

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 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
<u>36-8289</u>	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water 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)

Greenhorn Farms

Address Unknown

4. New Owner/Claimant(s)

Life Investors Insurance Company of America

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

Attn: Randy Smith

New Mailing Address

4333 Edgewood Road N.E.

City, State and ZIP Code

Cedar Rapids, IA 52499-5445

New Telephone Number

319 398-8949

5. Date you acquired the property

September 11, 2003

RECEIVED

SEP 13 2004

Department of Water Resources
 Southern 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.

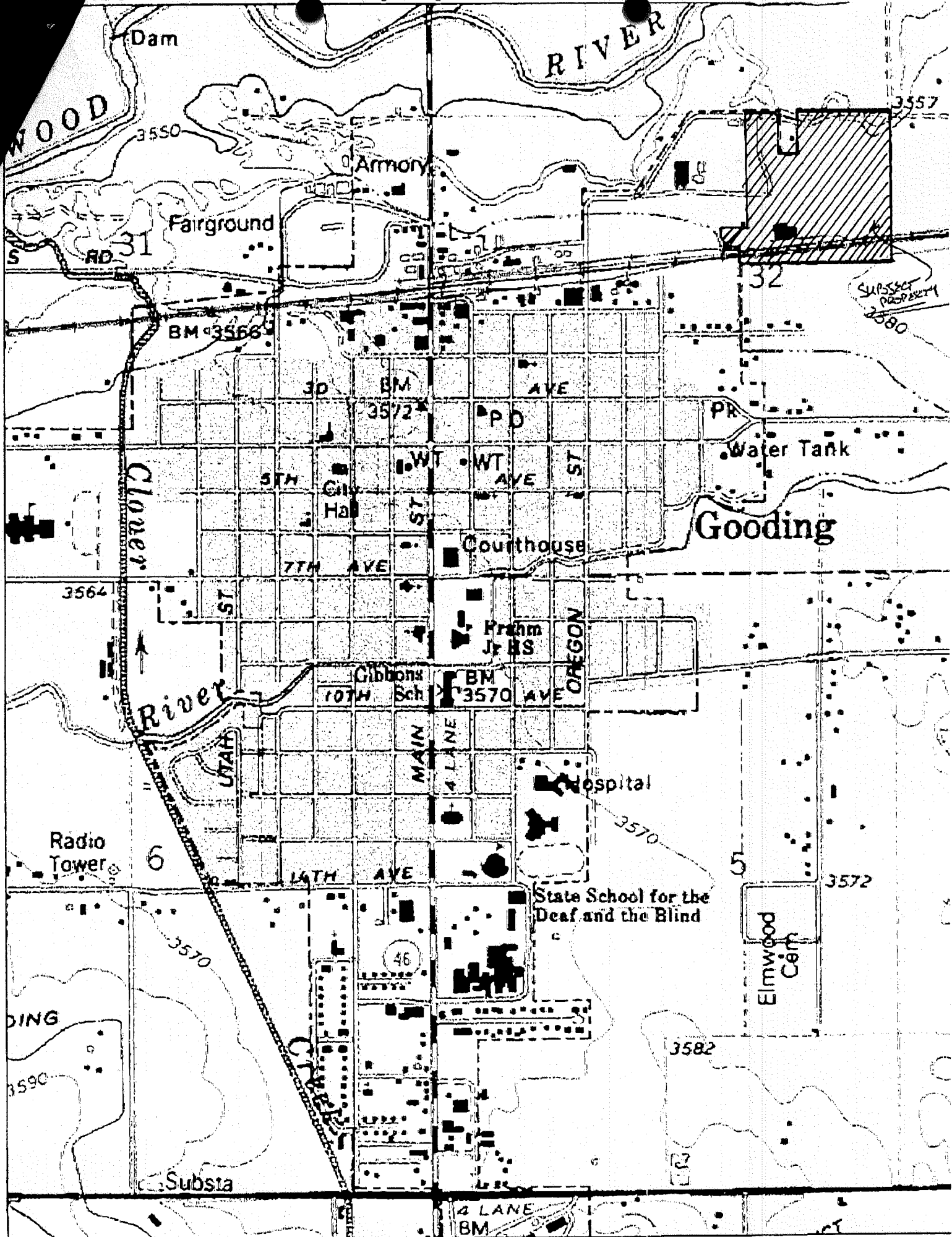
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, 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) Randall R. Smith - Portfolio Manager
(include title if applicable) Randall R. Smith

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 Hawcutt Date 9/14/04 Fee 25.00
 Receipted by Hawcutt Date 9/14/04 Receipt No. 5027037
 Processed by _____ AJ Date _____ WR _____ Date _____



Dale G. Higer (ISB# 1076)
 STOEL RIVES LLP
 101 S. Capitol Blvd., Suite 1900
 Boise, ID 83702-5958
 Telephone: (208) 389-9000
 Fax Number: (208) 389-9040

Attorneys for Defendant Life Investors Insurance Company of America

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING

G. MATTHEW THOMAS, in his capacity
 as Personal Representative of the Estate of
 DANIEL A. THOMAS,

Plaintiff,

v.

ARKOOSH PRODUCE, INC., an Idaho
 Corporation; FIRST SECURITY BANK,
 N.A., a Federally Chartered Bank in good
 standing in the State of Idaho,
 headquartered in Salt Lake City, Utah;
 LIFE INVESTORS INSURANCE
 COMPANY OF AMERICA, an Iowa
 Corporation; RAIN FOR RENT, INC., an
 Arizona Corporation, and JOHN DOES
 1-10, JANE DOES 1-10 AND
 CORPORATIONS XXX-XYZ consisting
 of All Other Persons and Entitles
 Claiming any Right, Title or Interest in or
 To the Real Property which is the subject
 Of this Action,

Defendants.

Case No. CV 99-00165

SHERIFF'S DEED

ARKOOSH PRODUCE, INC., an Idaho
Corporation,

Counterclaimant,

v.

G. MATTHEW THOMAS, individually and
In his capacity as Personal Representative of
The Estate of DANIEL A. THOMAS,

Counterdefendant,

and ESTATE OF DANIEL A. THOMAS,
deceased,

Additional Counterdefendant.

Under and by virtue of a Writ of Execution and Order of Sale both issued in the above entitled action on October 21, 2002, and directed to me, Shaun Gough, the Sheriff of Gooding County, Idaho, the Court ordered that real and personal property described in the Order of Sale, including the property described in Exhibit "A" attached hereto and made a part hereof, hereinafter referred to as "Property," be sold at public auction to the highest bidder for cash; and that such sale be conducted and notice given in the same manner as that required for the sale of real property upon execution.

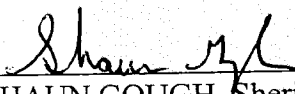
On December 23, 2002, I sold at public auction, in one lot or parcel, in front of the Courthouse in the County of Gooding, Idaho, after having first given notice of the time and place of the sale by advertising such sale as prescribed by law, at such sale, the Property to Life Investors Insurance Company of America, successor to Plaintiff herein, for a total credit bid of Three Hundred Fifty Thousand Dollars and no/100 Dollars (\$350,000.00), such sum being the highest amount bid for the Property and which was the whole price paid by Life Investors Insurance Company of America for the right, claim and interest of the within named Defendants, as aforesaid, in and to the real estate particularly described in Exhibit "A" attached hereto and made a party hereof.

THEREFORE, in consideration of the payment by the Plaintiff of the sum \$350,000.00, as prescribed by the orders of the above-entitled Court, I, Shaun Gough, Sheriff of the County of Gooding, Idaho, have granted, bargained, sold and conveyed, and by these presents grant, bargain, sell and convey unto Life Investors Insurance Company of America, and to its successors and assigns forever, the Property described in Exhibit "A".

TOGETHER WITH all and singular the tenements, hereditaments, appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the premises above-mentioned and described and hereby convey, or intended so to be, together with the appurtenances, to Life Investors Insurance Company of America, its successors and assigns forever.

IN WITNESS WHEREOF, Shaun Gough, as Sheriff of Gooding County, Idaho, hereunto sets his hand this 6th day of January, 2007.

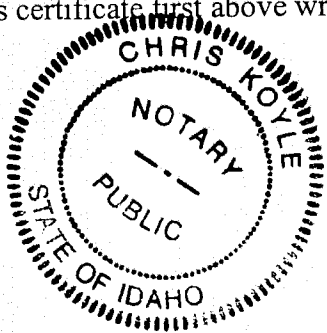


SHAUN GOUGH, Sheriff
Gooding County, Idaho

STATE OF IDAHO)
) ss.
County of Gooding)

On this 6th day of January, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared SHAUN GOUGH, known or identified to me to be the ~~Deputy~~ Sheriff of Gooding County, State of Idaho that executed said instrument, and acknowledged to me that such ~~Deputy~~ Sheriff of Gooding County, State of Idaho executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Chris Koyle

Notary Public for Idaho

Residing at: Boise

My commission expires: 03.11.05

EXHIBIT A

IN THE COUNTY OF GOODING, STATE OF IDAHO:
TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 32: SW $\frac{1}{4}$ NE $\frac{1}{4}$;

EXCEPTING THEREFROM the following described parcel
of land:

Beginning at the North quarter corner of said
Section 32;
Thence South 0°05'30" East along the North and
South half section line, 1327.15 feet to the
Northwest corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 89°50'35" East along the North bound-
ary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, 353.12 feet to THE TRUE
POINT OF BEGINNING;
Thence continuing South 89°50'35" East along said
North boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 160.00 feet;
Thence South 0°05'30" East, 373.85 feet;
Thence North 89°50'35" West, 160.00 feet;
Thence North 0°05'30" West, 373.85 feet to THE TRUE
POINT OF BEGINNING.

AND EXCEPTING THEREFROM that portion deeded to the
Gooding Highway District by Right of Way Deed dated
November 13, 1915, recorded November 30, 1915 in
Book 1 of Deeds Page 525 as Instrument Number 5710,
Gooding County records.

AND EXCEPTING THEREFROM the Union Pacific Railroad
right of way.

AND EXCEPTING THEREFROM THE PROPERTY DESCRIBED IN EXHIBIT B
ATTACHED HERETO.

EXHIBIT B

PARCEL 1:

A parcel of land located in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, of Section 32, Township 5 South, Range 15 East, Boise Meridian, Gooding County, Idaho more particularly described as follows:

Beginning at the NW corner of the NE $\frac{1}{4}$ of said Section 32;
Thence South 0°05'30" East a distance of 1908.81 feet along the Westerly boundary of said NE $\frac{1}{4}$ to THE TRUE POINT OF BEGINNING;
Thence North 87°58'28" East a distance of 729.17 feet;
Thence South 5°48'39" East a distance of 504.55 feet to the Northerly boundary of the Union Pacific Railroad right-of-way;
Thence South 84°42'40" West a distance of 782.25 feet along said Northerly right-of-way boundary to the Westerly boundary of said NE $\frac{1}{4}$;
Thence South 84°42'40" West a distance of 140.50 feet continuing along said Northerly right-of-way boundary to the center of a canal lateral;
Thence leaving said railroad right-of-way North 29°41'11" West a distance of 91.43 feet along the center of said canal lateral;
Thence North 19°03'53" West a distance of 45.82 feet along the center of said canal lateral;
Thence North 0°05'51" West a distance of 176.89 feet leaving the center of said canal lateral;
Thence North 89°54'30" East a distance of 199.98 feet to the Easterly boundary of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the Westerly boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence North 0°05'32" West a distance of 261.30 feet along the Easterly boundary of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ to THE TRUE POINT OF BEGINNING.

PARCEL 2:

An easement for the purpose of ingress and egress, as created by an Easement for Ingress and Egress and Utilities from Arkoosh Produce, Inc., as grantor, to Arkoosh Produce, Inc. and Life Investors Insurance Company of America, as grantees dated February 25, 1999 and recorded February 26, 1999 as Instrument No. 179332, records of Gooding County, Idaho, over the following tract:

A strip of land 50.00 feet in width and located in the Southwest quarter of the Northeast quarter of Section 32 Township 5 South, Range 15 East, Boise Meridian, Gooding County, Idaho, more particularly described as follows:

PARCEL 2 (Con't.):

Beginning at the Northwest corner of said NE $\frac{1}{4}$ Section 32; thence South 0°05'30" East a distance of 1327.15 feet to the Northwest corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence South 0°05'30" East a distance of 34.21 feet along the Westerly boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the Southerly right-of-way boundary of a county road and the true point of beginning; thence South 0°05'30" East a distance of 547.45 feet to the Northwest corner of the Arkoosh Produce Company property described in Parcel 1; thence North 87°58'28" East a distance of 50.03 feet along the Northerly boundary of said Arkoosh Produce Company property; thence North 0°05'30" West a distance of 545.16 feet parallel with the Westerly boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the Southerly boundary of said county road right-of-way; thence North 89°24'07" West a distance of 50.00 feet along the Southerly boundary of said county road right-of-way to the true point of beginning.

PARCEL 3:

An easement for the purpose of installing, maintaining, replacing and repairing electric, telephone, sewer, gas, water and other utility lines, as created by an Easement for Ingress and Egress and Utilities from Arkoosh Produce, Inc., as grantor, to Arkoosh Produce, Inc., and Life Investors Insurance Company of America, as grantees, dated February 26, 1999 and recorded February 26, 1999 as Instrument No. 179332, records of Gooding County, Idaho, over the following land:

Section 32: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Township 5 South, Range 15 East, Boise Meridian, Gooding County

EXCEPT the following described tracts:

- a. Beginning at the North quarter corner of said Section 32; thence South 0°05'30" East, along the North and South half section line, 1327.15 feet to the Northwest corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence South 89°50'35" East, along the North boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, 353.12 feet to THE TRUE POINT OF BEGINNING: thence continuing South 89°50'35" East, along said North boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 160.00 feet; thence South 0°05'30" East, 373.85 feet; thence North 89°50'35" West, 160.00 feet; thence North 0°05'30" West, 373.85 feet to THE TRUE POINT OF BEGINNING.
- b. Right of Way Deed, dated November 13, 1915, between Thomas H. Gooding and Nancy J. Gooding, husband and wife, to Gooding Highway District of Gooding County, recorded November 30, 1915, in Book 1 of Deeds, Page 525.
- c. Union Pacific Railroad right-of-way.

Deed to Bldg. + 14 Acres

Instrument # 202660

GOODING, GOODING, IDAHO

2003-09-15

09:08:51 No. of Pages: 6

Recorded for : GOODING COUNTY SHERIFF

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: 18.00

Dale G. Higer (ISB# 1076)
STOEL RIVES LLP
101 S. Capitol Blvd., Suite 1900
Boise, ID 83702-5958
Telephone: (208) 389-9000
Fax Number: (208) 389-9040

Attorneys for Defendant Life Investors Insurance Company of America

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING

G. MATTHEW THOMAS, in his capacity
as Personal Representative of the Estate of
DANIEL A. THOMAS,

Plaintiff,

v.

ARKOOSH PRODUCE, INC., an Idaho
Corporation; FIRST SECURITY BANK,
N.A., a Federally Chartered Bank in good
standing in the State of Idaho,
headquartered in Salt Lake City, Utah;
LIFE INVESTORS INSURANCE
COMPANY OF AMERICA, an Iowa
Corporation; RAIN FOR RENT, INC., an
Arizona Corporation, and JOHN DOES
1-10, JANE DOES 1-10 AND
CORPORATIONS XXX-XYZ consisting
of All Other Persons and Entitles
Claiming any Right, Title or Interest in or
To the Real Property which is the subject
Of this Action,

Defendants.

Case No. CV 99-00165

SHERIFF'S DEED

ARKOOSH PRODUCE, INC., an Idaho	)
Corporation,	)
	)
Counterclaimant,	)
	)
v.	)
	)
G. MATTHEW THOMAS, individually and	)
In his capacity as Personal Representative of	)
The Estate of DANIEL A. THOMAS,	)
	)
Counterdefendant,	)
	)
and ESTATE OF DANIEL A. THOMAS,	)
deceased,	)
	)
Additional Counterdefendant.	)
	)

Under and by virtue of a Writ of Execution and Order of Sale both issued in the above entitled action on October 21, 2002, and directed to me, Shaun Gough, the Sheriff of Gooding County, Idaho, the Court ordered that real and personal property described in the Order of Sale, including the property described in Exhibit "A" attached hereto and made a part hereof, hereinafter referred to as "Property," be sold at public auction to the highest bidder for cash; and that such sale be conducted and notice given in the same manner as that required for the sale of real property upon execution.

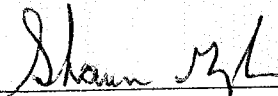
On December 23, 2002, I sold at public auction, in one lot or parcel, in front of the Courthouse in the County of Gooding, Idaho, after having first given notice of the time and place of the sale by advertising such sale as prescribed by law, at such sale, the Property to Life Investors Insurance Company of America, successor to Plaintiff herein, for a total credit bid of One Million One Hundred Thousand and no/100 Dollars (\$1,100,000.00), such sum being the highest amount bid for the Property and which was the whole price paid by Life Investors Insurance Company of America for the right, claim and interest of the within named Defendants, as aforesaid, in and to the real estate particularly described in Exhibit "A" attached hereto and made a party hereof.

THEREFORE, in consideration of the payment by the Plaintiff of the sum \$1,100,000.00, as prescribed by the orders of the above-entitled Court, I, Shaun Gough, Sheriff of the County of Gooding, Idaho, have granted, bargained, sold and conveyed, and by these presents grant, bargain, sell and convey unto Life Investors Insurance Company of America, and to its successors and assigns forever, the Property described in Exhibit "A".

TOGETHER WITH all and singular the tenements, hereditaments, appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the premises above-mentioned and described and hereby convey, or intended so to be, together with the appurtenances, to Life Investors Insurance Company of America, its successors and assigns forever.

IN WITNESS WHEREOF, Shaun Gough, as Sheriff of Gooding County, Idaho, hereunto sets his hand this 11th day of September, 2003.

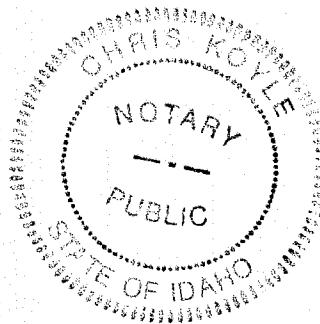


SHAUN GOUGH, Sheriff
Gooding County, Idaho

STATE OF IDAHO)
) ss.
County of Gooding)

On this 11th day of September, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared SHAUN GOUGH, known or identified to me to be the Deputy Sheriff of Gooding County, State of Idaho that executed said instrument, and acknowledged to me that such Deputy Sheriff of Gooding County, State of Idaho executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Chris Koyle
Notary Public for Idaho
Residing at: Gooding
My commission expires: 03.11.05

EXHIBIT A

PARCEL 1:

A parcel of land located in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, of Section 32, Township 5 South, Range 15 East, Boise Meridian, Gooding County, Idaho more particularly described as follows:

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- c. Union Pacific Railroad right-of-way.