

DE

NOV 13 2006

**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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
PD 47-13397			PD 51-7108 A		
PD 51-2258					
PD 51-2259					
PD 51-2444					
PD 51-2445					

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

3. Name and Address of Former Owner/Claimant(s) Melvin G. Harder/Ruth R. Harder
19937 C Hwy 30 Buhl, ID 83316
4. New Owner/Claimant(s) M & W KMA, L.L.C., an Idaho limited liability
 company
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 947 South 1700 East
 City, State and ZIP Code Eden, ID 83325
 New Telephone Number ()
5. Date you acquired the property 12/8/05

SUPPORT DATA
IN FILE # 51-2258

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) X with full
(include title if applicable) Cherry Standler

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.

For Office Use Only

Received by _____	Date _____	Fee \$ <u>150</u>
Received by <u>CW</u>	Date <u>2/12/08</u>	Receipt No. <u>SC 30004</u>
Processed by _____	AJ Date _____	WR _____ Date _____

Recording Requested By and
When Recorded Return to:

M & W KMA, LLC
1690 E. 990 S.
Eden, ID. 83325

T-34189

TWIN FALLS COUNTY

RECORDED FOR:
LAND TITLE & ESCROW
2:40:31 pm 12-08-2005
2005-028098

NO. PAGES: 7 FEE: \$21.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: COUNBAR

COPY

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (this "Deed"), made as of the 6th day of December, 2005, is between **PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER #48, LLC**, an Idaho limited liability company ("**Grantor**"), and **M & W KMA, LLC**, an Idaho liability company ("**Grantee**"), whose legal address is: 1690 E. 990 S., Eden, ID. 83325.

WITNESSETH, That Grantor, for and in consideration of One Dollar and No/100 (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto Grantee, its successors and assigns forever, all the real property, together with improvements, located in the County of Twin Falls, State of Idaho, more particularly described as follows:

See legal description attached hereto and made a part hereof as Exhibit "A"

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of in and to the above bargained premises, with the hereditaments, easements, rights of way and appurtenances, and with all of Grantor's interest, if any, in and to any and all minerals, water, ditches, wells, reservoirs and drains, and all water, ditch, well, reservoir and drainage rights which are appurtenant to, located on, now or hereafter acquired under or above or used in connection with the property (collectively, the "**Property**").

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto Grantee, its successors and assigns forever. Grantor, for itself, and its successors and assigns, does covenant, grant, bargain and agree to and with the Grantee, its successors and assigns, that at the time of the ensembling and delivery of these presents, Grantor is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever, as of **June 1, 2005**.

The Grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof BY, THROUGH OR UNDER Grantor.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the date set forth above.

PIONEER EXCHANGE
ACCOMMODATION TITLEHOLDER
#48, LLC, an Idaho limited liability
company

By: Pioneer 1031 Company, an
Idaho corporation, Member

By: Jesse Hamilton

Name: Jesse Hamilton

Its: Vice-President

STATE OF IDAHO

)
) ss.
)

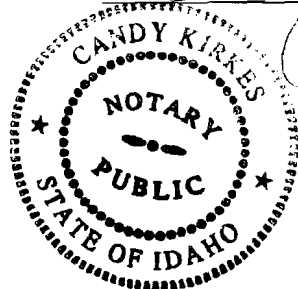
COUNTY OF ADA

The foregoing instrument was acknowledged before me this 6th day of December, 2005, by Jesse Hamilton, as Vice-President of Pioneer 1031 Company, an Idaho corporation, Member of Pioneer Exchange Accommodation Titleholder #48, LLC, an Idaho limited liability company.

WITNESS my hand and official seal.

My commission expires: 3/1/07.

(NOTARIAL SEAL)



Candy Kirkes
Notary Public

LEGAL DESCRIPTION

PARCEL NO. 1

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho

Section 24: E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 2

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

Section 19: Government Lots 1 and 2;

E $\frac{1}{2}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 3

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho

Section 25: SW $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 4

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho

Section 26: N $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 5

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho

Section 35: That portion of the Southeast quarter of Section 35 described as follows to-wit:

BEGINNING at the Southeast corner of Section 35;

THENCE North 00°01' West, along the East boundary line of said Section 35 a distance of 2641.07 feet to the East quarter corner of said Section 35;

THENCE South 89°52' West along the North boundary line of the Southeast quarter of Section 35 a distance of 1397.5 feet to a point on the centerline of an existing private road;

THENCE South 42°48' East 481.1 feet, along the centerline of said private road;

THENCE South 11°26' East 1095.4 feet, along the centerline of said private road;

THENCE South 35°06' East 1484.3 feet, along the centerline of said private road to the POINT OF BEGINNING.

AND

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho

Section 35: NE $\frac{1}{4}$; N $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPT that portion thereof described as follows:

A tract of land in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, more particularly described as follows:

BEGINNING at the quarter corner common to Sections 35 and 36;

THENCE South 89°52' West, a distance of 1397.5 feet to the TRUE POINT OF BEGINNING, said point being on the centerline of an existing private road and on the North boundary line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35;

THENCE North 42°48' West a distance of 60.0 feet along the centerline of said road;

THENCE North 47°58' West a distance of 948.0 feet along the centerline of said road;

THENCE North 15°08' West a distance of 421 feet along the centerline of said road;

THENCE North 46°28' West a distance of 229.4 feet along the centerline of said road to a point;

THENCE South 53°42' West a distance of 1138.8 feet along the centerline of said road;

THENCE South 34°44' East a distance of 693.1 feet to a point on the centerline of said road;

THENCE South 25°23' East a distance of 381.8 feet to a point on the centerline of said road;

THENCE South 8°06' East a distance of 984.9 feet to the 1/16 corner, said corner being the Southeast corner of the NE¼SW¼ of Section 35;
THENCE North 00°01' West a distance of 1320.5 feet along the East boundary line of the NE¼SW¼ to the Northeast corner of said 40-acre tract (NE¼SW¼);
THENCE North 89°52' East along the South boundary line of the SW¼NE¼ Section 35 a distance of 1241.65 feet to the POINT OF BEGINNING.

PARCEL NO. 6

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho

Section 35: SE¼SW¼; SE¼ EXCEPT

BEGINNING at the Section corner common to Sections 35 and 36, Township 9 South, Range 12

E., B.M., a brass cap properly monumented;

THENCE North 0°01' West along the Section line common to Sections 35 and 36 a distance of 2,641.07 feet to the quarter corner common to Sections 35 and 36;

THENCE South 89°52' West along the North boundary line of the NE¼SE¼ Section 35 a distance of 1,397.5 feet to a point on the centerline of an existing private road;

THENCE South 42°48' East a distance of 481.1 feet along said road;

THENCE South 11°26' East a distance of 1,095.4 feet along said road;

THENCE South 35°06' East a distance of 1,484.3 feet along said road to the POINT OF BEGINNING.

AND

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho

Section 35: A tract of land in the SW¼NE¼, the SE¼NW¼, and the NE¼SW¼ described as follows:

BEGINNING at the quarter corner common to Sections 35 and 36, Township 9 South, Range 12

E., B.M.;

THENCE South 89°52' West a distance of 1,397.5 feet to the TRUE POINT OF BEGINNING, said point being on the centerline of an existing private road and on the North boundary line of the NW¼SE¼ of Section 35;

THENCE North 42°48' West a distance of 60.0 feet along the centerline of said road;

THENCE North 47°58' West a distance of 948.0 feet along the centerline of said road;

THENCE North 15°08' West a distance of 421 feet along the centerline of said road;

THENCE North 46°28' West a distance of 229.4 feet along the centerline of said road to a point;

THENCE South 53°42' West a distance of 1,138.8 feet along the centerline of said road;

THENCE South 34°44' East a distance of 693.1 feet to a point on the centerline of said road;

THENCE South 25°23' East a distance of 381.8 feet to a point on the centerline of said road;

THENCE South 8°06' East a distance of 984.9 feet to the 1/16 corner, said corner being the Southeast corner of the NE¼SW¼ of Section 35;

THENCE North 0°01' West a distance of 1,320.5 feet along the East boundary line of the NE¼SW¼ to the NE¼SW¼ to the Northeast corner of said 40-acre tract (NE¼SW¼);

THENCE North 89°52' East along the South boundary line of the SW¼NE¼ Section 35 a distance of 1,241.65 feet to the POINT OF BEGINNING.

PARCEL NO. 7

Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho

Section 1: W¼SW¼

EXCEPT the North 400 feet thereof

TOGETHER WITH a right of way to traverse the SE¼SW¼ of Section 1 being 50 feet in width and 25 feet on either side of the following described centerline:

BEGINNING at the Section corner common to Sections 1 and 2, 11 and 12, Township 10 South, Range 12 E., B.M.;

THENCE North 89°56' East along the section line common to Sections 1 and 12 a distance of 1620 feet to the TRUE POINT OF BEGINNING, said point being the centerline of an existing private road;

THENCE North 18°00' West along the existing irrigation ditch a distance of 970.8 feet to the East boundary line of the SW¼SW¼ of Section 1;
As granted in Right of Way Deed recorded January 18, 1968, as Instrument No. 584464, records of Twin Falls County, Idaho.

PARCEL NO. 8

Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho

Section 1: Government Lots 1, 2, 3, 4;

S½NW¼; SW¼NE¼; E½SW¼; the North 400 feet of NW¼SW¼; SE¼NE¼; E½SE¼; W½SE¼

EXCEPT

Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho,

Section 1: A tract of land being more particularly described as follows:

BEGINNING at the Southeast corner of said Section 1;

THENCE South 88°46'06" West a distance of 1331.84 feet along the southerly boundary of said Section 1 to the TRUE POINT OF BEGINNING;

THENCE South 88°46'06" West a distance of 1301.47 feet along the southerly boundary of said Section 1 to the South quarter corner of said Section 1;

THENCE South 88°46'06" West a distance of 638.61 feet along the southerly boundary of said Section 1;

THENCE North 01°58'04" West a distance of 94.62 feet;

THENCE North 50°25'19" West a distance of 163.07 feet;

THENCE South 89°34'22" West a distance of 61.92 feet;

THENCE South 00°31'21" East a distance of 202.08 feet to the southerly boundary of said Section 1;

THENCE South 88°46'06" West a distance of 129.06 feet along the southerly boundary of said Section 1 to a point 10.00 feet easterly from the east edge of a farm road;

THENCE along a line parallel with and 10.00 feet easterly from the east edge of said farm road the following courses and distances: North 21°24'32" West a distance of 518.43 feet;

THENCE North 16°32'06" West a distance of 450.55 feet;

THENCE North 13°11'58" West a distance of 93.48 feet;

THENCE North 06°13'48" West a distance of 79.73 feet;

THENCE North 00°36'25" East a distance of 1483.77 feet;

THENCE North 00°49'34" West a distance of 1571.95 feet;

THENCE North 01°23'53" West a distance of 143.87 feet;

THENCE North 02°07'38" East a distance of 83.38 feet to a point approximately 10.00 feet northerly from the north edge of a farm road;

THENCE Easterly and Southerly approximately parallel with and 10.00 feet northerly from said farm road the following courses and distances: North 72°36'37" East a distance of 29.31 feet;

THENCE South 82°19'23" East a distance of 35.81 feet;

THENCE South 44°07'29" East a distance of 34.66 feet;

THENCE South 50°53'58" East a distance of 59.92 feet;

THENCE South 55°17'47" East a distance of 273.43 feet;

THENCE South 62°27'49" East a distance of 136.10 feet;

THENCE South 75°44'26" East a distance of 53.78 feet;

THENCE South 87°14'34" East a distance of 174.40 feet;

THENCE North 86°09'57" East a distance of 83.36 feet;

THENCE North 77°22'58" East a distance of 62.99 feet;

THENCE North 66°18'04" East a distance of 60.06 feet;

THENCE North 53°16'23" East a distance of 38.15 feet;

THENCE South 71°53'34" East a distance of 41.76 feet;

THENCE South 56°21'03" East a distance of 57.09 feet;

THENCE South 77°02'22" East a distance of 87.58 feet;

THENCE South 64°08'42" East a distance of 93.78 feet;

THENCE South 60°30'20" East a distance of 132.48 feet;
 THENCE South 80°16'46" East a distance of 47.76 feet;
 THENCE South 73°26'32" East a distance of 53.46 feet;
 THENCE South 66°05'15" East a distance of 62.62 feet;
 THENCE South 58°20'31" East a distance of 201.49 feet;
 THENCE South 54°19'29" East a distance of 193.48 feet;
 THENCE South 36°14'20" East a distance of 67.86 feet;
 THENCE South 09°02'44" East a distance of 51.26 feet;
 THENCE South 11°08'27" West a distance of 67.88 feet;
 THENCE South 16°47'30" East a distance of 46.81 feet;
 THENCE South 05°43'04" East a distance of 98.77 feet;
 THENCE South 08°53'12" East a distance of 57.26 feet;
 THENCE South 15°41'54" East a distance of 52.00 feet;
 THENCE South 23°45'12" East a distance of 159.42 feet;
 THENCE South 17°55'27" East a distance of 58.81 feet;
 THENCE South 02°03'14" West a distance of 432.26 feet;
 THENCE South 03°01'38" East a distance of 49.46 feet;
 THENCE South 10°55'07" East a distance of 98.37 feet;
 THENCE South 16°47'02" East a distance of 125.90 feet;
 THENCE South 15°54'54" East a distance of 413.77 feet;
 THENCE South 19°47'20" East a distance of 108.97 feet;
 THENCE South 25°19'59" East a distance of 78.29 feet;
 THENCE South 21°16'57" East a distance of 69.92 feet;
 THENCE South 12°21'12" East a distance of 74.88 feet;
 THENCE South 04°27'10" East a distance of 135.57 feet;
 THENCE South 10°56'02" East a distance of 510.22 feet;
 THENCE South 01°21'36" East a distance of 200.21 feet;
 THENCE South 05°15'49" East a distance of 69.52 feet;
 THENCE South 11°02'55" East a distance of 126.76 feet;
 THENCE South 20°20'22" East a distance of 298.89 feet;
 THENCE South 24°52'04" East a distance of 338.33 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO: All legal easements and rights of way therein.

AND EXCEPT:

Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho

Section 1: A parcel of land located in the SE¼, more particularly described as follows:

BEGINNING at the Southeast corner of said section:

THENCE South 88°46'06" West a distance of 1331.84 feet;
 THENCE North 24°52'04" West a distance of 85.68 feet to the TRUE POINT OF BEGINNING;
 THENCE North 24°52'04" West a distance of 252.65 feet;
 THENCE North 20°20'22" West a distance of 63.92 feet;
 THENCE South 89°55'56" West a distance of 414.87 feet;
 THENCE South 00°00'45" West a distance of 349.95 feet;
 THENCE North 82°17'15" West a distance of 151.28 feet;
 THENCE North 73°16'52" West a distance of 142.44 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 9

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho

Section 36: SW¼SW¼; E½SW¼; NE¼NW¼

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 10

Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 12: S $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 11

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 20: SW $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 12

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 30: NW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; Government Lots 3 and 4; E $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ NE $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 13

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 31: Government Lots 1 and 2; E $\frac{1}{2}$ NW $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 14

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 29: NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 15

Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 2: Government Lots 1 and 2; S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 16

Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 2: Government Lot 3; NE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

End of Exhibit "A"

COPY

WARRANTY DEED

TWIN FALLS COUNTY
RECORDED FOR:
LAND TITLE & ESCROW, INC. #T-34189
4:18:47 pm 06-01-2005
2005-011610
NO. PAGES: 6 FEE: \$18.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: CNICE

For Value Received

MELVIN G. HARDER and RUTH R. HARDER, husband and wife

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

PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER #48, LLC,
Address: 8151 West Rifleman Street, Boise, Id 83704

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

SEE EXHIBIT "A" ATTACHED HERETO:
(containing 5 pages)

SUBJECT TO:

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

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

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.

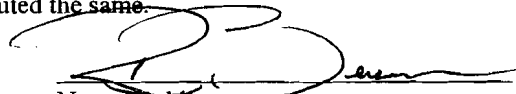
Dated: May 31, 2005

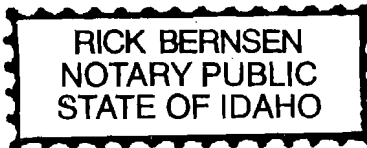

MELVIN G. HARDER


RUTH R. HARDER

STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 31st day of May, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared MELVIN G. HARDER and RUTH R. HARDER, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public
Residing at: June 30
My Commission expires: 7-20-09



LEGAL DESCRIPTION

PARCEL NO. 1

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 24: E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$
SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 2

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 19: Government Lots 1 and 2;
E $\frac{1}{2}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$
SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 3

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 25: SW $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$
SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 4

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 26: N $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$
SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 5

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 35: That portion of the Southeast quarter of Section 35 described as follows to-wit:
BEGINNING at the Southeast corner of Section 35;
THENCE North 00°01' West, along the East boundary line of said Section 35 a distance of 2641.07 feet to the East quarter corner of said Section 35;
THENCE South 89°52' West along the North boundary line of the Southeast quarter of Section 35 a distance of 1397.5 feet to a point on the centerline of an existing private road;
THENCE South 42°48' East 481.1 feet, along the centerline of said private road;
THENCE South 11°26' East 1095.4 feet, along the centerline of said private road;
THENCE South 35°06' East 1484.3 feet, along the centerline of said private road to the POINT OF BEGINNING.

AND

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 35: NE $\frac{1}{4}$; N $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$
EXCEPT that portion thereof described as follows:
A tract of land in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, more particularly described as follows:
BEGINNING at the quarter corner common to Sections 35 and 36;
THENCE South 89°52' West, a distance of 1397.5 feet to the TRUE POINT OF BEGINNING, said point being on the centerline of an existing private road and on the North boundary line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35;
THENCE North 42°48' West a distance of 60.0 feet along the centerline of said road;
THENCE North 47°58' West a distance of 948.0 feet along the centerline of said road;
THENCE North 15°08' West a distance of 421 feet along the centerline of said road;
THENCE North 46°28' West a distance of 229.4 feet along the centerline of said road to a point;
THENCE South 53°42' West a distance of 1138.8 feet along the centerline of said road;
THENCE South 34°44' East a distance of 693.1 feet to a point on the centerline of said road;
THENCE South 25°23' East a distance of 381.8 feet to a point on the centerline of said road;

THENCE South 8°06' East a distance of 984.9 feet to the 1/16 corner, said corner being the Southeast corner of the NE¼SW¼ of Section 35;
THENCE North 00°01' West a distance of 1320.5 feet along the East boundary line of the NE¼SW¼ to the Northeast corner of said 40-acre tract (NE¼SW¼);
THENCE North 89°52' East along the South boundary line of the SW¼NE¼ Section 35 a distance of 1241.65 feet to the POINT OF BEGINNING.

PARCEL NO. 6

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 35: SE¼SW¼; SE¼ EXCEPT
BEGINNING at the Section corner common to Sections 35 and 36, Township 9 South, Range 12 E., B.M., a brass cap properly monumented;
THENCE North 0°01' West along the Section line common to Sections 35 and 36 a distance of 2,641.07 feet to the quarter corner common to Sections 35 and 36;
THENCE South 89°52' West along the North boundary line of the NE¼SE¼ Section 35 a distance of 1,397.5 feet to a point on the centerline of an existing private road;
THENCE South 42°48' East a distance of 481.1 feet along said road;
THENCE South 11°26' East a distance of 1,095.4 feet along said road;
THENCE South 35°06' East a distance of 1,484.3 feet along said road to the POINT OF BEGINNING.

AND

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 35: A tract of land in the SW¼NE¼, the SE¼NW¼, and the NE¼SW¼ described as follows:
BEGINNING at the quarter corner common to Sections 35 and 36, Township 9 South, Range 12 E., B.M.;
THENCE South 89°52' West a distance of 1,397.5 feet to the TRUE POINT OF BEGINNING, said point being on the centerline of an existing private road and on the North boundary line of the NW¼SE¼ of Section 35;
THENCE North 42°48' West a distance of 60.0 feet along the centerline of said road;
THENCE North 47°58' West a distance of 948.0 feet along the centerline of said road;
THENCE North 15°08' West a distance of 421 feet along the centerline of said road;
THENCE North 46°28' West a distance of 229.4 feet along the centerline of said road to a point;
THENCE South 53°42' West a distance of 1,138.8 feet along the centerline of said road;
THENCE South 34°44' East a distance of 693.1 feet to a point on the centerline of said road;
THENCE South 25°23' East a distance of 381.8 feet to a point on the centerline of said road;
THENCE South 8°06' East a distance of 984.9 feet to the 1/16 corner, said corner being the Southeast corner of the NE¼SW¼ of Section 35;
THENCE North 0°01' West a distance of 1,320.5 feet along the East boundary line of the NE¼SW¼ to the NE¼SW¼ to the Northeast corner of said 40-acre tract (NE¼SW¼);
THENCE North 89°52' East along the South boundary line of the SW¼NE¼ Section 35 a distance of 1,241.65 feet to the POINT OF BEGINNING.

PARCEL NO. 7

Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 1: W½SW¼
EXCEPT the North 400 feet thereof

TOGETHER WITH a right of way to traverse the SE¼SW¼ of Section 1 being 50 feet in width and 25 feet on either side of the following described centerline:
BEGINNING at the Section corner common to Sections 1 and 2, 11 and 12, Township 10 South, Range 12 E., B.M.;
THENCE North 89°56' East along the section line common to Sections 1 and 12 a distance of 1620 feet to the TRUE POINT OF BEGINNING, said point being the centerline of an existing private road;

THENCE North 18°00' West along the existing irrigation ditch a distance of 970.8 feet to the East boundary line of the SW¼SW¼ of Section 1;
As granted in Right of Way Deed recorded January 18, 1968, as Instrument No. 584464, records of Twin Falls County, Idaho.

PARCEL NO. 8

Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho

Section 1: Government Lots 1, 2, 3, 4;

S½NW¼; SW¼NE¼; E½SW¼; the North 400 feet of NW¼SW¼; SE¼NE¼; E½SE¼; W½SE¼

EXCEPT

Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho,

Section 1: A tract of land being more particularly described as follows:

BEGINNING at the Southeast corner of said Section 1;

THENCE South 88°46'06" West a distance of 1331.84 feet along the southerly boundary of said Section 1 to the TRUE POINT OF BEGINNING;

THENCE South 88°46'06" West a distance of 1301.47 feet along the southerly boundary of said Section 1 to the South quarter corner of said Section 1;

THENCE South 88°46'06" West a distance of 638.61 feet along the southerly boundary of said Section 1;

THENCE North 01°58'04" West a distance of 94.62 feet;

THENCE North 50°25'19" West a distance of 163.07 feet;

THENCE South 89°34'22" West a distance of 61.92 feet;

THENCE South 00°31'21" East a distance of 202.08 feet to the southerly boundary of said Section 1;

THENCE South 88°46'06" West a distance of 129.06 feet along the southerly boundary of said Section 1 to a point 10.00 feet easterly from the east edge of a farm road;

THENCE along a line parallel with and 10.00 feet easterly from the east edge of said farm road the following courses and distances: North 21°24'32" West a distance of 518.43 feet;

THENCE North 16°32'06" West a distance of 450.55 feet;

THENCE North 13°11'58" West a distance of 93.48 feet;

THENCE North 06°13'48" West a distance of 79.73 feet;

THENCE North 00°36'25" East a distance of 1483.77 feet;

THENCE North 00°49'34" West a distance of 1571.95 feet;

THENCE North 01°23'53" West a distance of 143.87 feet;

THENCE North 02°07'38" East a distance of 83.38 feet to a point approximately 10.00 feet northerly from the north edge of a farm road;

THENCE Easterly and Southerly approximately parallel with and 10.00 feet northerly from said farm road the following courses and distances: North 72°36'37" East a distance of 29.31 feet;

THENCE South 82°19'23" East a distance of 35.81 feet;

THENCE South 44°07'29" East a distance of 34.66 feet;

THENCE South 50°53'58" East a distance of 59.92 feet;

THENCE South 55°17'47" East a distance of 273.43 feet;

THENCE South 62°27'49" East a distance of 136.10 feet;

THENCE South 75°44'26" East a distance of 53.78 feet;

THENCE South 87°14'34" East a distance of 174.40 feet;

THENCE North 86°09'57" East a distance of 83.36 feet;

THENCE North 77°22'58" East a distance of 62.99 feet;

THENCE North 66°18'04" East a distance of 60.06 feet;

THENCE North 53°16'23" East a distance of 38.15 feet;

THENCE South 71°53'34" East a distance of 41.76 feet;

THENCE South 56°21'03" East a distance of 57.09 feet;

THENCE South 77°02'22" East a distance of 87.58 feet;

THENCE South 64°08'42" East a distance of 93.78 feet;

THENCE South 60°30'20" East a distance of 132.48 feet;
 THENCE South 80°16'46" East a distance of 47.76 feet;
 THENCE South 73°26'32" East a distance of 53.46 feet;
 THENCE South 66°05'15" East a distance of 62.62 feet;
 THENCE South 58°20'31" East a distance of 201.49 feet;
 THENCE South 54°19'29" East a distance of 193.48 feet;
 THENCE South 36°14'20" East a distance of 67.86 feet;
 THENCE South 09°02'44" East a distance of 51.26 feet;
 THENCE South 11°08'27" West a distance of 67.88 feet;
 THENCE South 16°47'30" East a distance of 46.81 feet;
 THENCE South 05°43'04" East a distance of 98.77 feet;
 THENCE South 08°53'12" East a distance of 57.26 feet;
 THENCE South 15°41'54" East a distance of 52.00 feet;
 THENCE South 23°45'12" East a distance of 159.42 feet;
 THENCE South 17°55'27" East a distance of 58.81 feet;
 THENCE South 02°03'14" West a distance of 432.26 feet;
 THENCE South 03°01'38" East a distance of 49.46 feet;
 THENCE South 10°55'07" East a distance of 98.37 feet;
 THENCE South 16°47'02" East a distance of 125.90 feet;
 THENCE South 15°54'54" East a distance of 413.77 feet;
 THENCE South 19°47'20" East a distance of 108.97 feet;
 THENCE South 25°19'59" East a distance of 78.29 feet;
 THENCE South 21°16'57" East a distance of 69.92 feet;
 THENCE South 12°21'12" East a distance of 74.88 feet;
 THENCE South 04°27'10" East a distance of 135.57 feet;
 THENCE South 10°56'02" East a distance of 510.22 feet;
 THENCE South 01°21'36" East a distance of 200.21 feet;
 THENCE South 05°15'49" East a distance of 69.52 feet;
 THENCE South 11°02'55" East a distance of 126.76 feet;
 THENCE South 20°20'22" East a distance of 298.89 feet;
 THENCE South 24°52'04" East a distance of 338.33 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO: All legal easements and rights of way therein.

AND EXCEPT:

Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
 Section 1: A parcel of land located in the SE¼, more particularly described as follows:
 BEGINNING at the Southeast corner of said section:

THENCE South 88°46'06" West a distance of 1331.84 feet;
 THENCE North 24°52'04" West a distance of 85.68 feet to the TRUE POINT OF BEGINNING;
 THENCE North 24°52'04" West a distance of 252.65 feet;
 THENCE North 20°20'22" West a distance of 63.92 feet;
 THENCE South 89°55'56" West a distance of 414.87 feet;
 THENCE South 00°00'45" West a distance of 349.95 feet;
 THENCE North 82°17'15" West a distance of 151.28 feet;
 THENCE North 73°16'52" West a distance of 142.44 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 9

Township 9 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
 Section 36: SW¼SW¼; E½SW¼; NE¼NW¼

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 10

Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 12: S $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 11

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 20: SW $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 12

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 30: NW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; Government Lots 3 and 4; E $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ NE $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 13

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 31: Government Lots 1 and 2; E $\frac{1}{2}$ NW $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 14

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 29: NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 15

Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 2: Government Lots 1 and 2; S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

PARCEL NO. 16

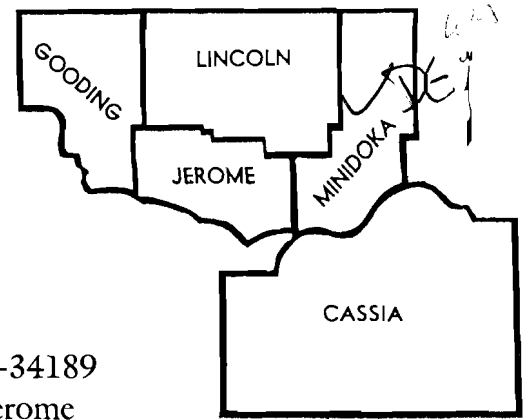
Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 2: Government Lot 3; NE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way.

End of Exhibit "A"

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: T-34189
OFFICE: Jerome

November 9, 2006

I. D. W. R.
P. O. box 83720
Boise, ID 83720-0098

RECEIVED

NOV 13 2006

IDAHO
COUNTY

RE: M & W KMA, LLC
Change in Water Right Ownership

Dear Kara:

Enclosed please find the following in connection with the above referenced transaction:

- A copy of Warranty Deed, Instrument no. 2005-011610, Twin Falls, County, Idaho
- A copy of Special Warranty Deed, Instrument no. 2005-028098, Twin Falls, County, Idaho
- The original executed Notice of Change in Water Right Ownership
- A copy of Land Title and Escrow, Inc. check no. 27341 in the amount of \$125.00 that was processed September 26, 2005.

If you have any questions regarding this matter, please do not hesitate to contact this office at 208-324-3357.

Very truly yours,
LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script that reads "Laury".

Laury Lamb
Escrow Officer

/ljl
encs.