

Transfer No. 73330
Receipt No. E031366

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information TROY BODILY
3686 W 800S
WESTON ID 83286
(208) 852-0882

Will this transfer result in an ownership change? _____ Yes X No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
13-2154A	WR/License	0.15	54.4		18.0	UNNAMED STREAM
13-2292A	WR/License		12.0		18.0	UNNAMED STREAM

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
13-2154A	NO	YES	YES	NO	NO	NO
13-2292A	NO	YES	YES	NO	NO	NO

Describe the reason for the proposed changes

Correct prior transfer. See attached letter from Ward Nielsen. The correction will modify the place of use to reflect actual practice, furthermore the point of diversion is being modified to more accurately reflect the location of the pump, but the legal description of the point of diversion will not change.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
13-2154A	0.15 cfs		18.0	54.4 af
13-2292A			18.0	12.0 af
TOTAL	0.15 cfs		18.0	63.0 af

RECEIVED

JAN 29 2008

Department of Water Resources
Eastern Region

73330

Transfer No. 73330
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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.

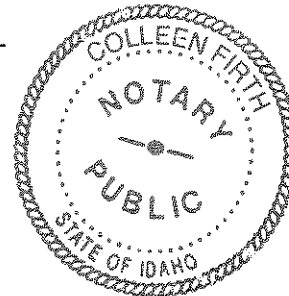
Tony B. B. B.
(Signature of Applicant)

manager
(Title or Office)

Subscribed and sworn to before me this 28 day of January, 2008

Colleen Futh
(Notary Public)

My commission expires 06/10/2011



Transfer No. 73330
Receipt No. E031366

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

Current Water Right No. 13-2154A

Priority Date: November 16, 1948
Origin: Water Right
Basis: License
Status: Active

Source: UNNAMED STREAM

Tributary: BEAR RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15 10/15	0.15 CFS	54.4 AFA	
	Total Diversion	0.15 CFS	54.4 AFA	

Source and Point(s) of Diversion:

UNNAMED STREAM SENW Sec. 36 Twp 15S Rge 38E FRANKLIN County

PLACE OF USE: IRRIGATION

<u>Twp</u> <u>Rge</u> <u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
15S 38E 36						11.0		7.0									18.0

Total Acres: 18

Conditions/Remarks:

1. The right holder will cease irrigation of 137.0 acres under Right No. 13-02154 and 65.0 acres under Right No. 13-02292 previously authorized under these rights, and consolidate use of water on the remaining 224.0 acres as described under Parts A and B of Right Nos. 13-02154 and 13-02292. Right Nos. 13-02154A and 13-02292A in combination shall not exceed the total annual diversion volume of 63.0 af.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

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Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

Transfer No. 73330
Receipt No. E031366

**IDAHO DEPARTMENT OF WATER RESOURCES
AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 13-2292A

Priority Date: November 16, 1948
Origin: Water Right
Basis: License
Status: Active

Source: UNNAMED STREAM **Tributary:** BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION FROM STORAGE	4/15	10/15		12.0 AFA	
IRRIGATION STORAGE	1/01	12/31		12.0 AFA	
Total Diversion				12.0 AFA	

Source and Point(s) of Diversion:

UNNAMED STREAM SENW Sec. 36 Twp 15S Rge 38E FRANKLIN County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S 38E 36						11.0		7.0									18.0

Total Acres: 18

Conditions/Remarks:

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

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5. The right holder will cease irrigation of 137.0 acres under Right No. 13-02154 and 65.0 acres under Right No. 13-02292 previously authorized under these rights, and consolidate use of water on the remaining 224.0 acres as described under Parts A and B of Right Nos. 13-02154 and 13-02292. Right Nos. 13-02154A and 13-02292A in combination shall not exceed the total annual diversion volume of 63.0 af.

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land has not been irrigated. Land in SW NW always irrigated. Transfer to correct POU location

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 73330
Receipt No. E031366

**IDAHO DEPARTMENT OF WATER RESOURCES
AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 13-2154A

Priority Date: November 16, 1948

Origin: Water Right

Basis: License

Status: Active

Source: UNNAMED STREAM

Tributary: BEAR RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/15	0.15 CFS	54.4 AFA	
	Total Diversion	0.15 CFS	54.4 AFA	

Source and Point(s) of Diversion:

UNNAMED STREAM SENW Sec. 36 Twp 15S Rge 38E FRANKLIN County

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	38E	25																.3	
15S	38E	26															.2	.2	
15S	38E	36																17.5	

Total Acres: 18

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Transfer No. 73330
 Receipt No. E031366

**IDAHO DEPARTMENT OF WATER RESOURCES
 AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 13-2292A

Priority Date: November 16, 1948

Origin: Water Right

Basis: License

Status: Active

Source: UNNAMED STREAM

Tributary: BEAR RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION FROM STORAGE	04/15 10/15		12.0 AFA	
IRRIGATION STORAGE	01/01 12/31		12.0 AFA	
Total Diversion			12.0 AFA	

Source and Point(s) of Diversion:

UNNAMED STREAM SENW

Sec. 36 Twp 15S Rge 38E FRANKLIN County

Describe the proposed diversion system

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S 38E 25												.3					.3
15S 38E 26																.2	.2
15S 38E 36							11.0	6.5									17.5

Total Acres: 18

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Transfer 73330

Map of POD and POU



73330-pod.shp
PLACE OF USE
Sections
QQ



73330

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 73330APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant TROY BOOBY Phone 208-852-0882Post Office address 3686 WEST 800 SOUTH WESTON ID 83286

A. PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes CORRECT PRIOR TRANSFER. See attached
Letter From Ward Nielsen

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>13-2292A</u> | <u>11/16/1948</u> | <u>12.00 AF</u> | <u>IRRIGATION</u> | <u>4/15</u> to <u>10/15</u> |
| | | | <u>IRR. STORAGE</u> | <u>1/01</u> to <u>12/31</u> |
| <u>13-2154A</u> | <u>11/16/1948</u> | <u>0.15 CFS</u> | <u>IRRIGATION</u> | <u>4/15</u> to <u>10/15</u> |
| | | | | to _____ |

2. Total amount of water being transferred 0.15 CFS cubic feet per second and/or 63.0 AF acre-feet per annum.

3. Source of water UNNAMED STREAM tributary to BEAR RIVER

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	NW	36	15S	38E	Franklin	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	38E	36						11	7										18

Total Acres 18

73330

PART 1

6. General Information:

a. Description of diversion system Pump to mainline, mainline to Handline

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
X 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land HAS NOT BEEN Irrigated. Land is SW 1/4 NW 1/4 ALWAYS Irrigated. Transfer to CORRECT P.O.U LOCATION

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 the said application is hereby _____, subject to the following conditions:

SUPERSEDED

Witness my hand this _____ day of _____, 20 _____.

For the Director

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Page 1

Transfer No. 73330
Receipt No. _____

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

Current Water Right No. 13-2292A

Priority Date: 11/16/1948

Origin: Water Right

Basis: License

Status: Active

Source: UNNAMED STREAM

Tributary to: BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION FROM STORAGE	4/15	10/15		12.0 AFA	
IRRIGATION STORAGE	1/01	12/31		12.0 AFA	
Total Diversion				12.0 AFA	

Source and Point(s) of Diversion:

UNNAMED STREAM SENW 15S 38E 36 FRANKLIN

PLACE OF USE: IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	38E	36						11.0		7.0									18.0

Total Acres: 18

Conditions/Remarks:

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
5. The right holder will cease irrigation of 137.0 acres under Right No. 13-02154 and 65.0 acres under Right No. 13-02292 previously authorized under these rights, and consolidate use of water on the remaining 224.0 acres as described under Parts A and B of Right Nos. 13-02154 and 13-02292. Right Nos. 13-02154A and 13-02292A in combination shall not exceed the total annual diversion volume of 63.0 af.

SUPERCEDED

73330

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Page 2

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

Transfer No. 73330
Receipt No. _____

Current Water Right No. 13-2292A

Documentation of Ownership of the Current Place of Use *Copy of Warranty Deed Included*

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Release letter Included

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Dryland Farm

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? *NO*

SUPERCEDED

73330

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Page 1

Transfer No. 73330
Receipt No. _____

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

Current Water Right No. 13-2154A

Priority Date: 11/16/1948
Origin: Water Right
Basis: License
Status: Active

Source: UNNAMED STREAM Tributary to: BEAR RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15 10/15	0.15 CFS	54.4 AFA	
Total Diversion		0.15 CFS	54.4 AFA	

Source and Point(s) of Diversion:

UNNAMED STREAM SENW 15S 38E 36 FRANKLIN

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
15S 38E 36						11.0		7.0									18.0

Total Acres: 18

Conditions/Remarks:

1. The right holder will cease irrigation of 137.0 acres under Right No. 13-02154 and 65.0 acres under Right No. 13-02292 previously authorized under these rights, and consolidate use of water on the remaining 224.0 acres as described under Parts A and B of Right Nos. 13-02154 and 13-02292. Right Nos. 13-02154A and 13-02292A in combination shall not exceed the total annual diversion volume of 63.0 af.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

SUPERSEDED

73330

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Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

Transfer No. 73330
Receipt No. _____

Current Water Right No. 13-2154A

Documentation of Ownership of the Current Place of Use *copy of warranty deed Included*

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Release letter Included

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Dryland Farm

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? *NO*

SUPERCEDED

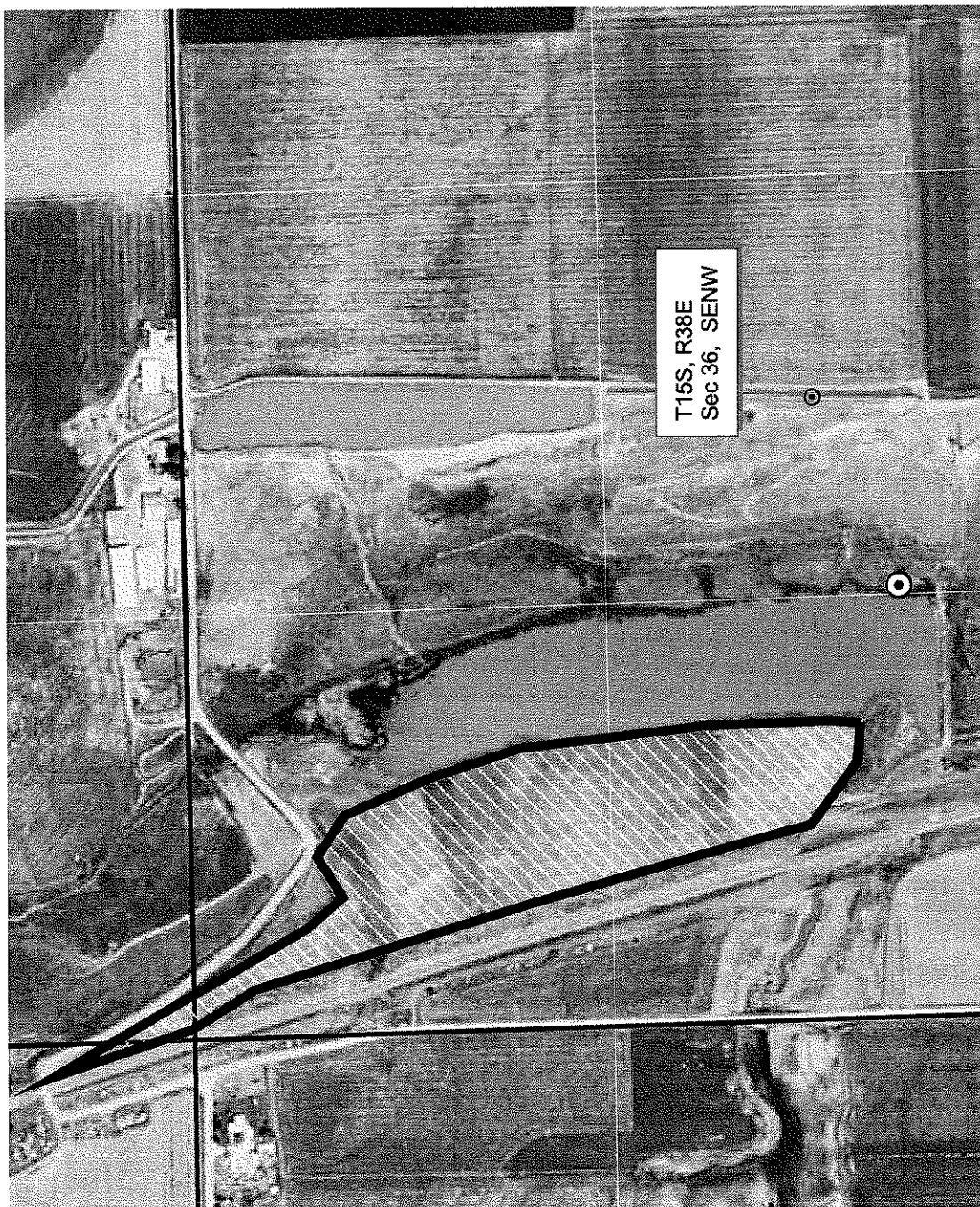
73330

SUPERCEDED

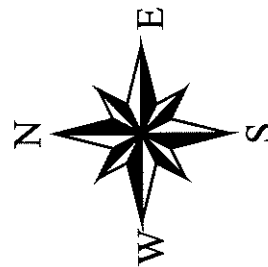
Troy Bodily

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73330



Pod.shp
Pou4.shp
Right POD
Sections
QQ



0.4 Miles

0.2

0

0.2

73330

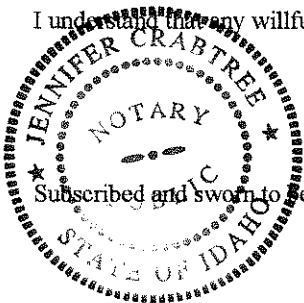
PART 3**B. CHANGES IN NATURE OF USE**

1. New Nature of Use Amount(cfs/af-ft) Hours/days/year Period of Use
_____ to _____
_____ to _____
2. Quantity and quality of return flows and location of discharge: _____

3. Describe effects on other water uses resulting from the proposed change: _____

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.



Troy Bodi
(Signature of Applicant)

Subscribed and sworn to before me this 23rd day of January, 2007.

Jennifer Crabtree
(Notary Public)

My commission expires 9-23-09

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 8 attachments

Received by sc Date 1/23/07 Protest filed by _____

Prelim. Check by _____ Fee \$100 -

Received by sc Date 1/23/07 EO 32562 & EO 31366

Published in Preston Citizen Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

SUPERCEDED

Copy of transfer sent to lien holder _____

NTF-2453
TROY A. BODILY
4100 WEST 400 SOUTH
OGDEN, UT 84404

WARRANTY DEED

JOHN D. SPARROW and RHODA SPARROW, HUSBAND AND WIFE, Grantor(s) of PRESTON, County of FRANKLIN, State of ID, hereby **CONVEY AND WARRANT** to TROY A. BODILY, Grantee(s) of OGDEN, County of WEBER, State of UT for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in County, State of Idaho:

PARCEL 7:
COMMENCING AT THE SOUTHEAST CORNER OF SECTION 25, TOWNSHIP 15 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, AND RUNNING THENCE NORTH 150 FEET; THENCE WEST 150 FEET; THENCE SOUTH 150 FEET; THENCE EAST 150 FEET TO THE PLACE OF BEGINNING (PART OF 1536.00)

Subject to easements, restrictions and rights of way of record, and taxes for the year 2004 and thereafter.

Witness, the hand(s) of said Grantor(s), this April 1, 2004.

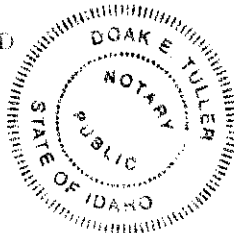
John D. Sparrow
JOHN D. SPARROW
Rhoda Sparrow
RHODA SPARROW

State of IDAHO)
County of FRANKLIN)

On April 1, 2004, personally appeared before me JOHN D. SPARROW and RHODA SPARROW the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.

Doak E. Tuller
Notary Public

Residing: PRESTON, ID
Expires: 3/12/2005



T 73330
ATTACHMENT 1 OF 8

NTF-2453
TROY A. BODILY
4190 WEST 400 SOUTH
OGDEN, UT 84404

WARRANTY DEED

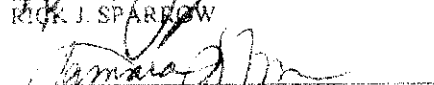
RICK J. SPARROW AND TAMARA L. SPARROW, HUSBAND AND WIFE, Grantor(s) of NORTH LOGAN, County of CACHE, State of UTAH, hereby **CONVEY AND WARRANT** to TROY A. BODILY, Grantee(s) of OGDEN, County of WEBER, State of UT for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in FRANKLIN County, State of Idaho:

SEE ATTACHED "EXHIBIT A"

Subject to easements, restrictions and rights of way of record, and taxes for the year 2004 and thereafter.

Witness, the hand(s) of said Grantor(s), this April 1, 2004.

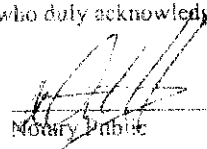


RICK J. SPARROW


TAMARA L. SPARROW

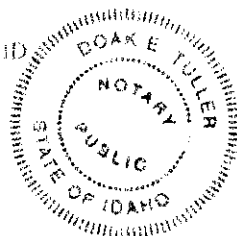
State of IDAHO)
County of FRANKLIN)

On, April 1, 2004, personally appeared before me RICK J. SPARROW and TAMARA L. SPARROW the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.



Notary Public

Residing: PRESTON, ID
Expires: 5-12/2005



T 73330
ATTACHMENT 2 OF 8

EXHIBIT A

PARCEL 1.

A PARCEL OF LAND LOCATED IN SECTION 36, TOWNSHIP 15 SOUTH, RANGE 38 EAST, BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 36; THENCE NORTH 89° 47' 31" EAST 125.51 FEET ALONG NORTH LINE OF SAID SECTION 36 TO A 5/8" REBAR WITH CAP LABELED "A.A. HUDSON, PLS 4735" SET ON THE EASTERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD, THE TRUE POINT OF BEGINNING; THENCE NORTH 89° 47' 31" EAST 60.15 FEET ALONG SAID SECTION LINE TO A 5/8" REBAR WITH CAP SET ON A 812.28 FOOT RADIUS, NONTANGENT CURVE WHOSE CENTER BEARS NORTH 56° 07' 40" EAST, SAID POINT ALSO SET ON THE WESTERLY RIGHT OF WAY LINE OF THE COUNTY ROAD. THENCE ALONG SAID RIGHT OF WAY LINE THROUGH THE FOLLOWING COURSES:
SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15° 59' 08", A DISTANCE OF 226.63 FEET, (CHORD = SOUTH 41° 51' 55" EAST, 225.89 FEET.)
TO A 5/8" REBAR WITH CAP;
SOUTH 49° 51' 29" EAST 248.16 FEET TO A 5/8" REBAR WITH CAP SET AT THE BEGINNING OF A 144.68 FOOT RADIUS CURVE CONCAVE TO THE NORTH;
SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 82° 10' 35", A DISTANCE OF 207.50 FEET, (CHORD = NORTH 89° 03' 12" EAST, 190.17 FEET)
TO A 5/8" REBAR WITH CAP;
NORTH 47° 57' 53" EAST 313.22 FEET TO A 5/8" REBAR WITH CAP; THENCE LEAVING SAID RIGHT OF WAY LINE AND MEANDERING ALONG THE BANK OF A RESERVOIR THROUGH THE FOLLOWING COURSES, (ALL ANGLE POINTS ALONG THE RESERVOIR ARE MONUMENTED WITH A 5/8" REBAR AND CAP):
SOUTH 34° 23' 26" EAST 253.92 FEET;
SOUTH 18° 29' 24" EAST 184.39 FEET;
SOUTH 07° 18' 19" EAST 135.39 FEET;
SOUTH 16° 57' 43" EAST 203.77 FEET;
SOUTH 18° 19' 15" EAST 73.40 FEET;
SOUTH 20° 13' 24" EAST 157.50 FEET;
SOUTH 05° 46' 42" EAST 189.68 FEET;
SOUTH 40° 19' 55" EAST 42.30 FEET;
SOUTH 32° 08' 21" WEST 55.18 FEET;
SOUTH 02° 08' 17" WEST 254.46 FEET;
SOUTH 38° 21' 05" EAST 79.14 FEET;
SOUTH 27° 55' 46" WEST 30.55 FEET;
SOUTH 21° 51' 39" EAST 65.26 FEET;
SOUTH 17° 01' 57" WEST 57.83 FEET;
SOUTH 06° 12' 07" WEST 76.80 FEET;
SOUTH 33° 47' 53" EAST 20.00 FEET;
SOUTH 06° 12' 07" WEST 40.00 FEET;
NORTH 33° 47' 53" WEST 20.00 FEET;
SOUTH 06° 12' 07" WEST 20.52 FEET;
SOUTH 21° 54' 19" EAST 64.77 FEET;
SOUTH 16° 16' 06" EAST 87.74 FEET;
THENCE LEAVING SAID BANK AND GOING SOUTH 83° 14' 42" WEST 164.25 FEET TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 89° 47' 53" WEST 478.14 FEET TO A 5/8" REBAR WITH CAP SET ON THE EASTERLY RIGHT OF WAY LINE OF SAID RAILROAD.
THENCE NORTH 13° 56' 20" WEST 1231.61 FEET ALONG SAID RAILROAD RIGHT OF WAY LINE TO THE BEGINNING OF A 17,288.73 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST,
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE

OF 01° 42' 36" A DISTANCE OF 515.99 FEET, (CHORD = NORTH 14° 47' 38" WEST 515.97 FEET);
THENCE NORTH 15° 38' 56" WEST 752.42 FEET ALONG SAID RIGHT OF WAY LINE TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE, REPAIR, REPLACEMENT, AND USE, OF AN IRRIGATION PUMPING SYSTEM AND MAIN LINE. THE EASEMENT SHALL BE 20 FEET WIDE, 10 FEET ON EACH SIDE, OF THE FOLLOWING-DESCRIBED CENTERLINE:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 36: THENCE NORTH 89° 47' 11" EAST 2039.66 FEET ALONG SAID SECTION LINE; THENCE SOUTH 02° 03' 41" EAST 29.24 FEET TO A POINT ON THE CENTERLINE OF A PRIVATE ROAD AND THE SOUTH RIGHT OF WAY LINE OF THE COUNTY ROAD, THE TRUE POINT OF BEGINNING OF THIS EASEMENT;

THENCE SOUTH 02° 03' 41" EAST 52.44 FEET;

THENCE SOUTH 16° 32' 36" EAST 91.58 FEET TO THE BEGINNING OF A 294.93 FOOT RADIUS TANGENT CURVE CONCAVE TO THE SOUTHWEST;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19° 14' 38", A DISTANCE OF 99.06 FEET, (CHORD = SOUTH 06° 55' 16" EAST 98.59 FEET);

THENCE SOUTH 02° 42' 03" WEST 1942.06 FEET;

THENCE SOUTH 09° 27' 49" EAST 121.38 FEET;

THENCE SOUTH 84° 17' 56" WEST 69.40 FEET;

THENCE NORTH 02° 45' 50" EAST 49.77 FEET;

SOUTH 00° 30' 28" EAST 201.15 FEET;

SOUTH 35° 32' 49" EAST 47.53 FEET;

SOUTH 11° 32' 18" WEST 71.54 FEET;

SOUTH 99° 04' 47" WEST 40.94 FEET;

THENCE NORTH 29° 15' 32" WEST 88.18 FEET;

THENCE SOUTH 82° 17' 38" WEST 36.66 FEET;

THENCE SOUTH 18° 13' 31" WEST 40.25 FEET;

THENCE SOUTH 61° 46' 25" WEST 69.34 FEET;

THENCE SOUTH 43° 11' 20" WEST 127.80 FEET TO THE BEGINNING OF A 115.01 FOOT RADIUS TANGENT CURVE CONCAVE TO THE NORTHWEST;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46° 59' 37", A DISTANCE OF 94.33 FEET, (CHORD = SOUTH 66° 41' 10" WEST 91.71 FEET);

THENCE NORTH 89° 49' 01" WEST 136.86 FEET;

THENCE NORTH 65° 16' 30" WEST 102.18 FEET TO A POINT ON THE BOUNDARY OF THE RESERVOIR PARCEL.

THE SIDELINES OF THIS EASEMENT ARE TO LENGTHEN AND SHORTEN AS REQUIRED TO TERMINATE ON SAID BOUNDARY (1616.04)

PARCEL 2:

TOWNSHIP 13 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN
SECTION 26 THE WEST 60 RODS OF THE SOUTHEAST QUARTER OF THE
NORTHWEST QUARTER

ALSO INCLUDING A 16 FOOT RIGHT-OF-WAY AND EASEMENT RUNNING 8 FEET ON EITHER SIDE OF AN EXISTING PRIVATE GRAVEL FARM ROAD WHICH TURNS NORTH OFF OF 800 SOUTH AND RUNS NORTHWARD THROUGH THE MIDDLE OF SECTION 26, THEN WEST, AND THEN NORTH AGAIN, THROUGH AN EXISTING 12-FOOT WIRE GATE ALONG A FOUR-WIRE FENCE LINE WHICH RUNS ALONG THE NORTH BOUNDARY OF THE ABOVE-DESCRIBED REAL PROPERTY. THE RIGHT-OF-WAY AND EASEMENT SHALL BE FOR GRANTOR AND GRANTOR'S AGENTS FOR INGRESS AND EGRESS AND FOR INSTALLATION OF UNDERGROUND UTILITIES ACROSS GRANTEE'S PROPERTY TO GRANTOR'S DAM, WITHOUT FENCES OR OTHER OBSTRUCTIONS EXCEPT THE ABOVE-DESCRIBED EXISTING WIRE

GATE THIS EASEMENT INCLUDES THE RIGHT TO REPAIR AND GRAVEL THE ROAD

ALSO INCLUDING A 15 FOOT RIGHT-OF-WAY AND EASEMENT RUNNING 7-1/2 FEET ON EITHER SIDE OF AN EXISTING DITCH WHICH RUNS FROM GRANTORS' DAM THROUGH THE NORTH 30 RODS OF THE ABOVE-DESCRIBED REAL PROPERTY, THIS EASEMENT AND RIGHT-OF-WAY INCLUDES ACCESS OVER AND ACROSS GRANTEE'S ADJOINING PROPERTY FOR ACCESS TO THE DITCH, AND FOR REPAIR, CLEANING, DISPOSAL OF DEBRIS, AND OPERATION OF THE DITCH.

NTE-2453
TROY A. BODILY
4190 WEST 4th SOUTH
OGDEN, UT 84404

WARRANTY DEED

SPARROW FARMS, INC., AN IDAHO CORPORATION, Grantor(s) of NORTH LOGAN, County of CACHE, State of UT, hereby **CONVEY AND WARRANT** to TROY A. BODILY, Grantee(s) of OGDEN, County of WEBER, State of UT for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in County, State of Idaho:

SEE ATTACHED "EXHIBIT A"

Subject to easements, restrictions and rights of way of record, and taxes for the year 2004 and thereafter.

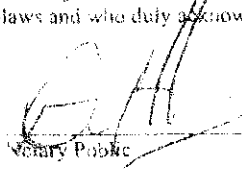
The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this April 7, 2004.

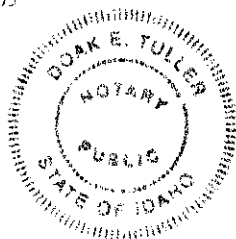

SPARROW FARMS, INC., AN IDAHO CORPORATION
By: RICK J. SPARROW
PRESIDENT

State of IDAHO)
County of FRANKLIN)

On April 7, 2004, personally appeared before me RICK J. SPARROW, who being duly sworn did say that he is the PRESIDENT of SPARROW FARMS, INC., AN IDAHO CORPORATION, and that the within the foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors or it's by-laws and who duly acknowledged to me that said corporation executed the same


Notary Public

Residing PRESTON, ID
Expires: 5/12/2005



T 73330
ATTACHMENT 6 OF 8

EXHIBIT A

PARCEL 3:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 15 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, AND RUNNING THENCE WEST 89 FEET, THENCE SOUTH 403 FEET, THENCE WEST TO THE OREGON SHORT LINE RAILROAD RIGHT OF WAY, THENCE SOUTHEASTERLY FOLLOWING ALONG SAID RIGHT OF WAY TO A POINT 120 FEET WEST AND 1980 FEET SOUTH OF THE PLACE OF BEGINNING, THENCE EAST 120 FEET TO THE SECTION LINE, THENCE NORTH ON SECTION LINE 1980 FEET TO THE PLACE OF BEGINNING. (1541.00)

PARCEL 4:

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 15 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT OF LAND, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, RUNNING THENCE NORTH 150 FEET, THENCE WEST 150 FEET, THENCE SOUTH 150 FEET, THENCE EAST 150 FEET TO THE PLACE OF BEGINNING. (1536.00)

ALSO, TOWNSHIP 15 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO

SECTION 25: BEGINNING AT A POINT 20 RODS WEST OF THE SOUTHEAST CORNER OF SECTION 25, THE TRUE POINT OF BEGINNING, THENCE RUNNING NORTH 20 RODS, THENCE WEST 20 RODS, THENCE SOUTH 20 RODS, THENCE EAST 20 RODS TO THE TRUE POINT OF BEGINNING

LESS, TOWNSHIP 15 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO

SECTION 25: BEGINNING AT A POINT 20 RODS WEST OF THE SOUTHEAST CORNER OF SECTION 25, THE TRUE POINT OF BEGINNING, THENCE RUNNING NORTH 20 RODS, THENCE WEST 20 RODS, THENCE SOUTH 20 RODS, THENCE EAST 20 RODS TO THE TRUE POINT OF BEGINNING

LESS, A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 15 SOUTH, RANGE 38 EAST, BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 25 FROM WHICH THE SOUTH QUARTER CORNER OF SECTION 25 BEARS SOUTH 89° 39' 50" WEST, THENCE SOUTH 89° 39' 50" WEST 759.50 FEET ALONG THE SOUTH BOUNDARY OF SECTION 25 TO A 5/8" REBAR AND CAP LABELED "ALLEN LAND SURVEYING, PLS 9163"; THENCE NORTH 00° 07' 22" WEST 141.16 FEET TO A 5/8" REBAR AND CAP; THENCE NORTH 58° 41' 15" EAST 206.14 FEET TO A 5/8" REBAR AND CAP; THENCE NORTH 29° 29' 50" EAST 583.15 FEET TO A 5/8" REBAR AND CAP SET AT THE EAST BOUNDARY OF SECTION 25, THENCE SOUTH 00° 07' 22" EAST 142.20 FEET ALONG SAID EAST BOUNDARY TO THE POINT OF BEGINNING.

PARCEL 5:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER, SECTION 25, TOWNSHIP 15 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, THENCE NORTH 160 RODS, THENCE WEST 1120 FEET, MORE OR LESS, TO WEST LINE OF TWIN LAKES CANAL COMPANY, RIGHT OF WAY, THENCE SOUTH ALONG SAID RIGHT OF WAY 2240 FEET, THENCE SOUTHEASTERLY ALONG WEST LINE OF SAID RIGHT OF WAY TO SOUTH LINE SAID SECTION 25, THENCE EAST ON SAID SECTION LINE 736 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING. (1538.00)

PARCEL 6:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 15 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, RUNNING THENCE NORTH 160 RODS, THENCE EAST 1520 FEET, MORE OR LESS, TO THE WEST LINE OF TWIN LAKES CANAL COMPANY, RIGHT OF WAY, THENCE SOUTH ALONG THE WEST LINE OF SAID RIGHT OF WAY 2240 FEET, MORE OR LESS, THENCE SOUTHEASTERLY ALONG WEST LINE OF SAID RIGHT OF

WAY TO THE SOUTH LINE OF SAID SECTION 25, THENCE WEST 1904 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING (1539.00)

LESS, TOWNSHIP 15 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO

SECTION 25 COMMENCING AT A POINT 829 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 25, AND RUNNING THENCE NORTH 280 FEET; THENCE EAST 850 FEET; THENCE SOUTH 40 FEET; THENCE EAST 150 FEET, MORE OR LESS, TO THE WEST LINE OF TWIN LAKES CANAL COMPANY RIGHT OF WAY, THENCE SOUTHEASTERLY ALONG WEST LINE OF SAID RIGHT OF WAY TO THE SOUTH LINE OF SAID SECTION 25, THENCE WEST 1075 FEET, MORE OR LESS, TO PLACE OF BEGINNING.

INCLUDING GRANTOR DOES HEREBY RESERVE TO GRANTOR A RIGHT-OF-WAY FOR INGRESS AND EGRESS, FOR MAINTENANCE, INSPECTION, IMPROVEMENT, ETC. OF THE EXISTING CULINARY WATER SYSTEM OVER AND ACROSS THE WESTERLY 30-FOOT PORTION OF THE ABOVE-DESCRIBED REAL PROPERTY.

SUBJECT TO AN EASEMENT IN FAVOR OF UTAH POWER & LIGHT RECORDED AS FRANKLIN COUNTY MICROFILM INSTRUMENT NUMBER 144539, EASEMENTS OF RECORD, AND RIGHT, TITLE AND INTEREST OF PUBLIC IN AND TO THOSE PORTIONS OF THE ABOVE-DESCRIBED PREMISES FALLING WITHIN THE BOUNDS OF THE ROADS OR HIGHWAYS