

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
AUG 16 2007
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 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).	Water Right No(s)	Split	Water Right No(s).	Water Right No(s)	Split
<u>PD 45-2576</u>	<u>PD 45-7034</u>		<u>45-7374</u>	<u>PD 45-10272</u>	
<u>45-2583</u>	<u>45-7035</u>		<u>PD 45-10268</u>	<u>PD 45-10273</u>	
<u>PD 45-2674A</u>	<u>45-7110</u>		<u>PD 45-10269</u>	<u>45-10274</u>	
<u>45-2689</u>	<u>45-7238</u>		<u>PD 45-10270</u>		
<u>45-7020</u>	<u>PD 45-7363</u>		<u>PD 45-10271</u>		

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 rights(s) or claims(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 your water rights(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 Cummins Farms, Inc.
PO Box 30, Murtaugh, ID 83344-0033
4. New Owner/Claimant(s) Farmland Reserve, Inc.
 Name connector (check one): [] and [] or, [] and/or
 New Mailing Address 139 East South Templ, Ste. 110
 City, State and ZIP Code Salt Lake City, UT 84111
 New Telephone Number 801-359-1600
5. Date you acquired the property May 24, 2007

SUPPORT DATA
 IN FILE # 45-2576

ORIGINAL

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 Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock,
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 attached a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

7. Signature of New Owner(s) Or Claimant(s)
(include title if applicable)

Farmland Reserve, Inc.

Robert Lamoreaux
By Robert Lamoreaux, Vice Pres.

For IDWR Office Use Only

Received by *[Signature]* Date *8/16/07* Fee *\$250*
 Received by *[Signature]* Date *8/31/07* Receipt No. *5029698*
 Processed by _____ Date _____ WR _____ Date _____

316166

316186

WHEN RECORDED, MAIL TO:
Mr. Wally Felsted, Esq.
KIRTON & McCONKIE
60 East South Temple, #1800
PO Box 45898
Salt Lake City, Utah 84111

MAIL TAX STATEMENTS TO:
FARMLAND RESERVE, INC.
139 East South Temple, Suite 110
Salt Lake City, Utah 84111

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN

RECORDER
FEE 42.00 DEPUTY DM

2007 MAY 30 PM 4 15

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

*433810

Space Above for Recorder's Use Only

SPECIAL WARRANTY DEED
(CASSIA COUNTY)

ZIONS FIRST NATIONAL BANK, a national banking association of 10 East South Temple, Floor 5, Salt Lake City, Utah 84133 ("Grantor"), hereby grants, conveys, transfers, demises, bargains, sells, assigns and warrants against all and every person or persons claiming the whole or any part of the Premises, by, through or under Grantor, to FARMLAND RESERVE, INC., a Utah non-profit corporation ("Grantee"), whose mailing address is 139 East South Temple, Suite 110, Salt Lake City, Utah 84111, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real property situated in Cassia County, State of Idaho (the "Premises"):

See Exhibit "A" attached hereto and made a part hereof.

TOGETHER with all rents, remainders and reversions, redemption rights, and all appurtenances and hereditaments, issues and profits, improvements and fixtures, easements, mineral rights, water rights and all other permits, licenses and rights of way appertaining to the Premises.

SUBJECT TO the encumbrances described on Exhibit "B" attached hereto and made a part hereof ("Permitted Exceptions").

IN WITNESS WHEREOF, Grantor has executed this instrument this 24th day of May, 2007.

GRANTOR:

ZIONS FIRST NATIONAL BANK,

BY: David S. Meeks

NAME: DAVID S. MECKS

ITS: Sr. Vice President

STATE OF UTAH

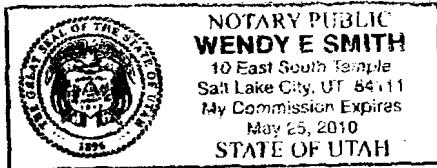
)

: ss.

COUNTY OF SALT LAKE

)

On this 24th day of May, 2007, before me, a notary public, personally appeared David S. Weeks known or identified to me (or proved to me on oath of _____) to be the president, or vice-president, or secretary or assistant secretary of ZIONS FIRST NATIONAL BANK, a national banking association, the entity that executed the instrument or the person who executed the instrument on behalf of said entity, and acknowledged to me that such entity executed the same.



Wendy E. Smith
NOTARY PUBLIC
Residing at: SLC, UT

*Cassia County***PARCEL NO. 1**

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho
Section 11: NE¼

EXCEPTING THEREFROM the following described parcel of land:
BEGINNING at the Northeast corner of said Section 11;

THENCE South 700 feet along the section line common to Sections 11 and 12, Township 11 South,

Range 21 East, Boise Meridian;

THENCE Northwestwardly to a point on the section line common to Sections 11 and 12 that is 800 feet West of the Northeast corner of Section 11;

THENCE East 800 feet to the **POINT OF BEGINNING**.

ALSO EXCEPTING THEREFROM that portion decided to the State of Idaho for highway purposes.

PARCEL NO. 2

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho
Section 11: Part of the NE¼SW¼ more particularly described as follows:

BEGINNING at the Northwest corner of said Section 11;

THENCE South 700 feet along the section line common to Sections 11 and 12, Township 11 South,

Range 21 East, Boise Meridian;

THENCE Northwestwardly to a point on the section line common to Sections 11 and 12 that is 800 feet West of the Northeast corner of Section 11;

THENCE East 800 feet to the **POINT OF BEGINNING**.

EXCEPTING THEREFROM that portion decided to the State of Idaho for highway purposes.

PARCEL NO. 3

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho

Section 2: All that part of the SE¼SW¼ lying South of State Highway No. 20 (formerly U.S. Highway No. 30)

PARCEL NO. 4

Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho

Section 8: SE¼

Section 9: SW¼

PARCEL NO. 5

Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho

Section 10: SW¼

Section 18: ALL

Section 21: NE¼

EXHIBIT "A"

PARCEL NO. 6

Township 11 North, Range 21 East of the Boise Meridian, Cassia County, Idaho
Section 7: That part of the SE¼ that lies South of U.S. Highway 30 right of way
Section 8: That part of the NE¼ and the W¼ that lies South of U.S. Highway 30 right of way
Section 9: SE¼; NE¼; NW¼
Section 15: W¼
Section 16: SW¼

PARCEL NO. 7

Township 11 North, Range 21 East, Boise Meridian, Cassia County, Idaho
Section 11: SW¼

EXCEPTING THEREFROM the following described tracts:

Tract No. 1

BEGINNING at a point that is 1950 feet North of the Southwest corner of the SW¼ of said

Section 11;

THENCE North 208 feet;

THENCE East 308 feet;

THENCE South 208 feet;

THENCE West 208 feet to the POINT OF BEGINNING.

Tract No. 2

BEGINNING at a point that is 2158 feet North of the Southwest corner of the SW¼ of said

Section 11;

THENCE East 208 feet to the TRUE POINT OF BEGINNING;

THENCE North $53^{\circ}42'13''$ East 815 feet to a point on the North boundary of the SW¼;

THENCE West along the said North boundary 800 feet, more or less, to the Northwest corner of the SW¼;

THENCE South along the Section line 482 feet, more or less, to a point that is 2158 feet North of the Southwest corner of the SW¼;

THENCE East 208 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 8

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho
Section 10: NW¼SW¼; and SW¼SW¼

PARCEL NO. 9

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho
Section 10: NE¼SW¼

PARCEL NO. 10

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho
Section 11: Part of the NW¼SW¼ more particularly described as follows:
BEGINNING at a point that is 1950 feet North of the Southwest corner of the SW¼ of said Section 11;
THENCE North 208 feet;
THENCE East 308 feet;
THENCE South 208 feet;
THENCE West 208 feet to the POINT OF BEGINNING.

AND
BEGINNING at a point that is 2158 feet North of the Southwest corner of the SW $\frac{1}{4}$ of said Section 11;
THENCE East 268 feet to the TRUE POINT OF BEGINNING;
THENCE North 33°42'17" East 815 feet to a point on the North boundary of the SW $\frac{1}{4}$;
THENCE West along the said North boundary 890 feet, more or less, to the Northwest corner of the
SW $\frac{1}{4}$;
THENCE South along the Section line 483 feet, more or less, to a point that is 2158 feet North of the
Southwest corner of the SW $\frac{1}{4}$;
THENCE East 268 feet to the TRUE POINT OF BEGINNING.

Cattle -

Right Number	Priority Date	Basis	Use	Division Rate	Volume	Total Acres	Notes
45-2883	18-Jun-68	License	Irrigation	1.82 cfs	888 ac	248.0	
45-2874A	11-Sep-62	License	Irrigation	4.22 cfs	1144 ac	287.0	
45-2888	9-Nov-62	License	Irrigation	5.82 cfs	1878 ac	494.0	
45-7020	6-Apr-67	License	Irrigation	3.78 cfs	722 ac	185.0	
45-7034	3-Mar-68	License	Irrigation	2.84 cfs	688 ac	148.0	
45-7038	28-Feb-68	License	Irrigation	5.78 cfs	1288 ac	320.0	
45-7110	18-Sep-72	License	Irrigation	4.00 cfs	1248 ac	310.0	
45-7288	2-May-75	License	Irrigation	8.40 cfs	2838 ac	634.0	
45-7374	11-Apr-78	License	Irrigation	3.18 cfs	828 ac	155.0	
45-10268	1-Sep-60	Decreed	S D	.28 cfs			Quantity not to exceed 13,000 gal per day; 25 cattle and horses
45-10268	1-Sep-60	Decreed	S D	.04 cfs			Quantity not to exceed 13,000 gal per day; 100 cattle
45-10270	12-Nov-68	Decreed	S D	.24 cfs			Quantity not to exceed 13,000 gal per day; 100 cattle, 1000 sheep
45-10271	12-Nov-68	Decreed	S D	.24 cfs			Quantity not to exceed 13,000 gal per day; 100 cattle, 1000 sheep
45-10272	12-Nov-68	Decreed	S D	.24 cfs			Quantity not to exceed 13,000 gal per day; 100 cattle, 1000 sheep
45-10273	12-Nov-68	Decreed	S D	.24 cfs			Quantity not to exceed 13,000 gal per day; 100 cattle, 1000 sheep
45-10274	16-Mar-62	Domestic Use	Irrigation	.07 cfs	38 ac	494.0	
Palmdale Water Users, Inc. Cattle Co Holdings							
858					1000		
880					140		

Each right equivalent to an acre foot of storage in reserve
Cost of an share on average \$8.65 per share. Water is delivered by Miller Low Lift. These certificates are personal property.

S - Stock D - Domestic
C - Commercial

Right Number	Priority Date	Basis	Use	Division Rate	Volume	Total Acres
45-2878	10-Apr-68	License	Irrigation	6.94 cfs	1188 ac	287.0
45-7363	6-Jan-78	License	Irrigation	1.88 cfs	658 ac	139.0

Crop
Irrigation Equipment

S1 GE Motor 100 HP; Serial 6AHJ112484
Layne Bowler Pump; serial number unknown

S2 GE Motor 100 HP; Serial 6LJ1107182
Layne Bowler Pump; Serial 679372

S3 Motor 30 HP; make and serial number unknown
Pump; make and serial number unknown

S4 Marathon Electric Motor 60 HP; Serial 688493-218-3
Aurora Pump; Serial 673-14438-2

S5 Marathon Electric Motor 60 HP; Serial 6FL80887
Aurora Pump; Serial 67J-34438-3

S6 GE Motor 200 HP; Serial 6WYJ117130
Pump; unknown make; Serial 68573848

S7 US Electric Motor 75 HP; Serial 6088338-6
Layne Bowler Pump; Serial 6082758

S8 GE Motor 180 HP Serial 6LBJ1180128
Aurora Pump; serial number unknown

S9 US Electric Motor 200 HP; Serial 6QD120801-J85
Aurora Pump; Serial 67444547

W10 GE Motor 600 HP; Serial 6DLJ418021
Aurora Pump; Serial 6775-72883

W11 US Electric Motor 100 HP; Serial 6076886
Correll Pump; serial number unknown

W12 US Electric Motor 80 HP; Serial 61288128
Layne Bowler Pump; Serial 60712883

W13 US Electric Motor 180 HP Serial 61403884
Layne Bowler Pump; Serial 6007058

W14 US Electric Motor 160 HP; serial number unknown
Pawless Pump; Serial 6188223

S15 Marathon Electric Motor 125 HP; Serial 61808420-613-02
Correll Pump; Serial 6088-425-4

W16 GE Motor 450 HP; Serial 6QJ1J603017
Layne Bowler Pump; Serial 6781640

S17 The Louis Allen Co Electric Motor 75 HP; Serial 62267080
Layne Bowler Pump; Serial 6D48022

S18 US Electric Motor 150 HP; Serial 6C2884-01-171-J
Layne Bowler Pump; Serial 6036726

S19 Electric Motor 108 HP; make unknown; Serial 6983827
Aurora Pump; Serial 677-08880-2

W20 GE Motor 300 HP; Serial 6J3LJ13303
Layne Bowler Pump; Serial 6204164

S24 Marathon Electric Motor 100 HP; Serial 642836250-6120-04
Peco Pump; Serial 68-60167-688001

Linear Valley 1388 Model 800H; Serial 681487
Linear Valley 1388 Model 800H; Serial 681506

Valley Pivots Models 8000
Serial 6228738, 7386468, 747670, 61801, 344338, and 238849

1 7 Tower Valley Pivot
Unable to obtain serial number due to crops, will get after harvest

2 8 Tower Valley Pivot
Unable to obtain serial number due to crops, will get after harvest

1 9 Tower Valley Pivot
Unable to obtain serial number due to crops, will get after harvest

2 10 Tower Logwood Pivots: Reels fit with Valley Boxes

- 1 11 Tower Valley Pivot
Unable to obtain serial number due to crops, will get after harvest
- 16 1/4 inch Wheel Line Center Drive; Various Makes
Unable to obtain serial number due to crops, will get after harvest
- 12 1/4 inch Center Line Handlines
GE Motor 400 HP; Serial #FY243055
Winemath Deep Well Turbine Pump; Serial #8879
Marathon Electric Motor 40 HP; Serial #A1068V-68
Centrifugal Booster Pump; serial number unknown
- 3 7 Tower Valley Center Pivots
Unable to obtain serial number as it was unavailable
- 320 Joints 3/240" Aluminum Handlines
with various valves, connectors and end plugs
- 200 Solid Bat Lines (8,400 joints)

EXHIBIT "B"
PERMITTED EXCEPTIONS

1. Taxes for the second one-half of 2005 are delinquent, plus penalties and accruing interest.
2. Taxes for the first one-half of 2006 are delinquent, plus penalties and accruing interest. The second one-half is now due and payable but not delinquent until after June 30, 2007.
3. Taxes for 2007 and subsequent years, a lien, but not yet due or payable.
4. Assessments of the Southwest Irrigation District and the rights and powers of said District as by law provided.
5. Right-of-Way Deed executed by James H. Brady, Governor of the State of Idaho, and Ex-Officio President of the State Board of Land Commissioners, to Milner and North Side Railroad Company, a corporation, dated November 12, 1910 and recorded November 15, 1912 as Instrument No. 12900 in Book 14 of Deeds, Page 609, records of Cassia County, Idaho, over and across NE¼ of Section 16, Township 11 South, Range 21, East of the Boise Meridian.
6. Rights for transmission line purposes as the Idaho power Company may have under the Act of March 4, 1911 (36 Stat.1253) as amended (43 U.S.C. sec. 961) and rights for pipeline purposes as the Salt Lake Pipeline Company may have under Section 28 of the Act of February 25, 1920 (41 Stat. 437) and reservation of a right-of-way for a Federal Aid Highway under the Act of November 9, 1921 (42 Stat. 212), notice of such given by Patent recorded February 11, 1955 as Instrument No. 185048 in Book 2 of Patents, Page 378, records of Cassia County, Idaho. (NW¼ and NW¼SW¼ of Section 8, Township 11 South, Range 21 East of the Boise Meridian.)
7. Right of Way Contract from May A. Hale to Pacific Northwest Pipeline Corporation, a Delaware corporation, dated September 7, 1955, and recorded September 29, 1955 as Instrument No. 187508, in Book 9 of Bills of Sales and Agreements, Page 230, records of Cassia County, Idaho, granting a right of way and easement to said corporation, over and across the NW¼SW¼ and SW¼NW¼ of Section 8, Township 11 South, Range 21 East of the Boise Meridian.
AMENDMENT TO RIGHT OF WAY CONTRACT dated August 25, 1980 and recorded September 8, 1980 as Instrument No. 128901 on Film No. 137, records of Cassia County, Idaho.
8. Right of Way Contract between Cassia County, State of Idaho, as Grantor, and Pacific Northwest Pipeline Corporation, a Delaware Corporation, as Grantee, dated October 10, 1955, and recorded November 25, 1955 as Instrument No. 188123 in Book 9 of Bills of Sales and Agreements, Page 297, records of Cassia County, Idaho, granting a right of way over and across the S¼SE¼ of Section 2, Township 11 South, Range 21 East, Boise Meridian, together with the right of ingress and egress.
9. Right Of Way Contract from Cassia County, State of Idaho to Pacific Northwest Pipeline Corporation, a Delaware corporation, dated October 10, 1955 and recorded November 25, 1955 in Book 9 of Bills Of Sales And Agreements on Pages 298 and 299 as Instrument No. 188124, records of Cassia County, Idaho. (N¼SE¼, Section 8, Township 11 South, Range 21 East of the Boise Meridian)
10. Right of Way Contract from Zelma Anderson, a widow of L.W. Anderson, deceased, to Pacific Northwest Pipeline Corporation, dated September 23, 1955, and recorded December 5, 1955 as Instrument No. 188241, in Book 9 of Bills of Sales and Agreements, Page 308, records of Cassia County, Idaho, granting a right of way and easement to said corporation, over and across the NE¼ of Section 8, Township 11 South, Range 21 East of the Boise Meridian.
11. Right of Way Contract from McMurray Land & Livestock Company to Pacific Northwest Pipeline Corporation, dated September 15, 1955, and recorded February 13, 1956 as Instrument No. 188907 in Book 9 of Bills of Sale and Agreements, Page 381, records of Cassia County, Idaho.
AMENDMENT TO RIGHT OF WAY CONTRACT, dated September 6, 1980, and recorded October 3, 1980 as Instrument No. 129555 on Film No. 137, records of Cassia County, Idaho.
(Parcel No. 1 & 2)
12. Excepting and excluding all that tract of land described and included in power site reserve No. 498, created by Executive Order of July 19, 1915, under the Act of Congress approved June 25, 1910 (36 Stat. 847), more specifically described as follows: one and twelve hundredths acres in the Northeast quarter of Section eight, Township 11 South, Range 21, notice of such given by Patent recorded September 22, 1958 as Instrument No. 198623 in Book 2 of Patents, records of Cassia County, Idaho.
13. Power Line Easement from Junius L. Duke and Marjorie R. Duke, his wife, to Idaho Power Company, a corporation, dated December 11, 1958, and recorded February 17, 1960 as Instrument No. 205195 in Book 16 of Miscellaneous, records of Cassia County, Idaho, granting an Easement over the SE¼ of Section 2, Township 11 South, Range 21 East, Boise Meridian.

14. Power Line Easement from Garlin Patterson and Mildred E. Patterson, his wife, to Idaho Power Company, a corporation, dated August 2, 1961, and recorded March 27, 1962 as Instrument No. 5961 on Film No. 12, records of Cassia County, Idaho, granting a right of way and easement over and across the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, Township 11 South, Range 21 East, Boise Meridian.
 15. Power Line Easement from Junius L. Duke and Marjorie R. Duke, his wife, to Idaho Power Company, a corporation, dated December 11, 1958, and recorded March 27, 1962 as Instrument No. 5974 on Film No. 12, records of Cassia County, Idaho, granting an easement over the SE $\frac{1}{4}$ of Section 2, Township 11 South, Range 21 East, Boise Meridian.
 16. Power Line Easement from Wallace E. Day and Viola Hull Day, his wife, to Idaho Power Company, a corporation, dated May 11, 1961, and recorded March 27, 1962 as Instrument No. 5976 on Film No. 12, records of Cassia County, Idaho, granting a right of way and easement over and across the East 10 foot strip adjacent to the section line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, Township 11 South, Range 21 East, Boise Meridian.
 17. Power Line Easement from Leland J. Garner and Maxine Call Garner, husband and wife, to Idaho Power Company, dated April 17, 1961 and recorded March 27, 1962 as Instrument No. 5977 on Film No. 12 in the office of the Recorder of Cassia County, Idaho, over and across the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, Township 11 South, Range 21 East, Boise Meridian.
 18. Power Line Easement from Lester M. Hull and Pauline Hull, his wife to Idaho Power Company, a corporation, dated May 8, 1961 and recorded March 27, 1962 as Instrument No. 5979 on Film No. 12, records of Cassia County, Idaho, granting a right of way and easement over and across the South 10 feet adjacent to the South section line, within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, Township 11 South, Range 21 East of the Boise Meridian.
 19. Power Line Easement executed by Arthur T. Hull and Juanita A. Hull, his wife, to Idaho Power Company, a corporation, its licensees, successors and assigns, dated May 15, 1961 and recorded March 27, 1962 as Instrument No. 5980 on Film No. 12, records of Cassia County, Idaho, over and across SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, Township 11 South, Range 21 East of the Boise Meridian.
 20. Power Line Easement executed by Nellie Hull Stoddard, Widow, to Idaho Power Company, a corporation, its licensees, successors and or assigns, dated May 29, 1961 and recorded March 27, 1962 as Instrument No. 5983 on Film No. 12, records of Cassia County, Idaho, over and across SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, Township 11, Range 21 East of the Boise Meridian.
 21. Powerline Easement from McMurray Bros., by Mez McMurray and Kay McMurray, to Idaho Power Company, a corporation, dated April 27, 1962, and recorded October 29, 1963 as Instrument No. 15382 on Film No. 23, records of Cassia County, Idaho, over and across the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 11 South, Range 21 East of the Boise Meridian.
 22. Power Line Easement from C. LeRoy Garner and Gladys Garner, husband and wife, to Idaho Power Company, a corporation, dated April 25, 1963, and recorded July 10, 1963 as Instrument No. 20582 on Film No. 30, in the office of the Recorder of Cassia County, Idaho, over and across the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, Township 11 South, Range 21 East of the Boise Meridian.
 23. Power Line Easement from C. LeRoy Garner and Gladys Garner, husband and wife, to Idaho Power Company, dated May 6, 1964, and recorded March 11, 1965 as Instrument No. 23042 on Film No. 33 in the office of the Recorder of Cassia County, over and across the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, Township 11 South, Range 21 East of the Boise Meridian.
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24. Right of Way from Bureau of Land Management to Department of Highways, State of Idaho, dated September 13, 1966 and recorded January 31, 1967 as Instrument No. 33397 on Film No. 47, records of Cassia County, Idaho, over and across N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 18, Township 11 South, Range 21, East of the Boise Meridian.
PARTIAL RELINQUISHMENT recorded January 29, 1979 as Instrument No. 113850 on Film No. 123, records of Cassia County, Idaho.
 25. Power Line Easement from Howard Conrad and Mary J. Conrad, his wife, to Idaho Power Company, a corporation, dated December 23, 1966, and recorded May 2, 1967 as Instrument No. 34780 on Film No. 49, records of Cassia County, Idaho, granting a right of way and easement to said corporation over and across the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, Township 11 South, Range 21 East of the Boise Meridian.
 26. Powerline Easement from McMurray Bros., by Mez McMurray and Kay McMurray, to Idaho Power Company, a corporation, dated February 19, 1969, and recorded March 21, 1969 as Instrument No. 45477 on Film No. 60, records of Cassia County, Idaho, over and across the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 11 South, Range 21 East of the Boise Meridian.
 27. Reservation unto the United States, its permittee or licensee, the right to enter upon, occupy and use, any part or all of that portion of the S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ said Section 9, lying within 50 feet of the center line of the transmission line right of way of the Great Shoshone and Twin Falls Water Power Company, Power Site Reserve No. 498 and 25 feet of the center line of the transmission line right of way of the Idaho Power Company, project No. 406, for the purposes provided in the Act of June 10, 1920 (41 Stat. 1063), and subject to the conditions and limitations of Section 24 of said Act, as amended by the Act of August 26, 1935 (49 Stat. 846) and such rights for pipe line purposes as the Minidoka and Northside Railway Company and Pacific Northwest Pipeline Corporation may have under Section 28 of the Act of February 25, 1920 (41 Stat. 437), as amended by the Act of August 21, 1935 (49 Stat. 674), notice of such given by Patent recorded June 4, 1971 as Instrument No. 56843 on Film No. 70, records of Cassia County, Idaho. (S $\frac{1}{2}$ N $\frac{1}{2}$ and SE $\frac{1}{4}$ of Section 9, Township 11 South, Range 21, East of the Boise Meridian)
 28. Grant of Easement executed by Arther T. Hull and Juanita A. Hull, husband and wife, parties of the first part, to C. LeRoy Garner, party of the second part, dated February 21, 1963 and recorded February 3, 1972 as Instrument No. 60531 on Film No. 74, records of Cassia County, Idaho, over and across SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10 Township 11 South, Range 21 East of the Boise Meridian.
 29. Assignment of Water Rights executed by Arthur T. Hull and Juanita A. Hull, husband and wife, to C. LeRoy Garner, dated February 2, 1965 and recorded February 4, 1972 as Instrument No. 60532 on Film No. 74, records of Cassia County, Idaho, assigning all right, title and interest, if any, in and to the Waters produced from a certain irrigation well located on the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, Township 11 South, Range 21 East of the Boise Meridian.
 30. Easement from Howard E. Conrad and Mary J. Conrad, husband and wife, to Conrad Land & Livestock, Inc., dated September 6, 1972 and recorded September 7, 1972 as Instrument No. 65030 on Film No. 78, records of Cassia County, Idaho, for the purpose of maintaining and operating a storage pond for the collection and storage of water for irrigation purposes in the Northeast corner of Section 16, Township 11 South, Range 21, East of the Boise Meridian.
 31. Power Line Easement from Stanley L. Barks and Dixie Barks, his wife, to Idaho Power Company, a corporation, dated December 17, 1973, and recorded April 25, 1974 as Instrument No. 76322 on Film No. 88, records of Cassia County, Idaho, granting a right of way easement over and across the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, Township 11 South, Range 21 East, Boise Meridian.
-

32. Power Line Easement from Conrad Land & Livestock, Inc., to Idaho Power Company, a corporation, dated January 7, 1974, and recorded May 19, 1976 as Instrument No. 90769 on Film No. 101, records of Cassia County, Idaho, granting a right of way and easement to said corporation over and across the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 11 South, Range 21, East of the Boise Meridian.
 33. Power Line Easement from Howard Conrad and Mary J. Conrad, his wife, to Idaho Power Company, a corporation, dated March 4, 1975 and recorded May 19, 1976 as Instrument No. 90774 on Film No. 101, records of Cassia County, Idaho, granting a right of way and easement to said corporation over and across the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, Township 11 South, Range 21, East of the Boise Meridian.
 34. Power Line Easement executed by Conrad Land & Livestock Co., Inc. to Idaho Power Company, a corporation, dated July 28, 1976 and recorded February 16, 1977 as Instrument No. 96305 on Film No. 106, records of Cassia County, Idaho, over and across the SB $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, Township 11 South, Range 21 East of the Boise Meridian.
 35. Rights for highway purposes granted to the Idaho Department of Transportation, its successors or assigns, by right-of-way No. I-143, pursuant to the Act of August 27, 1958, as amended (23 U.S.C. 317) as to Lot 1 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, Township 11 South, Range 21 East of the Boise Meridian, notice of such given by Patent recorded May 4, 1978 as Instrument No. 107221, records of Cassia County, Idaho.
 36. Right of Way and Easement between Howard E. Conrad and Mary J. Conrad, and Northwest Pipeline Corporation, a corporation, dated August 25, 1980, and recorded September 8, 1980 as Instrument No. 128904 on Film No. 137, records of Cassia County Idaho, over and across the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8 and the S $\frac{1}{2}$ N $\frac{1}{2}$ of Section 9, Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho.
 37. Road Easement and Right-of-Way Deed executed by Howard E. Conrad and Mary J. Conrad, husband and wife, to Burley Highway District, a political subdivision of the State of Idaho, dated November 3, 1980 and recorded November 4, 1980 as Instrument No. 130300 on Film No. 138, records of Cassia County, Idaho, over and across a portion of Sections 7 and 18 in Township 11 South, Range 21, East of the Boise Meridian.
 38. State of Idaho Lease No. 0G-0335, notice given by document recorded March 11, 1982 as Instrument No. 141700, records of Cassia County, Idaho. (Parcel No. 1 and additional property not included herein)
ASSIGNMENT OF MINERAL, OIL, AND GAS, AND/OR GEOTHERMAL RESOURCE LEASE(S) from Steven W. Davis and Karen M. Davis, Spouse, to Bridger Energy Associates, dated November 24, 1981 and recorded March 11, 1982 as Instrument No. 141700 on Film No. 148, records of Cassia County, Idaho.
 39. ~~Exception contained in Warranty Deed executed by Clarence Barker and Bessie I. Barker, husband and wife, and Stan Barker and Bessie I. Barker, husband and wife, to Conrad Land & Livestock Inc., a Idaho corporation, dated May 10, 1974 and recorded September 5, 1977 as Instrument No. 251043 on Film No. 291, records of Cassia County, Idaho, which reads as follows: "EXCEPTING the deep well, irrigation equipment and water rights owned by C. LeRoy Garner, his heirs, successors and assigns." (SW $\frac{1}{4}$ Section 10, Township 11 South, Range 21, East of the Boise Meridian.)~~
 40. Rights for pipeline purposes as have been granted to El Paso Natural Gas Company, its successors or assigns, by Right of Way Idaho 06421 under 50 C.28 of the Mineral Leasing Act, 30 U.S.C. 185, notice of such given by United States patent No. 11-72-0171 dated March 3, 1972 and recorded December 22, 1998 as Instrument No. 259794 on Film No. 306, records of Cassia County, Idaho. (S $\frac{1}{2}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 11 South, Range 21, East of the Boise Meridian)
-

41. Mortgage to secure an indebtedness in the principal sum of \$700,000.00, and any other amounts and/or obligations secured thereby:

Recorded: December 21, 1999 as Instrument No. 266488, records of Cassia County, Idaho.
Dated: December 20, 1999
Mortgagor: Third Generation L.L.C.
Mortgagee: Mony Life Insurance Company, a New York corporation formerly known as The Mutual Life Insurance Company of New York

(Parcel Nos. 7, 8 and 9)

ASSIGNED to U.S. Bank Trust National Association, as Custodian/Trustee, a national banking association, by Instrument recorded September 27, 2004 as Instrument No. 298138, records of Cassia County, Idaho.

42. Financing Statement between Third Generation, L.L.C., as Debtor #1 and Mony Life Insurance Company as Secured Party, recorded December 21, 1999 as Instrument No. 266489, records of Cassia County, Idaho.

(Parcel Nos. 7, 8 and 9)

ASSIGNED to U.S. Bank Trust National Association, as Custodian/Trustee, by Instrument recorded September 27, 2004 as Instrument No. 298139, records of Cassia County, Idaho.

CONTINUATION recorded December 3, 2004 as Instrument No. 299265, records of Cassia County, Idaho.

43. Assignment of Bonuses, Rentals and Royalties -Oil, Gas and Minerals- executed by Third Generation, L.L.C. an Idaho limited liability company to Metropolitan Life Insurance Company dated July 9, 2003 and recorded July 21, 2003 as Instrument No. 290128, records of Cassia County, Idaho.

(Parcel Nos. 7, 8 and 9) (Barred by Foreclosure Sale if no redemption is made)

44. UCC Financing Statement between Third Generation, L.L.C., as debtor and Metropolitan Life Insurance Company, as Secured Party recorded July 21, 2003 as Instrument No. 290129, records of Cassia County, Idaho.

(Parcel Nos. 7, 8 and 9) (Barred by Foreclosure Sale if no redemption is made)

45. Unrecorded Cash Farm Lease Agreement between Third Generation, L.L.C., an Idaho limited liability company, Lessor and Cummins Farms, Inc., an Idaho corporation, Lessee, dated April 30, 2003. (Parcel Nos. 7, 8 and 9)
The Lien of this Cash Farm Lease Agreement has been subordinated to the lien of the Mortgage noted in Item No. 51 above by Subordination Agreement recorded July 21, 2003, as Instrument No. 290130, records of Cassia County, Idaho. (Barred by Foreclosure Sale if no redemption is made)

46. Assignment of Bonuses, Rentals and Royalties -Oil, Gas and Minerals- executed by Cummins Farms, Inc., an Idaho corporation, Lessor, and Third Generation, L.L.C., an Idaho limited liability company, Lessee, dated October 13, 2004 and recorded October 14, 2004 as Instrument No. 298475, records of Cassia County, Idaho. (Covers additional property not included herein.)
NOTE: PARTIAL RELEASE, dated January 10, 2005 and recorded February 3, 2005 as Instrument No. 300285, records of Cassia County, Idaho.
PARTIAL RELEASE OF MORTGAGE AND ASSIGNMENT OF BONUSES, RENTALS & ROYALTIES-OIL, GAS AND MINERAL, dated March 10, 2006 and recorded March 14, 2006 as Instrument No. 307263, records of Cassia County, Idaho.

(Barred by Foreclosure Sale if no redemption is made)

47. Financing Statement covering fixtures and potato and irrigation equipment.

Recorded: October 14, 2004, as Instrument No. 291476, records of Cassia County, Idaho
Debtor: Cummins Farms, Inc., Hillview Ranch, Inc., Mark S. Cummins, Deborah J. Cummins, Allen L. Cummins, Judy J. Cummins, Daniel E. Cummins, Carla J. Cummins, Third Generation, L.L.C., Blue Ridge, L.L.C. and Cummins And Sons, Inc.
Secured Party: Metropolitan Life Insurance Company
(Covers additional property not included herein.)
NOTE: PARTIAL RELEASE, recorded February 3, 2005 as Instrument No. 300286, records of Cassia County, Idaho.
PARTIAL RELEASE recorded March 14, 2006 as Instrument No. 307264, records of Cassia County, Idaho.

(Barred by Foreclosure Sale if no redemption is made)

48. Mortgage (Loan 9004) to secure an original indebtedness of \$5,000,000.00, and any other amounts and/or obligations secured thereby.

Dated: December 5, 2004
Executed: February 16, 2005
Recorded: February 22, 2005, as Instrument No. 300573, records of Cassia County, Idaho
Mortgagor: Cummins Farms, Inc., an Idaho corporation
Mortgagee: Zions First National Bank
(Parcels No. 1 through 6, 8 and 9)
(Barred by Foreclosure Sale if no redemption is made)

49. Mortgage (Loan 9003) to secure an original indebtedness of \$5,000,000.00, and any other amounts and/or obligations secured thereby.

Dated: December 5, 2004
Executed: February 16, 2005
Recorded: February 22, 2005, as Instrument No. 300574, records of Cassia County, Idaho
Mortgagor: Cummins Farms, Inc., an Idaho corporation
Mortgagee: Zions First National Bank
(Parcels No. 1 through 6, 8 and 9)
(Barred by Foreclosure Sale if no redemption is made)

50. Mortgage (Loan 9002) to secure an original indebtedness of \$7,200,000.00, and any other amounts and/or obligations secured thereby.

Dated: December 5, 2004
Executed: February 16, 2005
Recorded: February 22, 2005, as Instrument No. 300575, records of Cassia County, Idaho
Mortgagor: Cummins Farms, Inc., an Idaho corporation
Mortgagee: Zions First National Bank
(Parcels No. 1 through 6, 8 and 9)
MODIFICATION OF MORTGAGE (9002), dated August 25, 2005, and recorded August 30, 2005 as Instrument No. 303836, records of Cassia County, Idaho.
(Barred by Foreclosure Sale if no redemption is made)

51. Assignment of Leases, Rents and Tenancies from Cummins Farms, Inc., an Idaho corporation, Assignor, to Zions First National Bank, Assignee, dated August 25, 2005 and recorded August 30, 2005 as Instrument No. 303837, records of Cassia County, Idaho. (Parcels No. 1 through 6, 8 and 9)
(Barred by Foreclosure Sale if no redemption is made)

2006 NOV 13 PM 1:12 COPIES
Twin Falls Co Sheriff
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

METROPOLITAN LIFE INSURANCE
COMPANY, a New York corporation,)

Case No. CV 06-3354

CERTIFICATE OF SALE

Plaintiff,

vs.

DUMMINS FARMS, INC., et al.,

Defendants.

I, Wayne Tousley, Sheriff of Twin Falls County, do hereby certify that:

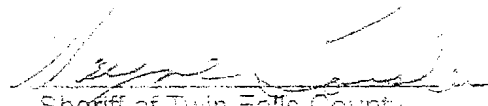
1. Under and by virtue of an Order of Sale issued in the above-entitled action on November 13, 2006, and a Writ of Execution issued in the above entitled action on November 13, 2006 and directed to me, I was commanded to sell the real and personal property described in the Order of Sale, with the sale proceeds to be applied to satisfy in whole or part the sums adjudicated to be due to plaintiff in the Adjudication and Decree of Foreclosure entered in the above-entitled action on November 2, 2006 (as amended on November 6, 2006, and November 16, 2006).

CERTIFICATE OF SALE - 1

2. Pursuant to the foregoing, I sold the property described in the attached Exhibit A on the 12th day of December, 2006, in a sale that commenced at or shortly after 9:00 a.m. of that day, at public auction according to law after due and legal notice given, on the steps of the County Courthouse at Twin Falls, Twin Falls County, Idaho, to the highest bidder, METROPOLITAN LIFE INSURANCE COMPANY, A NEW YORK CORPORATION, for a credit bid of \$ 8,632,806.00, which was the highest bid for the property.

3. The property described in Exhibit A is subject to redemption within one (1) year after sale, per the Adjudication and Decree of Foreclosure entered in the above-entitled action.

WITNESS my hand this 16th day of December, 2006.


Sheriff of Twin Falls County

STATE OF IDAHO)
ss.

County of Twin Falls)

On this 16th day of December, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared WAYNE T. CLUSLEY, known or identified to me to be the Sheriff of Twin Falls County, State of Idaho that executed said instrument, and acknowledged to me that such Sheriff of Twin Falls County, State of Idaho 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.


Notary Public for Idaho
Residing at: Kimberlin
Commission expired: 5/5/12

CERTIFICATE OF SALE - 3

Cassia County

PARCEL NO. 1

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho
Section 11: New

EXCEPTING THEREFROM the following described parcel of land:

BEGINNING at the Northeast corner of said Section 11;

THENCE South 700 feet along the section line common to Sections 11 and 12, Township 11 South,
Range 21 East, Boise Meridian;

THENCE Northwesterly to a point on the section line common to Sections 11 and 2 that is 800 feet
West of the Northeast corner of Section 11;

THENCE East 800 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway
purposes.

PARCEL NO. 2

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho
Section 11: Part of the NE1/4 more particularly described as follows:

BEGINNING at the Northeast corner of said Section 11;

THENCE South 700 feet along the section line common to Sections 11 and 12, Township 11 South,

Range 21 East, Boise Meridian;

THENCE Northwesterly to a point on the section line common to Sections 11 and 2 that is 800 feet West
of the Northeast corner of Section 11;

THENCE East 800 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes.

PARCEL NO. 3

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho

Section 2: All that part of the SE1/4SE1/4 lying South of State Highway No. 30 (formerly U.S. Highway
No. 30)

PARCEL NO. 4

Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho

Section 8: SE1/4

Section 9: SW1/4

PARCEL NO. 5

Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho

Section 10: SW1/4

Section 18: ALL

Section 21: NE1/4

PARCEL NO. 1

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho
Section 11: That part of the Section that lies South of the Highway 21 right of way
North of the part of the NW 1/4 and the SW 1/4 that lie South of U.S. Highway 21 right of way
Section 11: NW 1/4, NW 1/4
Section 11: SW 1/4
Section 11: NE 1/4

PARCEL NO. 2

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho
Section 11: SW 1/4

EXCEPTING THEREFROM the following described tracts:

Tract No. 1

BEGINNING at a point that is 1450 feet North of the Southwest corner of the SW 1/4 of said
Section 11;
THENCE North 208 feet;
THENCE East 208 feet;
THENCE South 208 feet;
THENCE West 208 feet to the POINT OF BEGINNING.

Tract No. 2

BEGINNING at a point that is 2158 feet North of the Southwest corner of the SW 1/4 of said
Section 11;
THENCE East 208 feet to the TRUE POINT OF BEGINNING;
THENCE North 53°42'13" East 815 feet to a point on the North boundary of the SW 1/4;
THENCE West along the said North boundary 300 feet, more or less, to the Northwest corner of the
SW 1/4;
THENCE South along the Section line 482 feet, more or less, to a point that is 2158 feet North of the
Southwest corner of the SW 1/4;
THENCE East 208 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 8

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho
Section 11: NW 1/4SW 1/4 and SW 1/4SW 1/4

PARCEL NO. 9

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho
Section 11: NW 1/4SW 1/4

PARCEL NO. 10

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho
Section 11: Part of the NW 1/4SW 1/4 more particularly described as follows:
BEGINNING at a point that is 1450 feet North of the Southwest corner of the SW 1/4 of said Section 11;
THENCE North 208 feet;
THENCE East 208 feet;
THENCE South 208 feet;
THENCE West 208 feet to the POINT OF BEGINNING.

17.00

BEARING RUN to a point that is 2158 feet North of the Southwest corner of the SW 1/4 of said Section 10;
THENCE East 128 feet to the TRUE POINT OF BEGINNING;

THENCE North 82°42'13" East 135 feet to a point on the North boundary of the SW 1/4;

THENCE West along the said North boundary 866 feet, more or less, to the Northwest corner of the SW 1/4;

THENCE South along the section line 482 feet, more or less, to a point that is 2158 feet North of the Southwest corner of the SW 1/4;

THENCE East 128 feet to the TRUE POINT OF BEGINNING.

Cassia -

Right Number	Priority Date	Basis	Use	Diversion Rate	Volume	Total Acres	Notes
45-1561	18-Jul-59	License	Irrigation	1.82 cfs	385 afa	245.0	
45-1562	11-Sep-62	License	Irrigation	4.22 cfs	1148 afa	287.0	
45-1563							
45-2859	9-Nov-62	License	Irrigation	5.82 cfs	1878 afa	494.0	
45-7020	2-Jul-67	License	Irrigation	2.79 cfs	752 afa	188.0	
45-7034	3-Mar-69	License	Irrigation	2.94 cfs	560 afa	148.0	
45-7035	29-Feb-69	License	Irrigation	5.79 cfs	1250 afa	320.0	
45-7110	16-Sep-70	License	Irrigation	4.00 cfs	1246 afa	310.0	
45-7236	2-May-75	License	Irrigation	6.40 cfs	2536 afa	634.0	
45-7374	11-Apr-79	License	Irrigation	5.10 cfs	620 afa	155.0	
45-10266	1-Sep-65	Decreed	S D	.26 cfs			Quantity not to exceed 10,000 gal per day; 25 cattle and horses
45-10269	1-Sep-65	Decreed	S D	.04 cfs			Quantity not to exceed 10,000 gal per day; 100 cattle
45-10270	12-Nov-66	Decreed	S D	.24 cfs			Quantity not to exceed 10,000 gal per day; 100 cattle, 1000 sheep
45-10271	12-Nov-66	Decreed	S D	.24 cfs			Quantity not to exceed 10,000 gal per day; 100 cattle, 1000 sheep
45-10272	12-Nov-66	Decreed	S D	.24 cfs			Quantity not to exceed 10,000 gal per day; 100 cattle, 1000 sheep
45-10273	12-Nov-66	Decreed	S D	.24 cfs			Quantity not to exceed 10,000 gal per day; 100 cattle, 1000 sheep
45-10274	15-Mar-62	Benefit's Use	Irrigation	.07 cfs	34 afa	494.0	
Palisades Water Users, Inc. Cassia Co Holdings					1000		Each right equivalent to an acre foot of storage in reservoir
658					140		Cost of ea share on average \$0.45 per share. Water is delivered by Miner Low Lift. These certificates are personal property.
680							

S - Stock D - Domestic
C - Commercial

Right Number	Priority Date	Basis	Use	Diversion Rate	Volume	Total Acres
45-2876	16-Apr-59	License	Irrigation	5.94 cfs	1188 afa	297.0
45-1060	5-Jan-79	License	Irrigation	1.66 cfs	556 afa	139.0

Cassia
Irrigation Equipment

81	GE Motor 121 HP; Serial #AN112434 Layne Bowler Pump; serial number unknown
82	GE Motor 100 HP; Serial #LJ1107152 Layne Bowler Pump; Serial #75272
83	Motor 20 HP; make and serial number unknown Pump; make and serial number unknown
84	Marathon Electric Motor 60 HP; Serial #38583-018-3 Aurora Pump; Serial #71-14424-2
85	Marathon Electric Motor 60 HP; Serial #FL90687 Aurora Pump; Serial #71-14424-3
86	GE Motor 200 HP; Serial #NV1117130 Pump; unknown make; Serial #3373345
87	US Electric Motor 75 HP; Serial #4366033-5 Layne Bowler Pump; Serial #D32759
88	GE Motor 100 HP; Serial #LBJ1130179 Aurora Pump; serial number unknown
89	US Electric Motor 200 HP; Serial #CD120801-060 Aurora Pump; Serial #7416507
W10	GE Motor 300 HP; Serial #DL413821 Aurora Pump; Serial #V76-72983
W11	US Electric Motor 100 HP; Serial #875553 Cornell Pump; serial number unknown
W12	US Electric Motor 60 HP; Serial #1236120 Layne Bowler Pump; Serial #E12883
W13	US Electric Motor 150 HP; Serial #1402654 Layne Bowler Pump; Serial #D31056
W14	US Electric Motor 150 HP; serial number unknown Peerless Pump; Serial #193223
B15	Marathon Electric Motor 125 HP; Serial #1905420-013-02 Cornell Pump; Serial #8RB-125-4
W16	GE Motor 450 HP; Serial #FH1503017 Layne Bowler Pump; Serial #181640
B17	The Louis Allis Co Electric Motor 75 HP; Serial #Z557950 Layne Bowler Pump; Serial #D40022
B18	US Electric Motor 150 HP; Serial #CZ354-01-174-L Layne Bowler Pump; Serial #D35725
B19	Electric Motor 100 HP; make unknown; Serial #900827 Aurora Pump; Serial #77-08560-2
W23	GE Motor 350 HP; serial #UN3715002 Layne Bowler Pump; Serial #D04194
B24	Marathon Electric Motor 100 HP; Serial #4Z535950-0120-04 Peco Pump; Serial #3-60157-650001 Linsar Valley 1389; Model 600H; Serial #81487 Linsar Valley 1389; Model 600-H; Serial #81535
0	Valley Pivots Models 6000 Serial #233836, 7388460, 747670, 81691, 244309, and 238845
1	7 Tower Valley Pivot Unable to obtain serial number due to crops, will get after harvest
2	5 Tower Valley Pivots Unable to obtain serial number due to crops, will get after harvest
3	9 Tower Valley Pivot Unable to obtain serial number due to crops, will get after harvest
4	10 Tower Unknown Pivot; Retro 51 with Valley Pivots

Inaba is origin serial number due to groups will provide values.
 00000000000000000000

Unable to obtain a series number due to cross. will get after harvest

10. 1/4 mile offshoots Center Dr. et various Makes

17. What is the Difference Between the Two?

23 AUG 1964 LD: SGA #724059

[illegible]

Verreiter: *Earth Meter* 20 400, Serial 30 000, 1988, 1989

Centrifuge Booster Pump, serial number unknown

1. 7. Pioneer Valley Center Folds

Directed to obtain serial number as it was irrefutable

120 - JPRS 65-0 Abstracts - Periodicals

and various valves, connectors and end plugs

200 Soft Skills: 17/23 (6.40 points)

316434

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

**METROPOLITAN LIFE)
INSURANCE CO. a New)
York corporation,)
PLAINTIFF)
)
VS.)
)
CUMMINS FARMS, INC.,)
ET AL.,)
)
DEFENDANT)**

SHERIFF'S DEED

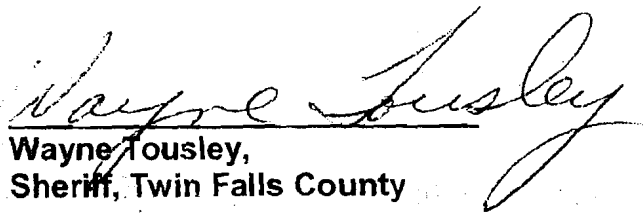
**Case # CV06-3354
Sheriff # 20065889
REFERENCE #'S 312707
315934
315935**

**THIS INDENTURE, made this 11h day of June, 2007, between Wayne
Tousley, Sheriff of the County of Twin Falls, State of Idaho, the party of the
first part, and Zions First National Bank, a national banking association
represented by Prince, Yeates and Geldzahler, a professional corporation,
Lawyers, specifically J. Randall Call, esq. whose address is 175 East 400
South, Suite 900, Salt Lake City, Utah 84111, the party in the second part.**

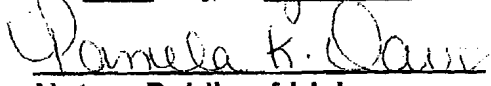
**WHEREAS, by virtue of a Writ of Execution issued out of and
under the seal of the District Court of the Fifth Judicial District of the State
of Idaho, in and for the County of Twin Falls, on November 13, 2006, upon
a Judgment and Decree of Foreclosure recovered in the said Court on the
2nd day of November, 2006, in favor of Metropolitan Life Insurance Co,**

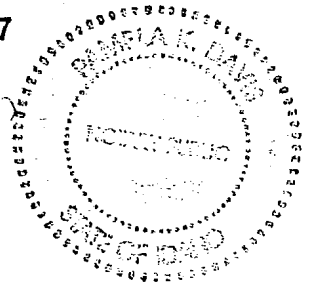
plaintiff, and against Cummins Farms, Inc., et al., and any / all other named defendants; which was directed and delivered to the said Sheriff commanding him to sell real property, at public auction at 425 Shoshone St. N, Twin Falls, Twin Falls County, Idaho, on December 12, 2006, at the hour of 9:00 a.m., after having first given due notice of the time and place of such sale according to law; at which sale, the said real estate was sold to Metropolitan Life Insurance Co., for the total sum of Eight million, six hundred thirty two thousand, eight hundred and six dollars (\$8,632,806.00) The sum of \$8,632,806.00 was paid by credit bid by Metropolitan Life Insurance Co. and subsequently redeemed on or about June 6th, 2007 by Zions First National Bank, a national banking association. Zions First National Bank redeemed by applying that amount toward the Judgment and Decree of Foreclosure, interest, costs and attorney's fees in the amount as determined by Title Fact, Inc. and the parties involved. Whereupon the said Sheriff, after receiving notice that the Defendants have transferred all interest that they had in the property, together with their redemption rights to Zions First National Bank, a national banking association and that the Sheriff's Certificates of Sale issued to Metropolitan Life Insurance Co (instrument # 312707 Cassis Co.) were transferred to Zions First National Bank, per the Precipe to issue this Sheriff's Deed, prior to the completion of the 12 month redemption period.

NOW THIS INDENTURE WITNESSETH, that the said Wayne
Tousley, the Sheriff aforesaid, by virtue of the said Writ of Execution, shall
Convey and confirm unto the said party of the second part and to them
assigns, forever, all the right, title, interest and claim which the said
judgment debtors, Cummins Farms, Inc., et al., and any / all
defendant's, had on the 12th day of December, 2006, or any time
afterwards or now have, in and to all of that real property located in Cassia
County, Idaho,
Specifically described as follows in Exhibit A, attached.


Wayne Tousley,
Sheriff, Twin Falls County

Subscribed and sworn to before me this 11th day of June, 2007


Pamela K. Davis
Notary Public of Idaho
Residing at Kimberly
Commission expires 5/5/12



Cassia County

PARCEL NO. 1

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho

Section 11: N½

EXCEPTING THEREFROM the following described parcel of land:

BEGINNING at the Northeast corner of said Section 11;

THENCE South 700 feet along the section line common to Sections 11 and 12, Township 11 South,
Range 21 East, Boise Meridian;

THENCE Northwesterly to a point on the section line common to Sections 11 and 2 that is 800 feet
West of the Northeast corner of Section 11;

THENCE East 800 feet to the **POINT OF BEGINNING**.

ALSO EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway
purposes.

PARCEL NO. 2

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho

Section 11: Part of the NE¼NE¼ more particularly described as follows:

BEGINNING at the Northeast corner of said Section 11;

THENCE South 700 feet along the section line common to Sections 11 and 12, Township 11 South,
Range 21 East, Boise Meridian;

THENCE Northwesterly to a point on the section line common to Sections 11 and 2 that is 800 feet West
of the Northeast corner of Section 11;

THENCE East 800 feet to the **POINT OF BEGINNING**.

EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes.

PARCEL NO. 3

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho

Section 2: All that part of the SE¼SE¼ lying South of State Highway No. 30 (formerly U.S. Highway
No. 30)

PARCEL NO. 4

Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho

Section 8: SE¼

Section 9: SW¼

PARCEL NO. 5

Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho

Section 10: SW¼

Section 18: ALL

Section 21: NE¼

PARCEL NO. 6

Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho

Section 7: That part of the SE¼ that lies South of U.S. Highway 30 right of way

Section 8: That part of the NE¼ and the W½ that lies South of U.S. Highway 30 right of way

Section 9: SE¼; NE¼; NW¼

Section 15: W½

Section 16: E½

PARCEL NO. 7

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho

Section 11: S¼

EXCEPTING THEREFROM the following described tracts:

Tract No. 1

BEGINNING at a point that is 1950 feet North of the Southwest corner of the SW¼ of said

Section 11;

THENCE North 208 feet;

THENCE East 208 feet;

THENCE South 208 feet;

THENCE West 208 feet to the POINT OF BEGINNING.

Tract No. 2

BEGINNING at a point that is 2158 feet North of the Southwest corner of the SW¼ of said

Section 11;

THENCE East 208 feet to the TRUE POINT OF BEGINNING;

THENCE North 53°42'13" East 815 feet to a point on the North boundary of the SW¼;

THENCE West along the said North boundary 800 feet, more or less, to the Northwest corner of the SW¼;

THENCE South along the Section line 482 feet, more or less, to a point that is 2158 feet North of the Southwest corner of the SW¼;

THENCE East 208 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 8

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho

Section 10: NW¼SE¼; and S¼SE¼

PARCEL NO. 9

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho

Section 10: NE¼SE¼

PARCEL NO. 10

Township 11 South, Range 21 East, Boise Meridian, Cassia County, Idaho

Section 11: Part of the NW¼SW¼ more particularly described as follows:

BEGINNING at a point that is 1950 feet North of the Southwest corner of the SW¼ of said Section 11;

THENCE North 208 feet;

THENCE East 208 feet;

THENCE South 208 feet;

THENCE West 208 feet to the POINT OF BEGINNING.

AND

BEGINNING at a point that is 2158 feet North of the Southwest corner of the SW $\frac{1}{4}$ of said Section 11;

THENCE East 208 feet to the TRUE POINT OF BEGINNING;

THENCE North $53^{\circ}42'13''$ East 815 feet to a point on the North boundary of the SW $\frac{1}{4}$;

THENCE West along the said North boundary 800 feet, more or less, to the Northwest corner of the SW $\frac{1}{4}$;

THENCE South along the Section line 482 feet, more or less, to a point that is 2158 feet North of the Southwest corner of the SW $\frac{1}{4}$;

THENCE East 208 feet to the TRUE POINT OF BEGINNING.

Cassia -

Right Number	Priority Date	Basis	Use	Diversion Rate	Volume	Total Acres	Notes
45-2583	19-Jun-59	License	Irrigation	1.82 cfs	888 afa	245.0	
45-2674A	11-Sep-62	License	Irrigation	4.22 cfs	1148 afa	287.0	
45-2689	9-Nov-62	License	Irrigation	5.82 cfs	1976 afa	494.0	
45-7020	6-Apr-67	License	Irrigation	3.76 cfs	752 afa	188.0	
45-7034	3-Mar-69	License	Irrigation	2.94 cfs	580 afa	148.0	
45-7035	28-Feb-69	License	Irrigation	5.79 cfs	1280 afa	320.0	
45-7110	18-Sep-72	License	Irrigation S	4.00 cfs	1248 afa	310.0	
45-7238	2-May-75	License	Irrigation	6.40 cfs	2536 afa	634.0	
45-7374	11-Apr-79	License	Irrigation	3.10 cfs	620 afa	155.0	
45-10268	1-Sep-55	Decreed	S D	.26 cfs			Quantity not to exceed 13,000 gal per day; 25 cattle and horses
45-10269	1-Sep-60	Decreed	S D	.04 cfs			Quantity not to exceed 13,000 gal per day; 100 cattle
45-10270	12-Nov-66	Decreed	S D	.24 cfs			Quantity not to exceed 13,000 gal per day; 100 cattle, 1000 sheep
45-10271	12-Nov-66	Decreed	S D	.24 cfs			Quantity not to exceed 13,000 gal per day; 100 cattle, 1000 sheep
45-10272	12-Nov-66	Decreed	S D	.24 cfs			Quantity not to exceed 13,000 gal per day; 100 cattle, 1000 sheep
45-10273	12-Nov-66	Decreed	S D	.24 cfs			Quantity not to exceed 13,000 gal per day; 100 cattle, 1000 sheep
45-10274	15-Mar-62	Beneficial Use	Irrigation	.07 cfs	34 afa	494.0	
Palisades Water Users, Inc. Cassia Co Holdings							
658					1000		Each right equivalent to an acre foot of storage in reservoir
660					140		Cost of ea share on average \$0.45 per share. Water is delivered by Milner Low Lift. These certificates are personal property.

S - Stock D - Domestic
C - Commercial

Right Number	Priority Date	Basis	Use	Diversion Rate	Volume	Total Acres
45-2576	10-Apr-59	License	Irrigation	5.94 cfs	1188 afa	297.0
45-7363	8-Jan-79	License	Irrigation	1.66 cfs	556 afa	139.0

Cassia
Irrigation Equipment

- S1 GE Motor 100 HP; Serial #ANJ112434
Layne Bowler Pump; serial number unknown
- S2 GE Motor 100 HP; Serial #LJJ1107152
Layne Bowler Pump; Serial #75272
- B3 Motor 20 HP; make and serial number unknown
Pump; make and serial number unknown
- B4 Marathon electric Motor 60 HP; Serial #96583-219-3
Aurora Pump; Serial #7J-14429-2
- B5 Marathon Electric Motor 60 HP; Serial #FL90897
Aurora Pump; Serial #7J-14429-3
- S6 GE Motor 200 HP; Serial #NYJ117130
Pump; unknown make; Serial #9673945
- S7 US Electric Motor 75 HP; Serial #4066339-5
Layne Bowler Pump; Serial #D32759
- S8 GE Motor 100 HP Serial #LBJ1130129
Aurora Pump; serial number unknown
- B9 US Electric Motor 200 HP; Serial #CD120801-J93
Aurora Pump; Serial #7416507
- W10 GE Motor 500 HP; Serial #DLJ416021
Aurora Pump; Serial #V76-72983
- W11 US Electric Motor 100 HP; Serial #678585
Cornell Pump; serial number unknown
- W12 US Electric Motor 60 HP; Serial #1259126
Layne Bowler Pump; Serial #D12663
- W13 US Electric Motor 150 HP Serial #1402684
Layne Bowler Pump; Serial #D01006
- W14 US Electric Motor 150 HP; serial number unknown
Peerless Pump; Serial #193223
- B15 Marathon electric Motor 125 HP; Serial #1905420-613-02
Cornell Pump; Serial #6RB-125-4
- W16 GE Motor 450 HP; Serial #EHJ503017
Layne Bowler Pump; Serial #181640
- B17 The Louis Allis Co Electric Motor 75 HP; Serial #Z587980
Layne Bowler Pump; Serial #D40022
- B18 US Electric Motor 150 HP; Serial #CZ684-01-171-J
Layne Bowler Pump; Serial #D35725
- B19 Electric Motor 100 HP; make unknown; Serial #960827
Aurora Pump; Serial #77-06580-2
- W23 GE Motor 350 HP; serial #UNJ713002
Layne Bowler Pump; Serial #D04194
- B24 Marathon Electric Motor 100 HP; Serial #4Z536950-3120-04
Paco Pump; Serial #8-60157-650001
Linear Valley 1389' Model 800H; Serial #81467
Linear Valley 1389' Model 800H; Serial #81505
- 6 Valley Pivots Models 8000
Serial #238839, 7366480, 747970, 81691, 244339, and 238849
- 1 7 Tower Valley Pivot
Unable to obtain serial number due to crops, will get after harvest
- 2 8 Tower Valley Pivots
Unable to obtain serial number due to crops, will get after harvest
- 1 9 Tower Valley Pivot
Unable to obtain serial number due to crops, will get after harvest
- 2 10 Tower Lockwood Pivots; Retro fit with Valley Boxes

- Unable to obtain serial number due to crops, will get after harvest
- 1 11 Tower Valley Pivot
- Unable to obtain serial number due to crops, will get after harvest
- 16 1/4 mile Wheel lines Center Drive; Various Makes
- 12 1/4 mile Center Rise Handlines
- GE Motor 400 HP; Serial #FY243055
- Winroath Deep Well Turbine Pump; Serial #9878
- Marathon Electric Motor 40 HP; Serial #A1059V-55
- Centrifugal Booster Pump; serial number unknown
- 3 7 Tower Valley Center Pivots
- Unable to obtain serial number as it was unreadable
- 320 Joints 3'X40' Aluminum Handlines
- with various valves connectors and end plugs
- 200 Solid Set Lines (6,400 joints)

316434

CASSIA COUNTY, IDAHO
LARRY A. MCKEESSEN

RECORDER
FEE 27.00 DEPUTY DM

2007 JUN 12 AM 11 01

RECORDED & INDEXED
Juven Falls County Sheriff's
495 Shoshone, St. North
Juven Falls, ID 83301