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FEB 26 2007

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FEB 20 2007

Department of Water Resources
Eastern 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 Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
15-7006					

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)

KS Investment Partnership

3710 Quincy Ave., Ogden UT

84403

4. New Owner/Claimant(s)

Richard Pottin Pottin Ranches LLC

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

80 N 300 East

City, State and ZIP Code

Malad Idaho 83252

New Telephone Number

(208) 766 5106

5. Date you acquired the property

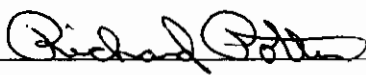
2-12-2007

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Department of Water Resources
Eastern Region

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 (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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

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

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

For IDWR Office Use Only:

Received by SC
Received by _____
Processed by _____ AJ

Date 2/20/07
Date _____
Date _____

Receipt Amt. 2500
Receipt No. ED32624
WR _____ Date _____

Close

DAHO DEPARTMENT OF WATER RESOURCES Water Right Report

12/01/2007

WATER RIGHT NO. 15-7006

Owner Type	Name and Address
Current Owner	KS INVESTMENT PARTNERSHIP 3710 QUINCY AVE OGDEN, UT 84403

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Department of Water Resources
Eastern Region

Priority Date: 09/01/1971

Basis: License

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	5/01	10/01	3 CFS	742 AFA
STOCKWATER	1/01	12/31	0.03 CFS	1.3 AFA
Total Diversion			3 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNE	Sec. 19	Township 12S	Range 35E	ONEIDA County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION ONEIDA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
12S	35E	19		NENE	16		NWNE	38		SWNE	39		SENE	39

				NEN W	40			SENW	40						
--	--	--	--	-------	----	--	--	------	----	--	--	--	--	--	--

Place of Use Legal Description: STOCKWATER ONEIDA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
12S	35E	19		SENW										

Total Acres: 212

Dates:

Licensed Date: 08/29/1983

Decreed Date:

Permit Proof Due Date: 10/1/1976

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 10/15/1971

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

[Close](#)

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

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1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
15-7006					

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Department of Water Resources
 Eastern Region

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) John C. Hill and Lugene Hill
Thomas W. Close and Julie A. Close
4. New Owner/Claimant(s) K.S. Investment Partnership
Name Connector (Check one): () and, () or, () and/or
 New Mailing Address 3710 Quincy Avenue
 City, State and ZIP Code Ogden, UT 84403
 New Telephone Number ()
5. Date you acquired the property 10-1-2004

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OCT 06 2004

Department of Water Resources
 Eastern Region

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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

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

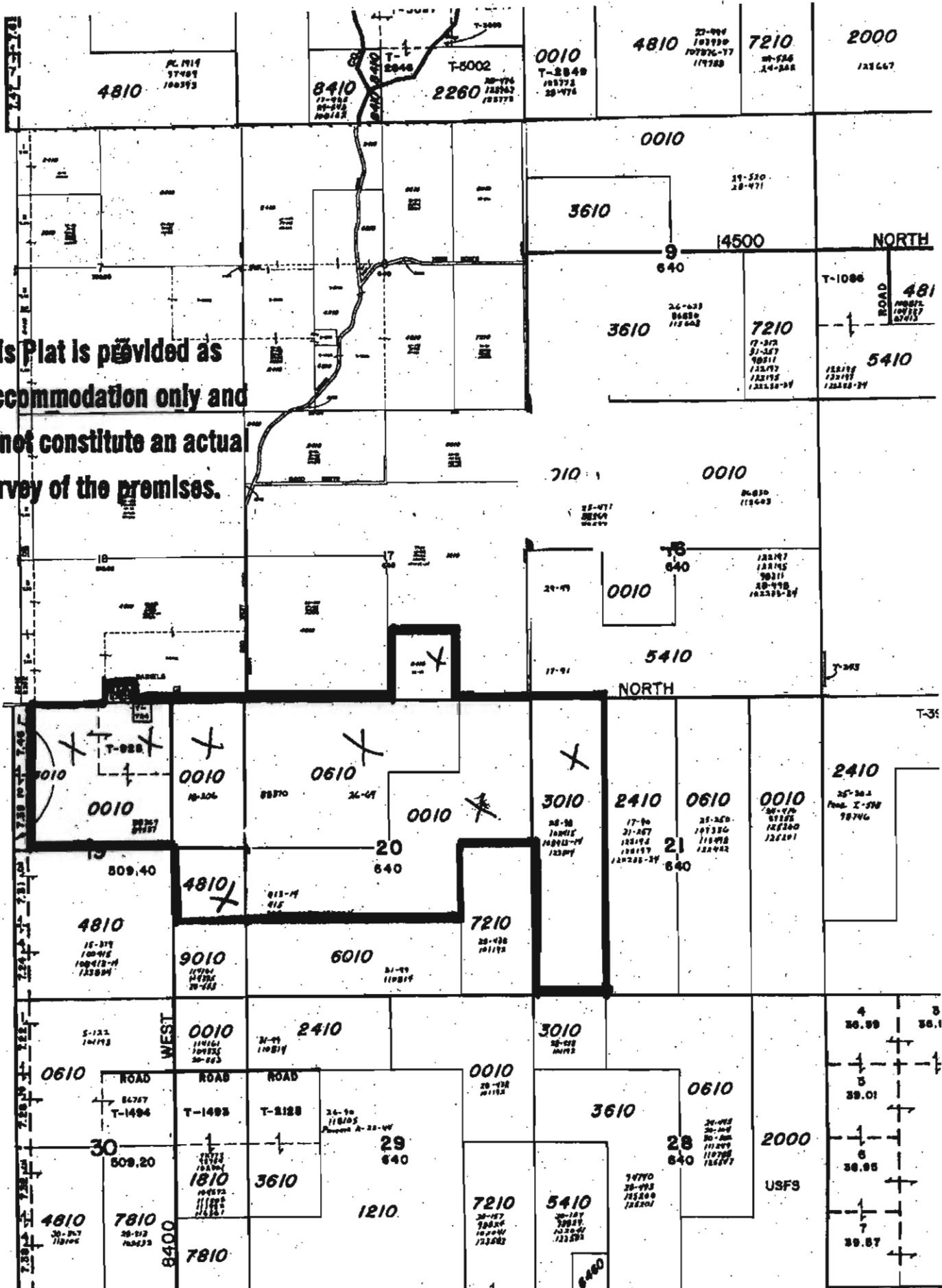
7. Signature of New Owner(s) or Claimant(s) K.S. INVESTMENT PARTNERSHIP
(include title if applicable)

[Handwritten Signature]

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

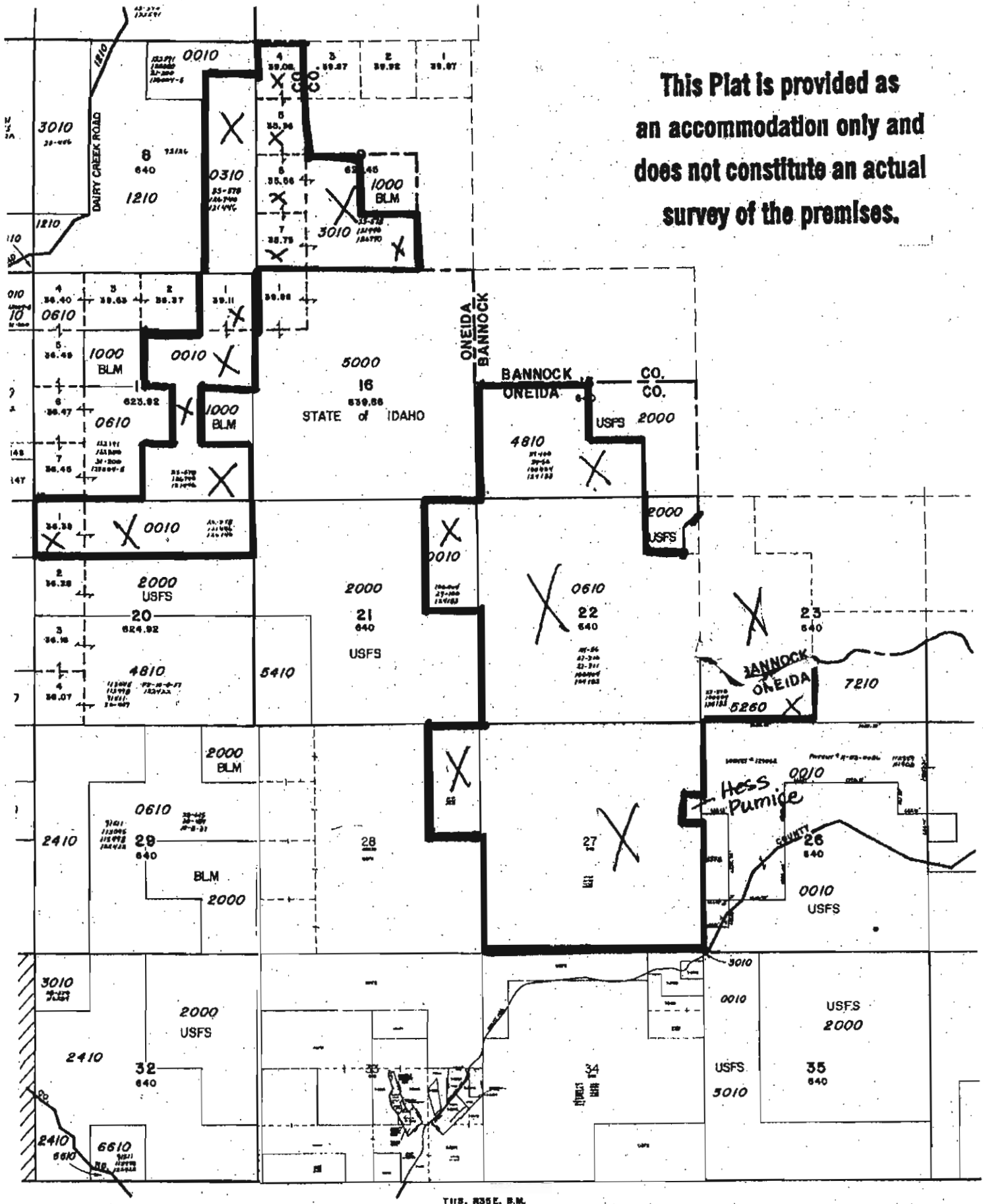
For Office Use Only

Received by jc Date 10-6-04 Fee \$25-
 Received by jc Date 10-6-04 Receipt No. E030316
 Processed by AJ Date _____ WR _____ Date _____



Township 12 South, Range 35 East

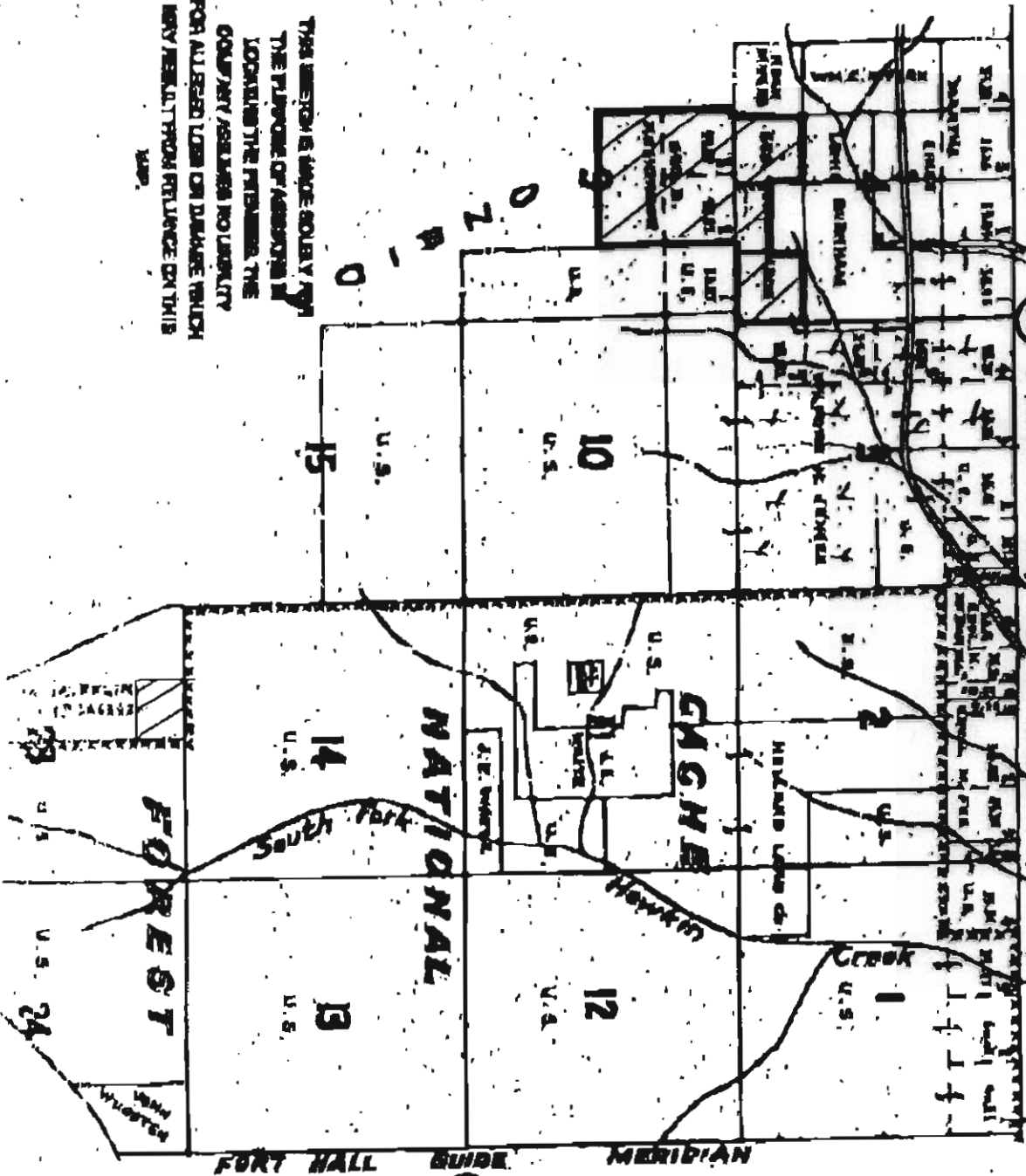
**This Plat is provided as
an accommodation only and
does not constitute an actual
survey of the premises.**



TOWNSHIP 11N-23S., RANGE 35-36E. B. M.

BANNOCK COUNTY, IDAHO

(13) TWP. 11S., R6E. 35E.



THIS SECTION IS MADE SOLELY FOR THE PURPOSE OF ASSURING THE LOCATION OF THE FISHING THE GOVERNMENT ASSURES NO LIABILITY FOR ALLEGED LOSS OR DAMAGE WHICH MAY RESULT FROM NEGLIGENCE ON THIS MAP.

NTO-1454
POTTER RANCHES, LLC
80 NORTH 300 EAST
MALAD CITY, ID 83252

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FEB 20 2007
Department of Water Resources
Eastern Region

Microfilm No **140374**
12 Day February 2007
At 1:05 P.M.
Shirley Bausell
Oneida Co. Recorder
Fee \$ 6.00
Recorded at Request of
Northern Title Co.

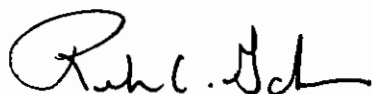
SPECIAL WARRANTY DEED

GARDNER OLD FARM, LLC, Grantor(s) of SALT LAKE CITY, County of SALT LAKE, State of UT, hereby **CONVEYS AND WARRANTS AGAINST ALL CLAIMING BY THROUGH OR UNDER IT TO POTTER RANCHES, L.L.C.**, Grantee(s) of OGDEN, County of WEBER, State of UT for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in ONEIDA County, State of Idaho:

SEE ATTACHED EXHIBIT "A"

Subject to easements, restrictions and rights of way of record, and taxes for the year 2007 and thereafter.

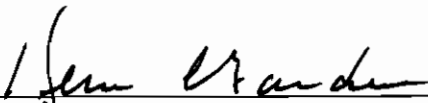
Witness, the hand(s) of said Grantor(s), this February 8, 2007.



GARDNER OLD FARM, LLC

By: RULON C. GARDNER

Its: MANAGER



GARDNER OLD FARM, LLC

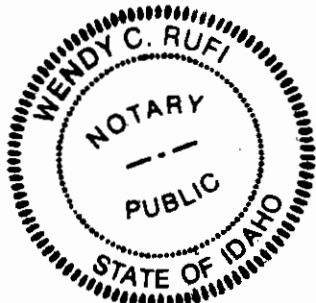
By: KC GARDNER OLD FARM, LLC

: KEM C. GARDNER

Its: MANAGER

State of ID)
County of ONEIDA)

On February 8, 2007, personally appeared before me RULON C. GARDNER AND KEM C. GARDNER, who, being by me duly sworn, did say that he/she/they are the Manager(s)/Member(s) of GARDNER OLD FARM, LLC, and that the said instrument was signed in behalf of said Limited Liability Company by the authority of its Articles of Organization and Operating Agreement, and the aforesaid individual acknowledged to me that said Company executed the same.



Wendy C. Ruffi
Notary Public Wendy C. Ruffi
Residing: Malad City, ID
Expires: 2-28-2011

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Department of Water Resources
Eastern Region

140374

EXHIBIT "A"

TOWNSHIP 12 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO

SECTION 17: THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER.

SECTION 18: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER; THENCE EAST 30 RODS; THENCE NORTH 20 RODS; THENCE WEST 30 RODS; THENCE SOUTH 20 RODS TO THE PLACE OF BEGINNING. T-162, T-2781, T-1255

SECTION 19: THE EAST HALF OF THE NORTHWEST QUARTER, THE NORTHEAST QUARTER, T-928, THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER.

EXCEPT

COMMENCING AT A POINT IN THE CENTER OF COUNTY ROAD, 22 RODS WEST OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19; THENCE SOUTH 22 RODS; THENCE WEST 20 RODS; THENCE NORTH 22 RODS; THENCE EAST 20 RODS.

SECTION 20: THE NORTHWEST QUARTER, THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, THE EAST HALF OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE NORTH HALF OF THE SOUTHWEST QUARTER, THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER.

SECTION 21: THE WEST HALF OF THE WEST HALF.

TOWNSHIP 11 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO.

SECTION 8: THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, THE EAST HALF OF THE SOUTHEAST QUARTER.

SECTION 9: LOTS 4, 5, 6 AND 7; THE EAST HALF OF THE SOUTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER.

SECTION 15: THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, THE SOUTHWEST QUARTER.

SECTION 17: LOT 1; THE SOUTH HALF OF THE NORTHEAST QUARTER, THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, THE SOUTH HALF OF THE SOUTHEAST QUARTER.

SECTION 20: THE NORTH HALF OF THE NORTH HALF.

SECTION 21: THE EAST HALF OF THE NORTHEAST QUARTER.

SECTION 22: THE NORTHWEST QUARTER, THE SOUTH HALF, THE WEST HALF OF THE NORTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER.

SECTION 23: THE WEST HALF.

EXCEPTING THEREFROM THAT PORTION LYING IN BANNOCK COUNTY, IDAHO.

SECTION 27: ALL.

EXCEPTING THEREFROM T-5477

SECTION 28: THE EAST HALF OF THE NORTHEAST QUARTER.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT

A PARCEL OF GROUND LOCATED IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN, ONEIDA COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE B.L.M. BRASS CAP MONUMENT FOUND AT THE EAST QUARTER CORNER OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN, AND RUNNING THENCE NORTH 00° 17' 44" WEST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27 AS CURRENTLY MONUMENTED 659.00 FEET TO A U.S. FOREST SERVICE ALUMINUM CAP MONUMENT FOUND AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27 AND IS THE TRUE POINT OF BEGINNING; AND RUNNING THENCE SOUTH 89° 44' 50" WEST FOLLOWING AN EXISTING FENCE LINE 351.34 FEET TO AN EXISTING FENCE CORNER; THENCE NORTHERLY FOLLOWING AN EXISTING FENCE LINE THE FOLLOWING THREE COURSES:

1) NORTH 05° 37' 05" WEST 156.76 FEET TO THE SOUTH END OF AN EXISTING GATE; THENCE NORTH 05° 23' 10" WEST 22.05 FEET TO THE NORTH END OF SAID GATE; THENCE NORTH 04° 21' 25" WEST 349.71 FEET TO AN EXISTING FENCE CORNER; THENCE NORTH 74° 57' 41" EAST ALONG AN EXISTING FENCE LINE AND THE PROJECTION THEREOF 405.98 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER SECTION; THENCE SOUTH 00° 17' 44" EAST ALONG SAID EAST QUARTER SECTION LINE 630.46 FEET TO THE POINT OF BEGINNING. T-5477

FEB 20 2007

Department of Water Resources
Eastern Region

20703170

NTO-1454

POTTER RANCHES, LLC
80 NORTH 300 EAST
MALAD CITY, ID 83252OFFICIAL RECORD BK# 892
BANNOCK COUNTY IDAHORECORDED AT REQUEST OF
FEE \$3.00 DEPUTY By

AmerTitle

20703170

2007 FEB 12 P 1:05

SPECIAL WARRANTY DEED

GARDNER OLD FARM, LLC, Grantor(s) of SALT LAKE CITY, County of SALT LAKE, State of UT, hereby **CONVEYS AND WARRANTS AGAINST ALL CLAIMING BY THROUGH OR UNDER IT TO** **POTTER RANCHES, L.L.C.**, Grantee(s) of OGDEN, County of WEBER, State of UT for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in BANNOCK County, State of Idaho:

TOWNSHIP 11 SOUTH, RANGE 35 EAST, BOISE MERIDIAN:

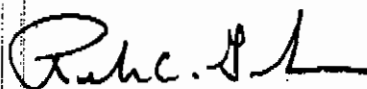
SECTION 4: SE1/4 SE1/4; S1/2 SW1/4 SE1/4; SE1/4 SW1/4

SECTION 9: LOTS 2 AND 3: SE1/4 NW1/4; SW1/4 NE1/4

SECTION 23: NE1/4 NW1/4

Subject to easements, restrictions and rights of way of record, and taxes for the year 2007 and thereafter.

Witness, the hand(s) of said Grantor(s), this February 8, 2007.



GARDNER OLD FARM, LLC

By: RULON C. GARDNER

Its: MANAGER



GARDNER OLD FARM, LLC

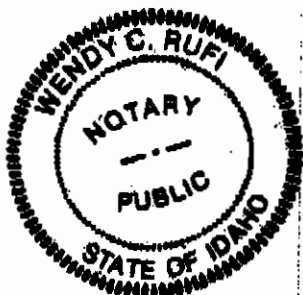
By: KC GARDNER OLD FARM, LLC

KEM C. GARDNER

Its: MANAGER

State of ID)
County of ONEIDA)

On February 8, 2007, personally appeared before me RULON C. GARDNER and KEM C. GARDNER, who, being by me duly sworn, did say that he/she/they are the Manager(s)/Member(s) of GARDNER OLD FARM, LLC, and that the said instrument was signed in behalf of said Limited Liability Company by the authority of its Articles of Organization and Operating Agreement, and the aforesaid individual acknowledged to me that said Company executed the same.




Notary Public: Wendy C. Ruffi

Residing: Malad City, ID

Expires: 2/28/2011

NTO-1454A
GARDNER OLD FARM LLC.
12 SOUTH 400 WEST, SUITE 250
SALT LAKE CITY, UT 84101

Microfilm No. **140373**
12 Day February 2007
At 1:00 O'clock P.M.
Shirley Blaisdell
Oneida Co. Recorder
Fee \$ 6.00
Recorded at Request of
Northern Title Co.

WARRANTY DEED

KS LAND COMPANY LLC, A UTAH LIMITED LIABILITY COMPANY, Grantor(s) of ODGEN, County of WEBER, State of UT, hereby **CONVEY AND WARRANT** to **GARDNER OLD FARM, LLC.**, Grantee(s) of SALT LAKE CITY, County of SALT LAKE, State of UT for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in ONEIDA County, State of Idaho:

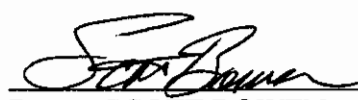
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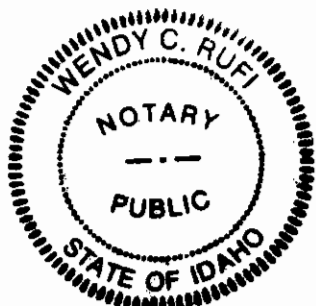
KS LAND COMPANY LLC, A UTAH LIMITED LIABILITY COMPANY

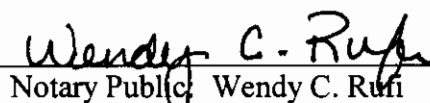

By: KAY L. BOWEN
Its: MANAGER/MEMBER


By: SCOTT BOWEN
Its: MANAGER/MEMBER

State of ID)
County of ONEIDA)

On February 7, 2007, personally appeared before me KAY L. BOWEN AND SCOTT BOWEN, who, being by me duly sworn, did say that they are the Manager(s)/Member(s) of KS LAND COMPANY LLC, A UTAH LIMITED LIABILITY COMPANY and that the said instrument was signed in behalf of said Limited Liability Company by the authority of its Articles of Organization and Operating Agreement, and the aforesaid individual acknowledged to me that said Company executed the same.




Notary Public: Wendy C. Ruffi
Residing: Malad City, ID
Expires: 2/28/2011

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FEB 20

140373

Department of Water
Easter

EXHIBIT "A"

TOWNSHIP 12 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO

SECTION 17: THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER.

SECTION 18: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER; THENCE EAST 30 RODS; THENCE NORTH 20 RODS; THENCE WEST 30 RODS; THENCE SOUTH 20 RODS TO THE PLACE OF BEGINNING. T-162, T-2781, T-1255

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SECTION 22: THE NORTHWEST QUARTER, THE SOUTH HALF, THE WEST HALF OF THE NORTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER.

SECTION 23: THE WEST HALF.

EXCEPTING THEREFROM THAT PORTION LYING IN BANNOCK COUNTY, IDAHO.

SECTION 27: ALL.

EXCEPTING THEREFROM T-5477

SECTION 28: THE EAST HALF OF THE NORTHEAST QUARTER.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT

A PARCEL OF GROUND LOCATED IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN, ONEIDA COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE B.L.M. BRASS CAP MONUMENT FOUND AT THE EAST QUARTER CORNER OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN, AND RUNNING THENCE NORTH $00^{\circ} 17' 44''$ WEST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27 AS CURRENTLY MONUMENTED 659.00 FEET TO A U.S. FOREST SERVICE ALUMINUM CAP MONUMENT FOUND AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27 AND IS THE TRUE POINT OF BEGINNING; AND RUNNING THENCE SOUTH $89^{\circ} 44' 50''$ WEST FOLLOWING AN EXISTING FENCE LINE 351.34 FEET TO AN EXISTING FENCE CORNER; THENCE NORTHERLY FOLLOWING AN EXISTING FENCE LINE THE FOLLOWING THREE COURSES:

1) NORTH $05^{\circ} 37' 05''$ WEST 156.76 FEET TO THE SOUTH END OF AN EXISTING GATE; THENCE NORTH $05^{\circ} 23' 10''$ WEST 22.05 FEET TO THE NORTH END OF SAID GATE; THENCE NORTH $04^{\circ} 21' 25''$ WEST 349.71 FEET TO AN EXISTING FENCE CORNER; THENCE NORTH $74^{\circ} 57' 41''$ EAST ALONG AN EXISTING FENCE LINE AND THE PROJECTION THEREOF 405.98 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER SECTION; THENCE SOUTH $00^{\circ} 17' 44''$ EAST ALONG SAID EAST QUARTER SECTION LINE 630.46 FEET TO THE POINT OF BEGINNING. T-5477

FEB 20 2007

Department of Water Resources
Eastern Region

20703169

NTO-1454A

GARDNER OLD FARM, LLC
12 SOUTH 400 WEST, SUITE 250
SALT LAKE CITY, UT 84101

OFFICIAL RECORD BK# 892
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
FEE 3.00 DEPUTY By

AmerTitle

2007 FEB 12 P 12:59

20703169
WARRANTY DEED

KS LAND COMPANY, LLC, A LIMITED LIABILITY COMPANY OF THE STATE OF UTAH,
Grantor(s) of ODGEN, County of WEBER, State of UT, hereby **CONVEY AND WARRANT** to **GARDNER OLD FARM, LLC,** Grantee(s) of SALT LAKE CITY, County of SALT LAKE, State of UT for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in BANNOCK County, State of Idaho:

TOWNSHIP 11 SOUTH, RANGE 35 EAST, BOISE MERIDIAN:
SECTION 4: SE1/4 SE1/4; S1/2 SW1/4 SE1/4; SE1/4 SW1/4
SECTION 9: LOTS 2 AND 3: SE1/4 NW1/4; SW1/4 NE1/4
SECTION 23: NE1/4 NW1/4

Subject to easements, restrictions and rights of way of record, and taxes for the year 2007 and thereafter.

Witness, the hand(s) of said Grantor(s), this February 7, 2007.

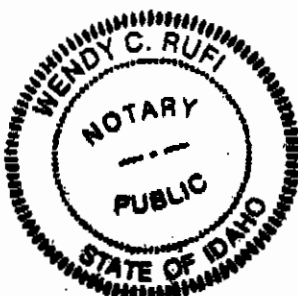
**KS LAND COMPANY, LLC, A LIMITED LIABILITY COMPANY
OF THE STATE OF UTAH**

Kay L. Bowen
By: KAY L. BOWEN
Its: MANAGER/MEMBER

Scott Bowen
By: SCOTT BOWEN
Its: MANAGER/MEMBER

State of ID)
County of ONEIDA)

On February 7, 2007, personally appeared before me KAY L. BOWEN and SCOTT BOWEN, who, being by me duly sworn, did say that they is the MANAGER/MEMBER of KS LAND COMPANY, LLC, A LIMITED LIABILITY COMPANY OF THE STATE OF UTAH, and that the said instrument was signed in behalf of said Limited Liability Company by the authority of its Articles of Organization and Operating Agreement, and the aforesaid individual acknowledged to me that said Company executed the same.



Wendy C. Ruffi
Notary Public: Wendy C. Ruffi
Residing: Malad City, ID
Expires: 2/28/2011