner of said Section 28 and which is the TRUE POINT OF BEGINNING;

THENCE South 89°55' East 400 feet;

THENCE South 00°03' East 250 feet;

THENCE North 89°55' West 400 feet;

THENCE North 00°03' West 250 feet to the TRUE POINT OF BEGINNING.

2320

PARCEL NO. 2

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 20: SE $\frac{1}{4}$

Section 21: W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 29: N $\frac{1}{2}$ NE $\frac{1}{4}$

Section 33: SW $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$

SUBJECT TO Twin Falls County Highway Right of Way

PARCEL NO. 3

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 33: E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$

SUBJECT TO Twin Falls County Highway Right of Way

PARCEL NO. 4

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 34: E $\frac{1}{2}$ SW $\frac{1}{4}$

SUBJECT TO Twin Falls County Highway Right of Way

Township 10 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 3: Lots 3 and 4; S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$

SUBJECT TO Twin Falls County Highway Right of Way

PARCEL NO. 5

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 34: S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 35: S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$

SUBJECT TO Twin Falls County Highway Right of Way

PARCEL NO. 6

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 33: NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 34: W $\frac{1}{2}$ NW $\frac{1}{4}$

SUBJECT TO Twin Falls County Highway Right of Way

PARCEL NO. 7

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 34: NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$

SUBJECT TO Twin Falls County Highway Right of Way

PARCEL NO. 8

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 28: E $\frac{1}{2}$ NW $\frac{1}{4}$

AND the following described easement as reflected in Warranty Deed from Peterson Farms, Inc., to Laray Easterday and Janet Easterday, husband and wife; Alvin Easterday; Elden Easterday and Anita Easterday, husband and wife; Lenerd Easterday and Lorene Easterday, husband and wife; and Ronald Easterday and Mary Easterday, husband and wife, recorded May 1, 1980, as Instrument No. 781997, records of Twin Falls County, Idaho:

A 30-foot strip of land as it affects the following described parcels of ground:

in Section 28, Township 9 South, Range 13 E., B.M., the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;

in Section 33, the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

BEGINNING at a point that lies North 40°19' East 940.1 feet and North 39°51'30" East 1,096.7 feet of the Southwest corner of Section 33;

THENCE describing a 30-foot strip of land being 15 feet left and right of the following described easement centerline due North 825.2 feet;

THENCE North 00°13'30" West 1,585.6 feet;

THENCE North 00°03'30" West 1,795.3 feet;

THENCE North 00°10'30" East 8.3 feet;

THENCE North 00°10'30" East 3,500.7 feet to a point that lies approximately South 3°37' East 131.4 feet and South 47°12'30" East 1,760.0 feet of the Northwest corner of said Section 28.

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 28: NW $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPT that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ being more particularly described as follows:

BEGINNING at the Northwest corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE East along the North line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ for 210 feet;

THENCE South and parallel to the West line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ for 225 feet;

THENCE West parallel to the North line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ for 210 feet to the West line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE North along said West line for 225 feet to the POINT OF BEGINNING.

Section 29: S $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 28: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 29: S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 32: NE $\frac{1}{4}$

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 28: That part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ being more particularly described as follows:

BEGINNING at the Northwest corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE East along the North line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ for 210 feet;

THENCE South and parallel to the West line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ for 225 feet;

THENCE West parallel to the North line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ for 210 feet to the West line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE North along said West line for 225 feet to the POINT OF BEGINNING.

ALL SUBJECT TO Twin Falls Highway District right of way

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 34: NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$

SUBJECT TO Twin Falls Highway District right of way

PARCEL NO. 9

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 32: SE $\frac{1}{4}$

SUBJECT TO Highway District right of way.

Township 10 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 4: Lots 1, 2, 3 and 4; S $\frac{1}{2}$ N $\frac{1}{2}$; N $\frac{1}{2}$ S $\frac{1}{2}$; S $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 5: Lots 1, 2, and 3; SE $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$

ALL SUBJECT TO Highway District right of way.

PARCEL NO. 10-A

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 32: SW $\frac{1}{4}$ SW $\frac{1}{4}$

SUBJECT TO Highway District right of way.

EXCEPT: A parcel of land located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

COMMENCING at the Southwest corner of said Section 32, from which the West one-quarter corner of said Section 32 bears North 00°12'02" West 2644.57 feet, said Southwest corner of Section 32 being the TRUE POINT OF BEGINNING;

THENCE North 00°12'02" West along the West boundary of the SW $\frac{1}{4}$ of said Section 32 for a distance of 285.00 feet;

THENCE North 89°57'53" East parallel with the South boundary of the SW $\frac{1}{4}$ of said Section 32 for a distance of 365.00 feet;

THENCE South 00°12'02" East parallel with the West boundary of the SW $\frac{1}{4}$ of said Section 32 for a distance of 285.00 feet to a point on the South boundary of the SW $\frac{1}{4}$ of said Section 32;

THENCE South 89°57'53" West along the South boundary of the SW $\frac{1}{4}$ of said Section 32 for a distance of 365.00 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 10-B

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 32: A parcel of land located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ more particularly described as follows:

COMMENCING at the Southwest corner of said Section 32, from which the West one-quarter corner of said Section 32 bears North 00°12'02" West 2644.57 feet, said Southwest corner of Section 32 being the TRUE POINT OF BEGINNING;

THENCE North 00°12'02" West along the West boundary of the SW¼ of said Section 32 for a distance of 285.00 feet;

THENCE North 89°57'53" East parallel with the South boundary of the SW¼ of said Section 32 for a distance of 365.00 feet;

THENCE South 00°12'02" East parallel with the West boundary of the SW¼ of said Section 32 for a distance of 285.00 feet to a point on the South boundary of the SW¼ of said Section 32;

THENCE South 89°57'53" West along the South boundary of the SW¼ of said Section 32 for a distance of 365.00 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 11

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 32: NW¼; N½SW¼; SE¼SW¼

SUBJECT TO Twin Falls Highway District right of way

PARCEL NO. 12

Township 10 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 20: SE¼NE¼

EXCEPT that portion lying South of the centerline of the Castleford Grade Road, subject to the right of way and easement of said Castleford Grade Road.

SUBJECT TO Twin Falls Highway District right of way

PARCEL NO. 13

Easement as contained in Easement Agreement between Carl G. Hoehner and Imogene Hoehner, husband and wife, and Driscoll Brothers, a partnership composed of Brock Driscoll, Dirk Driscoll, Lorraine Driscoll and Thayne Driscoll, recorded October 1, 1999, as Instrument No. 1999-017963, records of Twin Falls County, Idaho.

PARCEL NO. 14

Easement from O.E. Marshall and Ernestine A. Marshall, husband and wife, and Kenneth W. Marshall and Helen L. Marshall, husband and wife, to John E. Keller dated August 28, 1967, recorded October 16, 1967, as Instrument No. 518338, in Book 219 of Deeds, page 2560, records of Twin Falls County, Idaho.

PARCEL NO. 15

Township 10 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 3: S½SW¼

Section 5: SW¼SW¼; NW¼SW¼; SW¼NW¼; Lot 4 **EXCEPT** the North 525 feet thereof.

Section 6: SE¼SE¼

Section 7: NE¼NE¼

Section 8: E½; NW¼; N½SW¼ and SE¼SW¼

Section 9: S½; S½NE¼; NW¼ and N½NE¼

Section 10: NW¼; W½NE¼ and W½SW¼

Section 16: NW¼; NW¼SW¼; W½NE¼; NE¼NE¼ and SW¼SW¼

Section 17: NE¼

ALL SUBJECT TO Highway District right of way.

SCHEDULE B - Section 2

EXHIBIT 'B'

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession, or claiming to be in possession, thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land, and that is not shown by the Public Records.
4. Any lien, or right to a lien, imposed by law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c), or (d) are shown by the public records.
6. Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.
8. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
9. Grant of Easement from S.A. Willis, S.R. Swilling, and Cal Lewis to P.E. Dean dated August 5, 1922, recorded August 5, 1922, as Instrument No. **152905**, in Book 63 of Deeds, page 417, records of Twin Falls County, Idaho. (affecting Parcel No. 9)
10. Reservation in Deed from Northern Pacific Railway Company to Charles B. Faraday dated August 28, 1907, recorded March 15, 1956, as Instrument No. **453199**, in Book 187 of Deeds, page 369, records of Twin Falls County, Idaho. (affecting Parcel No. 12 in SE¼NE¼ of Section 20, Township 10 South, Range 13 E., B.M.)
11. Power Line Easement from Opal N. Aslett and Duane Aslett to the Idaho Power Company recorded July 28, 1960, as Instrument No. **495292**, records of Twin Falls County, Idaho. (affecting Parcel 2)

12. Power Line Easement from R. Ivan Snodgrass and Billie Snodgrass, husband and wife, to the Idaho Power Company dated July 19, 1960, recorded July 28, 1960, as Instrument No. **495293**, records of Twin Falls County, Idaho. (within the NW¼SW¼ of Section 28, Township 9 South, Range 13 E., B.M.) (affecting Parcel No. 8)
13. Power Line Easement from Fred B. Thieme and Minnie Thieme, husband and wife, to the Idaho Power Company dated July 15, 1960, recorded July 28, 1960, as Instrument No. **495302**, in Book 201 of Deeds, page 279, records of Twin Falls County, Idaho. (affecting Parcels 1, 2 and 3)
14. Power Line Easement from John C. Robertson and Doris O. Robertson, husband and wife, to the Idaho Power Company recorded July 28, 1960, as Instrument No. **495303**, records of Twin Falls County, Idaho. (affecting Parcel 5)
15. Power Line Easement from John F. Glatt and Sue F. Glatt, husband and wife, to the Idaho Power Company dated July 22, 1960, recorded August 25, 1960, as Instrument No. **495946**, in Book 201 of Deeds, page 404, records of Twin Falls County, Idaho. (over and across the SW¼NE¼, Lot 4 of Section 4, Township 10 South, Range 13 E., B.M.) (affecting Parcel No. 9)
16. Power Line Easement from Orlene I. Peterson and Glenn O. Peterson, wife and husband, to the Idaho Power Company dated July 29, 1960, recorded August 25, 1960, as Instrument No. **495947**, in Book 201 of Deeds, page 405, records of Twin Falls County, Idaho, records of Twin Falls County, Idaho. (within the W½SW¼ of Section 4, Township 10 South, Range 13 E., B.M.) (affecting Parcel No. 9)
17. Power Line Easement from Ronald G. Carter and LaRae D. Carter, husband and wife, to the Idaho Power Company dated July 21, 1960, recorded August 25, 1960, as Instrument No. **495948**, in Book 201 of Deeds, page 406, records of Twin Falls County, Idaho, granting right of way and easement over and across the W½SW¼ of Section 33, Township 9 South, Range 13 E., B.M. (affecting Parcels 1, 2 and 3) (irrigation pipeline and ditch)
18. Power Line Easement from Alvin L. Keller, Alfred C. Keller and Marie Keller to the Idaho Power Company dated May 8, 1961, recorded July 3, 1961, as Instrument No. **504750**, in Book 215 of Deeds, page 56, records of Twin Falls County, Idaho. (the South 10 feet of the SW¼SW¼ of Section 4, Township 10 South, Range 13 E., B.M., and the South 10 feet of the SE¼SE¼ of Section 5, Township 10 South, Range 13 E., B.M.) (affecting Parcel No. 9)
19. Easement from John E. Keller and Frances J. Keller, husband and wife; and Kenneth W. Marshall and Helen L. Marshall, husband and wife, to Kenneth W. Marshall and Helen L. Marshall, husband and wife, dated September 17, 1963, recorded September 18, 1963, as Instrument No. **529762**, in Book 212 of Deeds, page 488, records of Twin Falls County, Idaho. (affecting Parcel No. 12 in SE¼NE¼ of Section 20, Township 10 South, Range 13 E., B.M.)
20. Power Line Easement from Gordon R. Rasmussen and Karen L. Rasmussen to the Idaho Power Company recorded August 16, 1965, as Instrument No. **554344**, records of Twin Falls County, Idaho. (affecting Parcel 3)
21. Power Line Easement from Gordon R. Rasmussen and Karen L. Rasmussen to the Idaho Power Company recorded August 5, 1966, as Instrument No. **567228**, in Book 219 of Deeds, page 305, records of Twin Falls County, Idaho. (within the SE¼SW of Section 33, Township 9 South, Range 13 E., B.M.) (affecting Parcels 1, 2 and 3)

22. Agreement between Orville A. Graesch and Renata Graesch, husband and wife, and Gordon Ross Rasmussen and Karen Lee Rasmussen, husband and wife, recorded August 9, 1966, as Instrument No. **567329**, records of Twin Falls County, Idaho. (covenant for the delivery of waste water - affecting Parcel 3)
23. Easement from John E. Keller and Frances J. Keller, husband and wife; and Kenneth W. Marshall and Helen L. Marshall, husband and wife, to John E. Keller and Frances J. Keller, husband and wife, dated September 17, 1963, recorded April 21, 1967, as Instrument No. **575615**, in Book 219 of Deeds, page 1523, records of Twin Falls County, Idaho. (for irrigation purposes) (affecting Parcel No. 12 in SE¼NE¼ of Section 20, Township 10 South, Range 13 E., B.M., and covering Parcel No. 9)
24. Right of Way from John E. Keller to the Bureau of Land Management dated July 18, 1962, recorded May 24, 1967, as Instrument No. **576830** in Book 219 of Deeds, page 1752, records of Twin Falls County, Idaho. (affecting Parcel No. 9)
25. Power Line Easement from Farrell Peterson and Joyce Peterson to the Idaho Power Company recorded July 30, 1971, as Instrument No. **622934**, records of Twin Falls County, Idaho. (affecting Parcel No. 2)
26. Water System and Water Division Agreement between LaRay L. Easterday and Janet M. Easterday, husband and wife, and Ronald Dean Easterday and Mary G. Easterday, husband and wife, dated January 23, 1973, recorded January 23, 1973, as Instrument No. **645118**, records of Twin Falls County, Idaho. (within the NW¼SW¼ of Section 28, Township 9 South, Range 13 E., B.M.) (affecting Parcel No. 8)
27. Power Line Easement from LaRay L. Easterday and Janet M. Easterday to the Idaho Power Company recorded January 31, 1973, as Instrument No. **645470**, records of Twin Falls County, Idaho. (within the S½SE½ of Section 34, Township 9 South, Range 13 E., B.M.) (affecting Parcel 5)
28. Power Line Easement from LaRay L. Easterday and Janet M. Easterday to the Idaho Power Company recorded May 15, 1973, as Instrument No. **650226**, records of Twin Falls County, Idaho. (within the NW¼SW¼ of Section 28, Township 9 South, Range 13 E., B.M.) (affecting Parcel 8)
29. Power Line Easement from Ronald D. Easterday and Mary G. Easterday to the Idaho Power Company recorded February 5, 1974, as Instrument No. **660650**, records of Twin Falls County, Idaho. (within the SW¼SW¼ of Section 28, Township 9 South, Range 13 E., B.M.) (affecting Parcel No. 8)
30. Power Line Easement from G.K. Munsee and LaRee Munsee, husband and wife, to the Idaho Power Company dated March 7, 1977, recorded September 29, 1977, as Instrument No. **723063**, records of Twin Falls County, Idaho. (affecting Parcel No. 9)
31. Grant of Easement between Wayne R. Marshall, a single man, to Kenneth W. Marshall recorded March 29, 1979, as Instrument No. **755843**, records of Twin Falls County, Idaho. (private pipeline and pump base easement or right of way) (affecting Parcel No. 12 in SE¼NE¼ of Section 20, Township 10 South, Range 13 E., B.M.)
32. Power Line Easement from Farrell Peterson and Gary Peterson to the Idaho Power Company recorded August 27, 1979, as Instrument No. **766714**, records of Twin Falls County, Idaho. (within the NE¼SW¼ of Section 33, Township 9 South, Range 13 E., B.M.) (affecting Parcels 1, 2 and 3)

33. Easement from Ronald D. Easterday and Mary G. Easterday, husband and wife; and LaRay L. Easterday and Janet Easterday, husband and wife, to Peterson Farms, Inc., recorded January 18, 1980, as Instrument No. **775565**, records of Twin Falls County, Idaho. (perpetual easement to transport water for the benefit of property in Sections 28 and 33 of Township 9 South, Range 13 E., B.M.) (affecting Parcels 1, 2, 3 and 8)
34. Right of Way from the United States, Department of the Interior, Bureau of Land Management, to Peterson Farms, Inc., recorded January 18, 1980, as Instrument No. 775566, records of Twin Falls County, Idaho. (affecting Parcels 1, 2 and 3)
35. Pipeline and Road Easement between Peterson Farms, Inc., an Idaho corporation; and LaRay L. Easterday and Janet M. Easterday, husband and wife; and Ronald Easterday and Mary G. Easterday, husband and wife, recorded February 21, 1980, as Instrument No. **777495**, records of Twin Falls County, Idaho. (for the benefit of Section 28, 29 and 32 of Township 9 South, Range 13 E., B.M.) (affecting Parcel 8)
36. Grant of Easement between Kenneth W. Marshall and Helen L. Marshall, husband and wife, to Doug J. Marshall, individually; Howard D. Marshall, individually; John M. Thomas, individually; and Jean L. Marshall, aka Jean L. Giuffre, individually, recorded December 18, 1980, as Instrument No. **794560**, records of Twin Falls County, Idaho; and Correction Grant of Easement recorded February 3, 1981, as Instrument No. 796977, records of Twin Falls County, Idaho. (affecting Parcel No. 12 in SE¼NE¼ of Section 20, Township 10 South, Range 13 E., B.M.)
37. Grant of Easement Kenneth W. Marshall and Helen L. Marshall, husband and wife, to Susan M. Davis, individually; Howard D. Marshall, individually; John M. Thomas, individually; and Jean L. Marshall, individually, recorded December 18, 1980, as Instrument No. **794561**, records of Twin Falls County, Idaho; Correction Grant of Easement recorded February 3, 1981, as Instrument No. 796976, records of Twin Falls County, Idaho. (affecting Parcel No. 12 in SE¼NE¼ of Section 20, Township 10 South, Range 13 E., B.M.)
38. Grant of Easement between James Giuffre' and Jean L. Giuffre' to Doug J. Marshall, individually; Howard D. Marshall and Lynn Marshall, husband and wife; John R. Thomas and Rae Thomas, husband and wife; Kenneth W. Marshall and Helen L. Marshall, husband and wife, recorded March 16, 1981, as Instrument No. **799118**, records of Twin Falls County, Idaho. (a permanent perpetual easement and right of way sufficient to install and maintain an underground pipeline easement for the conveyance of water over and across the W½ of Section 32, Township 10 South, Range 13 E., B.M.)
39. Grant of Easement between Wayne R. Marshall, a single man; Kenneth W. Marshall and Helen L. Marshall, husband and wife, to Volkmar Von Hagke, as Trustee of the Von Hagke Idaho Land Trust under Agreement dated April 15, 1973; and Kenneth W. Marshall and Linn N. Buley recorded July 17, 1981, as Instrument No. **806413**, records of Twin Falls County, Idaho. (affecting Parcel No. 12 in SE¼NE¼ of Section 20, Township 10 South, Range 13 E., B.M.)
40. Grant of Easement between Kenneth W. Marshall and Helen L. Marshall, husband and wife, and Lenard D. Easterday and Lorene Easterday, husband and wife, recorded October 23, 1981, as Instrument No. **811429**, records of Twin Falls County, Idaho. (affecting Parcel No. 12 in SE¼NE¼ of Section 20, Township 10 South, Range 13 E., B.M.)
41. Grant of Easement between Wayne Marshall, a single man, and Kenneth W. Marshall and Helen L. Marshall, husband and wife, and Lenard D. Easterday and Lorene Easterday, husband and wife, recorded December 31, 1981, as Instrument No. **814740**, records of Twin Falls County, Idaho. (affecting Parcel No. 12 in SE¼NE¼ of Section 20, Township 10 South, Range 13 E., B.M.)

42. Power Line Easement from Kenneth W. Marshall and Wayne R. Marshall to the Idaho Power Company recorded August 4, 1982, as Instrument No. **825365**, records of Twin Falls County, Idaho. (affecting Parcel No. 12 in SE¼NE¼ of Section 20, Township 10 South, Range 13 E., B.M.)
43. Power Line Easement from Dale M. Wright and Diane T. Wright, husband and wife, to the Idaho Power Company recorded February 1, 1985, as Instrument No. **875066**, records of Twin Falls County, Idaho. (affecting Parcel No. 9)
44. Driveway Easement from Kenneth W. Marshall and Helen L. Marshall to the Buhl Highway District and Twin Falls Highway District recorded March 4, 1986, as Instrument No. **896738**, records of Twin Falls County, Idaho. (affecting Parcel No. 12 in SE¼NE¼ of Section 20, Township 10 South, Range 13 E., B.M.)
45. Power Line Easement from Dale M. Wright and Diane T. Wright, husband and wife, to the Idaho Power Company recorded June 17, 1986, as Instrument No. **903176**, records of Twin Falls County, Idaho. (affecting Parcel No. 9)
46. Power Line Easement from Kenneth W. Marshall to the Idaho Power Company recorded January 11, 1996, as Instrument No. **1996-000488**, records of Twin Falls County, Idaho. (affecting Parcel No. 12 in SE¼NE¼ of Section 20, Township 10 South, Range 13 E., B.M.)
47. Easement Agreement by and between Carl G. Hoehner and Imogene Hoehner, husband and wife, and Driscoll Brothers, a partnership, recorded April 21, 1997, as Instrument No. **1997-006049**, records of Twin Falls County, Idaho. (affects Parcel No. 10)
48. Easement Agreement between Carl G. Hoehner and Imogene Hoehner, husband and wife, and Driscoll Brothers, a partnership composed of Brock Driscoll, Dirk Driscoll, Lorraine Driscoll and Thayne Driscoll recorded October 1, 1999, as Instrument No. **1999-017963**, records of Twin Falls County, Idaho. (affects Parcel No. 10)
49. Power Line Easement from Driscoll Brothers to the Idaho Power Company recorded January 5, 2000, as Instrument No. **2000-000180**, records of Twin Falls County, Idaho.
50. Power Line Easement from Driscoll Bros. Farms to the Idaho Power Company recorded August 25, 2000, as Instrument No. **2000-013069**, records of Twin Falls County, Idaho. (affecting Parcel No. 2)
51. Power Line Easement dated July 16, 1960, given by Loren M. Guentz and her husband Gerald Guentz to Idaho Power Company granting the right to construct, operate and maintain electric transmission distribution and telephone circuits or any of them attached to a single line of poles, on, over and across the W½SW¼ of Section 9, Township 10 South, Range 13 E., B.M., the center line of said transmission line being more particularly described as follows: Beginning at a point on the South boundary of the W½SW¼ of said Section 9 at Survey Station 5663+30.4 which is East 576.4 feet from the Southwest corner of said Section, thence North 2°25' West 2659.6 feet to the North boundary of the W½SW¼ of said Section, recorded July 28, 1960, as Instrument No. **495300**, in Book 201 of Deeds, page 277, records of Twin Falls County, Idaho. (affects Parcel No. 15)

52. Power Line Easement dated July 16, 1960, given by Mary C. Hershberger, a widow, to Idaho Power Company granting the right to construct, operate and maintain electric transmission distribution and telephone circuits or any of them attached to a single line of poles, on, over and across the $W\frac{1}{2}NW\frac{1}{4}$ of Section 9, Township 10 South, Range 13 E., B.M., the centerline of said transmission line, being more particularly described as follows: Beginning at a point on the South boundary of the $W\frac{1}{2}NW\frac{1}{4}$ of said Section at Survey Station 5689+90 which is East 485 feet from the West quarter corner of said Section, thence North $2^{\circ}25'$ West 2676.7 feet to the North boundary of the $W\frac{1}{2}NW\frac{1}{4}$ of said Section recorded July 28, 1960, as Instrument No. **495301**, in Book 201 of Deeds, page 278, records of Twin Falls County, Idaho. (affects Parcel No. 15)
53. Easement dated July 28, 1960, given by and between the State of Idaho; Kenneth W. Marshall and Helen L. Marshall, husband and wife; to Idaho Power Company granting an easement for the purpose of constructing and maintaining a power transmission line, recorded September 14, 1960, as Instrument No. **496363**, in Book 201 of Deeds, page 506, records of Twin Falls County, Idaho. (affects Parcel No. 15)
54. Power Line Easement from John W. Thomas and Joy N. Thomas, his wife, to Idaho Power Company dated April 13, 1960, recorded November 8, 1960, as Instrument No. **497708**, in Book 202 of Deeds, page 92, records of Twin Falls County, Idaho. (granting right of way and easement within the $SW\frac{1}{4}NW\frac{1}{4}$ and $N\frac{1}{2}SW\frac{1}{4}$ of Section 8, Township 10 South, Range 13 E., B.M.) (affects Parcel No. 15)
55. Power Line Easement given by O. E. Marshall and Ernestine A. Marshall, his wife, to Idaho Power Company granting the right to construct, operate and maintain electric transmission distribution and telephone circuits or any of them attached to a single line of poles, on, over and across the $S\frac{1}{2}NW\frac{1}{4}$ of Section 8, Township 10 South, Range 13 E., B.M., dated April 8, 1960, recorded November 8, 1960, as Instrument No. **497709**, in Book 202 of Deeds, page 93, records of Twin Falls County, Idaho. (affects Parcel No. 15)
56. Power Line Easement given by Ernestine Marshall and O. E. Marshall, his wife, to Idaho Power Company granting the right to construct, operate and maintain electric transmission distribution and telephone circuits or any of them attached to a single line of poles, on, over and across the above described property dated March 30, 1961, recorded June 20, 1961, as Instrument No. **504382**, in Book 204 of Deeds, page 575, records of Twin Falls County, Idaho. (affects Parcel No. 15)
57. Power Line Easement given by Gerald Guentz and Lorene M. Guentz, his wife, to Idaho Power Company granting the right to construct, operate and maintain electric transmission distribution and telephone circuits or any of them attached to a single line of poles, on, over and across the $NW\frac{1}{4}SW\frac{1}{4}$ of Section 9, Township 10 South, Range 13 E., B.M., dated March 14, 1961, recorded June 20, 1961, as Instrument No. **504383**, in Book 204 of Deeds, page 576, records of Twin Falls County, Idaho. (affects Parcel No. 15)
58. Power Line Easement given by John W. Thomas, a widower, to Idaho Power Company granting the right to construct, operate and maintain electric transmission distribution and telephone circuits or any of them attached to a single line of poles, on, over and across the $NW\frac{1}{4}SW\frac{1}{4}$ of Section 8, $SW\frac{1}{4}SW\frac{1}{4}$ of Section 8, and the $SE\frac{1}{4}SW\frac{1}{4}$ of Section 8, all in Township 10 South, Range 13 E., B.M., dated February 15, 1962, recorded April 18, 1962, as Instrument No. **512870**, in Book 207 of Deeds, page 125, records of Twin Falls County, Idaho. (affects Parcel No. 15)

59. Power Line Easement given by Kenneth W. Marshall and Helen L. Marshall, his wife, to Idaho Power Company granting the right to construct, operate and maintain electric transmission distribution and telephone circuits or any of them attached to a single line of poles, on, over and across the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 10 South, Range 13 E., B.M., dated February 15, 1962, recorded April 18, 1962, as Instrument No. **512871**, in Book 207 of Deeds, page 127, records of Twin Falls County, Idaho. (affects Parcel No. 15)
60. Easement from John W. Thomas and Joy Thomas, husband and wife, to Oliver E. Marshall and Ernestine Marshall, husband and wife, and Kenneth W. Marshall and Helen L. Marshall, husband and wife, dated April 13, 1962, recorded April 19, 1962, as Instrument No. **512932**, in Book 207 of Deeds, page 154, records of Twin Falls County, Idaho. (for pipeline within the NW $\frac{1}{4}$ of Section 8, Township 10 South, Range 13 E., B.M.) (affects Parcel No. 15)
61. Easement between John E. Keller and Frances J. Keller, husband and wife, and Kenneth W. Marshall and Helen L. Marshall, husband and wife, as Tenants in Common, and Kenneth W. Marshall and Helen L. Marshall, husband and wife, dated September 17, 1963, recorded September 10, 1963, in Book **212** of Deeds, page **488**, records of Twin Falls County, Idaho. (for pumping water) (affects Parcel No. 15)
62. Power Line Easement from Gerald Guentz and Lorene M. Guentz, his wife, to Idaho Power Company dated April 13, 1966, recorded November 7, 1966, as Instrument No. **569883**, in Book 219 of Deeds, page 709, records of Twin Falls County, Idaho. (granting right of way and easement within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 10 South, Range 13 E., B.M.) (affects Parcel No. 15)
63. Easement between John E. Keller and Frances J. Keller, husband and wife; Kenneth W. Marshall and Helen L. Marshall, husband and wife; and John E. Keller and Frances J. Keller, husband and wife, dated September 17, 1963, recorded April 21, 1967, as Instrument No. **575615** in Book 219 of Deeds, page 1523, records of Twin Falls County, Idaho, for the purpose of installing pumping plant for irrigation purposes. (affects Parcel No. 15)
64. Easement from O. E. Marshall and Ernestine A. Marshall, husband and wife, and Kenneth W. Marshall and Helen L. Marshall, husband and wife, to John E. Keller for a right of way and easement 20 feet wide, the center line of which commences at a point 35 feet East of the Northwest corner of Section 9; thence South and parallel with the West boundary of Section 9 to the South boundary thereof, and continuing 35 feet East of the Northwest corner of Section 16; thence South and parallel with the West boundary of Section 16 for a distance of approximately 1270 feet; thence in a generally Southwesterly direction to and through the East half of the Northeast quarter of Section 17 to a center line of said easement located approximately 776 feet West from the East boundary and along the East-West center line of said Section 17, all in Township 10 South, Range 13 E., B.M., recorded October 16, 1967, as Instrument No. **581338**, records of Twin Falls County, Idaho. (affects Parcel No. 15)
65. Power Line Easement from Kenneth W. Marshall and Helen L. Marshall, his wife, to Idaho Power Company dated April 15, 1968, recorded August 29, 1968, as Instrument No. **591905**, in Book 220 of Deeds, page 1311, records of Twin Falls County, Idaho, granting right of way and easement within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9, Township 10 South, Range 13 E., B.M. (affects Parcel No. 15)

66. Power Line Easement given by Gerald Guentz and Lorene M. Guentz, husband and wife, to Idaho Power Company granting the right to construct, operate and maintain electric transmission distribution and telephone circuits or any of them attached to a single line of poles, on, over and across the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 10 South, Range 13 E., B.M., dated July 22, 1968, recorded December 3, 1968, as Instrument No. **594202**, records of Twin Falls County, Idaho. (affects Parcel No. 15)
67. Power Line Easement as granted by Alfred Kramer and Ida M. Kramer to Idaho Power Company by instrument recorded April 10, 1969, as Instrument No. **597806**, records of Twin Falls County, Idaho, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation, or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system. (affects Parcel No. 15)
68. Power Line Easement from Kenneth W. Marshall and Helen L. Marshall, husband and wife, to Idaho Power Company dated March 29, 1974, recorded June 26, 1974, as Instrument No. **667423**, records of Twin Falls County, Idaho. (affects Parcel No. 15)
69. Power Line Easement as granted by Kenneth W. Marshall and Helen L. Marshall, his wife, to Idaho Power Company by instrument recorded November 9, 1976, as Instrument No. **705040**, records of Twin Falls County, Idaho, including the right from time to time to cut, trim, and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system. (affects a parcel in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 10 South, Range 13 E., B.M.) (affects Parcel No. 15)
70. Grant of ditch easement given by Volkmar VonHagke, as Trustee of the VonHagke Idaho Land Trust under Agreement dated April 15, 1973, and not in his individual capacity, Kenneth W. Marshall and Linn N. Buley, partners to Kenneth W. Marshall, individually, located in Section 5, 8 and 17, Township 10 South, Range 13 E., B.M., recorded March 13, 1979, as Instrument No. **754725**, records of Twin Falls County, Idaho. (affects Parcel No. 15)
71. Grant of Easement and Right-of-Way, including the terms, provision, condition and reservations thereof, given by Kenneth W. Marshall and Helen L. Marshall, husband and wife, to Doug J. Marshall, individually, Howard D. Marshall, individually, John M. Thomas, individually, and Jean L. Marshall, aka Jean L. Giuffre, individually, recorded December 18, 1980, as Instrument No. 794560, records of Twin Falls County, Idaho, and corrected February 3, 1981, as Instrument No. **796977**, records of Twin Falls County, Idaho. (affects Parcel No. 15)
72. Grant of Easement and Right-of-Way, including the terms, provisions, conditions and reservations thereof, given by Kenneth W. Marshall and Helen L. Marshall, husband and wife, to Susan M. Davis, individually, Howard D. Marshall, individually, John M. Thomas, individually, and Jean L. Marshall, individually, recorded December 18, 1980, as Instrument No. 794561, records of Twin Falls County, Idaho, and corrected February 3, 1981, as Instrument No. **796976**, records of Twin Falls County, Idaho. (affects Parcel No. 15)

73. Grant of Easement to convey water, including the terms, provisions, conditions and reservations thereof, given by Volkmar VonHagke as Trustee of the VonHagke Idaho Land Trust under Agreement dated April 15, 1973, and not in his individual capacity, and Linn N. Buley and Marylois Buley, husband and wife, and Kenneth W. Marshall and Helen L. Marshall, husband and wife, to Howard W. Marshall and Linn Marshall, husband and wife, John T. Thomas and Rae Thomas, husband and wife, Kenneth W. Marshall and Helen L. Marshall, husband and wife, and Doug J. Marshall, a single man, recorded March 16, 1981, as Instrument No. **799119**, records of Twin Falls County, Idaho. (affects Parcel No. 15)
74. Grant of Easement to convey water, including the terms, conditions, provisions and reservations thereof, given by Volkman VonHagke, as Trustee of the VonHagke Idaho Land Trust under Agreement dated April 15, 1973, and not in his individual capacity, and Linn B. Buley and Marylois Buley, husband and wife, Kenneth W. Marshall and Helen L. Marshall, husband and wife, to James Giuffre and Jean L. Giuffre, formerly Jean L. Marshall, husband and wife, recorded March 16, 1981, as Instrument No. **799120**, records of Twin Falls County, Idaho. (affects Parcel No. 15)
75. An easement granted for the purpose of conveying and storing water given by LaRay L. Easterday and Janet M. Easterday, husband and wife; and Lenard D. Easterday and Lorene Easterday, husband and wife; and Ronald D. Easterday and Mary Easterday, husband and wife; and Elden B. Easterday and Annita J. Easterday, husband and wife; and Alvin D. Easterday and Elicelda Easterday, husband and wife; and Richard L. Kerbs and Patricia M. Kerbs, husband and wife; to Lenard D. Easterday and Lorene Easterday, husband and wife, and for such further purposes as therein set forth over, upon and across the land therein described, dated November 17, 1981, recorded December 31, 1981, as Instrument No. **814741**, records of Twin Falls County, Idaho. (affects Parcel No. 15)
76. Underground Power Line Easement granted by Jerrold Visser to Idaho Power Company recorded November 9, 2001, as Instrument No. **2001-020666**, records of Twin Falls County, Idaho. (affects Section 8, Township 10 South, Range 13 E., B.M.) (affects Parcel No. 15)
77. Statement of Intent to Declare Manufactured Home Real Property recorded October 24, 2002, as Instrument No. **2002-021996**, records of Twin Falls County, Idaho. (affects Parcel No. 10-B)
78. Easement granted by Eagle View Farms to Idaho Power Company recorded January 11, 2007, as Instrument No. **2007-000861**, records of Twin Falls County, Idaho. (affects Sections 8 and 9 of Township 10 South, Range 13 E., B.M.) (affects Parcel No. 15)