DEV.

AFF #12 SPRINGFIELD FARM

Form 42-248/42-1409(6) 10/07

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

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

1. 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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
WR 35-4147					
WR 35-2209B					
WR 35-4074B					
WR 35-13589					
WR 35-13607					
WR 35-13610					

SUPPORT DATA
IN FILE # 35-2209B

RECEIVED
NOV 03 2008
Department of Water Resources
Eastern Region

2. 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 on file with the county Planning and Zoning or Recorder's Office).

OR

D. 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 or equivalent **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.

3. Name and Address of Former Owner/Claimant(s)

MYRNA & RICHARD WINBERG
1027 S 2600 W
ABERDEEN, ID 83210

4. New Owner/Claimant(s)

EAGLE CREEK NORTHWEST LLC
Name Connector (Check one): [ ] and [ ] or [ ] and/or
c/o CHARLES W. BRYAN, V.P.

New Mailing Address: P.O. BOX 53

City, State and ZIP Code: NAMPA, ID 83653

New Telephone Number: (208) 466-0419 Email: charles.bryan@ubs.com

5. Date you acquired the property 12/3/07

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.

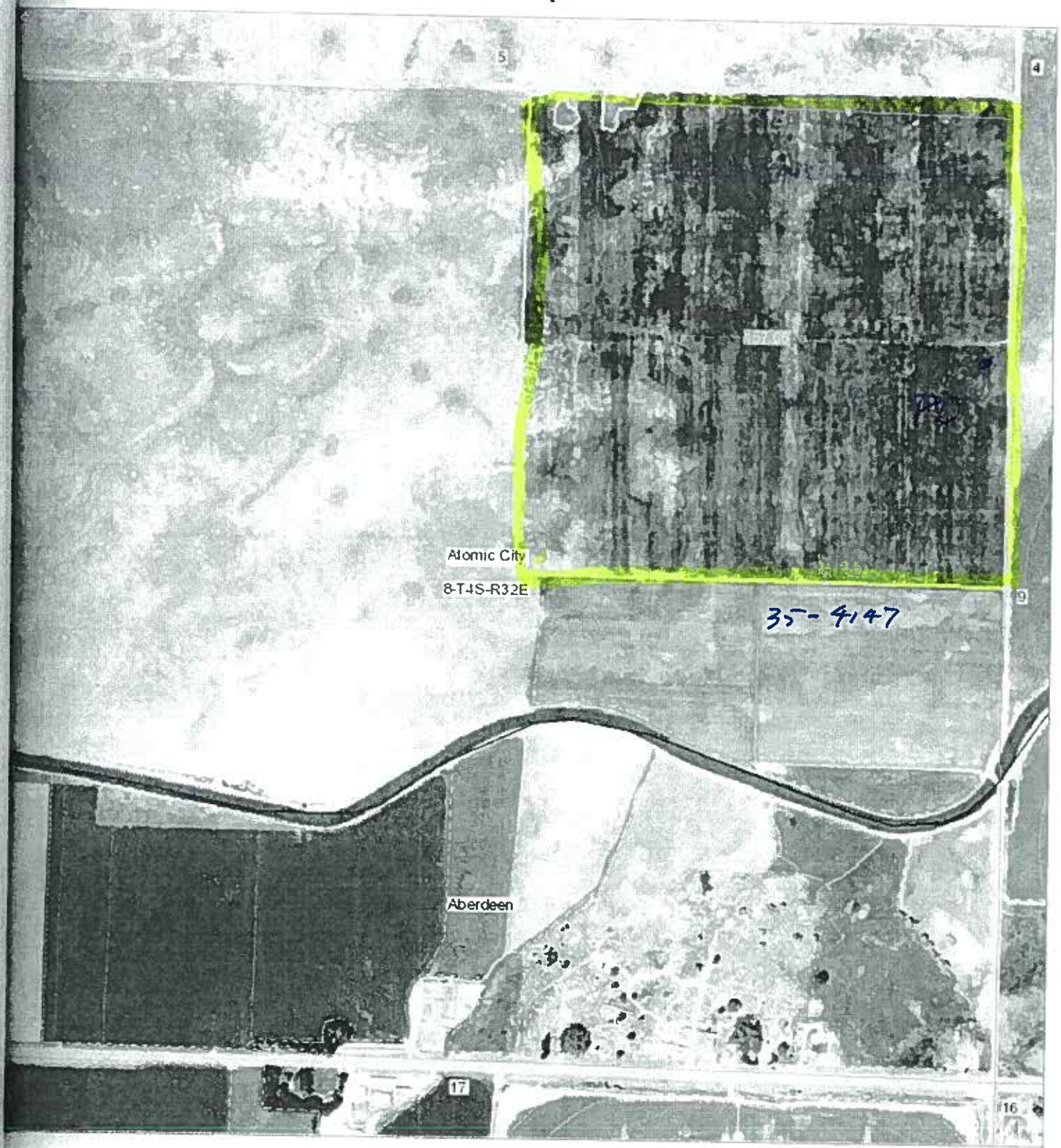
7. **Signature(s) of New Owner(s) or Claimant(s)** [signature] V.P.
(title if applicable)

(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 BMK Date 11/3/08
Receipted by Date
Processed by AJ Date
Receipt Amt. $175.00 (150.00)
Receipt No. E034572
WR Date

Aerial Map



map center: 43° 5' 19.05", 112° 44' 31.11"
scale: 1:9122

NORTH TRACT

8-4S-32E
Bingham County
Idaho

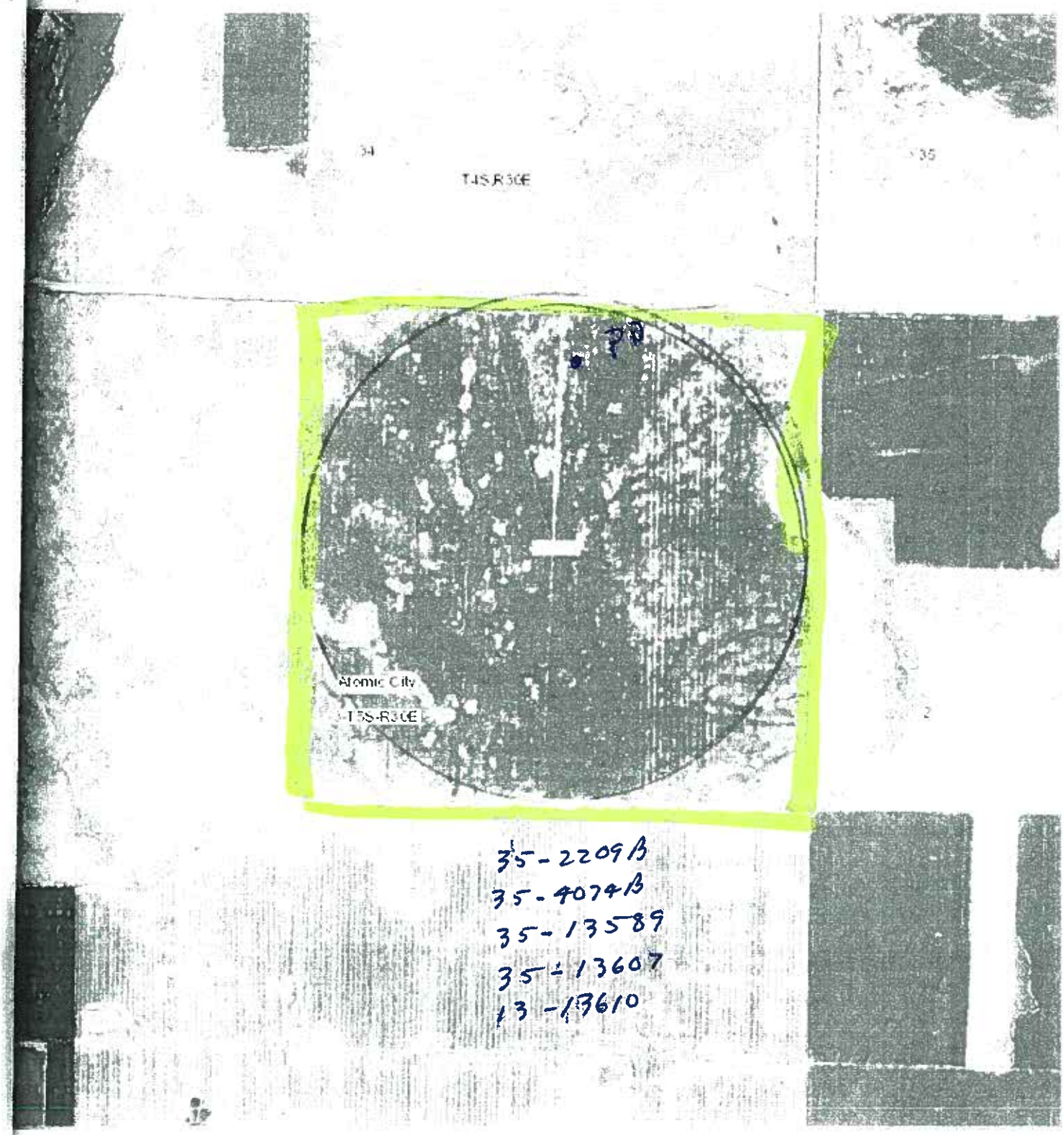
N
W E
S

10/5/2007

surety
Inc. 2006

Farm Service Agency. Aerial photography provided by Aerial Photograpy Field Office.

Aerial Map



35-2209B
35-4074B
35-13589
35-13607
13-13610

map center: 43° 1' 11.29, 112° 56' 1.18
scale: 1:8682

South Tract

3-5S-30E
Bingham County
Idaho

N
W E
S

10/5/2007

ovided by
surety
ata, Inc. 2006

ons provided by Farm Service Agency. Aerial photography provided by Aerial Photography Field Office

EZ Forms

Sales

ORIG. PARCEL

233737

Instrument . 588537
BINGHAM COUNTY
2007-12-03 03:50:03 No. of Pages: 2
Recorded for : FIRST AMERICAN TITLE COMPANY
SARA J. STAUB Fee: 6.00
Ex-Officio Recorder Deputy

WARRANTY DEED

For Value Received, RICHARD WINBERG and MYRNA WINBERG, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto EAGLE CREEK NORTHWEST LLC, the Grantee, whose address is c/o UBS AgriVest, LLC, 242 Trumbull Street, Hartford, Connecticut, 06103, the following described premises, in Bingham County, Idaho, to-wit:

Parcel I:
Township 4 South, Range 32 E.B.M, Bingham County, Idaho
Section 8: NE ¼

Parcel II:
Township 5 South, Range 30 E.B.M., Bingham County, Idaho
Section 3: Lots 1 and 2, S ½ NE ¼

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's successors and assigns forever. And the said Grantors do 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 encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 3rd day of December, 2007.

Richard Winberg
RICHARD WINBERG

Myrna Winberg
MYRNA WINBERG

STATE OF IDAHO)
) ss.
County of Bingham)

On this 3rd day of December, 2007, before me, the undersigned, a Notary Public in and for said County and State, personally appeared RICHARD WINBERG and MYRNA WINBERG, ~~husband and wife,~~ his wife known to be the persons who executed the forgoing instrument and acknowledged to me that they executed the same.

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

LORI DAY NOTARY PUBLIC STATE OF IDAHO

NOTARY PUBLIC
Residing at: Blackfoot Idaho
My Commission Expires: 10/21/2009

588537

SPRINGFIELD ADD-ON #2

RECORDING REQUESTED BY:
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

Instrument # 594797
BINGHAM COUNTY
5-23-2008 03:56:17 No. of Pages: 13
Recorded for : FIRST AMERICAN TITLE COMPANY
SARA J. STAUB Fee: 9.00
Ex-Officio Recorder Deputy

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **255270-B (ld)** Date: **May 20, 2008**

For Value Received, **Ralph Dalley aka Ralph Fife Dalley and Joyce Ellis Dalley, husband and wife,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Eagle Creek Northwest, LLC,** hereinafter called the Grantee, whose current address is **c/o UBS AgriVest LLC, PO Box 53, Nampa, ID 83653,** the following described premises, situated in **Bingham** County, **Idaho,** to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

By: Ralph Fife Dalley
Ralph Fife Dalley

By: Joyce Ellis Dalley
Joyce Ellis Dalley

STATE OF Idaho)
ss.
COUNTY OF Bingham)

On this **23rd day of May, 2008**, before me, a Notary Public in and for said State, personally appeared **Ralph Fife Dalley and Joyce Ellis Dalley**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

LORI DAY NOTARY PUBLIC STATE OF IDAHO

Notary Public of Idaho
Residing at: Blackfoot, Idaho
Commission Expires: 10/21/2009

EXHIBIT A

PARCEL 1:

**TOWNSHIP 2 SOUTH, RANGE 33 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO:
SECTION 20: NE¼, N½SE¼**

**LESS: PART OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 33 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:
COMMENCING AT THE SOUTHEAST CORNER OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 33 EAST AND RUNNING THENCE NORTH 00°32'51" EAST 1325.64 FEET ALONG THE EAST LINE OF SECTION 20 TO THE SOUTH 1/16 CORNER ON THE EAST LINE OF SAID SECTION 20, SAID POINT BEING THE TRUE POINT OF BEGINNING;
THENCE NORTH 89°37'10" WEST 237.01 FEET ALONG THE SOUTH 1/16 LINE OF SAID SECTION 20;
THENCE NORTH 00°32'25" EAST 662.03 FEET;
THENCE SOUTH 89°29'17" EAST 237.09 FEET TO A POINT ON THE EAST LINE OF SECTION 20;
THENCE ALONG SAID EAST LINE SOUTH 00°32'51" WEST 661.48 FEET TO THE POINT OF BEGINNING.**

PARCEL 2:

**TOWNSHIP 2 SOUTH, RANGE 33 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO:
SECTION 21: SW¼NW¼, NW¼SW¼, AND COMMENCING AT THE SW CORNER OF THE SE¼SW¼; THENCE N. 1086 FEET TO THE POINT OF BEGINNING; THENCE IN A NORTHEASTERLY DIRECTION MEANDERING WITH THE NATURAL DRAIN CHANNEL, 1007 FEET; THENCE DUE N. 1173 FEET TO THE N. BOUNDARY OF THE SW¼ OF SAID SECTION 21; THENCE W. 858 FEET TO THE NW CORNER OF THE NE¼SW¼ OF SAID SECTION 21; THENCE S. 1534 FEET TO THE POINT OF BEGINNING.**

**LESS: PART OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 33 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 33 EAST AND RUNNING THENCE NORTH 00°32'51" EAST 1325.64 FEET ALONG THE WEST LINE OF SECTION 21 TO THE SOUTH 1/16 CORNER ON THE WEST LINE OF SAID SECTION 21, SAID POINT BEING THE TRUE POINT OF BEGINNING;
THENCE CONTINUING NORTH 00°32'51" EAST 345.39 FEET ALONG SAID WEST LINE OF SAID SECTION 21;
THENCE NORTH 89°13'19" EAST 437.64 FEET;
THENCE SOUTH 00°32'51" WEST 356.25 FEET TO A POINT ON THE SOUTH 1/16 LINE OF SECTION 21;
THENCE ALONG SAID SOUTH 1/16 LINE NORTH 89°21'25" WEST 437.53 FEET TO THE POINT OF BEGINNING.**

Eagle Creek Northwest LLC

Resolution

August 16, 2006

The undersigned, being the sole Member of Eagle Creek Northwest LLC, a Delaware limited liability company (the "Company"), hereby consents to the adoption of the following resolutions:

RESOLVED: Pursuant to Article V of the Company's Operating Agreement, the following persons are hereby appointed to the indicated offices of the Company:

President	R. Brian Webb
Vice President	James B. McCandless
Vice President	J. Scott Haffner
Vice President	Charles W. Bryan, Jr.
Secretary	Rose Marie Beaulieu
Treasurer	Elaina Forsell

RESOLVED: Pursuant to Article III of the Company's Operating Agreement, any of the above officers shall be an "Authorized Person" to execute, deliver and file any documents or certificates on behalf of the Company.

RESOLVED: To direct that this Resolution be filed with the records of meetings of the Company.

EXECUTED as of this date set forth above.

UBS AGRIVEST FARMLAND FUND L.P., a Delaware limited partnership

By: UBS AgriVest GP LLC, a Delaware limited liability company, general partner

By: _____
James B. McCandless
Vice President