

Robertson, Jean

From: Scott King [SKing@spfwater.com]
Sent: Monday, March 17, 2008 2:27 PM
To: Robertson, Jean
Subject: RE: Cassia Creek Farms Transfer (74518)

Hi Jeanie,

Thanks for the explanation – we are proceeding with an initialed amended version.

Yes, you and I should copy Scott Campbell on our communications. We requested this in my submittal letter. Do you need anything specifically from Scott? Is he listed as attorney of record for Cassia Creek Farms?

Thanks,
Scott K

↓ slc@moffatt.com

From: Robertson, Jean [mailto:Jean.Robertson@idwr.idaho.gov]
Sent: Friday, March 14, 2008 1:44 PM
To: Scott King
Subject: RE: Cassia Creek Farms Transfer (74518)

Hi Scott,
When I figured the **acre limit** within the PPU, I came up with a total of 4128.8 acres instead of the 4131.8 acres you listed in your cover letter, a difference of 3 acres. This in turn reduced the total volume from 16509.5 AF to 16497.5 AF, a difference of 12 AF. I think the acre limit problem may be related to Section 4 where 43-2473, 43-2488, and 43-2519 have some overlaps. When I laid it out so I could understand it, I found those three rights are limited to a total of 884 acres. You might check and see if you agree? We probably need to have the applicant initial the changes and have you submit a new page 1 and 2. Should Scott Campbell be in on these emails? You have a nice weekend too! Jeanie

From: Scott King [mailto:SKing@spfwater.com]
Sent: Friday, March 14, 2008 1:21 PM
To: Robertson, Jean
Cc: Lori Graves
Subject: RE: Cassia Creek Farms Transfer (74518)

Hi Jeanie,

Thank you so much for the message. This all looks okay to us. Is there anything further that we need to do at this point?

Have a good weekend,
Scott

From: Robertson, Jean [mailto:Jean.Robertson@idwr.idaho.gov]
Sent: Tuesday, March 04, 2008 1:55 PM
To: Scott King
Subject: Cassia Creek Farms Transfer (74518)

Hi Scott,
Just wanted to let you know that the transfer to make the large PPU has a number, #74518. I also found a few discrepancies with some of the acres.

3/17/2008

In Section 31, Cassia Creek Farms did a land exchange of 8.16 acres with their neighbors, the Wheelers. (I know this cause I worked on the Wheeler's transfer.) So now in the NWNW, instead of the 42 acres you had listed, they own 51 and I assumed you would want the entire 51 in the PPU. This transaction also ended up reducing the SWNW from 9 to 7.5 acres and the SENW from 40 to 35 acres. You also had 8 acres in the NESW and 7 acres in the SESW of Section 31 but I believe that Wheeler owns all of the SW 1/4, so I removed them. The total acres in Section 31 is 453.5 instead of the 466.

Then in Section 6, where the dairy is proposed, the acres ended up to be slightly different in the PPU after I removed the acres for the dairy from what the quarter-quarter listed. The total in Section 6 is still 455 acres though.

This makes the total acres in the proposed PPU = 5,223.5 acres instead of the 5,236 acres you had.

I am enclosing a map, copies of the deeds back and forth between the parties, and page 2 showing the proposed PPU as I have found things to be. Let me know if you have any problems with these changes or wish to discuss.

Jeanie

<<20080304123731532.pdf>> <<20080304125534568.pdf>> <<20080304125115368.pdf>>

CLARIFY
RE-RECORD TO REMOVE WATER RIGHTS

WARRANTY DEED

~~315585~~

CASSIA COUNTY
RECORDED FOR:
LAND TITLE & ESCROW #43353
1:05:06 pm 08-14-2007
2007-317626
NO. PAGES: 4 FEE: \$12.00
LARRY A. NICKELSEN
COUNTY CLERK
DEPUTY: VIKI

For Value Received

PHILIP F. WHEELER LIMITED PARTNERSHIP, an Idaho limited partnership

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

CASSIA CREEK FARMS LLC, an Idaho limited liability company

Address: 2279 E. Yale Road Declo, ID 83323

CASSIA COUNTY
RECORDED FOR:
LAND TITLE & ESCROW
1:54:48 pm 09-17-2007
2007-318298
NO. PAGES: 4 FEE: \$12.00
LARRY A. NICKELSEN
COUNTY CLERK
DEPUTY: WILMAR

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

**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 31: Part of the NW¼, more particularly described as follows:

Beginning at the W¼ section Corner of Section 31, said corner marked by a US BLM aluminum pipe with cap; Thence North 00°00'25" East along the West line of Section 31 for a distance of 1367.40 feet to the Point of Beginning;

Thence North 00°00'25" East along the West line of Section 31 for a distance of 254.97 feet;

Thence South 89°51'32" East for a distance of 24.56 feet to a 3/8 inch rebar;

Thence South 89°51'32" East for a distance of 1369.51 feet to a ½ inch rebar;

Thence South 00°00'00" West for a distance of 254.97 feet;

Thence North 89°51'32" West for a distance of 1369.10 feet to a ½ inch rebar;

Thence North 89°51'32" West for a distance of 25.00 feet to the Point of Beginning.

P.F.W.
[Signature]

~~TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.~~
RESERVING UNTO THE GRANTORS their successors and/or assigns, State of Idaho water rights No.'s
SUBJECT TO: 43-7185, 43-2370B, 43-2464B, 43-2466, 43-4007, 43-7063, 43-7020B

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

Taxes for 2007 and subsequent years, a lien, but not yet due or payable.

County Road right-of-way as disclosed by Warranty Deed by and between Simplot Industries, Inc., a Utah corporation and Jakob Schock and Martha Schock, also known as Marcha Schock, husband and wife, dated March 31, 1975, and recorded April 10, 1975 on Film No. 94 as Instrument No. 82448, records of Cassia County, Idaho which reads as follows: "Subject to a 25.0 foot wide county road right-of-way along the West side."

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 5, 2000 and recorded April 17, 2000 as Instrument No. 268691, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated June 4, 2004 and recorded June 10, 2004 as Instrument No. 296188, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 5, 2000 and recorded April 17, 2000 as Instrument No. 268692, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated June 4, 2004 and recorded June 10, 2004 as Instrument No. 296195, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 5, 2000 and recorded April 17, 2000 as Instrument No. 268699, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated June 4, 2004 and recorded June 10, 2004 as Instrument No. 296189, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 5, 2000 and recorded April 17, 2000 as Instrument No. 268700, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated June 4, 2004 and recorded June 10, 2004 as Instrument No. 296191, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 5, 2000 and recorded April 17, 2000 as Instrument No. 268701, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated June 4, 2004 and recorded June 10, 2004 as Instrument No. 296187, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 5, 2000 and recorded April 17, 2000 as Instrument No. 268702, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated June 4, 2004 and recorded June 10, 2004 as Instrument No. 296186, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 5, 2000 and recorded April 17, 2000 as Instrument No. 268703, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated June 4, 2004 and recorded June 10, 2004 as Instrument No. 296181, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 5, 2000 and recorded April 17, 2000 as Instrument No. 268704, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated June 4, 2004 and recorded June 10, 2004 as Instrument No. 296179, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 5, 2000 and recorded April 17, 2000 as Instrument No. 268705, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated June 4, 2004 and recorded June 10, 2004 as Instrument No. 296178, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 5, 2000 and recorded April 17, 2000 as Instrument No. 268706, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated June 4, 2004 and recorded June 10, 2004 as Instrument No. 296177, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 5, 2000 and recorded April 17, 2000 as Instrument No. 268708, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated June 4, 2004 and recorded June 10, 2004 as Instrument No. 296194, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 5, 2000 and recorded April 17, 2000 as Instrument No. 268709, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated June 4, 2004 and recorded June 10, 2004 as Instrument No. 296193, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 5, 2000 and recorded April 17, 2000 as Instrument No. 268710, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated June 4, 2004 and recorded June 10, 2004 as Instrument No. 296190, records of Cassia County, Idaho.

(RELEASE was recorded March 29, 2005 as Instrument No. 301191, records of Cassia County, Idaho, only releasing Instrument No. 296190).

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 21, 2000 and recorded May 26, 2000 as Instrument No. 269467, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated June 4, 2004 and recorded June 10, 2004 as Instrument No. 296182, records of Cassia County, Idaho.

ant For Electric Service. Between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 21, 2000 and recorded May 26, 2000 as Instrument No. 269468, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated June 4, 2004 and recorded June 10, 2004 as Instrument No. 296183, records of Cassia County, Idaho.

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

Dated: ^{MAY} April 1, 2007

PHILIP F. WHEELER LIMITED PARTNERSHIP

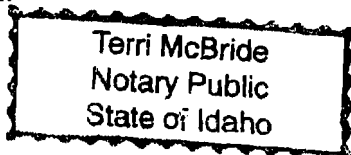
BY: Philip F. Wheeler
PHILIP F. WHEELER, General Partner

BY: Dorothy Wheeler
DOROTHY WHEELER, General Partner

315585
CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 1200
DI. PUT May 1, 2007
2007 MAY 1 PM 3 42
RECORD DATE & TIME
LAND TITLE & ESCRIPTION

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 1ST day of ^{MAY} April, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared PHILIP F. WHEELER and DOROTHY WHEELER, known or identified to me to be the General Partners in the Partnership of PHILIP F. WHEELER LIMITED PARTNERSHIP, and the General Partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said Partnership name.



Terri McBride
Notary Public
Residing at: Rupert
My Commission expires: 2-5-08

Sep 14 2007 1:42PM

Land Title & Escrow, Inc 2088784435

P. 010

RE-RECORD TO ^{CLARIFY} ~~REMOVE~~ WATER RIGHTS

3155

WARRANTY DEED

315586

CASSIA COUNTY, IDAHO
LARRY A. WICKELSON

RECORDED
FEE 1200 DEPUTY *et*

For Value Received

CASSIA CREEK FARMS LLC, an Idaho limited liability company

2007 MAY 1 PM 3

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

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

PHILIP F. WHEELER LIMITED PARTNERSHIP, an Idaho limited partnership

Address: 102 So. 2250 E. Declo, ID 83323

CASSIA COUNTY

RECORDED FOR:

LAND TITLE & ESCROW

1:05:07 pm 08-1-

2007-3176

NO. PAGES: 4

LARRY A. WICKELSON

COUNTY CLERK

DEPUTY: VIKI

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

**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 31:

Part of the NW¼, more particularly described as follows:

Beginning at the W¼ section Corner of Section 31, said corner marked by a US BLM aluminum pipe with a cap; Thence South 89°55'11" East along the South line of the NW¼ of Section 31 for a distance of 1394.26 feet to the Point of Beginning;

Thence North 00°00'00" East for a distance of 1365.91 feet;

Thence South 89°51'32" East for a distance of 28.52 feet to a ½ inch rebar;

Thence South 00°09'35" East for a distance of 978.70 feet to a ½ inch rebar;

Thence along a non-tangent curve to the right for a distance of 1222.71 feet to a ½ inch rebar on the South line of the NW¼, said curve having a radius of 1531.45 feet and a central angle of 45°44'41" at long chord bearing South 70°56'23" East for a distance of 1190.49 feet;

Thence North 89°55'11" West along the South line of the NW¼ for a distance of 1156.47 feet to the Point of Beginning.

~~TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant there~~

RESERVING unto the Grantors their successors and/or assigns, State of Idaho water right No.

SUBJECT TO: 43-13351

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

Taxes for 2007 and subsequent years, a lien, but not yet due or payable.

Reserving an undivided one-half interest in and to all mineral, oil and gas, and mineral, oil and gas right disclosed by Warranty Deed executed by J. R. Simplot Company, a Nevada corporation, successor by merger to Simplot Industries, Inc., a Utah corporation, to Sun Valley Agribusiness Partners, L.L.C., dated January 2000 and recorded February 11, 2000 as Instrument No. 267355, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dated April 5, 2000 and recorded April 17, 2000 as Instrument No. 268691, records of Cassia County, Idaho, covering NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated April 4, 2004 and recorded June 10, 2004 as Instrument No. 296188, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural elect Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dat April 5, 2000 and recorded April 17, 2000 as Instrument No. 268692, records of Cassia County, Idaho, coveri NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated Ju 4, 2004 and recorded June 10, 2004 as Instrument No. 296195, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural elect Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dat April 5, 2000 and recorded April 17, 2000 as Instrument No. 268699, records of Cassia County, Idaho, coveri NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated Ju 4, 2004 and recorded June 10, 2004 as Instrument No. 296189, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural elect Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dat April 5, 2000 and recorded April 17, 2000 as Instrument No. 268700, records of Cassia County, Idaho, coveri NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated Ju 4, 2004 and recorded June 10, 2004 as Instrument No. 296191, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural elect Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dat April 5, 2000 and recorded April 17, 2000 as Instrument No. 268701, records of Cassia County, Idaho, coveri NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated Ju 4, 2004 and recorded June 10, 2004 as Instrument No. 296187, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural elect Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dat April 5, 2000 and recorded April 17, 2000 as Instrument No. 268702, records of Cassia County, Idaho, coveri NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated Ju 4, 2004 and recorded June 10, 2004 as Instrument No. 296186, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural elect Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dat April 5, 2000 and recorded April 17, 2000 as Instrument No. 268703, records of Cassia County, Idaho, coveri NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated Ju 4, 2004 and recorded June 10, 2004 as Instrument No. 296181, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural elect Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dat April 5, 2000 and recorded April 17, 2000 as Instrument No. 268704, records of Cassia County, Idaho, coveri NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated Ju 4, 2004 and recorded June 10, 2004 as Instrument No. 296179, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural elect Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dat April 5, 2000 and recorded April 17, 2000 as Instrument No. 268705, records of Cassia County, Idaho, coveri NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated Ju 4, 2004 and recorded June 10, 2004 as Instrument No. 296178, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural elect Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dat April 5, 2000 and recorded April 17, 2000 as Instrument No. 268706, records of Cassia County, Idaho, coveri NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated Ju 4, 2004 and recorded June 10, 2004 as Instrument No. 296177, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural elect Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dat April 5, 2000 and recorded April 17, 2000 as Instrument No. 268708, records of Cassia County, Idaho, coveri NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated Ju 4, 2004 and recorded June 10, 2004 as Instrument No. 296194, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural elect Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dat April 5, 2000 and recorded April 17, 2000 as Instrument No. 268709, records of Cassia County, Idaho, coveri NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated Ju 4, 2004 and recorded June 10, 2004 as Instrument No. 296193, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural elect Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dat April 5, 2000 and recorded April 17, 2000 as Instrument No. 268710, records of Cassia County, Idaho, coveri NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated Ju 4, 2004 and recorded June 10, 2004 as Instrument No. 296190, records of Cassia County, Idaho.

(RELEASE was recorded March 29, 2005 as Instrument No. 301191, records of Cassia County, Idaho, on releasing Instrument No. 296190).

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural elect Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dat April 21, 2000 and recorded May 26, 2000 as Instrument No. 269467, records of Cassia County, Idaho, coveri NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated Ju 4, 2004 and recorded June 10, 2004 as Instrument No. 296182, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural elect Cooperative of Malta, and Ronald A. Aches, Amy E. Aches, h/w and Clair D. Bosen, Viola L. Bosen, h/w, dat April 21, 2000 and recorded May 26, 2000 as Instrument No. 269468, records of Cassia County, Idaho, cover NW¼ Section 31, Township 10 South, Range 27 East of the Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST, dated Ju 4, 2004 and recorded June 10, 2004 as Instrument No. 296183, records of Cassia County, Idaho.

Cassia County Planning and Zoning Commission, Resolution No. 2007-03-01, establishing a confined anin feeding operation, dated March 1, 2007, and recorded March 2, 2007 as Instrument No. 314237, records Cassia County, Idaho.

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

Dated: ^{May} ~~April~~ 1, 2007 *CK*

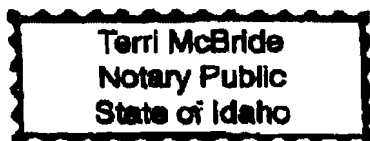
CASSIA CREEK FARMS LLC

BY: *Chris Kretz*

CHRIS KRETZ, Manager

STATE OF IDAHO)
)ss.
COUNTY OF CASSIA)

On this ^{1ST} ~~April~~ ^{May} day of ~~April~~, 2007, before me, the undersigned, a Notary Public, personally appeared CHR KRETZ known or identified to me to be the manager of CASSIA CREEK FARMS LLC, a limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability compa executed the same.



Terri McBride
Notary Public
Residing at: *Report*
My Commission Expires: 2-5-08