

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 74745APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Vandervegt-Gibson, Irene Phone (208) 324-4252Post Office address 76 E. 400 S., Jerome, ID 833384098 Hidden Lakes Dr. Kimberly, Id 83341

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Wells will be located south of approved locations.
Stock and commercial use being added to certain 40s to reflect actual proposed
layout.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>36-16468</u>	<u>7/14/1954</u>	<u>0.22/26.4</u>	<u>Stock/comm.</u>	<u>1/1 to 12/31</u>
<u>36-16470</u>	<u>4/10/1958</u>	<u>0.39/68.8</u>	<u>Stock/comm.</u>	<u>1/1 to 12/31</u>
<u>36-16472</u>	<u>2/19/1954</u>	<u>0.47/56.8</u>	<u>Stock/comm.</u>	<u>1/1 to 12/31</u>
				to _____

2. Total amount of water being transferred 1.08 cubic feet per second and/or 152.0 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	SE	6	9S	22E	Minidoka	Well #1
		NE	SE	6	9S	22E	Minidoka	Well #2

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	22E	6			S, C	S, C				S, C	S, C				S, C	S, C	S, C	S, C	

PART 1

6. General Information:

- a. Description of diversion system Two wells to dairy barn and corrals.

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A

- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

Page _____ of _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 36-16468 Decreed to _____
 in case of SRBA vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice☒ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to _____4. Date of priority 7/14/1954

5. Water is used for the following purpose:

Amount 0.22/26.4 for Stock/comm. purposes from 1/1 to 12/31
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 0.22 cubic feet per second and/or 26.4 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	NE	6	9S	22E	Minidoka	Well #1
		SE	NE	6	9S	22E	Minidoka	Well #2

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	22E	6			S, C	S, C				S					S, C	S		S	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 36-16470, 36-16472

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
_____ No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED
(if the entire right is to be changed by the applicant, omit part B and C)

1. Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

Page _____ of _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 36-16470 Decreed to _____
in case of SRBA vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice☒ Warranty Deed☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date of priority 4/10/1958

5. Water is used for the following purpose:

Amount 0.39/68.8 for Stock/comm. purposes from 1/1 to 12/31
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.39 cubic feet per second and/or 68.8 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	NE	6	9S	22E	Minidoka	Well #1
		SE	NE	6	9S	22E	Minidoka	Well #2

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	22E	6			S, C	S, C				S					S, C	S		S	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 36-16468, 36-16472

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
_____ No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED
(if the entire right is to be changed by the applicant, omit part B and C)

1. Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

Page _____ of _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 36-16472 Decreed to _____
in case of SRBA vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice ☒ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____4. Date of priority 2/19/1954

5. Water is used for the following purpose:

Amount 0.47/56.8 for Stock/comm. purposes from 1/1 to 12/31
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.47 cubic feet per second and/or 56.8 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	NE	6	9S	22E	Minidoka	Well #1
		SE	NE	6	9S	22E	Minidoka	Well #2

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	22E	6			S, C	S, C				S					S, C	S		S	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 36-16468, 36-16470

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____



VANDERVEGT-GIBSON, IRENE
WATER RIGHT TRANSFER
NAIP 2006 AERIAL

BROCKWAY ENGINEERING, PLLC.
ALR -April 14, 2008

Legend

109s22e

108s22e

CAFO Site

Sections

Wells POD



PART 3**B. CHANGES IN NATURE OF USE**

1.

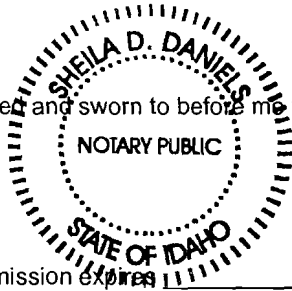
<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:
 None _____

3. Describe the effects on other water uses resulting from the proposed change:
 None _____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this _____



14th _____ day of April 19 2008.

 (Signature of Applicant)

Sheila D. Daniels
 (Notary Public)

My commission expires _____

Aug. 6, 2013

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by P. SKINNER Date 4/14/2008 Protest filed by _____

Prelim. check by _____ Fee \$290.00 5030132 _____

Receipted by P. SKINNER Date 4/14/2008 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

RECEIVED
APR 14 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

I, Irene Vandervegt-Gibson, hereby nominate and appoint
Charles G. Brockway as my attorney-in-fact with full authority to
act for and on my behalf to undertake any and all acts or matters pertaining to water right
transactions before the Idaho Department of Water Resources, described as follows:
Transfers of 36-16467, 36-16468, 36-16469, 36-16470, 36-16471, and 36-16472
and water supply bank applications of said rights.

in Minidoka County, Idaho. Additionally, I hereby ratify and confirm any
and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said
instruments of writing that may be necessary or proper to carry into execution and effect the
applications, and transfers above-mentioned. Further, I hereby declare that each and every
application, transfer, agreement, receipt, or payment which shall be by my said agent given,
made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had
been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at
all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or
concerning the said premises by virtue of these present. This Limited Power of Attorney will
become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 14 day of April, 2008.

Irene Vandervegt-Gibson
Signature

Signature

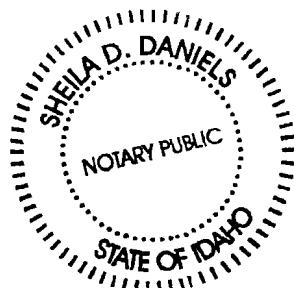
State of Idaho)

County of Twin Falls) ss.

On this 14th Day of April, 2008, before me, a Notary Public
in and for said County and State, personally appeared Irene Vandervegt-Gibson
known or identified to me to be the individual whose name and subscription to the within
instrument, and acknowledged to me that he 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.

S
E
A
L



Sheila D. Daniels

Notary Public

In and for said State and County

Aug 10, 2013
My Commission Expires

RECEIVED
APR 11 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

493872

Instrument # 493872

MINIDOKA COUNTY, RUPERT, IDAHO
2007-11-13 01:52:06 No. of Pages: 4
Recorded for: RUPERT LAND TITLE
DUANE SMITH Fee: 12.00
Ex-Officio Recorder Deputy

la

WARRANTY DEED

FOR VALUE RECEIVED,

McCLELLAN FARMS, INC., an Idaho corporation, and **STEVEN McCLELLAN**, aka **STEVE S. McCLELLAN** and **BONNIE McCLELLAN**, aka **BONNIE ANN McCLELLAN**, husband and wife, the "Grantors", do hereby grant, bargain, sell and convey unto **CAPELLA CORP.**, an Idaho corporation, the "Grantee", the following described premises located in Minidoka County, Idaho, to wit:

PARCEL ONE:

TOWNSHIP 9 SOUTH, RANGE 22 EAST, BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO

Section 6: Lots 5, 6 and 7; SE $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{2}$ and SE $\frac{1}{4}$;

SAVE AND EXCEPT the following described tracts:

TRACT NO. 1:

That part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:
Beginning at the Southeast corner of said Section 6; thence North 0°19'15"
West along the East section line of said Section 6 for 3285.84 feet to a
point, which point shall be known as the TRUE POINT OF BEGINNING;
Thence North 89°45'33" West for 430.00 feet;
Thence North 0°19'15" West for 660.00 feet to a point on the North
boundary line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 89°45'33" East along said North boundary line for 430.00
feet to a point on the East section line of said Section 6;
Thence South 0°19'15" East along said East section line for 660.00 feet to
the TRUE POINT OF BEGINNING.

TRACT NO. 2:

Part of the SE $\frac{1}{4}$ of Section 6, more particularly described as follows:
Beginning at the Southeast corner of Section 6, said corner marked by a
5/8 inch rebar; thence North 0°08'00" West along section line for 859.66
feet to a 1/2 inch rebar which shall be the POINT OF BEGINNING;
Thence South 89°47'55" West for 460.05 feet to a 1/2 inch rebar;
Thence North 18°12'15" East for 232.19 feet to a 1/2 inch rebar;
Thence North 41°06'54" East for 436.62 feet to a 1/2 inch rebar;
Thence North 89°14'25" East for 99.13 feet to a 1/2 inch rebar on section
line;

Thence South 0°08'00" East along section line for 549.22 feet to the
POINT OF BEGINNING.

PARCEL TWO:

TOWNSHIP 9 SOUTH, RANGE 22 EAST, BOISE MERIDIAN, MINIDOKA
COUNTY, IDAHO

Section 6: That part of the SE ¼ NE ¼, described more particularly as
follows:

Beginning at the Southeast corner of said Section 6; thence North 0°19'15" West
along the East section line of said Section 6 for 3285.84 feet to a point, which
point shall be known as the TRUE POINT OF BEGINNING;
Thence North 89°645'33" West for 430.00 feet;
Thence north 0°19'15" West for 660.00 feet to a point on the North boundary line
of said SE¼NE¼;
Thence South 89°45'33" East along said North boundary line for 430.00 feet to a
point on the East section line of said Section 6;
Thence South 0°19'15" East along said East section line for 660.00 feet to the
TRUE POINT OF BEGINNING.

PARCEL THREE:

TOWNSHIP 9 SOUTH, RANGE 22 EAST, BOISE MERIDIAN, MINIDOKA
COUNTY, IDAHO

Section 8: Farm Unit A, Tract A, of the North Side Pumping Division,
Minidoka Project, Idaho (as shown by plat, dated September 27, 1957, on file in
the office of the County Recorder, Minidoka County, Idaho).

This real property is referred to hereafter as "the Real Property."

Consisting of 630 acres, more or less.

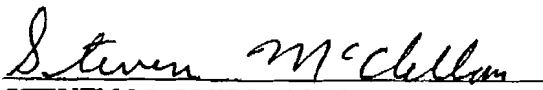
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee, their heirs and assigns forever. The said Grantors do hereby covenant to and with the said
Grantees, that they are the owners of said premises; that they will warrant and defend the same from
all lawful claims whatsoever, except as hereinabove specifically provided, and the specific
exceptions listed below:

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

2. Assessments of the A & B Irrigation District and the rights and powers of said District as by law provided.
3. Assessments levied or to be levied by Magic Valley Groundwater District, if any.
4. A Power Line Easement, dated February 22, 1956, executed by Hollis S. McClellan, also known as Hollis McClellan, and Marjorie E. McClellan, also known as Marjorie McClellan, husband and wife, to Idaho Power Company, a corporation, its licensees, successors, and assigns, recorded May 12, 1958 in Book 36 of Deeds, Page 461, Minidoka County records.
5. An Easement, as contained in Warranty Deed, dated January 8, 1981, executed by McClellan Farms, Inc., an Idaho corporation, to Steven McClellan and Bonnie McClellan, husband and wife, recorded January 19, 1982 as Document No. 320518, Minidoka County records, which recites: "Subject To a 30.00 foot county road right of way along the East boundary of said tract."
6. A Contract for Irrigation Water, dated March 5, 1982, executed by McClellan Farms, Inc., an Idaho corporation, first party, to Steven S. McClellan and Bonnie McClellan, husband and wife, second party, recorded March 29, 1982 as Document No. 322469, Minidoka County records.
7. Industrial Confined Animal Feeding Operation Waiver Agreement, dated December 13, 2005, by and between McClellan Farms, Inc., and Drew G. Morgan and Tami M. Morgan, recorded December 15, 2005 as Document No. 481749, Minidoka County records.
8. Industrial Confined Animal Feeding Operation Permit, to Steve McClellan, dated December 22, 2005, executed by Minidoka County Planning and Zoning Commission, recorded May 9, 2006 as Document No. 484348, Minidoka County records.

DATED THIS 9th day of November, 2007

"GRANTORS"


STEVEN McCLELLAN, aka STEVEN
S. McCLELLAN, an individual


BONNIE McCLELLAN, aka BONNIE
ANN McCLELLAN, an individual

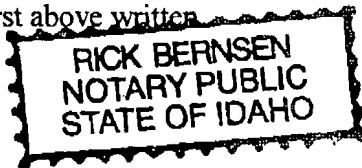
MCCLELLAN FARMS, INC.

By: Steven McChellan
Its: Pres.

STATE OF IDAHO)
) ss.
County of Jerome)

On this 9th day of November, 2007, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Steven McClellan, President of McClellan Farms, 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 he executed the same on behalf of the corporation.

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



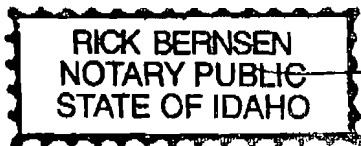
NOTARY PUBLIC for Idaho

Residing at: Ben
Commission Expires: 7-30-09

STATE OF IDAHO)
) ss.
County of Jerome)

On this 9th day of November, 2007, before me, the undersigned, a Notary Public in and for said County and State, personally appeared STEVEN McCLELLAN, aka STEVEN S. McCLELLAN and BONNIE McCLELLAN aka BONNIE ANN McCLELLAN, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

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



~~NOTARY PUBLIC~~ for Idaho

Residing at: June
Commission Expires: 7-30-01