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OCT 03 2007

WATER RESOURCES
WESTERN REGION

Form 42-248/42-1409(6) Dec. 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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
	63-15747				

2. The following **REQUIRED** information must be submitted with this form:

   A. The appropriate **FILING FEE**. See instructions for fee amounts.

   B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**

   C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
   PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

   OR

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

3. Name and Address of Former Owner/Claimant(s): JOHN K. OLSEN
   5190 HUBLER LN CALDWELL, ID 83605

4. New Owner/Claimant(s): CAN-ADA PROPERTIES LLC
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

   New Mailing Address: 391 W STATE STREET SUITE G

   City, State and ZIP Code: EAGLE, ID 83616

   New Telephone Number: (208) 939 - 8850

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5. Date you acquired the property September 8th 2006 ~~October 2006~~

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right will not be split, skip this area and proceed to line 7)

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. **Signature(s) of New Owner(s) or Claimant(s)** [signature] Partner CAN-ADA LLC
(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:
Received by SB Date 10.3.07 Receipt Amt. $25 -
Receipted by DB Date 10-3-07 Receipt No. W035877
Processed by AJ Date WR DB Date 10/4/07

Pioneer Co.

5680 East Franklin Road, Suite 150 / Nampa, Idaho
83687 / (208) 465-6655

200609865

WARRANTY DEED

For Value Received John K. Olsen, a single man

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Can-Ada Properties, LLC, a limited liability company

hereinafter referred to as Grantee, whose current address is 391 W. State St, Ste G, Eagle ID 83616

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

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

Dated: September 6, 2006

John K. Olsen

State of IDAHO

ss.

County of CANYON

On this 6th day of September, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared John K. Olsen known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL (SEAL)

Notary Public
Residing at: Residing in: Melba, Idaho
Commission Expires: Commission Expires: 8/10/06

EXHIBIT A

A parcel of land situate in the Southeast Quarter of the Southeast Quarter of Section 12, Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, being more particularly described as follows:

Beginning at the Southeast corner of said Section 12, which is monumented by a Brass cap and is the REAL POINT OF BEGINNING; thence

South 89° 42' 11" West, 1,347.62 feet along the Southerly boundary of said Section 12 to a 5/8 inch diameter iron pin marking the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 12; thence

North 00° 30' 42" East 949.41 feet along the Westerly boundary of the said Southeast Quarter of the Southeast Quarter to a ½ inch diameter iron pin on the Southerly right-of-way of Idaho State Highway 44; thence

518.88 feet along the Southerly right-of-way of Idaho State Highway 44 along a curve deflecting to the right with a radius of 11,399.16 feet, a central angle of 02° 36' 29", a long chord of 518.84 feet and a chord bearing of South 73° 13' 03" East to a Brass Cap; thence

South 71° 54' 48" East, 889.85 feet along the Southerly right-of-way of Idaho State Highway 44 to a ½ inch iron pin on the Easterly boundary of said Section 12; thence

South 00° 23' 16" West 516.33 feet along the Easterly boundary of said Section 12 to the REAL POINT OF BEGINNING.

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

POLICY OF TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

First American Title Insurance Company

BY Gary L. Kermodt PRESIDENT

ATTEST Mark L. Arnsen SECRETARY

J

2188186

CW8644174

First American Title Insurance Company

EXTENDED OWNER'S POLICY

SCHEDULE A

File No.:	Policy No:	Date of Policy:	Amt of Insurance:	Premium Amt:
200609865	J-2188186	September 18, 2006 at 1:04 PM	$2,200,000.00	$7,770.00

The Policy Number shown on this schedule must agree with the preprinted number on the cover sheet.

1. Name of Insured:

   Can-Ada Properties, LLC, a limited liability company

2. The estate or interest in the land which is covered by this policy is:

   Fee Simple

3. Title to the estate or interest in the land is vested in:

   Can-Ada Properties, LLC, a limited liability company

4. The land referred to in this policy is described as follows:

   SEE ATTACHED EXHIBIT A

Pioneer Title Company of Canyon County

By: _____

Authorized Officer or Agent

ALTA Owner's Policy 10/17/92

This Policy is invalid unless the cover sheet and Schedule B are attached.

Schedule A consists of 1 page(s)

CW8644174

First American Title Insurance Company

EXTENDED OWNER'S POLICY

SCHEDULE A

EXHIBIT A

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518.88 feet along the Southerly right-of-way of Idaho State Highway 44 along a curve deflecting to the right with a radius of 11,399.16 feet, a central angle of 02° 36' 29", a long chord of 518.84 feet and a chord bearing of South 73° 13' 03" East to a Brass Cap; thence

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South 00° 23' 16" West 516.33 feet along the Easterly boundary of said Section 12 to the REAL POINT OF BEGINNING.

This Policy is invalid unless the cover sheet and Schedule B are attached.

First American Title Insurance Company

EXTENDED OWNER'S POLICY

SCHEDULE B

Exceptions from Coverage

File Number:	Date of Policy:	Policy Number:
200609865	September 18, 2006 at 1:04 PM	J-2188186

The Policy Number shown on this schedule must agree with the preprinted number on the cover sheet.

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

Special Exceptions

1. **General taxes for the year 2006, which are a lien, payable on or before December 20 of said year and not delinquent until after said date.**

2. **General taxes which may be assessed and extended on any subsequent roll for the tax year 2006 with respect to new improvements and the first occupancy thereof during 2006, which may not be included on the regular assessment roll and which are a lien not yet due or payable.**

3. **Liens and assessments of Drainage District No. 2, and the rights and powers of said District as by law provided; said assessments are collected with the general taxes.**

4. **Liens and assessments of the Middleton Mill Ditch Company, and the rights and powers of said district as by law provided. Paid current.**

5. **Reservations in U.S. Patent recorded in Book 1 of Patents at Page 5, as follows: "Subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the rights of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law."**

6. **Easements and Negative Easement by Flary Lawrence and Leanore Lawrence in Deed to the State of Idaho recorded February 12, 1955 as Instrument No. 418807, records of Canyon County, Idaho, including but not limited as follows:**

continued...

First American Title Insurance Company

EXTENDED OWNER'S POLICY

SCHEDULE B

Exceptions from Coverage

"Grantors agree that no buildings or structures except irrigation or drainage structures will be permitted to be constructed within 20 feet of the real property therein described.

"".. no bill boards or other advertising signs will be permitted closer than 100 feet from "the real property conveyed therein", excepting signs pertaining to business established on lands adjacent to "said land"

7. Easement as granted to THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY by instrument recorded March 1, 1982 as Instrument No. 940924, records of Canyon County, Idaho; for operation, maintenance and repair of its lines.

8. Agreement regarding fence line location recorded July 21, 1888 as instrument no. 8814620, records of Canyon County, Idaho, affecting the South boundary of the herein described land.

9. Overhead Pole line along the Northerly boundary of said land.

10. Any rights for drainage for the ditch along the Easterly 30 feet and the Southerly 100 feet of the herein described land.

11. The fences along the East and South boundaries of said land do not represent the exact boundaries of the land herein described.

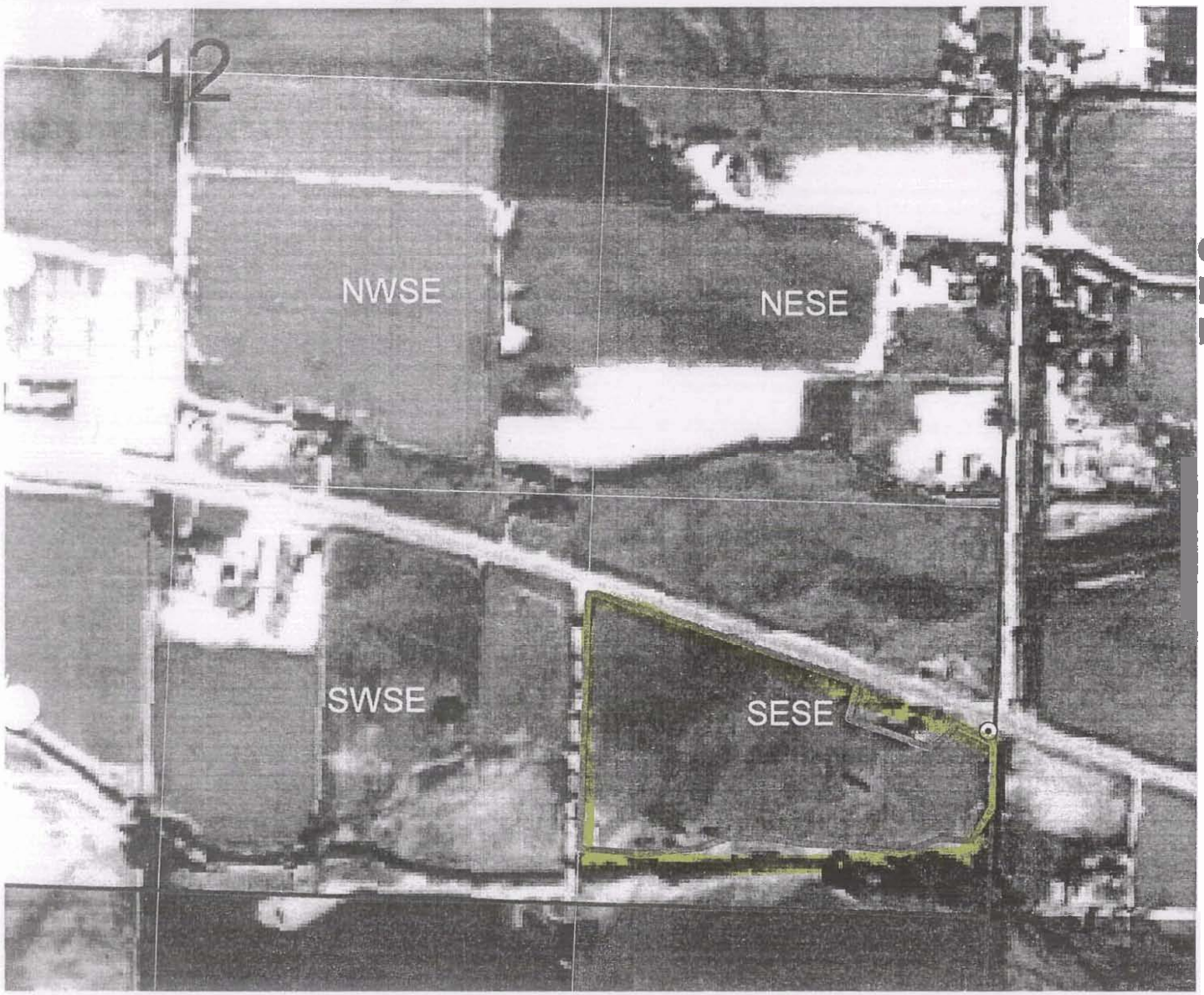
12. A Deed of Trust to secure an indebtedness of $1,600,000.00, and any other amounts as therein provided, payable under the terms, conditions, provisions and stipulations thereof.

Dated:	September 14, 2006
Grantor:	Can-Ada Properties, LLC, a limited liability company
Trustee:	Pioneer Title Company of Canyon County
Beneficiary:	John K. Olsen
Recorded:	September 18, 2006 as Instrument No. 200675555, records of Canyon County, Idaho.

STATE HWY 44
BENT LN
R3401100000
CAN ADA RD

63-15747

Idaho Department of Water Resources



T04N, R02W, SEC 12

Claim No: 63-15746
Prepared By: Kimberly Browr
Date: August 3, 2006

Place of Use

Section Lines

1/4 1/4

Point of Diversion

N
W E
S

0 0.03 Miles

1987 NAPP