

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

RECEIVED**SEP 14 2005****Department of Water Resources**

RECEIVED
SEP 13 2005
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

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
36-8221					

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) WESTERN FARM SERVICE, INC.,
2787 West Bullard Ave., Suite 101
FRESNO, CA. 93711
4. New Owner/Claimant(s) QUAD CAPITAL, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 904 10th St.
 City, State and ZIP Code RUPERT, ID. 83350
 New Telephone Number 208 436-8163
5. Date you acquired the property August 19, 2005

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)
(include title if applicable)

[Handwritten signatures]

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 *[Signature]* Date 9/13/05 Fee 100.00
 Received by *[Signature]* Date 9/13/05 Receipt No. 502784
 Processed by _____ AJ Date _____ WR _____ Date _____

480054

WARRANTY DEED

#18989

COPY

For Value Received

**WESTERN FARM SERVICE, INC., a Delaware Corporation, by and through
RICHARD GEARHEARD, President**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**QUAD CAPITAL, LLC, by and through ROBERT TOMINAGA,
JERRY TOMINAGA, ROD LAKE and ROGER DUFFIN, Members
Address: 904 10TH ST., RUPERT, ID. 83350**

Hereinafter called the Grantee, the following described premises situated in Minidoka County, Idaho, to-wit:

PARCEL NO. 1:

**TOWNSHIP 9 SOUTH, RANGE 23 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO**

SECTION 25: That part of the N $\frac{1}{2}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at a point 100 feet North and 25 feet West of the Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
which said point is the TRUE POINT OF BEGINNING;
Thence West along the North boundary of the Union Pacific Railroad right of way for 400
feet;
Thence North for 300 feet;
Thence East for 400 feet;
Thence South for 300 feet to the TRUE POINT OF BEGINNING.

Said Tract is also known as Parcel No. 1 of the Rupert Industrial Site, according to the official plat
thereof now on file in the office of the County Recorder, Minidoka County, Idaho.

PARCEL NO. 2:

**TOWNSHIP 9 SOUTH, RANGE 23 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO**

SECTION 25: That part of the SE $\frac{1}{4}$, more particularly described as follows:

A parcel of land situated in Lot 2 of Rupert Industrial located in the SE $\frac{1}{4}$ of Section 25,
Township 9 South, Range 23 East, Boise Meridian, Minidoka County, Idaho, as recorded
September 20, 1968 as Document No. 198788 in the office of the County Recorder, Minidoka
County, Idaho, more particularly described as follows:

A strip of land being the Easterly 100 feet of Lot 2.

Together With all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

Idaho Department of Water Resources Water Right #36-8221

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2005 and subsequent years, a lien, but not yet due or payable.

Assessments of the Minidoka Irrigation District and the rights and powers of said District as by law provided.

Continued

Reservations in Warranty Deed, dated November 22, 1971, executed by Union Pacific Land Resources Corporation, a corporation of the State of Utah, Grantor, and Entrada Industries, Inc., a corporation of the State of Delaware, Grantee, recorded January 19, 1972 as Document No. 221726, Minidoka County records, which recites inter alia: "Excepting from this grant and reserving unto the Grantor, its successors and assigns forever, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered, including, without limiting the generality of the foregoing, oil and gas rights thereby, together with the sole, exclusive and perpetual right to explore for, remove and dispose of said minerals by any means or methods suitable to the Grantor, its successors and assigns, but without entering upon or using the surface of the lands hereby conveyed, and in such manner as not to damage the surface of said lands or to interfere with the use thereof by the Grantee, its successors or assigns.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

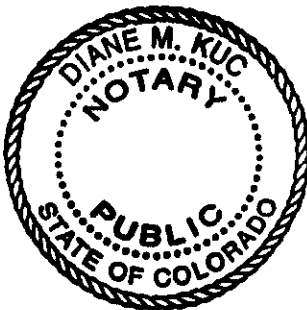
Dated: August 19, 2005

WESTERN FARM SERVICE, INC.,
a Delaware Corporation

By: [Signature]
RICHARD GEARHEARD, President

STATE OF Colorado)
COUNTY OF Denver) ss.

On this 19th day of AUGUST, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared RICHARD GEARHEARD, known or identified to me to be the President of 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.



[Signature]
Notary Public
Residing at: 4582 S. Ulster St. Ste 1700
My Commission expires: 12/7/2005

Denver, CO 80237

Instrument # 480054

MINIDOKA COUNTY, RUPERT, IDAHO
2005-08-30 04:14:28 No. of Pages: 2
Recorded for : RUPERT LAND TITLE
DUANE SMITH Fee: 6.00
Ex-Officio Recorder Deputy [Signature]

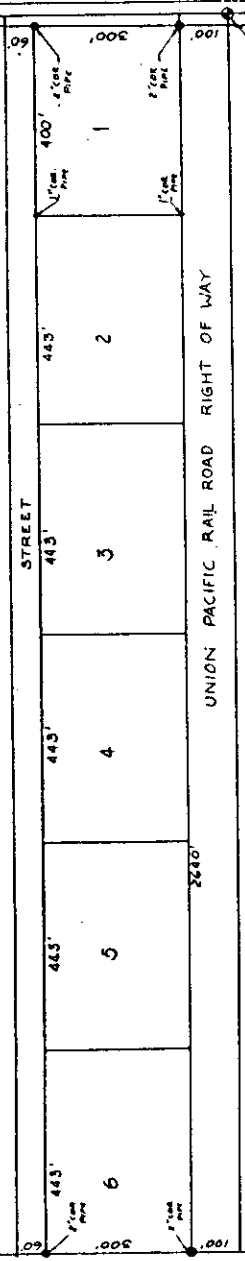
RUPERT INDUSTRIAL SITE

This plat is submitted for information purposes only to assist in property location with reference to maps and other papers. No representation is made as to accuracy and the Company assumes no liability for any loss occurring by reason of reliance thereon.

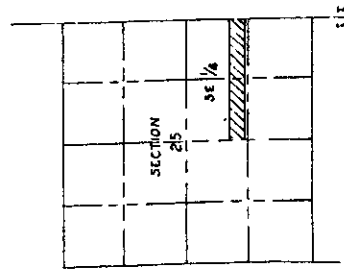
SECTION 25



SCALE
1" = 200'



POINT OF BEGINNING
NORTHEAST CORNER OF THE
SE 1/4 SE 1/4



SCALE
1" = 2000'

STATE OF IDAHO
COUNTY OF MINIDOKA:
KNOW ALL MEN BY THESE PRESENTS
THAT Rupert Development Corporation IS OWNER OF THE
FOLLOWING DESCRIBED LAND TO WIT:
BEGINNING AT A POINT THE NE CORNER OF THE SOUTHEAST 1/4
OF THE SOUTHEAST 1/4, NORTH 100 FT. TO THE POINT OF
BEGINNING, THENCE WEST ALONG THE UNION PACIFIC RAIL
ROAD RIGHT OF WAY 2640 FT.; THENCE NORTH 360 FT.; THENCE
EAST 2640 FT.; THENCE SOUTH 360 FT. TO THE POINT OF BEGINNING.
AND SAID PERSONS DOES HEREBY CERTIFY AND DECLARE THAT
THEY HAVE LAID OUT AND PLATTED AS RUPERT INDUSTRIAL SITE
AS SHOWN BY THIS PLAT, THE LAND ABOVE DESCRIBED, AND DOES FURTHER
CERTIFY AND DECLARE THAT IN CONSIDERATION OF THE FILING OF
SAID PLAT BY THE COUNTY RECORDER IN AND FOR MINIDOKA COUNTY,
IDAHO, AND THE ACCEPTANCE BY THE PUBLIC OF THE STREETS AS SHOWN
ON SAID PLAT DOES HEREBY AND BY THESE PRESENTS GRANT,
DONATE AND DEDICATE TO THE PUBLIC, IN FEE SIMPLE, SUCH PORTIONS
OF THE PLATTED PREMISES AS ARE SET APART FOR STREETS FOR
PUBLIC USE FOREVER IN WITNESS WHEREOF I HAVE SET MY HAND THIS
29th DAY OF March 1965

Attest: William F. Anderson, Sec. My commission expires Dec

APPROVED AND ACCEPTED BY THE COUNTY BOARD
OF COMMISSIONERS,
COUNTY OF MINIDOKA, IDAHO

THIS 18 DAY OF April 1965
Robert J. O'Hara CHAIRMAN OF THE BOARD
Raymond J. O'Hara CLERK

BEGINNING AT A POINT 100 FT. NORTH OF THE NORTHEAST
CORNER OF THE SOUTHEAST QTR. OF THE SOUTHEAST QTR.
OF SECTION 25 TOWNSHIP 35S.
RANGE 23, E. 8 M., THE POINT OF BEGINNING;
THENCE WEST ALONG THE UNION PACIFIC RAIL
ROAD RIGHT OF WAY 2640 FEET; THENCE NORTH
360 FEET; THENCE EAST 2640 FEET; THENCE
SOUTH 360 FEET; TO THE POINT OF BEGINNING.

I, R.D. ARMSTRONG, REGISTERED PROFESSIONAL
ENGINEER IN THE STATE OF IDAHO, HEREBY CERTIFY THAT
THIS PLAT OF RUPERT INDUSTRIAL SITE IN MINIDOKA
COUNTY, IDAHO, IS STRICTLY CONFORMABLE TO THE
FIELD NOTES OF THE SURVEY THEREOF EXECUTED
UNDER ME THIS 18 MARCH 1965

Robert D. Armstrong

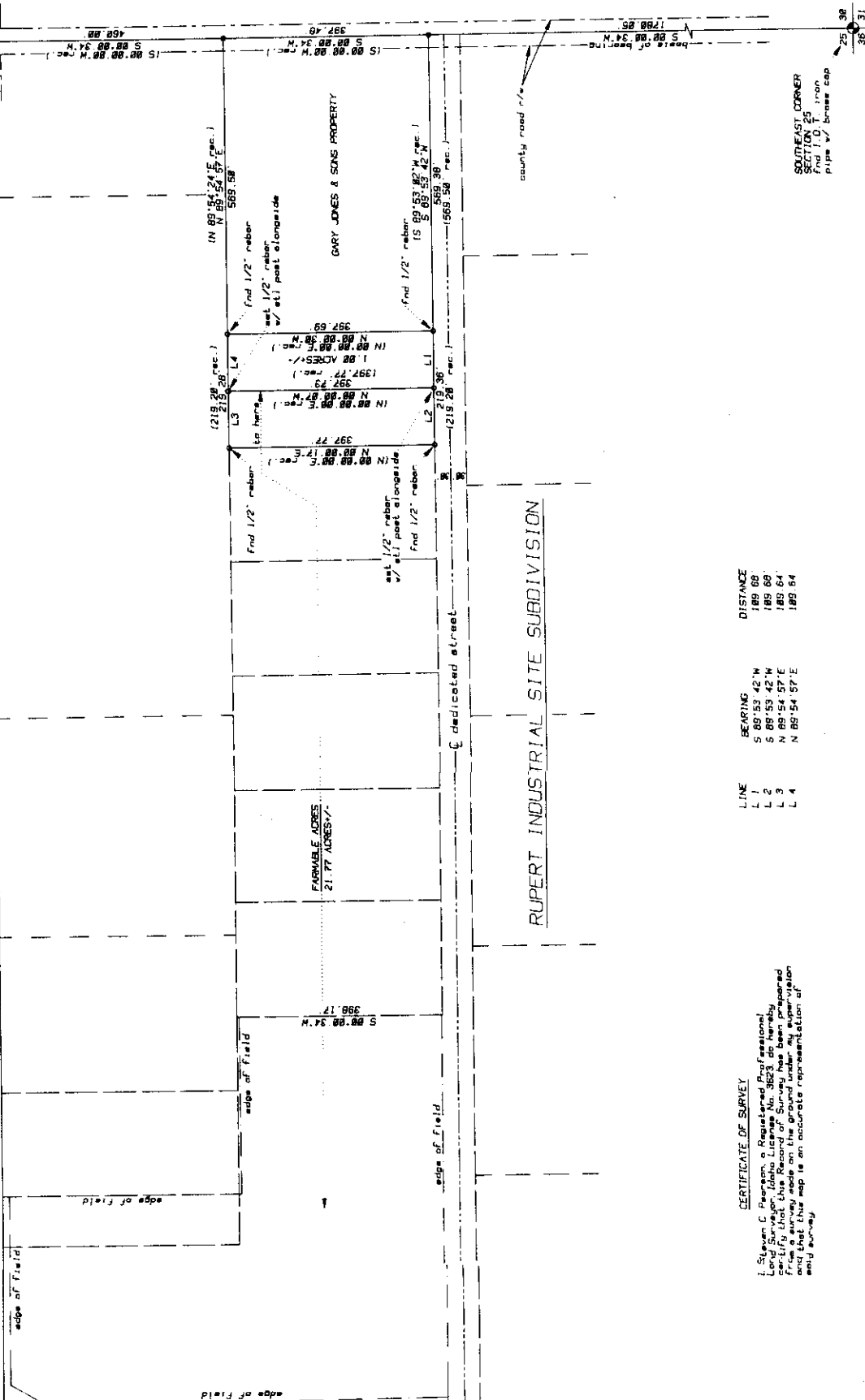
LAND TITLE AND EGRESS, INC.
P. O. BOX 177
BURLEY, IDAHO

SUBSCRIBED AND SWORN TO BEFORE ME THIS 29th DAY OF
March 1965

Raymond J. O'Hara
NOTARY PUBLIC

EAST 1/4 CORNER
SECTION 25
Fnd 5/8" rebar
C.P. REC. 32441, 1982
INSTR. NO. 32440

1/4 section line



CERTIFICATE OF SURVEY

I, Steven C. Benson, a Registered Professional Land Surveyor, Idaho License No. 3523, do hereby certify that this Record of Survey has been prepared by me or under my direct supervision and that the map is an accurate representation of said survey.

NOTE

- - SET IRON PIN (1/2" x 24" rebar)
- - NO CORNER SET
- OTHER SURVEY CONTROL FOUND OR SET AS NOTED.

THIS OF BEARING - GPS ORIENTATION TO NORTH

SECTION 25

T.9 S., R.23 E., B.M.

MINIDOKA COUNTY, IDAHO

LINE	BEARING	DISTANCE
L 1	S 89°53'42"E	189.68'
L 2	S 89°53'42"E	189.68'
L 3	N 89°54'57"E	189.64'
L 4	N 89°54'57"E	189.64'

PROPERTY SURVEY for MERVIN LING

Instrument # 474890
RUPERT, IDAHO
MINIDOKA COUNTY
2004-10-19
DESKET WEST LAND SURVEYS
DURHAM SMITH
Fee: \$3.00
Ex-Officio Recorder Deputy

DESERT WEST LAND SURVEYS

1751 OVERLAND AVE.
BURLEY, IDAHO 83318
JOB NO. 7872-8481
DRAWN BY: [Signature]
DATE: 14 SEPT. 2004
CHECKED BY: [Signature]
PHONE: 208-678-7112

GPS SURVEY

9232-25-2-1-B