

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

RECEIVED

DEC 24 2003

Department of Water Resources
Eastern 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, 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
21-12434	21-2069		21-31		
21-12435	21-2054A		21-59		
21-12436	21-2158		21-108		
	21-10011		21-114		
	21-12843		21-2017		
			21-2047		

Handwritten notes: "AJ" next to 21-12434, 21-12435, 21-12436, and 21-2017. A bracket groups 21-12435 and 21-12436 with "AJ". A bracket groups 21-108, 21-114, 21-2017, and 21-2047 with "AJ".

RECEIVED
JAN - 7 2004
Department of Water Resources

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. **\$75 -**
- 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) are 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) Roger & Sybil Ferguson dba Sheridan / Golden Eagle
4. New Owner/Claimant(s) Natural Guardian Ltd Partnership
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2880 N 55 West
- City, State and ZIP Code Idaho Falls, IDAHO 83402
- New Telephone Number () 208 - ~~552-116~~ 528-6635
5. Date you acquired the property Nov 6, 2003

SUPPORT DATA

IN FILE # 21-12435

SCANNED

APR 20 2005

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)

David L. L...
Natural Guardian, Secretary

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 12-24-03 Fee \$75-
 Received by JC Date 12-24-03 Receipt No. E029439
 Processed by AJ Date _____ WR _____ Date _____

SCANNED

WARRANTY DEED

ROGER FERGUSON and SYBIL FERGUSON, husband and wife, dba SHERIDAN/GOLDEN EAGLE RANCH a.k.a. SHERIDAN/GOLDEN EAGLE a.k.a. SHERIDAN/GOLDEN EAGLE RANCHES, as GRANTOR, for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto NATURAL GUARDIAN LIMITED PARTNERSHIP, as GRANTEE, whose address is 560 Broadway, Idaho Falls, ID 83402, and Grantee's successors and assigns, all of the following described real property, to-wit:

AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO the 2003 and subsequent years general taxes and assessments, and the reservations, easements, right of ways, and covenants, conditions and/or restrictions described in Exhibit "B" attached hereto and made a part hereof, building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: Nov 6, 03

Roger Ferguson
Roger Ferguson

Sybil Ferguson
Sybil Ferguson

STATE OF Idaho)
COUNTY OF Madison) ss

On 11-6-2003, before me, the undersigned, personally appeared
ROGER FERGUSON and SYBIL FERGUSON

known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Brenda D. Hollist
Notary Public for the State of Idaho
Commission Expiration Date: 4-21-2009

BRENDA D. HOLLIST
NOTARY PUBLIC
STATE OF IDAHO

Microfilm No. 485003
7 Day Nov 20 03
At 16:00 O'Clock P M.
ABBIE MACE
FREMONT COUNTY RECORDER
Deputy

Recorded at Request of
Bonneville Land Title
497 N Capital Blvd.
IFI 83405-1690

Microfilm No. 050282
7 Day November 20 03
At 2:56 O'Clock P M.
Connie Owen
Clark Co. Recorder
Fee \$ 24-

Deputy

Recorded at Request of
Bonneville Land Title

TRACT 1:

Township 12 North, Range 36 East of the Boise Meridian, Clark County, Idaho

Section 2: S1/2 SE1/4

Section 11: NE1/4
SE1/4 NW1/4
W1/2 SE1/4

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. That certain property conveyed to the State of Idaho for roadway purposes by those certain Deeds recorded in Book 16 at Page 67, Book 16 at Page 114, and Book 16 at Page 116 all being located in Deed Records, records of Clark County, Idaho.
- b. That certain property conveyed to the Oregon Short Line Railroad Company for railroad purposes by that certain Warranty Deed recorded on November 24, 1969 as Instrument No. 27168, records of Clark County, Idaho.

Section 14: SE1/4 SE1/4
W1/2 NE1/4
N1/2 SE1/4

AND: That portion of the SE1/4 SW1/4 lying East of the Highway

AND All those portions of the SW1/4 SE1/4 of Section 14 and of the NW1/4 NE1/4 of Section 23, of said Township and Range, being more particularly described as follows: Beginning at the Northwest Corner of the SE1/4 SE1/4 of Section 14; thence South 2626.8 feet; thence S89°54'W 405.24 feet; thence N24°W 323.40 feet; thence N17°24'W 1072.50 feet; thence N23°30'W 522.72 feet; thence N1°35'W 159.06 feet; thence N42°48'E 99 feet; thence N38°27'E 64.68 feet; thence N56°55'E 138.60 feet; thence N48°7'E 189.42 feet; thence N27°44'E 263.34 feet; thence N18°57'E 123.42 feet; thence N89°53'E 543.18 feet to the point of beginning.

BEING FORMERLY DESCRIBED AS: All those portions of the SW1/4 SE1/4 of Section 14 and of the NW1/4 NE1/4 of Section 23, of said Township and Range, being more particularly described as follows: Beginning at the Northwest Corner of the SE1/4 SE1/4 of Section 14; thence South 39.80 chains; thence S89°54'W 6.14 chains; thence N24°W 4.90 chains; thence N17°24'W 16.25 chains; thence N23°30'W 7.92 chains; thence N1°35'W 2.41 chains; thence N42°48'E 1.50 chains; thence N38°27'E .98 chains; thence N56°55'E 2.10 chains; thence N48°7'E 2.67 chains; thence N27°44'E 3.99 chains; thence N18°57'E 1.87 chains; thence N89°53'E 8.23 chains to the point of beginning.

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. That certain property conveyed to the State of Idaho for roadway purposes by those certain Deeds recorded in Book 15 at Page 466 and Book 16 at Page 116 all being located in Deed Records, records of Clark County, Idaho.
- b. That certain property conveyed to the Oregon Short Line Railroad Company for railroad purposes by that certain Warranty Deed recorded on November 24, 1969 as Instrument No. 27168 records of Clark County, Idaho.
- c. That portion of the above described property (referred to as Tax 8 in the Clark County Treasurer's Office), being located and described approximately as:

Beginning at the Northwest Corner of Lot 1, Block 2, East Side Addition of Original Townsite of Spencer, to the County of Clark, State of Idaho, as per the corrected survey of March 1957; running thence W63°S 142 feet; thence S30°E 81.5 feet; thence E60°N 88 feet; thence N24°W 58 feet to the

Section 23: NE1/4 NE1/4

AND: SW1/4 NE1/4 lying Northeasterly of the Spencer - Kilgore Road

AND That portion of the SE1/4 NE1/4 and NE1/4 SE1/4 lying North and East of the following described line: Beginning at the Northwest Corner of said SE1/4 NE1/4; thence South 941 feet to the North side of the Highway; thence S75°44'E 370 feet; thence S35°03'E 670 feet; thence S41°52'E 335 feet; thence S52°38'E to the East line of said NE1/4 SE1/4 of said Section.

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. **Beginning at a point S79°29'E 2631.7 feet and S25°33'E 984 feet from the Northwest Corner of said Section 23; running thence S25°33'E 195 feet; thence N64°27'E 120 feet; thence N25°33'W 195 feet; thence S64°27'W 120 feet to the point of beginning.**
- b. **Beginning at the most Southerly Corner of Lot 31 of the Original Townsite of Spencer, to the County of Clark, State of Idaho; thence S25°30'E along the Southerly extension of the West line of said Lot 31 a distance of 250 feet to a point; thence N64°27'E parallel with the Southerly extension line of said Lot 31 to a point on the Westerly bank of Beaver Creek; thence Northwesterly along the Westerly line of Beaver Creek to a point of intersection with the Southerly line of said Lot 31; thence S64°27'W along the Southerly line of said Lot 31 to the point of beginning.**

**Section 24: SW1/4 NW1/4
N1/2 SW1/4 lying North and East of Kilgore Road
W1/2 NE1/4 SE1/4
W1/2 SE1/4 NE1/4
S1/2 S1/2 lying North of the Spencer - Kilgore Road**

Township 12 North, Range 39 East of the Boise Meridian, Clark County, Idaho

**Section 1: Government Lots 1, 2, 3 and 4
SW1/4 NW1/4**

**Section 2: Government Lots 1 and 2
S1/2 NE1/4
SW1/4 SW1/4**

Section 3: SE1/4 SE1/4

**Section 4: Government Lots 2, 3 and 4
SW1/4 NE1/4
S1/2 NW1/4
SW1/4
W1/2 SE1/4**

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

- a. **That certain property conveyed to Clark County for roadway purposes by that certain Warranty Deed recorded as Instrument No. 46865, records of Clark County, Idaho.**

**Section 9: NE1/4
N1/2 NW1/4
SW1/4 NW1/4
SW1/4
N1/2 SE1/4
SE1/4 SE1/4**

Section 10: Government Lots 3 and 4
 NE1/4
 E1/2 NW1/4
 NE1/4 SW1/4
 SE1/4

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

- a. That certain property conveyed to Clark County for roadway purposes by that certain Warranty Deed recorded as Instrument No. 46865 records of Clark County, Idaho.

Section 11: W1/2 NW1/4

Township 13 North, Range 40 East of the Boise Meridian, Clark County, Idaho

Section 12: SE1/4
 E1/2 NE1/4 SW1/4
 SE1/4 SW1/4
 E1/2 SW1/4 SW1/4
 SW1/4 SW1/4 SW1/4

Section 13: N1/2
 SE1/4
 N1/2 SW1/4

Section 14: S1/2 NE1/4
 S1/2 N1/2 NE1/4
 N1/2 SE1/4

Section 24: Government Lots 1 and 2
 S1/2 NE1/4
 SE1/4
 SE1/4 SW1/4

Section 25: N1/2 N1/2

Section 26: N1/2 NE1/4

Township 13 North, Range 41 East of the Boise Meridian, Clark County, Idaho

Section 4: Government Lots 1, 2, 3 and 4
 S1/2 N1/2
 SE1/4

Section 5: W1/2 SW1/4

Section 7: Government Lots 3 and 4
 E1/2 SW1/4
 Those portions of Government Lot 2 and the SE1/4 NW1/4 lying South of the Kilgore Road (a.k.a. Clark A2 Road).

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

- a. That certain property conveyed to The United States Of America for roadway purposes by that certain Right of Way Deed recorded in Book 15 at Page 440 and Book 14 at Page 247 all being located in Deed Records, records of Clark County, Idaho.
- b. That certain property conveyed to Clark County for roadway purposes by that certain Warranty Deed recorded in Book 16 at Page 149 of Deed Records, records of Clark County,

Section 8: S1/2
SE1/4 NW1/4
SW1/4 NE1/4

Section 9: SW1/4

Section 16: All

Section 17: All

Section 18: All

Section 19: All

Section 20: All

Section 21: All

Section 30: Government Lots 1 and 2
E1/2 NW1/4
W1/2 NE1/4
NE1/4 NE1/4

TRACT 2:

Township 13 North, Range 41 East of the Boise meridian, Fremont County, Idaho.

Section 10: E1/2 W1/2
Government Lots 1, 2, 3 and 4

Section 15: W1/2

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

- a. Beginning at a point that is East 1220 feet of the Southwest Corner of said Section 15; running thence East 1420 feet; thence North 5380 feet; thence West 100 feet; thence South 5280 feet; thence West 1320 feet; thence South 100 feet to the point of beginning.

TOGETHER WITH all right, title and interest of Grantor in Water Right Nos. 21-12434, 21-2069, 21-2054A, 21-2158, 21-10011, 21-12843, 21-12435, 21-12436, 21-31, 21-59, 21-108, 21-116, 21-2017, 21-2047 as filed with the Idaho Department of Water Resources, but subject to the Snake River Basin Adjudication and continuation of rights in State Lease and Bureau of Land Management allotments with respect to water rights for use on such properties.

1. *Rights or claims of parties in possession not shown by the public records.*
2. *Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.*
3. *Easements, or claims of easements, not shown by the public records.*
4. *Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.*
5. *(a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.*
6. *Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.*
7. *Exceptions and Reservations contained in the Patent from the United States of America, recorded in Book 3 at Page 109; Book 2 at Page 212; Book 3 at Page 295; Book 3 at Page 545; Book 2 at Page 382; Book 2 at Page 389; Book 1 at Page 131; Book 2 at Page 400; Book 2 at Page 429; Book 1 at Page 179; Book 1 at Page 190; Book 1 at Page 198; Book 2 at Page 374; Book 2 at Page 24; Book 1 at Page 193; Book 1 at Page 163; Book 2 at Page 386; Book 1 at Page 155; Book 2 at Page 268; Book 2 at Page 141; Book 2 at Page 257 and Book 2 at Page 14 all being located in Deed Records, records of Clark County, Idaho to-wit:*
To any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States. (Clark County)
8. *Exceptions and Reservations contained in the Patent from the United States of America, recorded in Book 1 at Page 232 of Deed Records, records of Clark County, Idaho to-wit:*
To any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, however, to the United States all of the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat. 862). (Clark County)
9. *Exceptions and Reservations contained in the Patent from the United States of America, recorded in Book 1 at Page 70; Book 1 at Page 71; Book 2 at Page 331; Book 2 at Page 323; Book 1 at Page 121; Book 2 at Page 338; Book 2 at Page 365; Book 2 at Page 334; Book 1 at Page 122; Book 2 at Page 352; Book 2 at Page 335; Book 2 at Page 341; Book 1 at Page 35; Book 1 at Page 107; Book 1 at Page 94; Book 2 at Page 371 and Book 1 at Page 148 all being located in Deed Records and Instrument No. 50209, records of Clark County, Idaho to-wit:*
To any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law, and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States. (Clark County)
10. *Exceptions and Reservations contained in the Patent from the United States of America, recorded in Book 3 at Page 305 of Deed Records, records of Clark County, Idaho to-wit:*
To any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States. Also excepting from this conveyance that certain telephone line and all appurtenances thereto, constructed by the United States through, over, or upon the lands herein described, and the right of the United States, its officers, agents, or employees to maintain, operate, repair, or improve the same so long as needed or used for

or by the United States. (Clark County)

11. Reservations for rights of way over and across said selected lands for ditches or canals constructed by their authority, all as directed and required by the Act of Congress approved August 30, 1890 (26 Stat., 391) as evidenced by the Approved List of School Indemnity Lands recorded in Book 1 at Page 425, Book 2 at Page 88, and Book 1 at Page 596 all being located in Miscellaneous Records, records of Clark County, Idaho. (Clark County)
12. Reservation of mineral rights in lands sold subsequent to May 8, 1923 pursuant to the provisions of Section 47-701, Idaho Code by the State of Idaho; and Rights of Way for ditches, tunnels, telephone and transmission lines constructed by the authority of the United States pursuant to the provisions of Section 58-604, Idaho Code. State Deed recorded in Book 15 at Page 142 and Book 13 at Page 203 both being located in Deed Records, records of Clark County, Idaho. (Clark County)
13. Easements as evidenced by that certain Quitclaim Deed given by IDAHO LIVE STOCK LANDS, INC., party of the first part to UTAH POWER & LIGHT COMPANY, party of the second part, dated November 19, 1940, and recorded in Book 11 at Page 375 of Deed Records on December 3, 1940, at 3:46 p.m., records of Clark County, Idaho. (Affects Tract 1) (Clark County)
14. Transmission Line Easement given by IDAHO LIVE STOCK LANDS, INC., as Grantor(s) to IDAHO POWER COMPANY, as Grantee(s), dated September 19, 1940, and recorded in Book 3 at Page 35 of Miscellaneous Records on February 1, 1941, at 10:45 a.m., records of Clark County, Idaho. (Affects Tract 1) (Clark County)
15. Transmission Line Easement given by L.W. KIDD and ANNE KIDD, his wife, as Grantor(s) to IDAHO POWER COMPANY, as Grantee(s), dated September 30, 1940, and recorded in Book 3 at Page 36 of Miscellaneous Records on February 1, 1941, at 10:50 a.m., records of Clark County, Idaho. (Affects Tract 1) (Clark County)
16. Easements and reservations as described in that certain Grant Deed by and between IDAHO LIVE STOCK LANDS, INC., as Grantor(s) and JOHN STRINGER, as Grantee(s), dated March 24, 1944, and recorded in Book 12 at Page 297 of Deed Records, records of Clark County, Idaho. (Affects portions of Tract 1) (Clark County)
17. Easements, Conditions and Restrictions as described in that certain Right of Way Deed with DAVID V. HAGENBARTH and MARGARET HAGENBARTH, his wife, as Grantor(s) and UNITED STATES OF AMERICA, as Grantee(s), dated March 22, 1955, and recorded in Book 14 at Page 247 of Deed Records on April 1, 1955, at 2:24 p.m. and re-recorded in Book 15 at Page 440 of Deed Records on January 15, 1965, at 9:30 a.m., records of Clark County, Idaho. (Affects Tract 1) (Clark County)
 "For the right of way not being used as a through stock-driveway, but it may be used, if necessary, for trailing Forest Service permitted stock to allotments which otherwise would be isolated, and is limited to the allotments from and including Howard Creek on the east to and including East Dry Creek on the West."
18. Conditions and Restrictions for (1) No buildings or structures, except irrigation or drainage structures, will be permitted to be constructed within 20 feet of the property and (2) No billboards or other advertising signs will be permitted closer than 100 feet from the property, excepting signs pertaining to business established on lands adjacent to the property as described in that certain Warranty Deed by and between JOHN STRINGER and ELIZABETH STRINGER, his wife, parties of the first part, and the STATE OF IDAHO, party of the second part, dated October 5, 1965, and recorded in Book 16 at Page 114 of Deed Records on January 14, 1966, at 11:25 a.m., records of Clark County, Idaho. (Affects Tract 1) (Clark County)
19. Terms, conditions and covenants contained in that certain Sign Location Lease with SPENCER OPAL MINES, as Lessor(s), and EPCON SIGN CO., as Lessee(s), and recorded as Instrument No. 36174, records of Clark County, Idaho, and the effect of any failure to comply with said terms, conditions and covenants. (Affects Tract 1) (Clark County)
 Any facts, rights, interests or claims which are not shown by the public records but which would be ascertained by making inquiry of the lessors and their successors in interest, in the Sign Location Lease described above.
20. Mineral Reservations, Conditions and Restrictions for (1) Right of way for ditches, tunnels and transmission lines constructed by the authority of the United States, as granted to the United States under Section 58-605 Idaho Code 1947 and (2) Mineral rights to the State as provided by Section 47-701 Idaho Code 1947 as described in that certain Warranty Deed with MARGARET HAGENBARTH, DAVID J. HAGENBARTH and JAMES G. HAGENBARTH, as Grantor(s), and SHERIDAN GOLDEN EAGLE RANCH, as Grantee(s), dated September 22, 1986, and recorded as Instrument No. 40719 on December 5, 1986, records of Clark County, Idaho. (Affects Tract 1) (Clark County)
21. Easement as described in that certain Corporation Easement given by GOLDEN EAGLE RANCHES, as Grantor(s) to the STATE OF IDAHO, by and through the IDAHO TRANSPORTATION BOARD, for the DIVISION OF HIGHWAYS, as Grantee(s), dated September 7, 1988, and recorded as Instrument No. 42215 on December 1, 1988 at 11:29 a.m., records of Clark County, Idaho. (Affects Tract 1) (Clark County)

- 485003 030608
22. Utility Right of Way Easement given by BEVERLY W. LENT, as Grantor(s) to IDAHO 6 - CLARK LIMITED PARTNERSHIP, an Idaho Limited Partnership, as Grantee(s), dated August 1, 1994, and recorded as Instrument No. 45226 on August 2, 1994, 3:07 p.m., records of Clark County, Idaho. (Affects Tracts 1 and 2) (Clark County)
23. Road Right of Way Easement given by SHERIDAN/GOLDEN EAGLE, as Grantor(s) to IDAHO 6 - CLARK LIMITED PARTNERSHIP, as Grantee(s), dated April 1, 1997, and recorded as Instrument No. 47252 on April 22, 1997, at 11:30 a.m. and Instrument No. 47253 on April 22, 1997, at 11:31 a.m., records of Clark County, Idaho. (Affects Tract 1) (Clark County)
Terms, conditions and covenants contained in that certain Electronic Site Lease Agreement with IDAHO 6 - CLARK LIMITED PARTNERSHIP, a Colorado Limited Partnership, as Lessor(s) and COMMNET PAGING, INC., a Colorado Corporation, as Lessee(s), and recorded as Instrument No. 47463 on October 16, 1997, at 9:30 a.m., records of Clark County, Idaho, and the effect of any failure to comply with said terms, conditions and covenants. (Affects Tract 1) (Clark County)
24. Utility Right of Way Easement given by SHERIDAN/GOLDEN EAGLE RANCH a.k.a. SHERIDAN/GOLDEN EAGLE, as Grantor(s) to IDAHO 6 - CLARK LIMITED PARTNERSHIP, as Grantee(s), dated March 14, 1997, and recorded as Instrument No. 47254 on April 22, 1997, at 11:33 a.m., records of Clark County, Idaho. (Affects Tract 1) (Clark County)
25. Agreement for Electric Service by and between FALL RIVER RURAL ELECTRIC COOPERATIVE, INC., an Idaho Rural Electric Cooperative, as Seller and ROGER and SYBIL FERGUSON of SHERIDAN/GOLDEN EAGLE RANCH, as Consumer, and recorded as Instrument No. 48213 on March 2, 1999, at 1:10 p.m., records of Clark County, Idaho and Instrument No. 444323 on December 24, 1996, records of Fremont County, Idaho. (Clark County and Fremont County)
26. Electric Line Right of Way Easement given by ROGER FERGUSON and SYBIL FERGUSON, SHERIDAN/GOLDEN EAGLE RANCH, parties of the first part to FALLS RIVER RURAL ELECTRIC COOPERATIVE, INC., party of the second part, dated October 15, 1996, and recorded as Instrument No. 48214 on March 2, 1999, at 1:20 p.m., records of Clark County, Idaho and Instrument No. 444291 on December 24, 1996, records of Fremont County, Idaho. (Affects Tract 1) (Clark County and Fremont County)
27. Terms, conditions and covenants contained in that certain Unrecorded Lease with ROGER FERGUSON and SYBIL FERGUSON, as Landlord and NTCH-IDAHO, INC., an Idaho Corporation, as Tenant, as evidenced by that certain Memorandum of Lease, recorded as Instrument No. 49768 on August 8, 2002, at 11:30 a.m., records of Clark County, Idaho, and the effect of any failure to comply with said terms, conditions and covenants. (Affects Tract 1) (Clark County)
28. Water Rights Settlement and Subordination Agreement by and between JAMES F. HAGENBARTH, DAVID J HAGENBARTH and MARGARET HAGENBARTH, parties of the first part and LARRY D. SINGLETON and ROBINE SINGLETON, parties of the second part, dated September 16, 2002, and recorded as Instrument No. 49868 on September 24, 2002, at 9:40 a.m., records of Clark County, Idaho. (Affects Tract 1) (Clark County)
29. Stipulation and Subordination Agreement, Twin Falls Subcase No. 31-10245, 31-10740, dated March 2003 and recorded as Instrument No. 50002 on March 17, 2003, at 1:16 p.m., records of Clark County, Idaho. (Affects Tract 1) (Clark County)
30. Water Rights Settlement and Subordination Agreement by and between JAMES F. HAGENBARTH, DAVID J. HAGENBARTH and MARGARET HAGENBARTH, parties of the first part and MUD LAKE WATER USERS, INC., parties of the second part, and recorded as Instrument No. 50016 on April 7, 2003, at 1:20 p.m., records of Clark County, Idaho. (Affects Tract 1) (Clark County)
31. Rights of the public in and to that portion of the premises lying within 27 North, 28 North, 29 North a.k.a. Clark County Road, 30 North, 31 North, 32 North a.k.a. Old Highway 22, 33 North, 34 North, 35 North, 36 North a.k.a. Yale Road, 41 East, 42 East, 56 East, 57 East, 58 East, 59 East, 60 East, 65 East, 66 East a.k.a. 10th, 67 East, 68 East, 69 East, and Idmon Road a.k.a. Spencer Kilgore Road, along with any other County, State and/or Federal roads. (Clark County)
32. Rights off the public in and to that portion of the Fremont County Property described hereinbefore lying within any County, State and/or Federal roads. (Fremont County)

485003