IDAHO DEPARTMENT OF WATER RESOURCES **4/12/2023**

Proof Report

Water Right 17-7035 After Split

Owner Type	**Name and Address**
Current Owner	JUNIPER DRY FARM LLC 2450 S JUNIPER RD MALTA, ID 83342-8758 (208) 670-5316

Priority Date: 10/3/1974
Basis: License
Status: Active

Source			**Tributary**	
GROUND WATER				
Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	4/01	11/01	4.180 CFS	1,741.7 AF
		Total Diversion	4.180 CFS	1,741.7 AF

Source and Point(s) of Diversion:

GROUND WATER NWNW Sec. 5, Twp 15S, Rge 30E, ONEIDA County

Place Of Use:

IRRIGATION within ONEIDA County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14S	30E	31		5.5	26.0		31.0	17.0 L1	0.2 L2	18.0	0.2				27.0	14.0	7.6		146.5
14S	30E	32										4.5	32.0						36.5
15S	30E	5		1.8 L6	21.0 L11		11.0 L7	2.2 L8	15.0 L9	40.0 L10	27.0 L15	6.0 L16				8.5 L14			132.5

POU Total Acres: 315.5

Conditions of Approval:

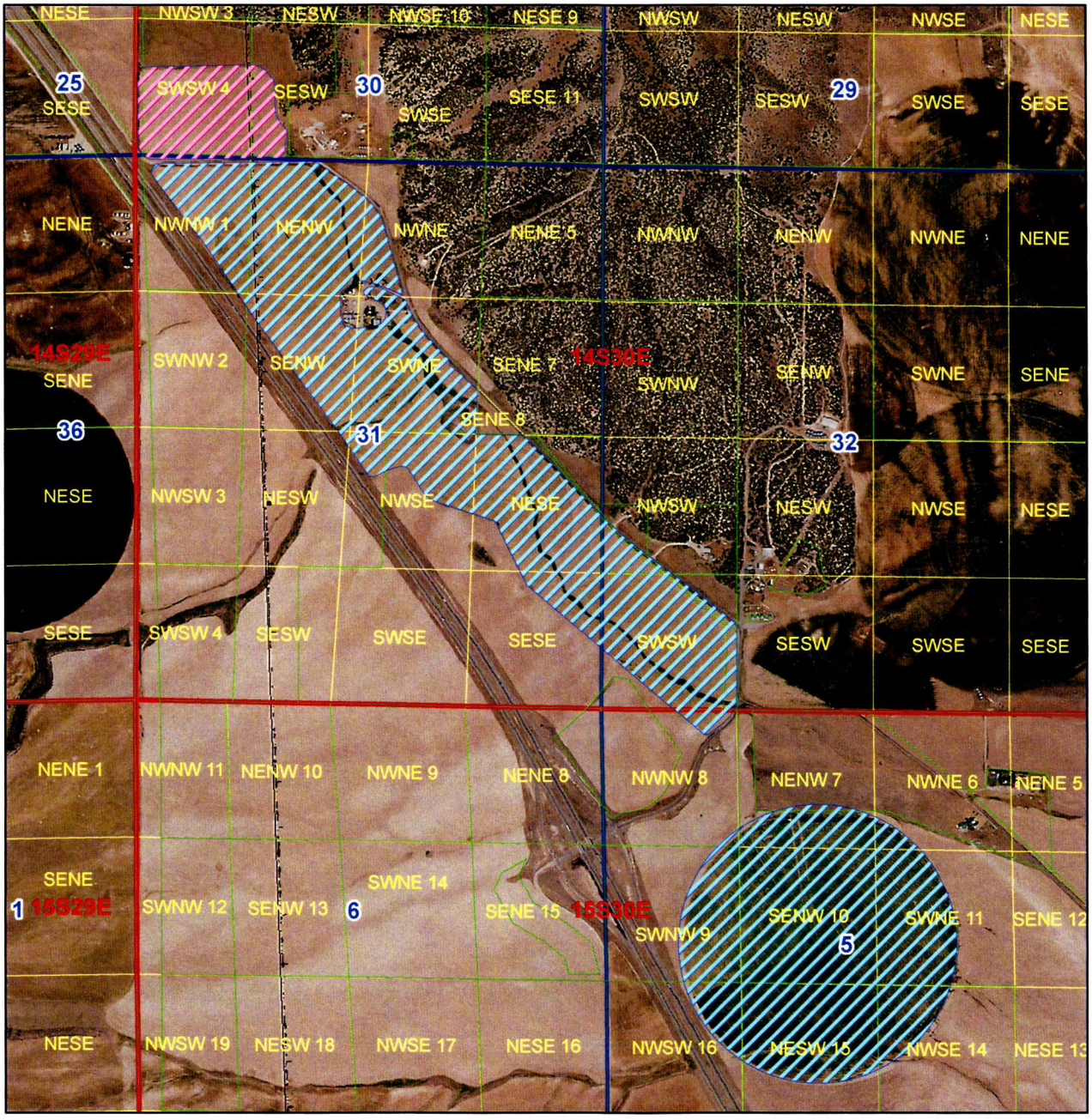
1.	X35	Rights 17-7035 and 17-7122 when combined shall not exceed a total annual maximum diversion volume of 1103.8 af at the field headgate, and the irrigation of 315.5 acres.
2.	01M	After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Comments:

6 jbaily 4/12/2023 Ownership Change
Water right 17-7035 was split into 17-7035 and 17-7193.

SCANNED
APR 18 2023

Idaho Department of Water Resources



Legend

- 17-7193, 17-7194 POU
- 17-7035, 17-7122 POU AfterSplit
- Parcels
- Township/Range
- Sections
- QQ

IDAHO DEPARTMENT OF WATER RESOURCES **4/6/2023**

Proof Report

Water Right 17-7035 Before Split

Owner Type	**Name and Address**
Current Owner	RUSHTON FAMILY PARTNERSHIP C/O CRAIG RUSHTON 1519 SPRING CANYON RD TOOELE, UT 84074-3341 (801) 556-2793

Priority Date: 10/3/1974
Basis: License
Status: Active

Source	**Tributary**
GROUND WATER	

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	4/01	11/01	4.540 CFS	1,893.5 AF
	Total Diversion		4.540 CFS	1,893.5 AF

Source and Point(s) of Diversion:

GROUND WATER	NWNW	Sec. 5, Twp 15S, Rge 30E, ONEIDA County

Place Of Use:
IRRIGATION within ONEIDA County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14S	30E	30											22.0 L4	5.5					27.5
14S	30E	31		5.5	26.0		31.0	17.0 L1	0.2 L2	18.0	0.2				27.0	14.0	7.6		146.5
14S	30E	32										4.5	32.0						36.5
15S	30E	5		1.8 L6	21.0 L11		11.0 L7	2.2 L8	15.0 L9	40.0 L10	27.0 L15	6.0 L16				8.5 L14			132.5

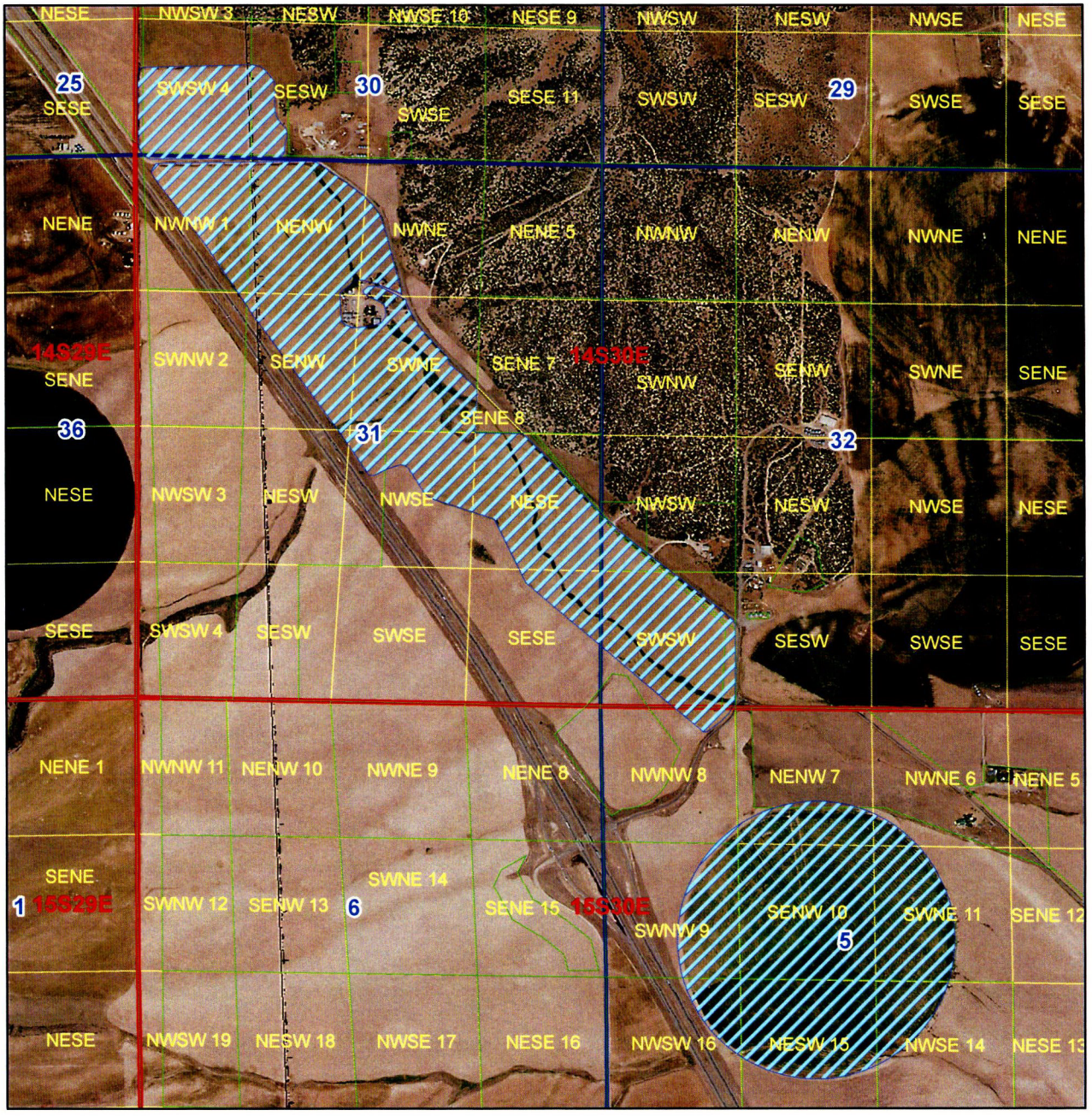
POU Total Acres: 343.0

Conditions of Approval:

1.	X35	Rights 17-7035 and 17-7122 when combined shall not exceed a total annual maximum diversion volume of 1,200 af at the field headgate, and the irrigation of 343 acres.
2.	01M	After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED
APR 13 2023

Idaho Department of Water Resources



Legend

- 17-7035 and 17-7122 Before Split
- Parcels
- Township/Range
- Sections
- QQ

Form 42-248/42-1409(6) Rev. 7/21

RECEIVED

MAR 29 2023

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. If the water right is leased to the Water Supply Bank, check "*Yes*". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
17-7035	Yes ☒	Yes ☐		Yes ☐	Yes ☐
17-7122	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Rushton Family Partnership / Rushton Family Company, LLC / Craig D Rushton Rev. Trust
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Juniper Dry Farm, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

2450 S. Juniper Rd
Mailing address

Malta
City

ID
State

83342
Zip

208-670-5316
Telephone

bjc@atcnet.net
Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
   - ☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
   - ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 3/22/2023.

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
   - If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
   - ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
   - ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
   - ☒ Filing fee (see instructions for further explanation):
     - $25 per *undivided* water right.
     - $100 per *split* water right.
     - No fee is required for pending adjudication claims.

SUPPORT DATA
IN FILE # 17-7035

   - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
   - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Bryce P Campbell — Signature of new owner/claimant
Manager — Title, if applicable
3/27/2023 — Date
Bryce P. Campbell — Print name

Signature: John O. Campbell — Signature of new owner/claimant
Manager — Title, if applicable
3/27/2023 — Date
John O. Campbell — Print name

For IDWR Office Use Only:

Receipted by JB Date 3/29/2023 Receipt No. E049017 Receipt Amt. $200.-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by JB Processed by JB Date 4/12/2023

APR 13 2023

Form 42-248/42-1409(6) Rev. 7/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. If the water right is leased to the Water Supply Bank, check "*Yes*". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
17-7035	Yes ☒	Yes ☐		Yes ☐	Yes ☐
17-7122	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Rushton Family Partnership/Rushton Family Company LLC/Craig D. Rushton Rev. Trust
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Bryce P. Campbell and Jodi Campbell
   New owner(s) as listed on the conveyance document Name connector ☒ **and** ☐ **or**

   2450 S. Juniper RD. | Malta | ID | 83342
   Mailing address | City | State | Zip

   208-670-5316 | bjc@atcnet.net
   Telephone | Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
   - ☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
   - ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 3/22/2023.

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
   - If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
   - ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
   - ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
   - ☒ Filing fee (see instructions for further explanation):
     - $25 per *undivided* water right.
     - $100 per *split* water right.
     - No fee is required for pending adjudication claims.
   - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
   - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Bryce P. Campbell — Signature of new owner/claimant | Title, if applicable | 3/27/2023 — Date
   Bryce P. Campbell — Print name

   Signature: Jodi Campbell — Signature of new owner/claimant | Title, if applicable | 3/27/2023 — Date
   Jodi Campbell — Print name

For IDWR Office Use Only:

Receipted by_____ Date_____ Receipt No._____ Receipt Amt. _____

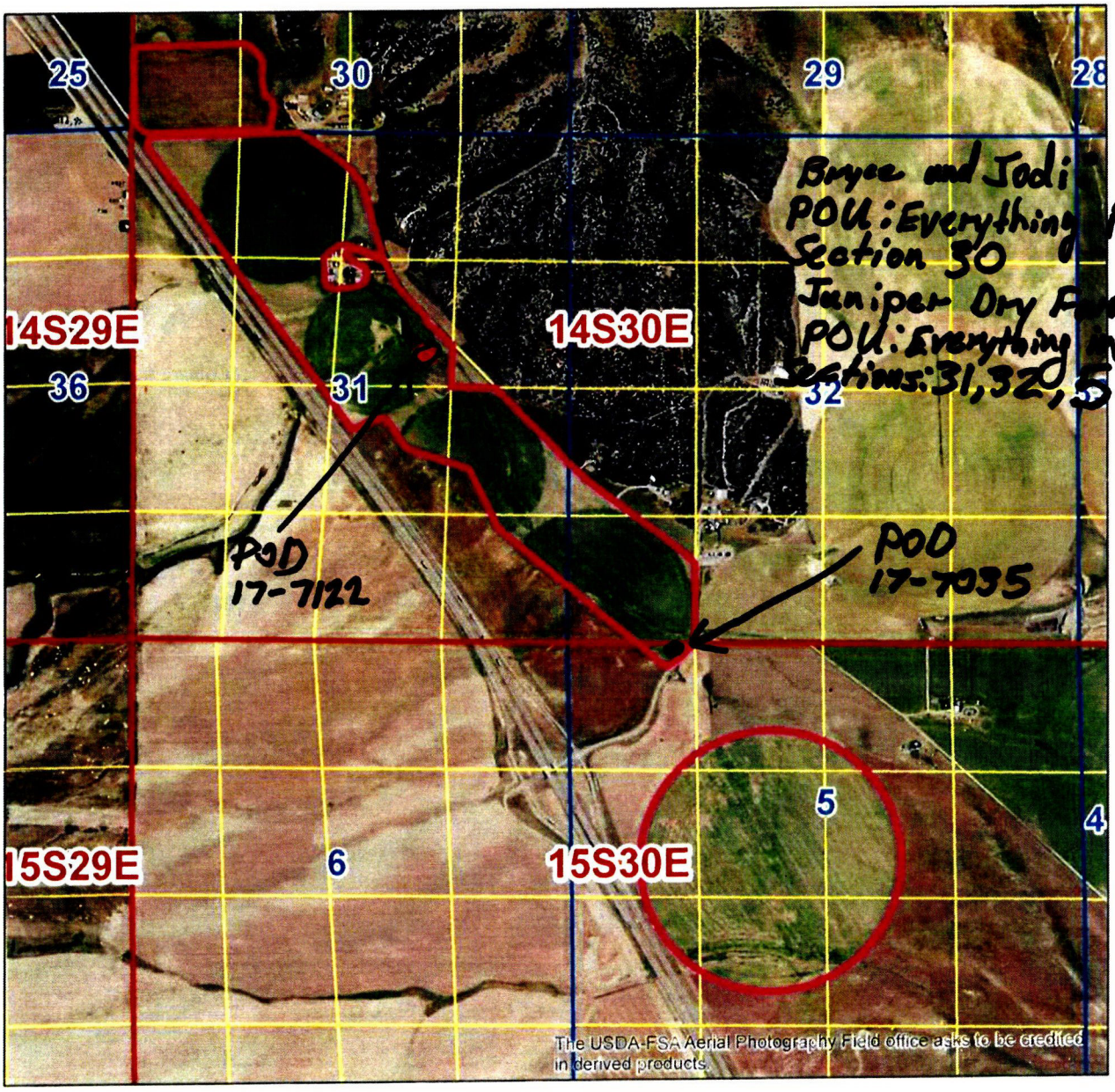
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9_____ Approved by_____ Processed by_____ Date _____

APR 13 2023

Attachment to Transfer Approval 86000

This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 750 1,500 3,000 Feet

N
W E
S

POD's are labeled.
POU for two water rights is the entire area outlined in Pink

Date: 9/29/2022

164502

Microfilm No. 164502
23 Day Mar 20 23
At 11 55 O'clock AM
Oneida Co. Recorder
Fee $ 15.00 Deputy
Recorded at Request of
Northern Title Company- Malad

NTO-123924
Bryce P. Campbell
2450 South Juniper
Malta, ID 83342

WARRANTY DEED

Rushton Family Company, LLC, a Limited Liability Company of the State of Utah,

Grantor(s) of Tooele, County of Tooele, State of Utah, hereby ***CONVEY AND WARRANT*** to

Bryce P. Campbell and Jodi Campbell, husband and wife as community property with rights of survivorship

Grantee(s) of Malta, County of Cassia, State of Idaho, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Oneida County, State of ID:

See Exhibit "A" attached and made a part hereto

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

Witness, the hand(s) of said Grantor(s), this 22 day of March, 2023.

SCANNED
APR 13 2023

Rushton Family Company, LLC, a
Utah Limited Liability Company of the State of Utah

By: Lynda R Ahlquist
Lynda R. Ahlquist, Manager/Member

By: Craig D Rushton
Craig D. Rushton, Manager/Member

Lynda J. Rushton
Lynda J. Rushton

State of ~~Idaho~~ Utah
County of ~~Oneida~~ Tooele }§

On this 22 day of March, 2023, personally appeared before me, a Notary Public, **Lynda R. Ahlquist and Craig D. Rushton**, who, being by me duly sworn, did say that he/she is the **Manager/Member** of Rushton Family Company, LLC, a Limited Liability Company of the State of Utah and that 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(s) acknowledged to me that said Company executed the same.

Karalinn Kasmer
Notary Public



SCANNED
APR 13 2023

EXHIBIT A

Township 14 South, Range 30 East, Boise Meridian, Oneida County, Idaho
Section 19: Lot 4; SE1/4SW1/4 (RP0099400)
Section 30: Lots 1, 2, 3, 4; E1/2NW1/4; NE1/4SW1/4; SE1/4SW1/4
(RP0099900)

EXCEPTING THEREFROM:
1. (T-3475) Commencing at a point 14 rods West of the Southeast Corner of Section 4, Township 15 South, Range 30 East, Boise Meridian, Oneida County, Idaho thence running West 14 rods; thence North 57 1/7 rods; thence East 14 rods; thence South 57 1/7 rods to the point of beginning.

EXCEPTING THEREFROM:
2. (T-3547) Commencing at the Southwest Corner of Lot 11 of said Section 30 said point is 88°36'22' West 1140.81 feet along the section line from the Southeast Corner of Section 30; thence running North 0°15'46" East 1316.15 feet; thence North 88°33'07" West 1441.79 feet; thence South 0°13'16" West 409 feet to the point of beginning; thence running South 0°13'16" West 300 feet; thence running South 88°36'22" East 250 feet; thence North 0°13'16" East 300 feet; thence North 88°36'22" West 250 feet to the point of beginning.

Also, all water rights and appurtenances, hereditaments or improvements pertaining to all of the above described real property.

SCANNED
APR 13 2023

(2)

164500

Microfilm No. 164500
23 Day Mar 20 23
At 11 35 O'clock AM
Oneida Co. Recorder
Fee $ 15.00 Deputy
Recorded at Request of
Northern Title Company- Malad

NTO-123926
Juniper Dry Farm, LLC, a limited liability company
2450 South Juniper
Malta, ID 83342

WARRANTY DEED

Rushton Family Company, LLC, a Utah Limited Liability Company of the State of Utah,

Grantor(s) of Tooele, County of Tooele, State of Utah, hereby ***CONVEY AND WARRANT*** to

Juniper Dry Farm, LLC, a limited liability company,

Grantee(s) of Malta, County of Cassia, State of Idaho, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Oneida County, State of ID:

See Exhibit "A" attached and made a part hereto

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

Witness, the hand(s) of said Grantor(s), this 22 day of March, 2023.

SCANNED
APR 13 2023

164500

Rushton Family Company, LLC,
a Utah Limited Liability Company of the State of Utah

By: Lynda R. Ahlquist
Lynda R. Ahlquist, Manager/Member

By: Craig D. Rushton
Craig D. Rushton, Manager/Member

Lynda J Reeshton
Lynda J Rushton

State of Utah }
County of Tooele }§

On 22 day of March, 2023, personally appeared before me, a Notary Public, **Lynda R. Ahlquist and Craig D. Rushton**, who, being by me duly sworn, did say that he/she is the **Manager/Member's** of **Rushton Family Company, LLC, a Utah Limited Liability Company of the State of Utah** and that 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(s) acknowledged to me that said Company executed the same.

Karalinn Kasmer
Notary Public

KARALINN KASMER
Notary Public
State Of Utah
My Commission Expires 05-16-2026
COMMISSION NO. 724751

SCANNED
APR 18 2023

EXHIBIT A

Township 14 South, Range 30 East, Boise Meridian, Oneida County, Idaho
Section 32: SW1/4SW1/4 (RP0100200)

Excepting therefrom: the following described parcels:
(1) T-3426 Commencing at a point 290.58 feet South and 425.36 feet West of the Northeast Corner of Section 6, Township 15 South, Range 30 East Boise Meridian, Oneida County, Idaho on the Right of Way Line, Interstate 85 North; thence North 41°40'26" East a distance of 812.83 feet; thence South 81°54'16" East a distance of 148.13 feet; thence South 38°18'52" East a distance of 1028.11 feet; thence South 27°31'06" West a distance of 171.50 feet to a point on the Highway Right of Way line of the above mentioned Interstate Highway 85 North; thence along said Right of Way on a curve having a Radius of 369.26 feet a distance of 399.58 feet in a Southwesterly direction; thence South 72°49'14" West a distance of 236.76 feet; thence South 77°25'19" West a distance of 111.13 feet; thence South 60°44'14" West a distance of 100.00 feet; thence North 35°29'34" West a distance of 981.17 feet to the point of beginning.

(2) T-3473 A part of the SW1/4 of Section 32, Township 14 South, Range 30 East, Boise Meridian, Oneida County, Idaho
Beginning at a point in an existing road which is South 0°25'08" West 1312.95 feet along the section line and South 88°52'12" East 747.12 feet from the West Quarter corner of said Section 32; running thence South 88°52'12" East 577.86 feet; thence South 0°25'08" West 395.96 feet to the center of said road; thence North 54°57' West 709.26 feet to the point of beginning.

ALSO INCLUDING: T-3474
A part of the SW1/4 of Section 32, Township 14 South, Range 30 East, Boise Meridian, U.S. Survey; Beginning at a point in an existing road which is South 0°25'08" West 741.62 feet along the section line from the West Quarter section of said Section 32; running thence South 43°18' East 263.28 feet along said center line; thence South 54°57' East 686.79 feet along said center line; thence North 88°52'20" West 747.12 feet to the section line; thence North 0°25'8" West 571.33 feet to the point of beginning. (RP0100200)

Township 15 South, Range 30 East, Boise Meridian, Oneida County, Idaho
Section 7: Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 (RP0102500)
Section 18: Lot 5, 6, 7,8, 12 (RP0103100)

ALSO; T-3426
Commencing at a point 290.58 feet South and 425.36 feet West of the Northeast Corner of Section 6, Township 15 South, Range 30 East of the Boise Meridian, Oneida County, Idaho on the Right of Way Line, Interstate 85 North; thence North 41°40'26" East a distance of 812.83 feet; thence South 81°54'16" East a distance of 148.13 feet; thence South 38°18'52" East a distance of 1028.11 feet; thence South 27°31'06" West a distance of 171.50 feet to a point on the Highway Right of way line of the above mentioned Interstate Highway 85 North; thence along said Right of Way on a curve having a Radius of 369.26 feet a distance of 399.58 feet in a Southwesterly direction; thence South 72°49'14" West a distance of 236.76 feet; thence South 77°25'19" West a distance of 111.13 feet; thence South 60°44'14" West a distance of 100.00 feet; thence North 35°29'34" West a distance of 981.17 feet to the point of beginning. (RP0100100; RP0100500; RP0102400; RP0102100)

Township 15 South, Range 30 East, Boise Meridian, Oneida County, Idaho
Section5: Lot 9, 14, 15, 16, 17, 18, 19; Lot 8 (RP0102000)

EXCEPTING THERFROM: (T-3426)
Commencing at a point 290.58 feet South and 425.36 feet West of the Northeast Corner Section 6, Township 15 South, Range 30 East Boise Meridian on the Right of Way Line, Interstate 85 North; thence North 41°40'26" East a distance of 812.83 feet; thence South 81°54'16" East a distance of 148.13 feet; thence South 38°18;52" East a distance of 1028.11 feet; thence South 27°31'06" West a distance of 171.50 feet to a point on the

SCANNED
APR 13 2023

Highway Right of Way line of the above mentioned Interstate Highway 85 North; thence along said Right of Way on a curve having a Radius of 369.26 feet a distance of 399.58 feet in a Southwesterly direction; thence South 72°49'14" West a distance of 236.76 feet; thence South 77°25'19" West a distance of 111.13 feet; thence South 60°44'14" West a distance of 100.00 feet; thence North 35°29'34" West a distance of 981.17 feet to the point of beginning.

ALSO:
Part of Section 4 and Section 5 of Township 15 South, Range 30 East of the Boise Meridian, Oneida County, State of Idaho:
Beginning at the Northwest corner of the NE1/4NW1/4 of Section 5, Township 15 South, Range 30 East, Boise Meridian, said corner marked by a 5/8" rebar which shall be the point of beginning; thence South 88°39'00" East along the North line of Section 5 for a distance of 146.31 feet to a 1/2" rebar; thence South 00°06'38" East for a distance of 952.28 feet to a 1/2" rebar; thence South 88°39'00" East for a distance of 1174.63 feet to a 1/2" rebar; thence South 69°27'53" East for a distance of 1068.94 feet to a 1/2" rebar; thence South 69°27'53" East for a distance of 637.77 feet to a 1/2" rebar on the West right of way of a County Road; thence South 46°35'59" East along the West right of way of said County Road for a distance of 1692.61 feet to a point on the North line of the NW1/4SW1/4 of Section 4; thence South 88°58'46" East along the North line of the NW1/4SW1/4 for a distance of 38.47 feet to a 1/2" rebar on the centerline of a County Road; thence South 46°46'01" East along said County Road centerline for a distance of 1523.00 feet to a 1/2" rebar on the East line of the W1/2SW/4; thence South 00°00'55" West along the East line of the W1/2SW1/4 for a distance of 1610.79 feet to a U.S. BLM pipe with cap at the Southeast corner of the SW1/4SW1/4; thence North 89°01'49" West along the South line of the SW1/4SW1/4 for a distance of 1322.70 feet to a U.S. GLO iron pipe with brass cap at the Southwest corner of Section 4; thence North 88°37'06" West along the South line of Section 5 for a distance of 1319.19 feet to a 1/2" rebar at the Southwest corner of the SE1/4SE1/4; thence North 00°13'20" West along the West line of the E1/2SE1/4 for a distance of 2639.89 feet to a 1/2" rebar at the Northwest corner of the E1/2SE1/4; thence North 88°24'56" West along the South line of the N1/2 of Section 5 for a distance of 2642.49 feet to a 1/2" rebar at the Southwest corner of the SE1/4 NW1/4; thence North 00°06'38" West along the West line of the E1/2NW1/4 of Section 5 for a distance of 2632.62 feet to the point of beginning. (T-4056) (RP0101901;RP0101702)

Also, subject to an easement for ingress and egress, more particularly described as follows:
Part of the NE1/4NW1/4 (Lot 7) of Section 5, Township 15 South, Range 30 East of the Boise Meridian, Oneida County, State of Idaho: Beginning at the Northwest corner of the NE1/4NW1/4 of Section 5 of Township 15 South, Range 30 East, Boise Meridian, said corner marked by a 5/8" rebar which shall be the point of beginning; thence South 88°39'00" East along section line for a distance of 146.31 feet to a 1/2" rebar; thence South 00°06'38" East for a distance of 952.28 feet to a 1/2" rebar; thence North 88°39'00" West for a distance of 146.31 feet to the West line of the NE1/4NW1/4; thence North 00°06'38" West along the West line of the NE1/4NW1/4 for a distance of 952.28 feet to the point of beginning.

Township 15 South, Range 30 East, Boise Meridian, Oneida County, Idaho
Section 16: All that part of Section 16 lying North and East of the Interstate I-84, formerly known as I-80, running through said tract, and described as follows: Commencing 202.15 feet East of the Northwest corner of said Section 16; thence running South 40°57'32" East for 7056.20 feet to a point in the South line of Section 16; thence East to the Southeast corner of Section 16; thence North to the Northeast corner of Section 16; thence West 5077.85 feet to the point of beginning (T-3044) (RP0102902)

Also, all water rights and appurtenances, hereditaments or improvements pertaining to all of the above described real property.

SCANNED
APR 13 2023

(3)

164501

Microfilm No. 164501
23 Day Mar 20 23
At 11 40 O'clock AM
Oneida Co. Recorder
Fee $ 15.00 Deputy
Recorded at Request of
Northern Title Company- Malad

NTO-123928
Juniper Dry Farm, LLC, a limited liability company
2450 South Juniper
Malta, ID 83342

WARRANTY DEED

Craig D. Rushton and to his successors, as Trustee of the "Craig D. Rushton Revocable Trust,: u/d/t dated March 3, 2003,

Grantor(s) of Tooele, County of Tooele, State of Utah, hereby ***CONVEY AND WARRANT*** to

Juniper Dry Farm, LLC, a limited liability company,

Grantee(s) of Malta, County of Cassia, State of Idaho, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Oneida County, State of ID:

See Exhibit "A" attached and made a part hereto

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

Witness, the hand(s) of said Grantor(s), this 22 day of March, 2023.

SCANNED
APR 13 2023

164501

Craig D. Rushton Revocable Trust,
: u/d/t dated March 3, 2003

By: Craig D Rushton
Craig D. Rushton, Trustee

State of Utah)
County of Tooele)§

On this 22nd day of March, 2023, personally appeared before me Craig D. Rushton, Trustee, who, being by me duly sworn, did say that THEY ARE the Trustee(s) of **Craig D. Rushton Revocable Trust, : u/d/t dated March 3, 2003**, and that said instrument was signed in behalf of said Trust by the authority of its Trust Agreement, and the aforesaid individual(s) acknowledged to me that said Trust executed the same.

Karalinn Kasmer
Notary Public

KARALINN KASMER
Notary Public
State Of Utah
My Commission Expires 05-16-2026
COMMISSION NO. 724751

SCANNED
APR 13 2023

EXHIBIT A

Township 15 South, Range 30 East of the Boise Meridian, Oneida County, Idaho.
Section 6: Lots 9,10,11,12,13,14,16,17,18,19,20,21,22,23 (RP0102200 & RP0102300)

Also;
Lot 8,
Excepting therefrom the following described parcel: T-3426: Commencing at a point 290.58 feet South and 425.36 feet West of the Northeast Corner Section 6, Township 15 South, Range 30 East Boise Meridian on the Right of Way Line, Interstate 85 North; thence North 41 °40'26" East a distance of 812.83 feet; thence South 81°54'16" East a distance of 148.13 feet; thence South 38°18'52" East a distance of 1028.11 feet; thence South 27°31'06" West a distance of 171.50 feet to a point on the Highway Right of Way line of the above mentioned Interstate Highway 85 North; thence along said Right of Way on a curve having a Radius of 369.26 feet a distance of 399.58 feet in a Southwesterly direction; thence South 72°49'14" West a distance of 236.76 feet; thence South 77°25'19" West a distance of 111.13 feet; thence South 60°44'14" West a distance of 100.00 feet; thence North 35°29'34" West a distance of 981.17 feet to the Point of Beginning . (RP0102200)

Also;
Lot 15,
Excepting therefrom the following described parcel: T¬3425: A tract of land located in the NE1/4 of Section 6, Township 15 South, Range 30 East Boise Meridian, County of Oneida, State of Idaho more particularly described as follows:
Commencing at a point that is 90.40 feet North and 20.87 feet West of the SE1/4NE1/4 of Section 6, Township 15 South, Range 30 East Boise Meridian; thence South 88°53'40" West a distance of 255.40 feet; thence North 12°54'40" West a distance of 189.31 feet; thence North 50°58'51" West a distance of 216.83 feet; thence North 60°08'35" West a distance of 399.07 feet; thence North 29°10'46" West a distance of 369.24 feet;
thence North 27°07'45" East a distance of 180.28 feet; thence North 60°49'14" East a distance of 250.0 feet to a point on the Highway Right of Way that is 500.0 feet Right of the center line of Survey, Station 2251+00 of Interstate Highway 85 North; thence South 27°07'45" West along said Right of Way a distance of 180.28 feet; thence South 29°10'46" East along said Right of Way a distance of 300.0 feet; thence South 60°08'35" East along Said Right of Way a distance of 349.86 feet; thence South 50°58'51" East along Said Right of Way a distance of 323.11 feet; thence South 12°54'40" East along said Right of Way a distance of 327.81 feet to the point of beginning, which is 441.83 feet Right of the Center line Station 2263+14.68 of the above mentioned interstate Highway 85 North. (RP0102200)

Also;
Section 8: Lots 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16 (RP0102600)

Also;
Township 14 South, Range 30 East of the Boise Meridian, Oneida County, Idaho.
Section 31: Lots 1,2,3,4; The West half of the Northeast Quarter; the East half of the Northwest Quarter; the East half of the Southwest Quarter; the Southeast Quarter (RP010000)

Excepting therefrom the following described parcel: T-3472: A part of the SE1/4 of Section 31, Township 14 South, Range 30 East Boise Meridian; Beginning at the East quarter corner of said Section 31 and running thence South 0°25'08" West 741.62 feet along the section line to the center of a road; thence North 43°18' West 1040.28 feet along said center line to the quarter section line; thence South 88°45'56" East 719.04 feet along the quarter section line to the point of beginning.

Less and excepting therefrom the following described Farm House Parcel:
A portion of land located in the North Half of Section 31, Township 14 South, Range 30 East, Boise Meridian more particularly described as follows:
Beginning at the North Corner of Lot 8, Section 31, Township 14 South, Range 30 East, Boise Meridian, said

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point being South 01°02'00" West 2135.55 feet along the East Section line of said Section and West 1214.01 feet, said point also being along the Centerline of Juniper Road; thence along said Centerline North 43°37'00" West 932.08 feet; thence South 78°51'38" West 833.64 feet; thence North 363.04 feet; thence North 39°28'38" East 609.57 feet; Thence North 70°07'24" East 1236.02 feet; thence South 02°53'00" West 1769.78 feet to the point of beginning.

Less and Excepting therefrom the following described Lucas Ryan Fowler Parcel:
Beginning at a point on the West Quarter Section line of the Northeast Quarter Section 31, Township 14 South, Range 30 East, Boise Meridian, said point being North 88°11'00" West 2289.54 feet along the North Section line of said Section and South 04°48'00" West 362.37 feet from the Northeast corner of said Section 31; Thence North 70°07'24" East 420.99 feet; thence South 17°23'36" East 469.18 feet; thence South 70°07'24" West 363.17 feet to a point on the Centerline of Juniper Road; thence along said Centerline the following two (2) courses: (1) North 17°23'36" West 316.78 feet, (2) North 38°41'30" West 158.83 feet to the point of beginning.

Less and excepting the full Right-of-Way of Interstate Highway 84.

Together with and subject to a prescriptive 50 foot wide Road Access Easement along the West line of said property more particularly described as follows:
Beginning at the Northwest corner of Section 31, Township 14 South, Range 30 East, Boise Meridian; thence South 00°57'11" West 5260.09 feet along the West line of the said Section to the Southwest corner of said Section; thence South 88°13'00" East 50.00 feet along the South line of said Section; thence North 00°57'11" East 5260.07 feet to the North line of said Section; thence along said North line North 88°11'00" West 50.00 feet to the point of beginning.

Excepting the full Right of Way of Interstate Highway 84.

Together with PIVOT ACCESS EASEMENT:
A 45' Access Easement located along the Southwesterly line of the Dylan Rushton Farmhouse Parcel, whose bearing and distance is South 78°51'38" West 833.64', more particularly described as follows:
Beginning at a point that is South 01°02'00" West 1460.65 feet and West 1869.16 feet from the Northeast corner of Section 31, Township 14 South, Range 30 East, Boise Base and Meridian; thence South 78°51'38" West 833.64 feet; thence North 45.86 feet; thence North 78°51'38" East 796.14 feet; thence South 43°37'00" East 53.34 feet to the point of beginning.

A 45' Access Easement located along the Northwesterly line of the Dylan Rushton Farmhouse Parcel, whose bearing and distance is North 39°28'38" East 609.57', more particularly described as follows:
Beginning at a point that is South 01°02'00" West 758.02 feet and West 2229.20 feet from the Northeast corner of Section 31, Township 14 South, Range 30 East, Boise and Meridian; thence South 39°28'38" West 740.15 feet; thence North 70.78 feet; thence North 39°28'38" East 609.57 feet; thence North 70°07'24" East 88.28 feet to the point of beginning.

SUBJECT TO: DYLAN RUSHTON ACCESS EASEMENT
A Strip of land located in the West Half of Section 31, Township 14 South, Range 30 East of the Boise Meridian Oneida County, Idaho described as follows:

Beginning at the Northwest Corner of Section 31, Township 14 South, Range 30 East, Boise Meridian, thence South 00°57'11" West 5260.09 feet along the West line of said Section to the Southwest corner of said Section; thence South 88°13'00'
East 50.00 feet along the South line of said Section; thence North 00°57'11" East 5260.07 feet to the North line of said Section; thence along said North line North 88°11'00" West 50.00 feet to the point of beginning.

Also, all water rights and appurtenances, hereditaments or improvements pertaining to all of the above described real property.

SCANNED
APR 13 2023

(24)

Instrument # 162919
MALAD, ONEIDA, IDAHO
2-7-2022 10:55:00 AM No. of Pages: 2
Recorded for : HALE & WOOD, PLLC
MATTHEW L COLTON Fee: 15.00
Ex-Officio Recorder Deputy Natalie Murphy

When Recorded, Return To:
Thomas Christensen, Jr.
Hale & Wood, PLLC
4766 South Holladay Blvd.
Holladay, Utah 84117

Mail Tax Notices To:
Craig D. Rushton, as Trustee of the
"Craig D. Rushton Revocable Trust"
1519 E. Spring Canyon Rd.
Tooele, UT 84074

SPECIAL WARRANTY DEED

CRAIG D. RUSHTON ("Grantor"), of Tooele County, Utah, hereby CONVEYS AND WARRANTS against all claiming by, through or under him, to Craig D. Rushton and to his successors, as Trustee of the " CRAIG D. RUSHTON REVOCABLE TRUST," u/d/t dated March 3, 2003, ("Grantee"), having a mailing address of 1519 E. Spring Canyon, Rd., Tooele, Utah 84074 for the sum of Ten and No/100 Dollars ($10.00), and other good and valuable consideration, all of his interest in that certain real property situated in Oneida County, State of Idaho, which is described in Exhibit "A" attached hereto and incorporated by this reference

WITNESS the hand of said Grantor this 3rd day of February, 2022.

Craig D. Rushton

Craig D. Rushton

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 3rd day of February 2022, by CRAIG D. RUSHTON, the signer of the within instrument, personally appeared before me, a notary public in and for said State, and duly acknowledged to me that he executed the same.

TOM CHRISTENSEN
Notary Public State of Utah
My Commission Expires on:
March 16, 2024
Comm. Number: 711089

Tom Christensen

NOTARY PUBLIC

RECEIVED
APR 18 2023

162919

"EXHIBIT A"

Township 15 South, Range 30 East of the Boise Meridian, Oneida County, Idaho.
Section 6: Lots 9,10,11,12,13,14,16,17,18,19,20,21,22,23;

Also;
Lot 8,
Excepting therefrom the following described parcel: T-3426: Commencing at a point 290.58 feet South and 425.36 feet West of the Northeast Corner Section 6, Township 15 South, Range 30 East Boise Meridian on the Right of Way Line, Interstate 85 North; thence North 41 °40'26" East a distance of 812.83 feet; thence South 81°54'16" East a distance of 148.13 feet; thence South 38°18'52" East a distance of 1028.11 feet; thence South 27°31'06" West a distance of 171.50 feet to a point on the Highway Right of Way line of the above mentioned Interstate Highway 85 North; thence along said Right of Way on a curve having a Radius of 369.26 feet a distance of 399.58 feet in a Southwesterly direction; thence South 72°49'14" West a distance of 236.76 feet; thence South 77°25'19" West a distance of 111.13 feet; thence South 60°44'14" West a distance of 100.00 feet; thence North 35°29'34" West a distance of 981.17 feet to the Point of Beginning

Also;
Lot 15,
Excepting therefrom the following described parcel: T¬3425: A tract of land located in the NE1/4 of Section 6, Township 15 South, Range 30 East Boise Meridian, County of Oneida, State of Idaho more particularly described as follows:
Commencing at a point that is 90.40 feet North and 20.87 feet West of the SE1/4NE1/4 of Section 6, Township 15 South, Range 30 East Boise Meridian; thence South 88°53'40" West a distance of 255.40 feet; thence North 12°54'40" West a distance of 189.31 feet; thence North 50°58'51" West a distance of 216.83 feet; thence North 60°08'35" West a distance of 399.07 feet; thence North 29°10'46" West a distance of 369.24 feet;
thence North 27°07'45" East a distance of 180.28 feet; thence North 60°49'14" East a distance of 250.0 feet to a point on the Highway Right of Way that is 500.0 feet Right of the center line of Survey, Station 2251+00 of Interstate Highway 85 North; thence South 27°07'45" West along said Right of Way a distance of 180.28 feet; thence South 29°10'46" East along said Right of Way a distance of 300.0 feet; thence South 60°08'35" East along Said Right of Way a distance of 349.86 feet; thence South 50°58'51" East along Said Right of Way a distance of 323.11 feet; thence South 12°54'40" East along said Right of Way a distance of 327.81 feet to the point of beginning, which is 441.83 feet Right of the Center line Station 2263+14.68 of the above mentioned interstate Highway 85 North.

Also;
Section 8: Lots 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16

Also;
Township 14 South, Range 30 East of the Boise Meridian, Oneida County, Idaho.
Section 31: Lots 1,2,3,4; The West half of the Northeast Quarter; the East half of the Northwest Quarter; the East half of the Southwest Quarter; the Southeast Quarter
Excepting therefrom the following described parcel: T-3472: A part of the SE1/4 of Section 31, Township 14 South, Range 30 East Boise Meridian; Beginning at the East quarter corner of said Section 31 and running thence South 0°25'08" West 741.62 feet along the section line to the center of a road; thence North 43°18' West 1040.28 feet along said center line to the quarter section line; thence South 88°45'56" East 719.04 feet along the quarter section line to the point of beginning.

SCANNED
APR 13 2023

(5)

154629
5 December 16
At 2:00 pm
Lola Bott
Fee $ 37.00 Deputy
Hale + Ward, PLLC
Space Above for Recorder's Use

WHEN RECORDED, MAIL TO:
Thomas Christensen, Jr.
Hale & Wood
4766 S. Holladay Blvd.
Holladay, Utah 84117

TRUSTEES' DEED

Lynda R. Ahlquist and Craig D. Rushton as successor Co-Trustees of the Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990, and also as Co-Trustees of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990, as Grantors, of Tooele County and Salt Lake County, Utah , hereby CONVEY and QUIT-CLAIM to Rushton Family Company LLC, a Utah limited liability company, Grantee, whose current address is 1521 E. Spring Canyon Rd. Pine Canyon, Utah 84074, for the sum of TEN DOLLARS ($10.00) and other good and valuable consideration, all of their interest as Trustees of such trusts to that certain real property situated in Oneida County, State of Idaho which is more particularly described in Exhibit "A" attached hereto and incorporated by this reference.

WITNESS, the hand of said Grantors, on the date set opposite his or her signature.

Dated: 11-30-2016

Lynda R. Ahlquist

Lynda R. Ahlquist, as Successor Trustee of the Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990, and as Successor Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990

Dated: 11-30-2016

Craig D. Rushton

Craig D. Rushton, as Successor Trustee of the Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990, and as Successor Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990

SCANNED
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STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 30th day of November 2016, personally appeared before me Lynda R. Ahlquist, as Successor Trustee of Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990 and as Successor Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990, the signer of the within instrument, who duly acknowledged to me that she executed the same.

THOMAS CHRISTENSEN
Notary Public State of Utah
My Comm. Exp: Dec. 3, 2019
Comm. Number: 686696

Notary Public

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 30th day of Novembe 2016, personally appeared before me Craig D. Rushton, as Successor Trustee of Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990 and as Successor Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990, the signer of the within instrument, who duly acknowledged to me that he executed the same.

THOMAS CHRISTENSEN
Notary Public State of Utah
My Comm. Exp: Dec. 3, 2019
Comm. Number: 686696

Notary Public

SCANNED
APR 13 2023

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EXHIBIT "A"

All real properties described in that certain Quit-Claim Deed dated March 26, 1991, from Rushton Family Partnership, as Grantor, to Adele B. Rushton as Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990 and to Don R. Rushton as Trustee of the Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990, as Grantees, and recorded in the office of the Oneida County Recorder on March 26, 1991, as entry no. 116877. A copy of such Deed is attached hereto as Exhibit A-1.

LESS: That portion of such property subsequently conveyed by Lynda R. Ahlquist, Craig D. Rushton and Randy B. Rushton, as successor Co-Trustees of the Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990, and also as Co-Trustees of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990, as Grantors to Craig D. Rushton, Grantee, in that certain Trustee's Deed dated December 7, 2015 and recorded in the office of the Oneida County Recorder on December 21, 2015 as entry no. 153345. A copy of such Deed is attached hereto as Exhibit A-2.

SCANNED
APR 13 2023

"EXHIBIT A-1"

05/06/2004 12:19 POSTNET UT115 → 5217965 NO.056 D004

Recorded

154629

Recorded at Request of Don R. Rushton Oneida County
at 11:15 A.M., Fee Paid $ 9.00 Deputy Recorder
by Mail 26.991 Dep. Book 1 Page Ref.: 116877
Mail tax notice to Don R. and Adele B. Rushton, Trustees Address: 4434 South
5400 West, West Valley City, UT 84120 P.O. Box 70307

QUIT-CLAIM DEED

Rushton Family Partnership, grantor, of Salt Lake County, State of Utah, hereby remises, releases and forever quit-claims an undivided one-half interest in the following described premises in Oneida County, State of Idaho, to Adele B. Rushton as Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990, and the remaining undivided one-half interest in the following described premises in Oneida County, State of Idaho, to Don R. Rushton as Trustee of the Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990, grantees, of 4434 South 5400 West, West Valley City, Utah 84120, for the sum of Ten Dollars ($10.00) and other good and valuable consideration.

Parcel No. 1:

Township 14 South, Range 30 East, Boise Meridian Section 19: Lot 4 and Southeast ¼ Southwest ¼; Section 30: Lots 1, 2, 3 & 4, East ½ Northwest ¼, Southeast ¼ Southwest ¼, Southwest ¼ Southeast ¼, Northeast ¼ Southwest ¼; Section 31: Lots 1, 2, 3 & 4, East ½ Northwest ¼, West ½ Northeast ¼, East ½ Southwest ¼, Southeast ¼; Section 32: Southwest ¼ Southwest ¼. Township 15 South, Range 30 East, Boise Meridian Section 5: Lots 8, 9, 14, 15, 16, 17, 18 & 19; Section 6: All; Section 7: All; Section 8: All; Section 18: Lots 5, 6, 7, 8 & 12 Excepting a portion of I80-N which bisects the property and is more particularly described as follows: Beginning at the Southeast corner of Section 8 T15S R30E Boise Base and Meridian and running thence North 89°03'41" West 200.49 feet; thence North 40°57'32" West 396.52 feet; thence along the arc of a curve on a chord of North 35°04'21" West 2382.24 feet; thence North 29°10'49" West 6659.13 feet; thence North 37°11'10" West 474.63 feet; thence North 50°10'25" West 781.51 feet; thence North 29°10'46" West 200.00 feet; thence North 8°57'16" West 959.13 feet; thence North 23°55'02" West 200.85 feet; thence North 29°10'46" West 49.94 feet; thence along the arc of a curve on a chord of North 32°10'17" West 1388.12 feet; thence North 35°42'55" West 4960.88 feet; thence North 0°12'11" West 509.90 feet; thence

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North 0°33'56" East 6.44 feet; thence along the arc of a curve on a chord of S32°53'51" East 1120.05 feet; thence South 52°51'51" East 303.15 feet; thence South 35°29'34" East 1182.17 feet; thence South 29°10'46" East 200.00 feet; thence South 19°34'13" East 1520.98 feet; thence South 29°10'46" East 6359.04 feet; thence along the arc of a curve on a chord of S35°04'14" East 2320.99 feet; thence South 40°57'32" East 352.94 feet; thence South 0°36'51" East 232.58 feet to the point of beginning. Contains 2991.7 acres.

Parcel No. 2:

A part of the Southwest quarter of Section 32, T14S, R30E, Boise Base and Meridian, U.S. Survey; Beginning at a point in an existing road which is South 0°25'08" West 741.62 ft. along the section line from the West quarter Corner of said Section 32; running thence South 43°18' East 263.28 ft. along said center line; thence South 54°57' East 686.79 ft. along said center line; thence North 88°52'20" West 747.12 ft. to the section line; thence North 0°25'08" West 571.33 ft. to the point of beginning. Contains 4.48 acres.

Parcel No. 3:

Commencing at a point 290.58 feet South and 425.36 feet West of the Northeast Corner of Section 6, Township 15 South, Range 30 East, Boise Meridian, on the right-of-way line of Interstate 80 North; thence North 41 degress 40'26" East a distance of 812.83 feet; thence South 81 degrees 54'16" East a distance of 148.13 feet; thence South 38 degrees 18'52" East a distance of 1,028.11 feet;
thence South 27 degrees 31'06" West a distance of 171.50 feet to a point on the highway right-of-way line of the above-mentioned Interstate Highway 80 North; thence along said right-of-way on a curve having a radius of 369.26 feet a distance of 399.58 feet in a Southwesterly direction; thence South 72 degrees 49'14" West a distance of 236.76 feet; thence South 77 degrees 25'19" West a distance of 111.13 feet; thence South 60 degrees 44'14" West a distance of 100 feet; thence North 35 degrees 29'34" West a distance of 981.17 feet to the point of beginning, containing 24.50 acres, more or less.

EXCEPTING FROM THE ABOVE-DESCRIBED PARCELS OF PROPERTY, THE FOLLOWING TRACTS OF LAND:

A tract of land located in the North East Quarter of Section 6 T-15-S, R 30 East of the Boise Meridian, County of Oneida, State of Idaho, containing 7.68 acres, more or less, more particularly described as follows: Commencing at a point that is 90.40' North and 20.87' West of the S.E. corner of the N.E. Quarter of Section 6, T-15-S, R 30 E. B.M.; thence S 88°53'40" W a distance of 255.40'; thence N 12°54'40" W. a distance of 189.31'; thence N. 50°58'51" W. a distance of 216.83'; thence N. 60°08'35" W. a

SCANNED
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distance of 399.07'; thence N29°10'46" W. a distance of 369.24'; thence N. 27°07'45" E. a distance of 180.28'; thence N. 60°49'14" E.; a distance of 250.0' to a point on the Highway Right of Way that is 500.0' Right of the center Line of Survey, Station 2251+00 of Interstate Highway 85 North; thence S27°07'45" W. along said Right of Way a distance of 180.28'; thence S29°10'46" E. along said Right of Way a distance of 300.0'; thence S. 60°08'35" E. along said Right of Way a distance of 349.86'; thence S. 50°58'51" E. along said Right of Way a distance of 323.11'; thence S.12°54'40" E. along said Right of Way a distance of 327.81' to the point of beginning, which is 441.83' Right of the Center Line Station 2263+14.68 of the above mentioned Interstate Highway 85 North. Together with all water rights and improvements appurtenant thereto.

A tract of land located in Sections 31 and 32, T-14-S, and 5 and 6, T-15-S, R. 30 East of the Boise Meridian, County of Oneida, State of Idaho, containing 24.50 acres, more or less, more particularly described as follows:

Commencing at a point 290.58' South and 425.36' West of the N.E. Corner Section 6, T-15-S, R.30 E. B.M., on the Right of Way line, Interstate 80 North; thence N. 41°40'26" E. a distance of 812.83'; thence S. 81°54'16" E. a distance of 148.13'; thence S. 38°18'52" E. a distance of 1028.11'; thence S. 27°31'06" W. a distance of 171.50' to a point on the Highway Right of Way line of the above mentioned Interstate Highway 80 North; thence along said Right of Way on a curve having a radius of 369.26' a distance of 399.58' in a southwesterly direction; thence S. 72°49'14" W. a distance of 236.76'; thence S. 77°25'19" W. a distance of 111.13'; thence S. 60°44'14" W. a distance of 100.0'; thence N. 35°29'34" W. a distance of 981.17' to the point of beginning.

A part of the South one-half of Section 30, T14S, R30E, Boise Base and Meridian; Beginning at the Southwest Corner of Lot 11 of said Section 30, said point is North 88°36'22" West 1140.81 ft. along the section line from the Southeast corner of said section 30; running thence North 88°36'22" West 1911.11 ft. along the section line, thence North 0°13'16" East 608.54 ft., thence South 88°36'22" East 470.30 ft., thence North 0°13'16" East 709.00 ft., thence South 88°33'07" East 1441.79 ft. to the Northwest corner of said lot 11, thence south 0°15'46" West 1316.15 ft. to the point of beginning. Contains 50.13 acres.

A part of the Southeast Quarter of Section 31, T14S, R30E, Boise Base and Meridian: Beginning at the East quarter corner of said Section 31, and running thence South 0°25'08" West 741.62 ft. along the section line to the center of a road; thence North 43°18' West 1040.28 ft. along said center line to the quarter section line; thence South 88°45'56" East 719.04 ft. along the quarter section line to the point of beginning. Contains 6.12 acres.

SCANNED

APR 13 2023

116877 154629

A part of the Southwest Quarter of Section 32, T14S, R30E, Boise Base and Meridian: Beginning at a point in an existing road which is South 0°25'08" West 1312.95 ft. along the section line and South 88°52'12" East 747.12 ft. from the West quarter corner of said Section 32; running thence South 88°52'12" East 577.86 ft.; thence South 0°25'08" West 395.96 ft. to the center of said road; thence North 54°57' West 709.26 ft. to the point of beginning. Contains 2.63 acres.

WITNESS the hand of said grantor, this 25th day of March, A.D., one thousand nine hundred and ninety-one.

RUSHTON FAMILY PARTNERSHIP

Don R. Rushton

Don R. Rushton, General Partner

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 25th day of March, 1991, personally appeared before me Don R. Rushton, known to me to be a general partner of Rushton Family Partnership, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

Thomas Christensen

NOTARY PUBLIC
Residing at Salt Lake County, Utah

My commission expires:
11-15-94

NOTARY PUBLIC
My Commission Expires
November 15, 1991
THOMAS CHRISTENSEN JR.
75 So. State, 12th Fl.
Salt Lake City,
UT 84111
STATE OF UTAH

tc:03189la

Total acres 2.63

SCANNED
APR 18 2023

"EXHIBIT A-2"

Ascension No. 153345
21 Day December 2015
At 9:45 O'clock AM
Natalie Murphy
Oneida Co. Recorder
Fee $ 16.00 Deputy
Space Above for Recorder's Use
Hale & Wood PLLC

WHEN RECORDED, MAIL TO:
Thomas Christensen, Jr.
Hale & Wood
4766 S. Holladay Blvd.
Holladay, Utah 84117

TRUSTEES' DEED

154629

Lynda R. Ahlquist, Craig D. Rushton and Randy B. Rushton, as successor Co-Trustees of the Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990, and also as Co-Trustees of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990, as Grantors, of Tooele County and Salt Lake County, Utah , hereby CONVEY and QUIT-CLAIM to Craig D. Rushton, Grantee, whose current address is 1519 E. Spring Canyon Rd. Pine Canyon, Utah 84074, for the sum of TEN DOLLARS ($10.00) and other good and valuable consideration, all of their interest as Trustees of such trusts to that certain real property situated in Oneida County, State of Idaho which is more particularly described in Exhibit "A" attached hereto and incorporated by this reference.

WITNESS, the hand of said Grantors, on the date set opposite his or her signature.

Dated: 12-7-2015

Lynda R. Ahlquist, as Successor Trustee of the Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990, and as Successor Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990

Dated: 12-10-15

Craig D. Rushton, as Successor Trustee of the Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990, and as Successor Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990

Dated: 12-07-15

Randy B. Rushton, as Successor Trustee of the Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990, and as Successor Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990

SCANNED
APR 13 2023

153345

154629

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 7th day of Dec. 2015, personally appeared before me Lynda R. Ahlquist, as Successor Trustee of Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990 and as Successor Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990, the signer of the within instrument, who duly acknowledged to me that she executed the same.

JOANN HUNTER
Notary Public State of Utah
My Commission Expires on:
March 29, 2019
Comm. Number: 682166

JoAnn Hunter
Notary Public

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 10th day of December 2015, personally appeared before me Craig D. Rushton, as Successor Trustee of Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990 and as Successor Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990, the signer of the within instrument, who duly acknowledged to me that he executed the same.

JOANN HUNTER
Notary Public State of Utah
My Commission Expires on:
March 29, 2019
Comm. Number: 682166

JoAnn Hunter
Notary Public

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 7th day of Dec. 2015, personally appeared before me Randy B. Rushton, as Successor Trustee of Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990 and as Successor Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990, the signer of the within instrument, who duly acknowledged to me that he executed the same.

JOANN HUNTER
Notary Public State of Utah
My Commission Expires on:
March 29, 2019
Comm. Number: 682166

JoAnn Hunter
Notary Public

SCANNED
APR 13 2023

"EXHIBIT A"

153345

154629

Township 15 South, Range 30 East of the Boise Meridian, Oneida County, Idaho.
Section 6: Lots 9,10,11,12,13,14,16,17,18,19,20,21,22,23;

Also;
Lot 8,
Excepting therefrom the following described parcel: T-3426: Commencing at a point 290.58 feet South and 425.36 feet West of the Northeast Corner Section 6, Township 15 South, Range 30 East Boise Meridian on the Right of Way Line, Interstate 85 North; thence North 41 °40'26" East a distance of 812.83 feet; thence South 81°54'16" East a distance of 148.13 feet; thence South 38°18'52" East a distance of 1028.11 feet; thence South 27°31'06" West a distance of 171.50 feet to a point on the Highway Right of Way line of the above mentioned Interstate Highway 85 North; thence along said Right of Way on a curve having a Radius of 369.26 feet a distance of 399.58 feet in a Southwesterly direction; thence South 72°49'14" West a distance of 236.76 feet; thence South 77°25'19" West a distance of 111.13 feet; thence South 60°44'14" West a distance of 100.00 feet; thence North 35°29'34" West a distance of 981.17 feet to the Point of Beginning

Also;
Lot 15,
Excepting therefrom the following described parcel: T¬3425: A tract of land located in the NE1/4 of Section 6, Township 15 South, Range 30 East Boise Meridian, County of Oneida, State of Idaho more particularly described as follows:
Commencing at a point that is 90.40 feet North and 20.87 feet West of the SE1/4NE1/4 of Section 6, Township 15 South, Range 30 East Boise Meridian; thence South 88°53'40" West a distance of 255.40 feet; thence North 12°54'40" West a distance of 189.31 feet; thence North 50°58'51" West a distance of 216.83 feet; thence North 60°08'35" West a distance of 399.07 feet; thence North 29°10'46" West a distance of 369.24 feet;
thence North 27°07'45" East a distance of 180.28 feet; thence North 60°49'14" East a distance of 250.0 feet to a point on the Highway Right of Way that is 500.0 feet Right of the center line of Survey, Station 2251+00 of Interstate Highway 85 North; thence South 27°07'45" West along said Right of Way a distance of 180.28 feet; thence South 29°10'46" East along said Right of Way a distance of 300.0 feet; thence South 60°08'35" East along Said Right of Way a distance of 349.86 feet; thence South 50°58'51" East along Said Right of Way a distance of 323.11 feet; thence South 12°54'40" East along said Right of Way a distance of 327.81 feet to the point of beginning, which is 441.83 feet Right of the Center line Station 2263+14.68 of the above mentioned interstate Highway 85 North.

Also;
Section 8: Lots 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16

Also;
Township 14 South, Range 30 East of the Boise Meridian, Oneida County, Idaho.
Section 31: Lots 1,2,3,4; The West half of the Northeast Quarter; the East half of the Northwest Quarter; the East half of the Southwest Quarter; the Southeast Quarter
Excepting therefrom the following described parcel: T-3472: A part of the SE1/4 of Section 31, Township 14 South, Range 30 East Boise Meridian; Beginning at the East quarter corner of said Section 31 and running thence South 0°25'08" West 741.62 feet along the section line to the center of a road; thence North 43°18' West 1040.28 feet along said center line to the quarter section line; thence South 88°45'56" East 719.04 feet along the quarter section line to the point of beginning.

(6)

Microfilm No. 137497
26 Day May 2005
At 9:20 O'clock a M
Oneida Co. Recorder
Fee $ 9.00
Recorded at Request of
Deputy
Seattle Land Title Co.

GRANT DEED

FOR VALUE RECEIVED, **RUSHTON FAMILY PARTNERSHIP, a Utah Limited Partnership**, the Grantor, does hereby Grant, Convey and confirm unto **RUSHTON FAMILY COMPANY, LLC, a Limited Liability Company of the State of Utah**, whose current address is 4471 South 5400 West, West Valley City, Utah, 84120, the Grantee, the real property situated in the County of Oneida, State of Idaho, fully described in the SCHEDULE "A" attached hereto and made a part hereof by reference.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, it's successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand the day and year first above written.

DATED May 24, 2005

RUSHTON FAMILY PARTNERSHIP

By: Donald R. Rushton
DONALD R. RUSHTON, General Partner

STATE OF IDAHO
COUNTY OF ONEIDA, ss

On this 25th day of May 2005, before me, the undersigned, a Notary Public, personally appeared DONALD R. RUSHTON, known to be the General Partner of RUSHTON FAMILY PARTNERSHIP a Utah Limited Partnership and the person who subscribed the Partnership name to the foregoing instrument and acknowledged to me that he executed the same in said Partnership name.

JOAN WILLIAMS NOTARY PUBLIC STATE OF IDAHO

Notary Public
Residing at Malad City, Idaho
My Comm. Expires: 5-6-2009

SCANNED
APR 18 2023

137497

SCHEDULE "A"

PARCEL 1:

Part of Section 4 and Section 5 of Township 15 South, Range 30 East of the Boise Meridian, Oneida County, State of Idaho:

Beginning at the Northwest corner of the NE¼NW¼ of Section 5, Township 15 South, Range 30 East, Boise Meridian, said corner marked by a 5/8" rebar which shall be the point of beginning; thence South 88°39'00" East along the North line of Section 5 for a distance of 146.31 feet to a ½" rebar; thence South 00°06'38" East for a distance of 952.28 feet to a ½" rebar; thence South 88°39'00" East for a distance of 1174.63 feet to a ½" rebar; thence South 69°27'53" East for a distance of 1068.94 feet to a ½" rebar; thence South 69°27'53" East for a distance of 637.77 feet to a ½" rebar on the West right of way of a County Road; thence South 46°35'59" East along the West right of way of said County Road for a distance of 1692.61 feet to a point on the North line of the NW¼SW¼ of Section 4; thence South 88°58'46" East along the North line of the NW¼SW¼ for a distance of 38.47 feet to a ½" rebar on the centerline of a County Road; thence South 46°46'01" East along said County Road centerline for a distance of 1523.00 feet to a ½" rebar on the East line of the W½SW¼; thence South 00°00'55" West along the East line of the W½SW¼ for a distance of 1610.79 feet to a U.S. BLM pipe with cap at the Southeast corner of the SW¼SW¼; thence North 89°01'49" West along the South line of the SW¼SW¼ for a distance of 1322.70 feet to a U.S. GLO iron pipe with brass cap at the Southwest corner of Section 4; thence North 88°37'06" West along the South line of Section 5 for a distance of 1319.19 feet to a ½" rebar at the Southwest corner of the SE¼SE¼; thence North 00°13'20" West along the West line of the E½SE¼ for a distance of 2639.89 feet to a ½" rebar at the Northwest corner of the E½SE¼; thence North 88°24'56" West along the South line of the N½ of Section 5 for a distance of 2642.49 feet to a ½" rebar at the Southwest corner of the SE¼NW¼; thence North 00°06'38" West along the West line of the E½NW¼ of Section 5 for a distance of 2632.62 feet to the point of beginning. (T-4056)

Containing 268.96 acres, more or less, and is subject to any easements, existing or of record. Also, subject to an easement for ingress and egress, more particularly described as follows:

Part of the NE¼NW¼ (Lot 7) of Section 5, Township 15 South, Range 30 East of the Boise Meridian, Oneida County, State of Idaho: Beginning at the Northwest corner of the NE¼NW¼ of Section 5 of Township 15 South, Range 30 East, Boise Meridian, said corner marked by a 5/8" rebar which shall be the point of beginning; thence South 88°39'00" East along section line for a distance of 146.31 feet to a ½" rebar; thence South 00°06'38" East for a distance of 952.28 feet to a ½" rebar; thence North 88°39'00" West for a distance of 146.31 feet to the West line of the NE¼NW¼; thence North 00°06'38" West along the West line of the NE¼NW¼ for a distance of 952.28 feet to the point of beginning.

PARCEL 2:

Commencing at a point 290.58 feet South and 425.36 feet West of the Northeast Corner of Section 6, Township 15 South, Range 30 East, Boise Meridian, on the right-of-way line of Interstate 80 North; thence North 41°40'26" East a distance of 812.83 feet; thence South 81°54'16" East a distance of 148.13 feet; thence South 38°18'52" East a distance of 1028.11 feet; thence South 27°31'06" West a distance of 171.50 feet to a point on the Highway right-of-way line of the above-mentioned Interstate Highway 80 North; thence along said right-of-way on a curve having a radius of 369.26 feet a distance of 399.58 feet in a Southwesterly direction; thence South 72°49'14" West a distance of 236.76 feet; thence South 77°25'19" West a distance of 111.13 feet; thence South 60°44'14" West a distance of 100 feet; thence North 35°29'34" West a distance of 981.17 feet to the point of beginning, containing 24.50 acres, more or less. (T-3426)

SCANNED
APR 18 2023

SCHEDULE "A" Continued

PARCEL 3:

Township 15 South, Range 30 East, Boise Meridian:
Section 16: All that part of Section 16 lying North and East of the Interstate I-84, formerly known as I-80, running through said tract, and described as follows: Commencing 202.15 feet East of the Northwest corner of said Section 16; thence running South 40°57'32" East for 7056.20 feet to a point in the South line of Section 16; thence East to the Southeast corner of Section 16; thence North to the Northeast corner of Section 16; thence West 5077.85 feet to the point of beginning. (T-3044)

PARCEL 4:

A parcel of land located in Section 25, Township 15 South, Range 35 East, Boise Meridian, Oneida County, Idaho, and more particularly described as follows:
Commencing at the Southwest corner of said Section 25, from which the West Quarter Corner of said Section 25 bears North 00°53'38" East 2639.54 feet; thence North 00°53'38" East 1319.77 feet along the West line of said Section 25 to a 5/8" rebar with cap labeled "A.A.HUDSON, PLS 4735", the True Point of Beginning; thence North 12°45'49" East 1897.74 feet along a fence line to a 5/8" rebar with cap set at a fence corner; thence South 68°23'03" East 266.27 feet along a fence line to a 5/8" rebar with cap; thence South 70°29'17" East 152.70 feet along said fence line to a 5/8" rebar with cap; thence South 68°59'01" East 518.08 feet along said fence line to a 5/8" rebar with cap found at a fence corner; thence South 12°28'19" West 1564.31 feet along a fence line to a 5/8" rebar with cap set at a fence corner; thence North 61°00'13" West 26.08 feet to a 5/8" rebar with cap set on the North line of the South half of the SW¼ of said Section 25; thence South 89°55'35" West 933.71 to the True Point of Beginning. (T-3342)

Together with all water, water rights, oil, gas, mineral and geo-thermal rights appurtenant thereto.

SUBJECT TO a right of roadway in favor of Barbara J. Thompson for 25 feet across the Southwest corner of said property.

PARCEL 5:

Township 15 South, Range 35 East, Boise Meridian:
Section 10: E½SW¼; NW¼SW¼; NW¼

APR 18 2023

(7) [redacted]

Microfilm No. 138566
25 Day January 2006
At 2:00 O'clock P M
Oneida Co. Recorder
Fee $ 12.00 Deputy
Recorded at Request of
Craig R. Rushton

GRANT DEED

FOR VALUE RECEIVED, **RUSHTON FAMILY PARTNERSHIP, a Utah Limited Partnership**, the Grantor, does hereby Grant, Convey and confirm unto **RUSHTON FAMILY COMPANY, LLC, a Limited Liability Company of the State of Utah**, whose current address is 4417 South 5400 West, West Valley City, Utah, 84120, the Grantee, the real property situated in the County of Oneida, State of Idaho, fully described in the SCHEDULE "A" attached hereto and made a part hereof by reference.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, it's successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto set it's hand the day and year first above written.

DATED December 5, 2005

RUSHTON FAMILY PARTNERSHIP

By: Donald R. Rushton
DONALD R. RUSHTON, General Partner

STATE OF Utah
COUNTY OF Salt Lake, ss

On this 14th day of December 2005 , before me, the undersigned, a Notary Public in and for said State, personally appeared DONALD R. RUSHTON, known to be the General Partner of RUSHTON FAMILY PARTNERSHIP a Utah Limited Partnership and the person who subscribed the Partnership name to the foregoing instrument and acknowledged to me that he executed the same in said Partnership name.

Notary Public
JEAN M. SMITH
360 East 400 South
Salt Lake City, Utah 84111
My Commission Expires
February 28, 2009
State of Utah

Jean M Smith
Notary Public
Residing at SLC, Utah
My Comm. Expires: 2-28-06

SCANNED
APR 13 2023

138566

SCHEDULE "A"

Township 14 South, Range 30 East, Boise Meridian:

Section 19: Lot 4; SE¼SW¼

Section 30: Lots 1, 2, 3, 4; E½NW¼; NE¼SW¼; SE¼SW¼, Excepting therefrom the following described parcels: (1) T-3475: Commencing at a point 14 rods West of the Southeast Corner of Section 4 Township 15 South Range 30 East Boise Meridian; thence running West 14 rods; thence North 57 1/7 rods; thence East 14 rods; thence South 57 1/7 rods to the point of beginning; (2) T-3547: Commencing at the Southwest Corner of Lot 11 of said Section 30 said point is 88°36'22" West 1140.81 feet along the section line from the Southeast Corner of said Section 30; thence running North 0°15'46" East 1316.15 feet; thence North 88°33'07" West 1441.79 feet; thence South 0°13'16" West 409 feet to the point of beginning; thence running South 0°13'16" West 300 feet; thence running South 88°36'22" East 250 feet; thence North 0°13'16" East 300 feet; thence North 88°36'22" West 250 feet to the point of beginning.

Section 31: Lots 1, 2, 3, 4; W½NE¼; E½NW¼; E½SW¼; SE¼, Excepting therefrom the following described parcel: T-3472: A part of the SE¼ of Section 31, Township 14 South, Range 30 East Boise Meridian; Beginning at the East quarter corner of said Section 31 and running thence South 0°25'08" West 741.62 feet along the section line to the center of a road; thence North 43°18' West 1040.28 feet along said center line to the quarter section line; thence South 88°45'56" East 719.04 feet along the quarter section line to the point of beginning.

Section 32: SW¼SW¼, Excepting therefrom the following described parcels: (1) T-3426: Commencing at a point 290.58 feet South and 425.36 feet West of the Northeast Corner Section 6, Township 15 South, Range 30 East Boise Meridian on the Right of Way Line, Interstate 85 North; thence North 41°40'26" East a distance of 812.83 feet; thence South 81°54'16" East a distance of 148.13 feet; thence South 38°18'52" East a distance of 1028.11 feet; thence South 27°31'06" West a distance of 171.50 feet to a point on the Highway Right of Way line of the above mentioned Interstate Highway 85 North; thence along said Right of Way on a curve having a Radius of 369.26 feet a distance of 399.58 feet in a Southwesterly direction; thence South 72°49'14" West a distance of 236.76 feet; thence South 77°25'19" West a distance of 111.13 feet; thence South 60°44'14" West a distance of 100.00 feet; thence North 35°29'34" West a distance of 981.17 feet to the Point of Beginning. (2) T-3473: A part of the SW ¼ of Section 32 Township 14 South Range 30 East Boise Meridian; Beginning at a point in an existing road which is South 0°25'08" West 1312.95 feet along the section line and South 88°52'12" East 747.12 feet from the West quarter corner of said Section 32; running thence South 88°52'12" East 577.86 feet; thence South 0°25'08" West 395.96 feet to the center of said road; thence North 54°57' West 709.26 feet to the point of beginning.

SCANNED
APR 18 2023

SCHEDULE "A" Continued

Township 15 South, Range 30 East, Boise Meridian:

Section 5: Lots 9, 14, 15, 16, 17, 18, 19; Lot 8, Excepting therefrom the following described parcel: T-3426: Commencing at a point 290.58 feet South and 425.36 feet West of the Northeast Corner Section 6, Township 15 South, Range 30 East Boise Meridian on the Right of Way Line, Interstate 85 North; thence North 41°40'26" East a distance of 812.83 feet; thence South 81°54'16" East a distance of 148.13 feet; thence South 38°18'52" East a distance of 1028.11 feet; thence South 27°31'06" West a distance of 171.50 feet to a point on the Highway Right of Way line of the above mentioned Interstate Highway 85 North; thence along said Right of Way on a curve having a Radius of 369.26 feet a distance of 399.58 feet in a Southwesterly direction; thence South 72°49'14" West a distance of 236.76 feet; thence South 77°25'19" West a distance of 111.13 feet; thence South 60°44'14" West a distance of 100.00 feet; thence North 35°29'34" West a distance of 981.17 feet to the Point of Beginning.

Section 6: Lots 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23;

ALSO,

Lot 8, Excepting therefrom the following described parcel: T-3426: Commencing at a point 290.58 feet South and 425.36 feet West of the Northeast Corner Section 6, Township 15 South, Range 30 East Boise Meridian on the Right of Way Line, Interstate 85 North; thence North 41°40'26" East a distance of 812.83 feet; thence South 81°54'16" East a distance of 148.13 feet; thence South 38°18'52" East a distance of 1028.11 feet; thence South 27°31'06" West a distance of 171.50 feet to a point on the Highway Right of Way line of the above mentioned Interstate Highway 85 North; thence along said Right of Way on a curve having a Radius of 369.26 feet a distance of 399.58 feet in a Southwesterly direction; thence South 72°49'14" West a distance of 236.76 feet; thence South 77°25'19" West a distance of 111.13 feet; thence South 60°44'14" West a distance of 100.00 feet; thence North 35°29'34" West a distance of 981.17 feet to the Point of Beginning;

ALSO,

Lot 15, Excepting therefrom the following described parcel: T-3425: A tract of land located in the NE¼ of Section 6, Township15 South, Range 30 East Boise Meridian, County of Oneida, State of Idaho, containing 7.68 acres more or less, more particularly described as follows:

Commencing at a point that is 90.40 feet North and 20.87 feet West of the SE¼NE¼ of Section 6, Township 15 South, Range 30 East Boise Meridian; thence South 88°53'40" West a distance of 255.40 feet; thence North 12°54'40" West a distance of 189.31 feet; thence North 50°58'51" West a distance of 216.83 feet; thence North 60°08'35" West a distance of 399.07 feet; thence North 29°10'46" West a distance of 369.24 feet;

SCANNED
APR 13 2023

SCHEDULE "A" Continued

thence
North 27°07'45" East a distance of 180.28 feet; thence North 60°49'14" East a distance of 250.0 feet to a point on the Highway Right of Way that is 500.0 feet Right of the center line of Survey, Station 2251+00 of Interstate Highway 85 North; thence South 27°07'45" West along said Right of Way a distance of 180.28 feet; thence South 29°10'46" East along said Right of Way a distance of 300.0 feet; thence South 60°08'35" East along Said Right of Way a distance of 349.86 feet; thence South 50°58'51" East along Said Right of Way a distance of 323.11 feet; thence South 12°54'40" East along said Right of Way a distance of 327.81 feet to the point of beginning, which is 441.83 feet Right of the Center line Station 2263+14.68 of the above mentioned interstate Highway 85 North.

Section 7: Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20
Section 8: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16
Section 18: Lots 5, 6, 7, 8, 12

ALSO, T-3426: Commencing at a point 290.58 feet South and 425.36 feet West of the Northeast Corner Section 6 T-15-S, R 30 EBM on the Right of Way Line, Interstate 85 North; thence North 41°40'26" East a distance of 812.83 feet; thence South 81°54'16" East a distance of 148.13 feet; thence South 38°18'52" East a distance of 1028.11 feet; thence South 27°31'06" West a distance of 171.50 feet to a point on the Highway Right of Way line of the above mentioned Interstate Highway 85 North; thence along said Right of Way on a curve having a Radius of 369.26 feet a distance of 399.58 feet in a Southwesterly direction; thence South 72°49'14" West a distance of 236.76 feet; thence South 77°25'19" West a distance of 111.13 feet; thence South 60°44'14" West a distance of 100.00 feet'; thence North 35°29'34" West a distance of 981.17 feet to the Point of Beginning;

ALSO, T-3474: A part of the SW¼ of Section 32, Township 14 South, Range 30 East, Boise Meridian, U.S.Survey; Beginning at a point in an existing road which is South 0°25'08" West 741.62 feet along the section line from the West quarter section of said Section 32; running thence South 43°18' East 263.28 feet along said center line; thence South 54°57' East 686.79 feet along said center line; thence North 88°52'20" West 747.12 feet to the section line; thence North 0°25'8" West 571.33 feet to the point of beginning.

EXCEPTING FROM THE ABOVE DESCRIBED PARCELS that portion deeded to the State of Idaho by Warranty Deed dated January 18, 1967, for highway purposes and containing 155.11 acres and found of record in Book 32 of Deeds, Page 75; and EXCEPTING THEREFROM County h

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 86000

This is to certify that: RUSHTON FAMILY PARTNERSHIP
C/O CRAIG RUSHTON
1519 SPRING CANYON RD
TOOELE, UT 84074-3341

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
17-7035	WR/LICENSE	10/3/1974	4.540 cfs	1893.5 af	N/A	541.0	GROUND WATER
17-7122	WR/LICENSE	11/6/1986	2.050 cfs	870.2 af	N/A	290.5	SPRING

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
17-7035	NO	NO	YES	NO	NO	NO
17-7122	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
17-7035	17-7035	4.540 cfs	1893.5 af	N/A	343.0	N/A	N/A	N/A	N/A	N/A
17-7122	17-7122	2.050 cfs	870.2 af	N/A	343.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**6.590 cfs**	**1200.0 af**	**N/A**	**343.0**		**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 29th day of September, 2022.

Regional Manager

SUPPORT DATA

IN FILE # 17-7035

Transfer No. 86000

SCANNED
OCT 03 2022

WATER RIGHT NO. 17-7035

As Modified by Transfer No. 86000

In accordance with the approval of Transfer No. 86000, Water Right No. 17-7035 is now described as follows:

Right Holder: RUSHTON FAMILY PARTNERSHIP
C/O CRAIG RUSHTON
1519 SPRING CANYON RD
TOOELE, UT 84074-3341

Priority Date: 10/3/1974

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	4/01	to	11/01	4.540 cfs	1893.5 af
				4.540 cfs	1893.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec 5 Twp 15S Rge 30E ONEIDA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14S	30E	30											22.0	5.5					27.5
													L 4						
14S	30E	31		5.5	26.0		31.0	17.0	0.2	18.0	0.2				27.0	14.0	7.6		146.5
								L 1	L 2										
14S	30E	32										4.5	32.0						36.5
15S	30E	5		1.8	21.0		11.0	2.2	15.0	40.0	27.0	6.0				8.5			132.5
				L 6	L 11		L 7	L 8	L 9	L 10	L 15	L 16				L 14			

POU Total Acres: 343.0

CONDITIONS OF APPROVAL

1. Rights 17-7035 and 17-7122 when combined shall not exceed a total annual maximum diversion volume of 1,200 af at the field headgate, and the irrigation of 343 acres.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 86000

SCANNED
OCT 03 2022

WATER RIGHT NO. 17-7035

As Modified by Transfer No. 86000

CONDITIONS OF APPROVAL

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED
OCT 0 3 2022

WATER RIGHT NO. 17-7122

As Modified by Transfer No. 86000

In accordance with the approval of Transfer No. 86000, Water Right No. 17-7122 is now described as follows:

Right Holder: RUSHTON FAMILY PARTNERSHIP
C/O CRAIG RUSHTON
1519 SPRING CANYON RD
TOOELE, UT 84074-3341

Priority Date: 11/6/1986

Source: SPRING **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	4/01	to	11/01	2.050 cfs	870.2 af
				2.050 cfs	870.2 af

LOCATION OF POINT(S) OF DIVERSION

SPRING SESWNE Sec 31 Twp 14S Rge 30E ONEIDA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14S	30E	30											22.0	5.5					27.5
													L 4						
14S	30E	31		5.5	26.0		31.0	17.0	0.2	18.0	0.2				27.0	14.0	7.6		146.5
								L 1	L 2										
14S	30E	32										4.5	32.0						36.5
15S	30E	5		1.8	21.0		11.0	2.2	15.0	40.0	27.0	6.0				8.5			132.5
				L 6	L 11		L 7	L 8	L 9	L 10	L 15	L 16				L 14			

POU Total Acres: 343.0

CONDITIONS OF APPROVAL

1. Rights 17-7035 and 17-7122 when combined shall not exceed a total annual maximum diversion volume of 1,200 af at the field headgate, and the irrigation of 343 acres.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 86000

SCANNED
OCT 0 3 2022

WATER RIGHT NO. 17-7122

As Modified by Transfer No. 86000

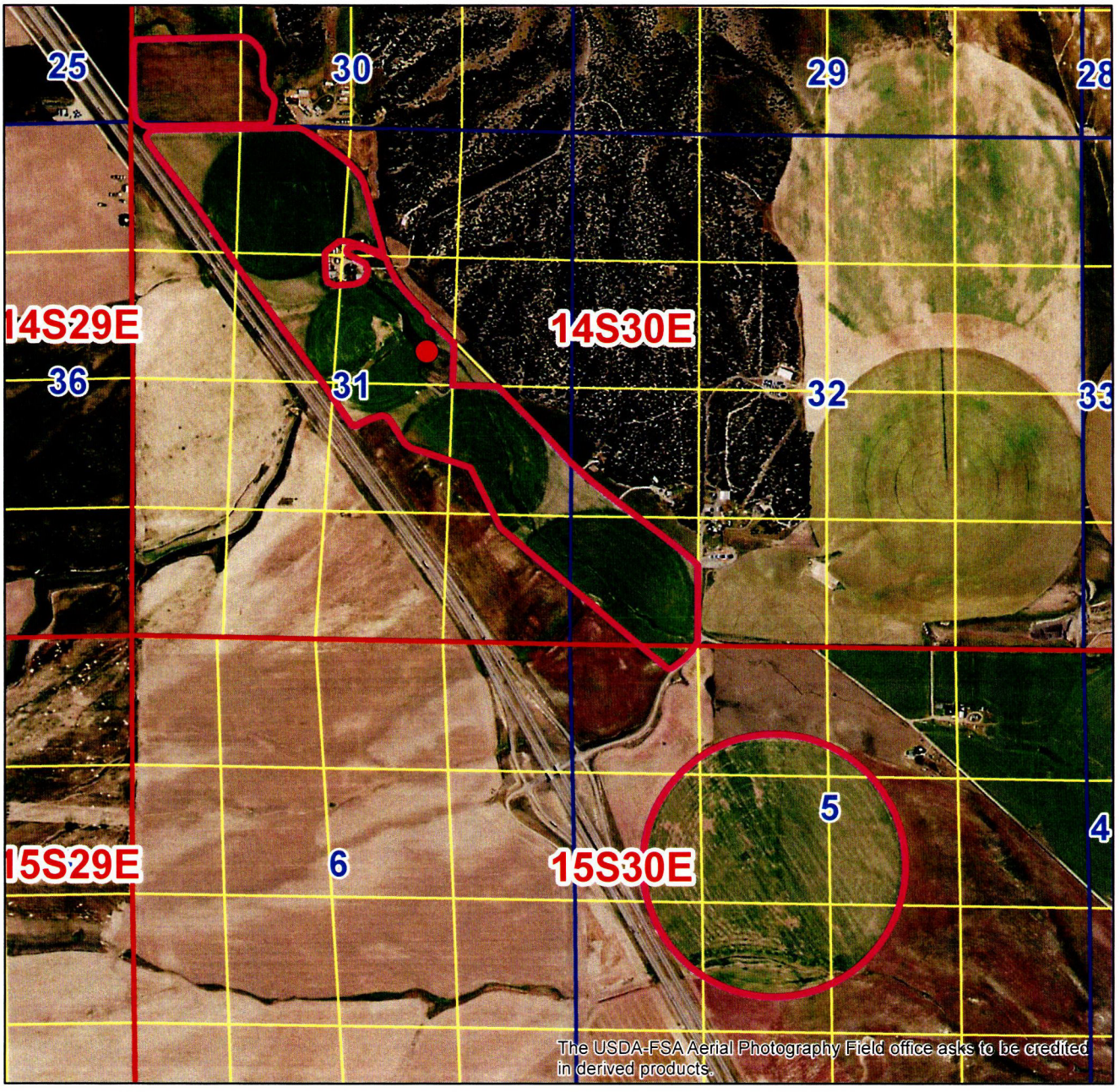
CONDITIONS OF APPROVAL

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED
OCT 03 2022

Attachment to Transfer Approval 86000

This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 750 1,500 3,000 Feet

N
W E
S

SCANNED
OCT 03 2022

Date: 9/29/2022

Rev. 07/18

RECEIVED

JUL 05 2022

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Rushton Family Company LLC & Craig Rushton Phone 801-556-2793

Mailing address 1519 E Spring Canyon Rd, Pine Canyon, UT 84704 Email

AMENDED

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.

☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.

☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Phone

Mailing address Email

☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
Craig Rushton	Craig Rushton (Member)	6-29-22

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
   If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part1A.3**.

This application proposes to change and combine the place of use for WR 17-7035, & 17-7122 to reflect the current number and configuration of irrigated acres on our property. The combined use covers 343 acres.

86000

SCANNED
OCT 03 2022

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT.
PART 1 Continued

AMENDED

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. All	Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use		Source & Tributary
☑	☐	17-7035	4.54 / 1200	Irrigation	4/1	to 11/1	Ground Water
☑	☐	17-7122	2.05 / 870.2	Irrigation	4/1	to 11/1	Spring
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	

Total authorized under rights 6.59 cfs and/or 1200 acre-feet.

2. Total amount of water proposed to be transferred or changed 4.73 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

☑ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	30E	30											22	5.5					27.5
													L4						
		31		5.5	26		31	17	0.2	18	0.2				27	14	7.6		146.5
								L1	L2										
		32										4.5	32						36.5
15S	30E	5		1.8	21		11	2.2	15	40	27	6				8.5			132.5
				L6	L11		L7	L8	L9	L10	L15	L16				L14			
																			Total Acres (for irrigation use) 343

SCANNED
OCT 0 3 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

AMENDED

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Acres are primarily irrigated with ground water. Spring is only diverted when water is available (which, in recent years, is extremely rare). Ground water diversion can be equipped with flow meter if required in the future.

b. Who owns the property at the point(s) of diversion? Applicants
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6.** List the name of the entity and type of lien: N/A water rights will remain on property and are simply being rearranged to match current irrigation system.

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Transfer will rearrange water rights to match current irrigation use. Given the limits of water rights, the 343 acres described in this application are the maximum number of acres that could be reasonably irrigated with these rights.

f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
No other rights used for irrigation.

g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☑	☐	undergone a period of five or more consecutive years of non-use,
☐	☑	currently leased to the Water Supply Bank,
☐	☑	currently used in a mitigation plan limiting the use of water under the right, or
☐	☑	currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:
The hydrology of the basin changed after the Borah Peak earthquake. There is rarely water in the spring and the flow has significantly been reduced. There is rarely water available to fill water right 17-7122. Consequently this right has not been used for many years.

SCANNED
OCT 0 3 2022

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

☑ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a.**

☑ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a.**

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b.**

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid $820.00 Date 2/14/22 Receipted by CH Receipt # E047810

Add'l fee paid $25.00 Date 4/1/22 Receipted by JONIE Receipt # E047970

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

SCANNED
OCT 03 2022

IDAHO DEPARTMENT OF WATER RESOURCES **9/15/2022**

Proof Report

Water Right 17-7122

Owner Type
Current Owner

Name
RUSHTON FAMILY PARTNERSHIP

Priority Date: 11/6/1986
Basis: License
Status: Active

Source
SPRING

Tributary
SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	2.050 CFS	870.2 AF
	Total Diversion		2.050 CFS	870.2 AF

Source and Point(s) of Diversion:

SPRING	SESWNE	Sec. 31, Twp 14S, Rge 30E, ONEIDA County

Place Of Use:
IRRIGATION within ONEIDA County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14S	30E	30										2.5 L3	30.8 L4	8.2					41.5
14S	30E	31		3.7	27.0	0.8 L6	29.0	15.7 L1	0.1 L2	15.4	0.3				28.3	28.0	2.8	35.0	186.1
14S	30E	32										2.0	33.5						35.5
15S	30E	5						19.8											19.8
15S	30E	6	7.6 L1																7.6

POU Total Acres: 290.5

Conditions of Approval:

1.	R01	A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2.	R30	This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

Dates and Other Information:
Licensed Date: 11/27/1990
Water District Number: NWD
Mitigation Plan: False

17-7122

SCANNED
OCT 03 2022

IDAHO DEPARTMENT OF WATER RESOURCES **5/20/2022**

Proof Report

Water Right 17-7035

Owner Type	**Name and Address**
Current Owner	RUSHTON FAMILY PARTNERSHIP C/O CRAIG RUSHTON 1519 E SPRING CANYON ROAD PINE CANYON, UT 84704 (801) 556-2793

Priority Date: 10/3/1974
Basis: License
Status: Active

Source	**Tributary**
GROUND WATER	

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	4/01	11/01	4.540 CFS	1,893.5 AF
	Total Diversion		4.540 CFS	1,893.5 AF

Source and Point(s) of Diversion:

GROUND WATER	NWNW	Sec. 5, Twp 15S, Rge 30E, ONEIDA County

Place Of Use:
IRRIGATION within ONEIDA County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14S	30E	31		7.0	29.0	1.0 L6	26.0 L1	13.0		15.0					31.0	24.0	2.0	32.0	180.0
14S	30E	32											36.0						36.0
15S	30E	5						31.0	23.0		40.0	9.0		25.0		38.0	38.0		204.0
15S	30E	6	9.0																9.0
15S	30E	8	35.5	38.0	20.5	12.5	4.5									1.0			112.0

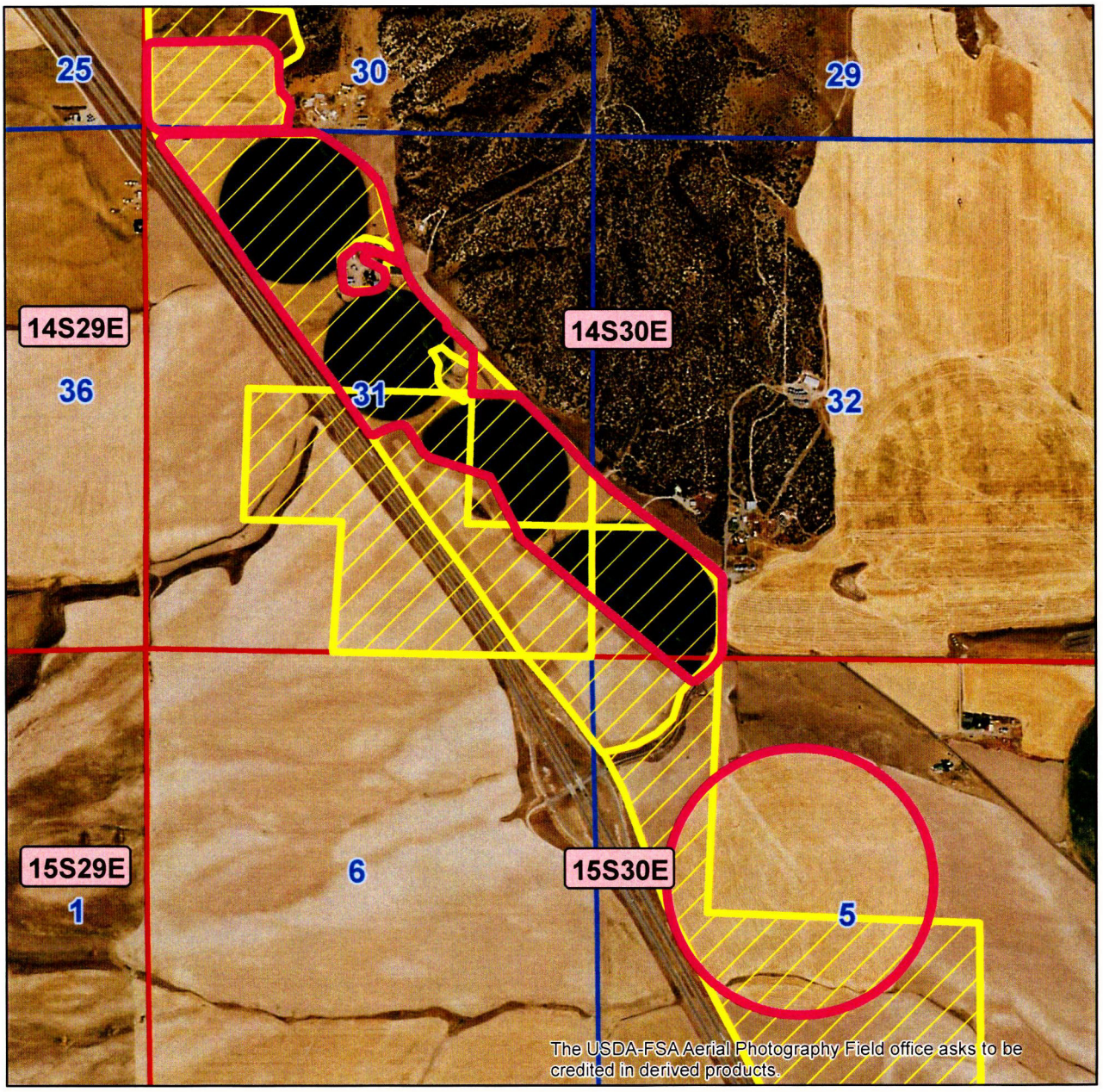
POU Total Acres: 541.0

Conditions of Approval:

Dates and Other Information:
Licensed Date: 3/24/1989
Water District Number: NWD
Mitigation Plan: False

SCANNED
17-7035
OCT 0 3 2022

Rushton - Application for Transfer



2019 Imagery

Rushton_Proposed_POU
Water Right POU
Township/Range
Sections

0 1,000 2,000 4,000 Feet

N

SCANNED
JUL 13 2022

154629
5 December 16
At 2:00 pm
Lola Bott
Fee $ 37.00 Deputy
Hale + Wood, PLLC
Space Above for Recorder's Use

WHEN RECORDED, MAIL TO:
Thomas Christensen, Jr.
Hale & Wood
4766 S. Holladay Blvd.
Holladay, Utah 84117

TRUSTEES' DEED

Lynda R. Ahlquist and Craig D. Rushton as successor Co-Trustees of the Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990, and also as Co-Trustees of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990, as Grantors, of Tooele County and Salt Lake County, Utah , hereby CONVEY and QUIT-CLAIM to Rushton Family Company LLC, a Utah limited liability company, Grantee, whose current address is 1521 E. Spring Canyon Rd. Pine Canyon, Utah 84074, for the sum of TEN DOLLARS ($10.00) and other good and valuable consideration, all of their interest as Trustees of such trusts to that certain real property situated in Oneida County, State of Idaho which is more particularly described in Exhibit "A" attached hereto and incorporated by this reference.

WITNESS, the hand of said Grantors, on the date set opposite his or her signature.

Dated: 11-30-2016

Lynda R. Ahlquist

Lynda R. Ahlquist, as Successor Trustee of the Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990, and as Successor Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990

Dated: 11-30-2016

Craig D. Rushton

Craig D. Rushton, as Successor Trustee of the Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990, and as Successor Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990

SCANNED
OCT 03 2022

154629

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 3rd day of November 2016, personally appeared before me Lynda R. Ahlquist, as Successor Trustee of Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990 and as Successor Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990, the signer of the within instrument, who duly acknowledged to me that she executed the same.

THOMAS CHRISTENSEN
Notary Public State of Utah
My Comm. Exp: Dec. 3, 2019
Comm. Number: 686696

Notary Public

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 3rd day of November 2016, personally appeared before me Craig D. Rushton, as Successor Trustee of Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990 and as Successor Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990, the signer of the within instrument, who duly acknowledged to me that he executed the same.

THOMAS CHRISTENSEN
Notary Public State of Utah
My Comm. Exp: Dec. 3, 2019
Comm. Number: 686696

Notary Public

SCANNED

Recorded at Request of Don R. Rushton Oneida County
at 11:45 A.M. Fee Paid $ 10.00 Recorder
by Melba Vogl Dep. Book 7 Page Ref.: 116877
Mail tax notice to Don R. and Adele B. Rushton, Trustees Address: 4434 South
5400 West, West Valley City, UT 84120 P.O. Box 70307

QUIT-CLAIM DEED

Rushton Family Partnership, grantor, of Salt Lake County, State of Utah, hereby remises, releases and forever quit-claims an undivided one-half interest in the following described premises in Oneida County, State of Idaho, to Adele B. Rushton as Trustee of the Don R. Rushton Trust created under Trust Agreement dated February 21, 1990, and the remaining undivided one-half interest in the following described premises in Oneida County, State of Idaho, to Don R. Rushton as Trustee of the Adele B. Rushton Trust created under Trust Agreement dated February 21, 1990, grantees, of 4434 South 5400 West, West Valley City, Utah 84120, for the sum of Ten Dollars ($10.00) and other good and valuable consideration.

Parcel No. 1:

Township 14 South, Range 30 East, Boise Meridian Section 19: Lot 4 and Southeast ¼ Southwest ¼; Section 30: Lots 1, 2, 3 & 4, East ½ Northwest ¼, Southeast ¼ Southwest ¼, Southwest ¼ Southeast ¼, Northeast ¼ Southwest ¼; Section 31: Lots 1, 2, 3 & 4, East ½ Northwest ¼, West ½ Northeast ¼, East ½ Southwest ¼, Southeast ¼; Section 32: Southwest ¼ Southwest ¼. Township 15 South, Range 30 East, Boise Meridian Section 5: Lots 6, 9, 14, 15, 16, 17, 18 & 19; Section 6: All; Section 7: All; Section 8: All; Section 18: Lots 5, 6, 7, 8 & 12 Excepting a portion of I80-N which bisects the property and is more particularly described as follows: Beginning at the Southeast corner of Section 8 T15S R30E Boise Base and Meridian and running thence North 89°03'41" West 200.49 feet; thence North 40°57'32" West 396.52 feet; thence along the arc of a curve on a chord of North 35°04'21" West 2382.24 feet; thence North 29°10'49" West 6659.13 feet; thence North 37°11'10" West 474.63 feet; thence North 50°10'25" West 781.51 feet; thence North 29°10'46" West 200.00 feet; thence North 8°57'16" West 959.13 feet; thence North 23°55'02" West 200.85 feet; thence North 29°10'46" West 49.94 feet; thence along the arc of a curve on a chord of North 32°10'17" West 1388.12 feet; thence North 35°42'55" West 4960.88 feet; thence North 0°12'11" West 509.90 feet; thence

SCANNED
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North 0°33'56" East 6.44 feet; thence along the arc of a curve on a chord of S32°53'51" East 1120.05 feet; thence South 52°51'51" East 303.15 feet; thence South 35°29'36" East 1182.17 feet; thence South 29°10'46" East 200.00 feet; thence South 19°34'13" East 1520.98 feet; thence South 29°10'46" East 6359.04 feet; thence along the arc of a curve on a chord of S35°04'14" East 2320.99 feet; thence South 40°57'32" East 352.94 feet; thence South 0°36'51" East 232.58 feet to the point of beginning. Contains 2991.7 acres.

Parcel No. 2:

A part of the Southwest quarter of Section 32, T14S, R30E, Boise Base and Meridian, U.S. Survey; Beginning at a point in an existing road which is South 0°25'08" West 741.62 ft. along the section line from the West quarter Corner of said Section 32; running thence South 43°18' East 263.28 ft. along said center line; thence South 54°57' East 686.79 ft. along said center line; thence North 88°52'20" West 747.12 ft. to the section line; thence North 0°25'08" West 571.33 ft. to the point of beginning. Contains 4.48 acres.

Parcel No. 3:

Commencing at a point 290.58 feet South and 425.36 feet West of the Northeast Corner of Section 6, Township 15 South, Range 30 East, Boise Meridian, on the right-of-way line of Interstate 80 North; thence North 41 degress 40'26" East a distance of 812.83 feet; thence South 81 degrees 54'16" East a distance of 148.13 feet; thence South 38 degrees 18'52" East a distance of 1,028.11 feet;
thence South 27 degrees 31'06" West a distance of 171.50 feet to a point on the highway right-of-way line of the above-mentioned Interstate Highway 80 North; thence along said right-of-way on a curve having a radius of 369.26 feet a distance of 399.58 feet in a Southwesterly direction; thence South 72 degrees 49'14" West a distance of 236.76 feet; thence South 77 degrees 25'19" West a distance of 111.13 feet; thence South 60 degrees 44'14" West a distance of 100 feet; thence North 35 degrees 29'34" West a distance of 981.17 feet to the point of beginning, containing 24.50 acres, more or less.

EXCEPTING FROM THE ABOVE-DESCRIBED PARCELS OF PROPERTY, THE FOLLOWING TRACTS OF LAND:

A tract of land located in the North East Quarter of Section 6 T-15-S, R 30 East of the Boise Meridian, County of Oneida, State of Idaho, containing 7.68 acres, more or less, more particularly described as follows: Commencing at a point that is 90.40' North and 20.87' West of the S.E. corner of the N.E. Quarter of Section 6, T-15-S, R 30 E. B.M.; thence S 88°53'40" W a distance of 255.40'; thence N 12°54'40" W. a distance of 289.31'; thence N. 50°58'51" W. a distance of 216.83'; thence N. 60°08'35" W. a

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distance of 399.07'; thence N29°10'46" W. a distance of 369.24'; thence N. 27°07'45" E. a distance of 180.28'; thence N. 60°49'14" E.; a distance of 250.0' to a point on the Highway Right of Way that is 500.0' Right of the center Line of Survey, Station 2251+00 of Interstate Highway 85 North; thence S27°07'45" W. along said Right of Way a distance of 180.28'; thence S29°10'46" E. along said Right of Way a distance of 300.0'; thence S. 60°08'35" E. along said Right of Way a distance of 349.86'; thence S. 59°58'51" E. along said Right of Way a distance of 323.11'; thence S.12°54'40" E. along said Right of Way a distance of 327.81' to the point of beginning, which is 441.83' Right of the Center Line Station 2263+14.68 of the above mentioned Interstate Highway 85 North. Together with all water rights and improvements appurtenant thereto.

A tract of land located in Sections 31 and 32, T-14-S, and 5 and 6, T-15-S, R. 30 East of the Boise Meridian, County of Oneida, State of Idaho, containing 24.50 acres, more or less, more particularly described as follows:

Commencing at a point 290.58' South and 425.36' West of the N.E. Corner Section 6, T-15-S, R.30 E. B.M., on the Right of Way line, Interstate 80 North; thence N. 41°40'26" E. a distance of 812.83'; thence S. 81°54'16" E. a distance of 148.13'; thence S. 38°18'52" E. a distance of 1028.11'; thence S. 27°31'06" W. a distance of 171.50' to a point on the Highway Right of Way line of the above mentioned Interstate Highway 80 North; thence along said Right of Way on a curve having a radius of 369.26' a distance of 399.58' in a southwesterly direction; thence S. 72°49'14" W. a distance of 236.76'; thence S. 77°25'19" W. a distance of 111.13'; thence S. 60°44'14" W. a distance of 100.0'; thence N. 35°29'34" W. a distance of 981.17' to the point of beginning.

A part of the South one-half of Section 30, T14S, R30E, Boise Base and Meridian; Beginning at the Southwest Corner of Lot 11 of said Section 30, said point is North 88°36'22" West 1140.81 ft. along the section line from the Southeast corner of said section 30; running thence North 88°36'22" West 1911.11 ft. along the section line, thence North 0°13'16" East 608.54 ft., thence South 88°36'22" East 470.30 ft., thence North 0°13'16" East 709.00 ft., thence South 88°33'07" East 1441.79 ft. to the Northwest corner of said lot 11, thence south 0°15'46" West 1316.15 ft. to the point of beginning. Contains 50.13 acres.

A part of the Southeast Quarter of Section 31, T14S, R30E, Boise Base and Meridian: Beginning at the East quarter corner of said Section 31, and running thence South 0°25'08" West 741.62 ft. along the section line to the center of a road; thence North 43°18' West 1040.20 ft. along said center line to the quarter section line; thence South 88°45'56" East 719.04 ft. along the quarter section line to the point of beginning. Contains 6.12 acres.

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A part of the Southwest Quarter of Section 32, T14S, R30E, Boise Base and Meridian: Beginning at a point in an existing road which is South 0°25'08" West 1312.95 ft. along the section line and South 88°52'12" East 747.12 ft. from the West quarter corner of said Section 32; running thence South 88°52'12" East 577.86 ft.; thence South 0°25'08" West 395.96 ft. to the center of said road; thence North 54°57' West 709.26 ft. to the point of beginning. Contains 2.63 acres.

WITNESS the hand of said grantor, this 25th day of March, A.D., one thousand nine hundred and ninety-one.

RUSHTON FAMILY PARTNERSHIP

Don R. Rushton

Don R. Rushton, General Partner

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 25th day of March, 1991, personally appeared before me Don R. Rushton, known to me to be a general partner of Rushton Family Partnership, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

Thomas Christensen

NOTARY PUBLIC
Residing at Salt Lake County, Utah

My commission expires:
11-15-92

NOTARY PUBLIC
By Commission Expires
November 15, 1991
THOMAS CHRISTENSEN JR.
36 So. State, 12th Fl.
Salt Lake City,
UT 84111
STATE OF UTAH

tc:031891a

SCANNED

STATE OF UTAH
: ss.
County of Salt Lake

On the 4th day of April, A. D., 1980, personally appeared before me CECIL REED SORENSON, Trustee; DAVID L. TOMLINSON and SUSAN C. TOMLINSON, his wife, the signers of the within instrument, who duly acknowledged to me that they executed the same.

John A Rohrich
NOTARY PUBLIC
Residing at Magna, Salt Lake County, State of Utah

My Commission Expires:

8-15-81

STATE OF NEVADA
: ss.
County of Clark

On the 14th day of April, A. D., 1980, personally appeared before me DOUGLAS REED SORENSON and MAURINE C. SORENSON, Co-Trustees of the Douglas Reed Sorenson and Maurine C. Sorenson Family Trust, the signers of the within instrument, who duly acknowledged to me that they executed the same.

Deborah A. Reeves
NOTARY PUBLIC
Residing in Las Vegas, Clark County, State of Nevada

My Commission Expires:

July 7, 1981

OFFICIAL SEAL
DEBORAH A. REEVES
NOTARY PUBLIC - STATE OF NEVADA
COUNTY OF CLARK

SCANNED
OCT 03 2022

100853

Recorded at Request of J.W. Tomlinson

at 10:45 A.M. Fee Paid $ 6.00 . Joyce N. Hendricksen

by _____ Dept. Book _____ Page _____ Ref.: #100853

Mail tax notice to: RUSHTON FAMILY PARTNERSHIP, c/o Don R. Rushton, 4434 South 5400 West, Salt Lake City, Utah 84120.

WARRANTY DEED

DOUGLAS REED SORENSON and MAURINE C. SORENSON, of Las Vegas, Clark County, State of Nevada, as Co-Trustees of the Douglas Reed Sorenson and Maurine C. Sorenson Family Trust; CECIL REED SORENSON, Trustee; and DAVID L. TOMLINSON and SUSAN C. TOMLINSON, his wife, of Salt Lake City, Salt Lake County, State of Utah, ---------- Grantors, hereby CONVEY and WARRANT to RUSHTON FAMILY PARTNERSHIP, ---------- Grantee, of Salt Lake City, Salt Lake County, Utah, for the sum of TEN and NO/100 DOLLARS and other good and valuable consideration, the following described tract of land in Oneida County, State of Idaho

Township 14 South, Range 30 East, Boise Meridian Section 19: Lot 4 and Southeast ¼ Southwest ¼; Section 30: Lots 1, 2, 3 & 4, East ½ Northwest ¼, Southeast ¼ Southwest ¼, Southwest ¼ Southeast ¼, Northeast ¼ Southwest ¼; Section 31: Lots 1, 2, 3 & 4, East ½ Northwest ¼, West ½ Northeast ¼, East ½ Southwest ¼, Southeast ¼; Section 32: Southwest ¼ Southwest ¼. Township 15 South, Range 30 East, Boise Meridian Section 5: Lots 8, 9, 14, 15, 16, 17, 18 & 19; Section 6: All; Section 7: All; Section 8: All; Section 18: Lots 5, 6, 7, 8 & 12 Excepting a portion of I80-N which bisects the property and is more particularly described as follows: Beginning at the Southeast corner of Section 8 T15S R30E Boise Base and Meridian and running thence North 89°03'41" West 200.49 feet; thence North 40°57'32" West 396.52 feet; thence along the arc of a curve on a chord of North 35°04'21" West 2382.24 feet; thence North 29°10'49" West 6659.13 feet; thence North 37°11'10" West 474.63 feet; thence North 50°10'25" West 781.51 feet; thence North 29°10'46" West 200.00 feet; thence North 8°57'16" West 959.13 feet; thence North 23°55'02' West 200.85 feet; thence North 29°10'46" West 49.94 feet; thence along the arc of a curve on a chord of North 32°10'17" West 1388.12 feet; thence North 35°42'55" West 4960.88 feet; thence North 0°12'11" West 509.90 feet; thence North 0°33'56" East 6.44 feet; thence along the arc of a curve on a chord of S32°53'51" East 1120.05 feet; thence South 52°51'51" East 303.15 feet; thence South 35°29'34" East 1182.17 feet; thence South 29°10'46" East 200.00 feet; thence South 19°34'13" East 1520.98 feet; thence South 29°10'46" East 6359.04 feet; thence along the arc of a curve on a chord of S35°04'14" East 2320.99 feet; thence South 40°57'32" East 352.94 feet; thence South 0°36'51" East 232.58 feet to the point of beginning. Contains 2991.7 Acres

SUBJECT TO an Exchange Agreement dated March 25, 1980, between Rushton Family Partnership and David L. Tomlinson, Cecil Reed Sorenson, Trustee, Douglas Reed Sorenson, and Maurine C. Sorenson, his wife. Notice of said Exchange Agreement dated

SCANNED

March 25, 1980, the contracts and Exchange Agreement dated February 5, 1977, referred to therein, is given by an instrument recorded on the 1st day of ~~April~~ May 1980, under instrument number 100252, records of Oneida County, State of Idaho.

EXCEPTING from the above-described property, the following parcels of land:

A tract of land located in the North East Quarter of Section 6 T-15-S, R 30 East of the Boise Meridian, County of Oneida, State of Idaho, containing 7.68 acres, more or less, more particularly described as follows: Commencing at a point that is 90.40' North and 20.87' West of the S.E. corner of the N.E. Quarter of Section 6, T-15-S, R 30 E. B.M.; thence S 88°53'40" W a distance of 255.40'; thence N 12°54'40" W. a distance of 189.31'; thence N. 50°58'51" W. a distance of 216.83'; thence N. 60°08'35" W. a distance of 399.07'; thence N29°10'46" W. a distance of 369.24'; thence N. 27°07'45" E. a distance of 185.28'; thence N. 60°49'14" E.; a distance of 250.0' to a point on the Highway Right of Way that is 500.0' Right of the center Line of Survey, Station 2251+00 of Interstate Highway 85 North; thence S27°07'45" W. along said Right of Way a distance of 180.28'; thence S29°10'46" E. along said Right of Way a distance of 300.0'; thence S. 60°08'35" E. along said Right of Way a distance of 349.86'; thence S. 50°58'51" E. along said Right of Way a distance of 323.11'; thence S.12°54'40" E. along said Right of Way a distance of 327.81' to the point of beginning, which is 441.83' Right of the Center Line Station 2263+14.68 of the above mentioned Interstate Highway 85 North. Together with all water rights and improvements appurtenant thereto.

A tract of land located in Sections 31 and 32, T-14-S, and 5 and 6, T-15-S, R. 30 East of the Boise Meridian, County of Oneida, State of Idaho, containing 24.50 acres, more or less, more particularly described as follows:

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RESERVING OIL, GAS AND MINERAL RIGHTS UNTO GRANTORS.

WITNESS the hands of said Grantors this 14th day of April, A. D. 1980.

DOUGLAS REED SORENSON
Co-Trustee

CECIL REED SORENSON, Trustee

MAURINE C. SORENSON
Co-Trustee

DAVID L. TOMLINSON

SUSAN C. TOMLINSON

SCANNED
OCT 03 2022

IDAHO Thank you

RECEIVED
MAR 28 2022
Department of Water Resources
Eastern Region

PURCHASE RECEIPT

Oneida County Clerk
10 Court Street
Malad ID 83252
(208)766-4116
OTC Local Ref ID: 68631022
3/21/2022 12:56 PM

Your credit card or bank statement will show a charge from Idaho.gov.

Status:	**APPROVED**
Customer Name:	Rushton Farms LLC
Type:	Visa
Credit Card Number:	**** **** **** 6503

Items	Quantity	TPE Order ID		Total Amount
Copies	9	51112910	$9.00	
Note: **Copies**				
Total remitted to the Oneida County Clerk				$9.00
Access Idaho Fee	1	51112910	$1.27	
Total Amount Charged				$10.27

Phone
Signature

To offer the convenience of using your bank card, a service fee of 3% plus $1.00 has been added to your transaction. This fee goes to our third-party provider, Idaho.gov. The County does not keep any portion of this fee.

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OCT 03 2022

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 14 2022
Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Rushton Family Company LLC and Craig Rushton Phone 801-556-2793

Mailing address 1519 E Spring Canyon Rd, Pine Canyon, UT 84704 Email

SUPERCEDED

☑ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.

☑ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.

☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
Craig D. Rushton	Craig D Rushton	2-11-22

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☑ Other Define POD for 17-19

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
   If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
   This application proposes to change and combine the places of use for water rights 17-19, 17-7035 and 17-7122 to reflect the current number and configuration of irrigated acres on our property. The combined place of use covers 343 acres. Application also defines a point of diversion for water right 17-19 from Black Pine Creek.

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Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

SUPERCEDED

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.

All	Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☑	☐	17-19	0.80 cfs	Irrigation	4/1 to 10/31	Black Pine Creek
☑	☐	17-7035	4.54 / 1200	Irrigation	4/1 to 11/1	Ground Water
☑	☐	17-7122	2.05 / 870.2	Irrigation	4/1 to 11/1	Spring
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

Total authorized under rights 6.86 cfs and/or 1200 acre-feet.

2. Total amount of water proposed to be transferred or changed 4.73 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N			SW	NE	31	14S	30E	Oneida	Black Pine Creek	Pump Station
N			NW	NW	5	15S	30E	Oneida	Ground Water	GW Well
N		SE	SW	NE	31	14S	30E	Oneida	Spring	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	30E	30											22	5.5					27.5
													L4						
		31		5.5	26		31	17	0.2	18	0.2				27	14	7.6		146.5
								L1	L2										
		32										4.5	32						36.5
15S	30E	5		1.8	21		11	2.2	15	40	27	6				8.5			132.5
				L6	L11		L7	L8	L9	L10	L15	L16				L14			
																		Total Acres (for irrigation use)	343

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OCT 03 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

SUPERCEDED

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Acres are primarily irrigated with ground water. Spring and Black Pine Creek are only diverted when water is available (which, in recent years, is extremely rare). Ground water diversion can be equipped with flow meter if required in the future.

b. Who owns the property at the point(s) of diversion? Applicants
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6.** List the name of the entity and type of lien: N/A Water rights will remain on property and are simply being rearranged to match current irrigation system.

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Transfer will rearrange water rights to match current irrigation use. Given the limits of the water rights, the 343 acres described in this application are the maximum number of acres that could be reasonably irrigated with these rights.

f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
No other rights used for irrigation.

g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☑	☐	undergone a period of five or more consecutive years of non-use,
☐	☑	currently leased to the Water Supply Bank,
☐	☑	currently used in a mitigation plan limiting the use of water under the right, or
☐	☑	currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:
The hydrology of the basin changed after the Borah Peak earthquake. Now, there is rarely water in Black Pine Creek and the flow from the Spring was reduced significantly. There is rarely water available to fill water rights 17-19 or 17-7122. Consequently, these rights have not been used for many years.

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OCT 03 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

April 12, 2023

JUNIPER DRY FARM LLC
2450 S JUNIPER RD
MALTA ID 83342-8758

Re: Change in Water Right Ownership: 17-7035 (Split into 17-7035 and 17-7193) and 17-7122 (split into 17-7122 and 17-7194)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)

cc: Bryce and Jodi Campbell

SCANNED
APR 13 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

April 12, 2023

BRYCE CAMPBELL
JODI CAMPBELL
2450 S JUNIPER RD
MALTA ID 83342-8758

Re: Change in Water Right Ownership: 17-7035 (Split into 17-7035 and 17-7193) and 17-7122 (split into 17-7122 and 17-7194)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

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Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)

cc: JUNIPER DRY FARM LLC

SCANNED
APR 18 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

September 29, 2022

RUSHTON FAMILY PARTNERSHIP
C/O CRAIG RUSHTON
1519 SPRING CANYON RD
TOOELE UT 84074-3341

Re: Transfer No: 86000
Water Right No(s).: 17-7035, 17-7122

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

SCANNED
OCT 03 2022

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,

Christina Henman
Administrative Assistant

Enclosure
CC:

SCANNED
OCT 0 3 2022

CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2022 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 86000
Water Right No(s).: 17-7035, 17-7122

RUSHTON FAMILY PARTNERSHIP
C/O CRAIG RUSHTON
1519 SPRING CANYON RD
TOOELE UT 84074-3341

Christina Henman
Administrative Assistant

SCANNED
OCT 03 2022

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

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OCT 0 3 2022

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

SCANNED
OCT 03 2022

MEMORANDUM

Date: September 15, 2022

To: Transfer 86000

From: Jake Nebeker

Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the place of use for water rights 17-7035 and 17-7122. The rights will be consolidated and combined onto a 343-acre place of use.

Authority to File:
The applicant is the current water right owner of record. Oneida County tax lot data shows the applicant as the owners of the current and proposed place of use. The applicant has authority to make the change.

Water Right Validity:
Water right 17-7122 was licensed in 1990 while right 17-7035 was licensed in 1989. Based on aerial photography only 343 acres have been farmed and irrigated at the place of use. These rights combined will now be limited to 343 acres. This constitutes an overall reduction in authorized acres. Even with the reduction in acres, the rights provide less than 0.02 cfs per acre.

Injury to Other Water Rights:
Other rights do not appear to be injured by the proposed change. The points of diversion will not change as a result of the transfer. Since this water right is not within a water district, no water master was contacted. Since it is clear that the proposed change will not adversely impact other water rights, this application will not require public notice.

Enlargement of Use:
The proposed change does not appear to result in enlargement because neither rate not volume nor irrigated acreage will increase as a result of the transfer. The place of use is simply being rearranged. Water right 17-19 overlaps the proposed place of use. The original application proposed changing the ownership of this right into their name but could not provide an adequate chain of title for the right, therefore it was removed from this transfer.

Local Public interest:
No issues identified.

Beneficial Use/Conservation of Water Resources:
No issues identified.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

SCANNED
OCT 0 3 2022