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FEB 21 2007

DEV

WATER RESOURCES  
WESTERN REGION

# 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<br>Right No(s) | Adjudication<br>Claim No(s) | Split(s) | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split(s) |
|----------------------|-----------------------------|----------|----------------------|-----------------------------|----------|
| PD 63-22879          |                             |          |                      |                             |          |
| PD 63-22880          |                             |          |                      |                             |          |
| LIC 63-13548         |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |

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) | Spring Valley Livestock Co., Inc.                                                                                      |
|                                                 | P.O. Box 9; Star, ID 83669                                                                                             |
| 4. New Owner/Claimant(s)                        | M3 Eagle, L.L.C.                                                                                                       |
|                                                 | Name Connector (Check one): <input type="checkbox"/> and, <input type="checkbox"/> or, <input type="checkbox"/> and/or |
| New Mailing Address                             | 110 E. Gurley St., Suite 200                                                                                           |
| City, State and ZIP Code                        | Prescott, AZ 86301                                                                                                     |
| New Telephone Number                            | ( )                                                                                                                    |

5. Date you acquired the property

3/15/06

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, 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<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| 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)

  
 JEFFREY A. DAVIS, MEMBER OF (title if applicable)  
 M3 BUILDERS, LLC, MANAGER OF  
 M3 EAGLE L.L.C. FORMERLY KNOWN AS (title if applicable)  
 AR BOISE, L.L.C.

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 [Signature]  
 Received by [Signature]  
 Processed by AJ

Date 2-21-07  
 Date 2-22-07  
 Date \_\_\_\_\_

Receipt Amt. \$75<sup>00</sup>  
 Receipt No. W035098  
 WR JR Date 5-25-07



# AMENDMENT OF REGISTRATION OF FOREIGN LIMITED LIABILITY COMPANY

(Instructions on back of application)

2006 MAY 15 AM 9:07

SECRETARY OF STATE  
STATE OF IDAHO  
A/C #1117  
four file no 22-3731

1. The name of the foreign limited liability company prior to this amendment is:  
AR Boise, L.L.C.
2. If the foreign limited liability company was required to adopt an assumed name in order to register in Idaho, the name the foreign limited liability company used in Idaho is:
3. The application for registration in Idaho was filed on: July 25, 2005
4. The foreign limited liability company's registration is amended as follows:  
 (check one or more)

- ☒ a. The name of the limited liability company has been changed to:  
M3 Eagle L.L.C.

If the new name is not available or permissible in Idaho, the name to be used in Idaho is:

- ☐ b. Other amendment:

5. Signature of authorized person:

**M3 BUILDERS, L.L.C.**  
 Signature [Signature]  
 Typed Name Jeffrey A. Davis  
 Capacity Manager

g:\corplform\amend\_reg\_foreign\_llc.pdf Revised 06/2002

Secretary of State use only

IDAHO SECRETARY OF STATE  
 05/15/2006 05:00  
 CK: 1145 CT: 190058 BH: 954625  
 1 @ 30.00 = 30.00 FOR LLC AM # 2  
 1 @ 20.00 = 20.00 EXPEDITE C # 3

BOI\_MT1:712554.1

W41435 SL

ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE (IDAH) 03/15/06 04:54 PM  
DEPUTY Bonnie Oberbillig  
RECORDED - REQUEST OF  
Pioneer

AMOUNT 15.00 5



**WHEN RECORDED RETURN TO:**

William I. Brownlee  
c/o The M3 Companies, L.L.C.  
110 East Gurley Street  
Suite 200  
Prescott, AZ 86301

**SPECIAL WARRANTY DEED**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, PIONEER TITLE COMPANY OF ADA COUNTY, an Idaho corporation, as Trustee under Trust No. 255123 ("Grantor"), hereby grants, sells and conveys to AR BOISE, L.L.C., a Texas limited liability company, whose mailing address is 110 E. Gurley Street, Prescott, Arizona 86301, ("Grantee"), the real property located in Ada County, Idaho and described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Land"), together with (i) all buildings, structures and improvements located on the Land, including, without limitation, all irrigation ditches, gates, valves, pumps, tanks, and wells not previously reserved by or conveyed to others; (ii) all appurtenances, hereditaments, interests, privileges, easements, rights-of-way, reversions, remainders, development rights, well rights, water rights, and air rights (including any grandfathered groundwater or other groundwater or surface water rights) appurtenant to the Land not previously reserved by or conveyed to others, including, without limitation, all irrigation ditches, gates, valves, pumps, tanks, and wells, if any; (iii) all oil, gas, and mineral rights relating to the Land not previously reserved; (iv) any rights of Grantor to any adjoining strips or gores of property and any land lying within the bed of any adjoining street, highway, or waterway; and (v) any other rights or privileges appurtenant to the Land or used in connection therewith together with all improvements, structures and fixtures located on the Land.

Subject to current taxes and other assessments not yet delinquent; reservations in patents and all easements, rights-of-way, encumbrances, liens, covenants, conditions, restrictions, reservations, declarations, obligations, liabilities and other matters as may appear of record, Grantor warrants title to the Land as against the acts of Grantor and none other, subject to the matters described above.

GRANTOR:

DATED as of the 15<sup>th</sup> day of March, 2006.

PIONEER TITLE COMPANY OF ADA COUNTY, an Idaho corporation, as Trustee under Trust No. 255123

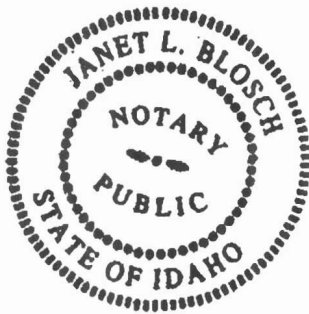
By Jesse Hamilton  
Jesse Hamilton, General Counsel

STATE OF IDAHO )

County of Ada ) ss.

On this 15<sup>th</sup> day of March, 2005, before me Janet L. Bloch, personally appeared JESSE HAMILTON, known or identified to me (or proved to me on the oath of \_\_\_\_\_) to be the general counsel, of **PIONEER TITLE COMPANY OF ADA COUNTY**, an Idaho corporation, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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.



Janet L. Bloch  
NOTARY PUBLIC FOR IDAHO  
Residing at Bowser, Idaho  
My Commission Expires 3-17-2011

**Original Option Property**

The NE  $\frac{1}{4}$ ;

The E  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ ;

Government Lots 1 and 2;

The SE  $\frac{1}{4}$ ;

All in Section 19, Township 5 North, Range 1 East of Boise Meridian, in Ada County, Idaho.

The SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ;

The W  $\frac{1}{2}$  of the SW  $\frac{1}{4}$ ;

All in Section 20, Township 5 North, Range 1 East of Boise Meridian, in Ada County, Idaho.

Government Lot 4;

That portion of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 7, lying Southwesterly of the centerline of Willow Creek Road, more particularly described as follows:

COMMENCING at the Southwest corner of said Section 7;

Thence North  $89^{\circ}26'13''$  East, 976.19 feet to the Southwest corner of said SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  and the POINT OF BEGINNING;

Thence along the West line of said SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , North  $01^{\circ}37'53''$  East, 1315.55 feet to the Northwest corner of said SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;

Thence along the North line of said SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , North  $89^{\circ}27'42''$  East, 322.23 feet to a point on said centerline;

Thence along said centerline, South  $17^{\circ}08'49''$  East, 211.69 feet;

Thence South  $21^{\circ}38'20''$  East 468.10 feet to a curve;

Thence along the arc of said curve to the right, having a radius of 365.00 feet, a central angle of  $26^{\circ}42'14''$ , and being subtended by a chord, which bears South  $08^{\circ}17'13''$  East, 168.58 feet;

Thence South  $05^{\circ}03'53''$  West, 109.20 feet to a curve;

Thence along the arc of said curve to the left, having a radius of 310.00 feet, a central angle of  $35^{\circ}10'52''$ , and being subtended by a chord, which bears South  $12^{\circ}31'32''$  East, 187.37 feet;

Thence South  $30^{\circ}06'58''$  East, 168.08 feet;

Thence South  $34^{\circ}03'01''$  East, 83.37 feet to the South line of said SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;

Thence South  $89^{\circ}26'13''$  West, 781.04 feet to the POINT OF BEGINNING;

All in Section 7, Township 5 North, Range 1 East of Boise Meridian, in Ada County, Idaho.

That portion of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 17 lying Southwesterly of the centerline of Willow Creek Road, more particularly described as follows:

COMMENCING at the Southwest corner of said Section 17;

Thence along the West line of said Section 17, North  $00^{\circ}16'27''$  East, 1314.67 feet to the POINT OF BEGINNING;

Thence along the South line of said NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , North  $89^{\circ}57'12''$  East, 204.11 feet to a point on said centerline;

Thence along said centerline, North  $37^{\circ}36'51''$  West, 332.36 feet to the said West line;

Thence South  $00^{\circ}16'27''$  West, 263.44 feet to the POINT OF BEGINNING;

All in Section 17, Township 5 North, Range 1 East of Boise Meridian, in Ada County, Idaho.

Government Lots 1 and 2;

The E  $\frac{1}{2}$  of the SW  $\frac{1}{4}$ ;

The SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ;

The W  $\frac{1}{2}$  of the SE  $\frac{1}{4}$ ;

The SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ;

That portion of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  and;

That portion of the S  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  and;

That portion of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  and;

That portion of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ;

All lying Southwesterly of the centerline of Willow Creek Road, more particularly described as follows:

COMMENCING at the Northwest corner of said Section 18;

Thence along the North line of said Section 18, North  $89^{\circ}26'13''$  East, 976.19 feet to the Northwest corner of said NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  and the POINT OF BEGINNING;

Thence continuing along said North line, North  $89^{\circ}26'13''$  East, 781.04 feet to said centerline of Willow Creek Road;

Thence along said centerline South  $34^{\circ}03'01''$  East, 215.25 feet;

Thence South  $10^{\circ}42'30''$  East, 414.87 feet to a curve;

Thence along the arc of said curve to the left, having a radius of 225.00 feet, a central angle of  $56^{\circ}12'00''$ , and being subtended by a chord, which bears South  $38^{\circ}48'30''$  East, 211.96 feet;

Thence South  $66^{\circ}54'30''$  East, 1186.00 feet to a curve;

Thence along the arc of said curve to the right, having a radius of 1000.00 feet, a central angle of  $13^{\circ}57'43''$ , and being subtended by a chord, which bears South  $59^{\circ}55'39''$  East, 243.08 feet;

Thence South  $52^{\circ}56'47''$  East, 351.88 feet to a curve;

Thence along the arc of said curve to the right, having a radius of 635.00 feet, a central angle of  $19^{\circ}19'45''$ , and being subtended by a chord, which bears South  $44^{\circ}01'28''$  East, 213.21 feet;

Thence South  $34^{\circ}21'35''$  East, 166.76 feet to a curve;

ence along the arc of said curve to the right, having a radius of 480.00 feet, a central angle of 24°30'13", and being subtended by a chord, which bears South 24°11'03" East, 203.72 feet;  
 Thence South 11°55'56" East, 513.68 feet to a curve;  
 Thence along the arc of said curve to the left, having a radius of 395.00 feet, a central angle of 25°40'56", and being subtended by a chord, which bears South 24°46'24" East, 175.58 feet;  
 Thence South 37°36'51" East, 1212.36 feet to the East line of said Section 18;  
 Thence along said East line, South 00°16'27" West, 263.44 feet to the Southeast corner of said NE ¼ SE ¼;  
 Thence along South line of said NE ¼ SE ¼, South 89°31'40" West, 1320.20 feet to the Southwest corner of said NE ¼ SE ¼;  
 Thence along the West line of said NE ¼ SE ¼, North 00°17'28" East, 1313.97 feet to the Northwest corner of said NE ¼ SE ¼;  
 Thence along the South line of said S ¼ NE ¼, South 89°29'51" West, 1319.82 feet to the Southwest corner of said S ¼ NE ¼;  
 Thence along the West line of said S ¼ NE ¼, North 00°18'28" East, 1313.28 feet to the Northwest corner of said S ¼ NE ¼;  
 Thence along the South line of said NE ¼ NW ¼, South 89°28'02" West, 1319.20 feet to the Southwest corner of said NE ¼ NW ¼;  
 Thence along the West line of said NE ¼ NW ¼, North 00°19'41" East, 1312.59 feet to the POINT OF BEGINNING;  
 All in Section 18, Township 5 North, Range 1 East of Boise Meridian, in Ada County, Idaho.

That portion of said Original Option Property lying within Sections 7, 17 and 18 being previously described as:

Government Lot 4;

That portion of the SE ¼ of the SW ¼ lying Southwesterly of the centerline of Willow Creek Road;  
 All in Section 7, Township 5 North, Range 1 East of Boise Meridian, in Ada County, Idaho.

That portion of the NW ¼ of the SW ¼, lying Southwesterly of the centerline of Willow Creek Road;  
 All in Section 17, Township 5 North, Range 1 East, of Boise Meridian, in Ada County, Idaho.

That portion of the NW ¼ of the NE ¼ lying Southwesterly of the centerline of Willow Creek Road;  
 That portion of the S ¼ of the NE ¼ lying Southwesterly of the centerline of Willow Creek Road;  
 That portion of the E ¼ of the NW ¼ lying Southwesterly of the centerline of Willow Creek Road;  
 Government Lots 1 and 2;  
 The E ½ of the SW ¼;  
 That portion of the SE ¼ lying Southwesterly of the centerline of Willow Creek Road;  
 All in Section 18, Township 5 North, Range 1 East of Boise Meridian, in Ada County, Idaho.

The E ½ of the SE ¼ of Section 10, Township 5 North, Range 1 West of Boise Meridian, in Ada County, Idaho.

The SW ¼ of the NE ¼;  
 The S ½ of the NW ¼;  
 The S ¼;  
 All in Section 11, Township 5 North, Range 1 West of Boise Meridian, in Ada County, Idaho.

The S ½ of the NE ¼;  
 The SE ¼ of the NW ¼;  
 The N ½ of the SW ¼;  
 The SE ¼;  
 All in Section 12, Township 5 North, Range 1 West of the Boise Meridian, in Ada County, Idaho.

The NE ¼;  
 The SE ¼ of the NW ¼;  
 The S ¼ of the SW ¼;  
 All in Section 13, Township 5 North, Range 1 West of Boise Meridian, in Ada County, Idaho.

The N ½;  
 The E ½ of the SW ¼;  
 The N ½ of the SE ¼;  
 The SW ¼ of the SE ¼;  
 All in Section 14, Township 5 North, Range 1 West of Boise Meridian, in Ada County, Idaho.

The NE ¼ of the NE ¼ of Section 15, Township 5 North, Range 1 West of Boise Meridian, in Ada County, Idaho.

The SE ¼ of the NE ¼;  
 The NE ¼ of the SE ¼;  
 All in Section 22, Township 5 North, Range 1 West of Boise Meridian, in Ada County, Idaho.

The NE ¼;  
 The S ½ of the NW ¼;  
 The SW ¼;  
 The N ½ of the SE ¼;

SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ;  
All in Section 23, Township 5 North, Range 1 West of Boise Meridian, in Ada County, Idaho.

The S  $\frac{1}{2}$  of the NE  $\frac{1}{4}$ ;  
The W  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ ;  
The SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ;  
The NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ;  
The N  $\frac{1}{2}$  of the SE  $\frac{1}{4}$ ;  
All in Section 24, Township 5 North, Range 1 West of Boise Meridian, in Ada County, Idaho.

The NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 26, Township 5 North, Range 1 West of Boise Meridian, in Ada County, Idaho.

The NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 27, Township 5 North, Range 1 West of Boise Meridian, in Ada County, Idaho.

264685 JB/HEH

Instrument 207205  
IDAHO CITY, BOISE COUNTY, IDAHO  
2006-03-15 02:40:16 No. of Pages: 3  
Recorded for : PIONEER TITLE  
RORA A. CANODY  
Ex-Officio Recorder Deputy  
Index to: DEEDS Fee: 9.00

**WHEN RECORDED RETURN TO:**

William I. Brownlee  
c/o The M3 Companies, L.L.C.  
110 East Gurley Street  
Suite 200  
Prescott, AZ 86301

**SPECIAL WARRANTY DEED**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, PIONEER TITLE COMPANY OF ADA COUNTY, an Idaho corporation, as Trustee under Trust No. 255123 ("Grantor"), hereby grants, sells and conveys to AR BOISE, L.L.C., a Texas limited liability company, whose mailing address is 110 E. Gurley Street, Prescott, Arizona 86301, ("Grantee"), the real property located in Boise County, Idaho and described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Land"), together with (i) all buildings, structures and improvements located on the Land, including, without limitation, all irrigation ditches, gates, valves, pumps, tanks, and wells not previously reserved by or conveyed to others; (ii) all appurtenances, hereditaments, interests, privileges, easements, rights-of-way, reversions, remainders, development rights, well rights, water rights, and air rights (including any grandfathered groundwater or other groundwater or surface water rights) appurtenant to the Land not previously reserved by or conveyed to others, including, without limitation, all irrigation ditches, gates, valves, pumps, tanks, and wells, if any; (iii) all oil, gas, and mineral rights relating to the Land not previously reserved; (iv) any rights of Grantor to any adjoining strips or gores of property and any land lying within the bed of any adjoining street, highway, or waterway; and (v) any other rights or privileges appurtenant to the Land or used in connection therewith together with all improvements, structures and fixtures located on the Land.

Subject to current taxes and other assessments not yet delinquent; reservations in patents and all easements, rights-of-way, encumbrances, liens, covenants, conditions, restrictions, reservations, declarations, obligations, liabilities and other matters as may appear of record, Grantor warrants title to the Land as against the acts of Grantor and none other, subject to the matters described above.

GRANTOR:

DATED as of the 15<sup>th</sup> day of March, 2006.

PIONEER TITLE COMPANY OF ADA COUNTY, an Idaho corporation, as Trustee under Trust No. 255123

By



Jesse Hamilton, General Counsel

STATE OF IDAHO )  
County of Ada ) ss.

On this 15<sup>th</sup> day of March, 2005, before me Janet L. Bloch, personally appeared JESSE HAMILTON, known or identified to me (or proved to me on the oath of \_\_\_\_\_) to be the general counsel, of **PIONEER TITLE COMPANY OF ADA COUNTY**, an Idaho corporation, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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.



Janet L. Bloch  
NOTARY PUBLIC FOR IDAHO  
Residing at Bow, Idaho  
My Commission Expires 3-17-2011

## EXHIBIT A

### Non-Core Property:

The NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ;

The S  $\frac{1}{2}$  of the NE  $\frac{1}{4}$ ;

The SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ;

The W  $\frac{1}{2}$  of the SE  $\frac{1}{4}$ ;

The SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ;

All in Section 10, Township 5 North, Range 2 East of Boise Meridian in Boise County, Idaho.

The S  $\frac{1}{2}$  of the S  $\frac{1}{2}$  of Section 14, Township 5 North, Range 2 East of Boise Meridian, in Boise County, Idaho.

The N  $\frac{1}{2}$  of the NE  $\frac{1}{4}$ ;

The NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ;

The S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ ;

The N  $\frac{1}{2}$  of the SW  $\frac{1}{4}$ ;

All in Section 15, Township 5 North, Range 2 East of Boise Meridian in Boise County, Idaho.

The N  $\frac{1}{2}$ ;

The N  $\frac{1}{2}$  of the SW  $\frac{1}{4}$ ;

The N  $\frac{1}{2}$  of the SE  $\frac{1}{4}$ ;

The SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ;

All in Section 23, Township 5 North, Range 2 East of Boise Meridian in Boise County, Idaho.

The NW  $\frac{1}{4}$  of Section 24, Township 5 North, Range 2 East of Boise Meridian, Boise County, Idaho.

The S  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of Section 14, Township 6 North, Range 2 East of Boise Meridian, in Boise County, Idaho.

The S  $\frac{1}{2}$  of Section 15 of Township 6 North, Range 2 East of Boise Meridian, in Boise County, Idaho.

The E  $\frac{1}{2}$ ;

The S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ ;

The SW  $\frac{1}{4}$ ;

All lying Southeasterly of the Southeasterly line of New Highway 55 in Section 21, Township 6 North, Range 2 East, Boise-Meridian, in Boise County, Idaho.

All of Section 22, Township 6 North, Range 2 East of Boise Meridian, in Boise County, Idaho.

The NE  $\frac{1}{4}$ ;

The W  $\frac{1}{2}$ ;

All in Section 23, Township 6 North, Range 2 East of Boise Meridian, in Boise County, Idaho.

All of Section 27, Township 6 North, Range 2 East.

The E  $\frac{1}{2}$ ;

The E  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ ;

All in Section 34, Township 6 North, Range 2 East.

The NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ;

The S  $\frac{1}{2}$  of the SW  $\frac{1}{4}$ ;

All in Section 35, Township 6 North, Range 2 East.

255123a 207204

Instrument # 207204  
IDAHO CITY, BOISE COUNTY, IDAHO  
2006-03-15 02:40:16 No. of Pages: 3  
Recorded for : PIONEER TITLE  
RORA A. CANODY  
Ex-Officio Recorder Deputy Fee: 9.00  
Index to: DEEDS

**WHEN RECORDED RETURN TO:**

William I. Brownlee  
c/o The M3 Companies, L.L.C.  
110 East Gurley Street  
Suite 200  
Prescott, AZ 86301

**SPECIAL WARRANTY DEED**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, PIONEER TITLE COMPANY OF ADA COUNTY, an Idaho corporation, as Trustee under Trust No. 255123 ("Grantor"), hereby grants, sells and conveys to AR BOISE, L.L.C., a Texas limited liability company, whose mailing address is 110 E. Gurley Street, Prescott, Arizona 86301, ("Grantee"), the real property located in Boise County, Idaho and described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Land"), together with (i) all buildings, structures and improvements located on the Land, including, without limitation, all irrigation ditches, gates, valves, pumps, tanks, and wells not previously reserved by or conveyed to others; (ii) all appurtenances, hereditaments, interests, privileges, easements, rights-of-way, reversions, remainders, development rights, well rights, water rights, and air rights (including any grandfathered groundwater or other groundwater or surface water rights) appurtenant to the Land not previously reserved by or conveyed to others, including, without limitation, all irrigation ditches, gates, valves, pumps, tanks, and wells, if any; (iii) all oil, gas, and mineral rights relating to the Land not previously reserved; (iv) any rights of Grantor to any adjoining strips or gores of property and any land lying within the bed of any adjoining street, highway, or waterway; and (v) any other rights or privileges appurtenant to the Land or used in connection therewith together with all improvements, structures and fixtures located on the Land.

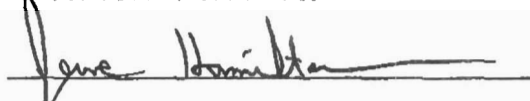
Subject to current taxes and other assessments not yet delinquent; reservations in patents and all easements, rights-of-way, encumbrances, liens, covenants, conditions, restrictions, reservations, declarations, obligations, liabilities and other matters as may appear of record, Grantor warrants title to the Land as against the acts of Grantor and none other, subject to the matters described above.

GRANTOR:

DATED as of the 15<sup>th</sup> day of March, 2006.

PIONEER TITLE COMPANY OF ADA COUNTY, an Idaho corporation, as Trustee under Trust No. 255123

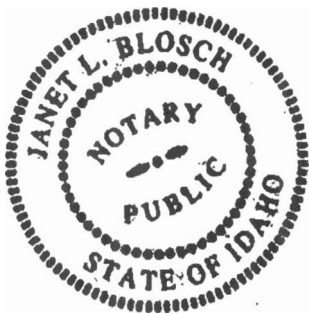
By

  
Jesse Hamilton, General Counsel

STATE OF IDAHO )  
County of Ada ) ss.

On this 15<sup>th</sup> day of March, 2005, before me Janet L. Bloesch, personally appeared JESSE HAMILTON, known or identified to me (or proved to me on the oath of \_\_\_\_\_) to be the general counsel, of **PIONEER TITLE COMPANY OF ADA COUNTY**, an Idaho corporation, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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.



Janet L. Bloesch  
NOTARY PUBLIC FOR IDAHO  
Residing at Boise, Idaho  
My Commission Expires 3-17-2011

**Excluded Area**

The NE  $\frac{1}{4}$ ;  
The E  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ ;  
The NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ;  
The S  $\frac{1}{2}$  of the SW  $\frac{1}{4}$ ;  
The SE  $\frac{1}{4}$ ;  
All in Section 13, Township 6 North, Range 2 East of Boise Meridian, in Boise County, Idaho.

N  $\frac{1}{2}$  S  $\frac{1}{2}$ ;  
S  $\frac{1}{2}$  SE  $\frac{1}{4}$ ;  
All in Section 14, Township 6 North, Range 2 East.

— The E  $\frac{1}{2}$ ;  
The NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ;  
All in Section 24, Township 6 North, Range 2 East of Boise, in Boise County, Idaho.

Government Lot 4;  
The SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ;  
The W  $\frac{1}{2}$  of the SW  $\frac{1}{4}$ ;  
All in Section 1, Township 6 North, Range 3 East of Boise Meridian, in Boise County, Idaho.

Government Lot 1;  
The S  $\frac{1}{2}$  of the NE  $\frac{1}{4}$ ;  
The N  $\frac{1}{2}$  of the SW  $\frac{1}{4}$ ;  
The SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ;  
The NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ;  
All in Section 2, Township 6 North, Range 3 East of Boise Meridian in Boise County, Idaho.

The S  $\frac{1}{2}$  of the N  $\frac{1}{2}$ ;  
The S  $\frac{1}{2}$ ;  
All in Section 3, Township 6 North, Range 3 East of Boise Meridian, in Boise County, Idaho.

The NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ;  
The S  $\frac{1}{2}$  of the SW  $\frac{1}{4}$ ;  
The SE  $\frac{1}{4}$ ;  
All in Section 4, Township 6 North, Range 3 East of Boise Meridian, in Boise County, Idaho.

The S  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of Section 5, Township 6 North, Range 3 East of Boise Meridian, in Boise County, Idaho.

The E  $\frac{1}{2}$ ;  
The SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ;  
All in Section 7, Township 6 North, Range 3 East of Boise Meridian, in Boise County, Idaho.

All of Section 8, Township 6 North, Range 3 East of Boise Meridian, in Boise County, Idaho.

All of Section 9, Township 6 North, Range 3 East of Boise Meridian, in Boise County, Idaho.

EXCEPT that portion described as follows:  
Beginning at a point thirty and one third rods West of the Southeast corner of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 9 in Township 6 North of Range 3, East of the Boise Meridian;  
Thence due North 37 and one half rods;  
Thence due West to West boundary of said SW  $\frac{1}{4}$  of NE  $\frac{1}{4}$ ;  
Thence due South to Boise Meridian, corner of said SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
Thence due East of PLACE OF BEGINNING.

The N  $\frac{1}{2}$  of the N  $\frac{1}{2}$  of Section 10, Township 6 North, Range 3 East of Boise Meridian, in Boise County, Idaho.

The NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 11, Township 6 North, Range 3 East of Boise Meridian, in Boise County, Idaho.

All of Section 17, 18 and 19, Township 6 North, Range 3 East of Boise Meridian, in Boise County, Idaho.  
EXCEPT the East half of the SW  $\frac{1}{4}$  of said Section 18.

The SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ;  
The W  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ ;  
The SW  $\frac{1}{4}$ ;  
The NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ;  
The S  $\frac{1}{2}$  of the SE  $\frac{1}{4}$ ;  
All in Section 20, Township 6 North, Range 3 East of Boise Meridian, in Boise County, Idaho.

The N  $\frac{1}{2}$  of the N  $\frac{1}{2}$  of Section 30, Township 6 North, Range 3 East of Boise Meridian, in Boise County, Idaho.