STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1884

This Lease Contract ("**Lease**") is between the Idaho Water Resource Board ("**Board**"), and

LESSOR: FARMLAND RESERVE INC
60 E SOUTH TEMPLE STE 1700
SALT LAKE CTY, UT 84111-1008

RECEIVED
SEP 25 2024
DEPARTMENT OF
WATER RESOURCES

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.

2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on January 08, 2024.

3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS**: The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
35-2632	4/19/1961	GROUND WATER	0.180	40.0	10.0
35-8218	6/21/1983	GROUND WATER	0.024	Not Stated	10.0
Combined Lease Totals			**0.200**	**40.0**	**10.0**

2. **COMPENSATION**: The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

   Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE**: The term of this lease shall be January 1, 2024 to December 31, 2028. This Lease shall bind the parties and take effect when both parties have signed it.

4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE**: The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.

SUPPORT DATA
IN FILE # 35-2632

WATER SUPPLY BANK LEASE CONTRACT No. 1884

5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.

6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.

7. **DUPLICATE ORIGINAL**: This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1884

IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

LESSOR: FARMLAND RESERVE INC
60 E SOUTH TEMPLE STE 1700
SALT LAKE CTY, UT 84111-1008

By _____
Title ~~Owner~~ Vice President
Date 9/20/24

IDAHO WATER RESOURCE BOARD
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

By _____ Date 9/26/24
Brian Patton, Executive Manager
Idaho Water Resource Board

Lease approved by IDWR _____ Date 9/26/24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1884

ATTACHMENT A
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

The water rights or portions thereof leased to the bank are described as follows:

Source and Location of Point(s) of Diversion for Water Right No(s): 35-2632, 35-8218

GROUND WATER	NWSENW	Sec. 16	Twp 07S	Rge 29E	POWER County
GROUND WATER	NESWNE	Sec. 16	Twp 07S	Rge 29E	POWER County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
35-2632	IRRIGATION	4/01	to	11/01	0.180 cfs	40.0 AF
35-8218	IRRIGATION	4/01	to	10/31	0.024 cfs	40.0 AF
				Totals:	0.200 cfs	40.0 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	29E	16					8.0	2.0											10.0

Total Acres: 10.0

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.

WATER SUPPLY BANK LEASE CONTRACT No. 1884

8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
    a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
    b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. The unleased portions of Water Rights 35-02632 and 35-08218 when combined shall not exceed a total annual diversion volume of 912.0 af and the irrigation of a total of 228 acres.
13. Leased right 35-08218 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

Idaho Water Resource Board

Water Supply Bank Lease Contract No. 1884

35-2632 & 35-8218
Effective until December 31, 2028

This map depicts the **place of use** to be idled pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



Approved Lease POD
Approved Lease POU
Township/Range
Sections
QQ

N

0 1,000 2,000 Feet

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
JAN 08 2024
DEPARTMENT OF WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT TO THE WATER SUPPLY BANK

Designated Applicant Farmland Reserve
(Select one owner – see item 1A on the application)

Water Right No. 35-2632
(One water right per application)

Is this application being submitted with a rental application as a lease/rental package? Yes ☑ No ☐

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. **Applications that do not meet the minimum requirements will not be processed and may be returned or denied.**

MIMUMUM REQUIREMENT CHECKLIST
All items must be checked as either *Attached* (Yes) or *Not Applicable* (N/A)

		Yes	
		☑	Completed *Application to Sell or Lease a Water Right to the Water Supply Bank.*
		☑	Application filing fee of $250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is $500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
		☑	Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.
Attachment	**N/A**	**Yes**	
1A	☐	☑	Signatures and contact information for ***all owners*** of the water right to be leased or sold on this application.
1B	☑	☐	An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.
1C	☑	☐	*Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov).
1D	☐	☑	Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.
2	☐	☑	Description of a water right portion offered to the Water Supply Bank.
3	☐	☑	A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.
4A	☑	☐	Written consent from irrigation district or water delivery company.
4G	☐	☑	Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code.

Department Use Only

Fee Amount $ 500.00	Received By: KM	Date Received: 1.8.24	Receipt # C117615
W-9 received? Yes ☐ No ☑ (Route W-9 to Fiscal)		Name on W-9:	

2904

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant Farmland Reserve

Mailing Address 79 S Main St Ste 1000 Salt Lake City, Utah 84111
Street City State Zip Code

Email Address _____ Phone Number 801-7155-9100

☑ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☐ No ☑
If no, complete the form and attach to this application (Attachment 1B).

C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☑ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☑ No ☐
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative Greg Sullivan Organization Brockway Engineering

Professional Title Engineering Email Address greg.sullivan@brockwayeng.com

Mailing Address 2016 N Washington St Ste 4 Twin Falls, ID 83301 Phone Number 208-736-8543

☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☑ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☐ The full water right is being offered to the Bank.

OR

☑ A part of the water right is being offered to the Bank.
If a portion of the water right is being offered, **complete Attachment 2**.

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3**.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☑
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.

B. Please provide a description of the current water diversion and delivery system.
Existing POD, mainline and delivery system.

C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. 35-2632 and 35-8218

D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☐ No ☑
Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of $500.

E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☑
If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased.

F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. See historical aerial photographs.

G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☑
If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.

H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan?
If yes, describe. Yes ☐ No ☑

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☑?

If lease, specify the years when the use of water will be suspended: 2024 (Year) to 2028 (Year) (maximum lease period 5 calendar years).

B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

Current rental rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

Signature of Designated Applicant	Scott Baird Printed Name	Jan 4, 2024 Date
Signature of Authorized Representative	Printed Name	Date

Mail to:
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

FARMLAND RESERVE, INC.

INCUMBENCY CERTIFICATE

I, Paul L. Allen, HEREBY CERTIFY that I am the Secretary/Treasurer of Farmland Reserve, Inc., a Utah Corporation (the "Corporation").

I DO HEREBY FURTHER CERTIFY:

1. L. Scott Baird is the duly elected and acting Vice President of the Corporation.

2. Pursuant to the Corporation's Articles of Incorporation and Bylaws, L. Scott Baird, in his capacity of the Corporation's Vice President, is authorized to execute instruments, documents, applications and agreements on behalf of the Corporation and otherwise to represent the Corporation before and in dealing with individuals, other entities and governmental bodies and authorities.

IN WITNESS WHEREOF, I have signed my name this 16th day of August, 2023.

Paul L. Allen, Secretary

STATE OF UTAH)
§
COUNTY OF SALT LAKE)

On this 16th day of August, 2023, Paul L. Allen, who is personally known by me, signed this document in my presence.

NOTARY PUBLIC
My Commission Expires 7/8/2025

Kathryn A. Phillips
Notary Public, State of Utah
Commission # 719142
My Commission Expires
July 8, 2025

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

Complete Attachment 2 if only a portion of the water right is offered to the Bank.

ATTACHMENT 2

DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

1.

Water Right Number	Nature of Use	Leased Rate (cfs)	Leased Volume (af)	Leased Acres (ac)
35-2632	Irrigation	0.18	40.0	10.0
	Total Amounts:	0.18	40.0	10.0

2. Source of water Ground Water tributary to _____

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
07S	29E	16		NE	SW	NE	Power County
07S	29E	16		NW	SE	NW	Power County

Path: F:\Projects\Church of Jesus Christ of Latter-day Saints\Canyon Falls Farm American Falls\Arcview\Farmland Reserve Farm Transfers.mxd



0 0.125 0.25 Miles

FARMLAND RESERVE
LEASE ACRES
NAIP 2021 AERIAL

Legend

Wells

35-2632_35-8218_10.0_Acres

N

BROCKWAY ENGINEERING,PLLC.
GWS 11/17/2023

RECEIVED
Form 42-248/42-1409(6) Rev. 7/21
AUG 05 2022
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 29 2022
Department of Water Resources
Eastern Region

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. DE

See next page for more

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-13608 ✓	Yes ☐	Yes ☐	35-14081 ✓	Yes ☐	Yes ☐
35-14082 ✓	Yes ☐	Yes ☐	35-14084 ✓	Yes ☐	Yes ☐
35-14085 ✓	Yes ☐	Yes ☐	35-14089 ✓	Yes ☐	Yes ☐
35-14090 ✓	Yes ☐	Yes ☐	35-14092 ✓	Yes ☐	Yes ☐
35-14093 ✓	Yes ☐	Yes ☐	35-14198 ✓	Yes ☐	Yes ☐

2. Previous Owner's Name: Lance Funk & Lisa Funk
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Farmland Reserve, Inc.
   New owner(s) as listed on the conveyance document Name connector ☐ **and** ☐ **or**

   79 S Main Street | Salt Lake City | UT | 84111
   Mailing address | City | State | Zip

   801-715-9100 | naturalresources@farmlandreserve.org
   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: 12/20/2021.

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. 37 X $25 = $925
     - $100 per *split* water right.
     - No fee is required for pending adjudication claims.

   SUPPORT DATA
   IN FILE # 35-2632

   - ☐ 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 submitted an IRS Form W-9.

8. Signature: Rex Burgener (Rex Burgener (Jul 22, 2022 16:56 MDT)) | Vice President, Land | Jul 22, 2022
   Signature of new owner/claimant | Title, if applicable | Date
   Rex Burgener
   Print name

   Signature: _____ | _____ | _____
   Signature of new owner/claimant | Title, if applicable | Date
   _____
   Print name

For IDWR Office Use Only:

Receipted by M. Pettis Date 7-29-22 Receipt No. E048360 Receipt Amt. 925.00

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 9/27/22

SCANNED
OCT 11 2022

83781

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-14200 ✓	Yes ☐	Yes ☐	35-14240 ✓	Yes ☐	Yes ☐
35-14202 ✓	Yes ☐	Yes ☐	~~35-14654~~ ✓	Yes ☐	Yes ☐
35-14204 ✓	Yes ☐	Yes ☐	35-7973 ✓	Yes ☐	Yes ☐
35-14206 ✓	Yes ☐	Yes ☐	35-14241 ✓	Yes ☐	Yes ☐
35-14208 ✓	Yes ☐	Yes ☐	35-7914 ✓	Yes ☐	Yes ☐

83782

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-14655 ✓	Yes ☐	Yes ☐	35-14319 ✓	Yes ☐	Yes ☐
35-14242 ✓	Yes ☐	Yes ☐	35-14320 ✓	Yes ☐	Yes ☐
35-14243 ✓	Yes ☐	Yes ☐	35-14442 ✓	Yes ☐	Yes ☐
35-14317 ✓	Yes ☐	Yes ☐	35-14443 ✓	Yes ☐	Yes ☐
35-14318 ✓	Yes ☐	Yes ☐	35-2632 ✓	Yes ☐	Yes ☐

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-4020A ✓	Yes ☐	Yes ☐	35-7969 ✓	Yes ☐	Yes ☐
35-7596 ✓	Yes ☐	Yes ☐	35-8218 ✓	Yes ☐	Yes ☐
35-7611A ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-7611B ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-7632A ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐

SCANNED
OCT 11 2022

Bingham County General Warranty Deed

SCANNED
OCT 11 2022

FA-1003655

Recording Requested By and
When Recorded Return to:

Stoel Rives LLP
Attn: Jeffrey I. Nielson
101 S. Capitol Boulevard, Suite 1900
Boise, ID 83702

Instrument # 740751
BINGHAM COUNTY, IDAHO
2021-12-22 03:19:52 PM No. of Pages: 6
Recorded for: FIRST AMERICAN TITLE - POCATEL
PAMELA W. ECKHARDT Fee: $15.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GENERAL WARRANTY DEED

FOR VALUE RECEIVED, LANCE D. FUNK and LISA I. FUNK, husband and wife ("Grantor"), whose address is 2765 Fairgrounds Road, American Falls, Idaho 83211, does hereby bargain, sell, and convey unto FARMLAND RESERVE, INC., a Utah nonprofit corporation ("Grantee"), whose address is 79 S. Main Street, Suite 500, Salt Lake City, Utah 84111, all of Grantor's right, title, and interest in and to the real property located in Bingham County, Idaho, more specifically described on Exhibit A attached hereto and incorporated herein (the "Property").

TOGETHER WITH all of Grantor's right, title and interest in and to all streets, alleys and rights of way adjacent thereto, all mineral and water rights appurtenant thereto, and all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the Property, as well in law as in equity.

TO HAVE AND TO HOLD the Property with its appurtenances unto Grantee, its successors and assigns, forever.

SUBJECT TO the following (collectively, the "Permitted Exceptions") (a) real property taxes and assessments for the current year that are not yet due and payable and (b) those matters set forth on Exhibit B attached hereto and incorporated herein.

AND Grantor does hereby covenant to and with Grantee, and its successors and assigns forever, that Grantor is owner in fee simple of the Property; that Grantor has a good right to convey the fee simple; that the Property is free from any and all liens, claims, encumbrances or other defects of title except the Permitted Exceptions; that Grantor shall and will warrant and defend the quiet and peaceful possession of said Property by Grantee, and its successors and assigns forever, against all other claims whatsoever except as excluded or excepted herein; and that Grantor and its heirs and assigns will, on demand of the Grantee or its heirs or assigns, execute any instrument necessary for the further conveyance of the title to the Property that may be reasonably required.

SCANNED
OCT 11 2022

[Remainder of page intentionally left blank; signature page follows.]

SCANNED
OCT 1 1 2022

IN WITNESS WHEREOF, Grantor has executed this General Warranty Deed effective as of December 20, 2021.

GRANTOR:

Lance D. Funk

Lisa I. Funk

STATE OF IDAHO)
Bannock) ss.
COUNTY OF ~~POWER~~)

On this 20 day of December of 2021, before me, Stephanie Wight a notary public, personally appeared Lance D. Funk, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

STEPHANIE WIGHT
COMMISSION #69310
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 02/03/2023

Notary Public for Idaho
Residing at Pocatello
My commission expires 2-3-2023

STATE OF IDAHO)
) ss.
COUNTY OF BANNOCK)

On this 20 day of December of 2021, before me, Stephanie Wight a notary public, personally appeared Lisa I. Funk, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

STEPHANIE WIGHT
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NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 02/03/2023

Notary Public for Idaho
Residing at Pocatello
My commission expires 2-3-2023

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EXHIBIT A

Legal Description of the Property

PARCEL 1:

TOWNSHIP 6 SOUTH, RANGE 30 E.B.M., BINGHAM COUNTY, IDAHO
SECTION 19: S½SE¼
SECTION 30: NE¼

PARCEL 2:

TOWNSHIP 6 SOUTH, RANGE 30 E.B.M., BINGHAM COUNTY, IDAHO
SECTION 19: LOTS 1 AND 2; E½NW¼; W½NE¼; N½SE¼; SE¼NE¼

EXCEPT: THE NORTHERLY 577 FEET OF SAID SE¼NE¼.

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EXHIBIT B

Permitted Exceptions

THE FOLLOWING EXCEPTIONS AFFECT BINGHAM COUNTY - Parcel 1

7. Reservations and Rights contained in United States Patent, recorded in Book 23, of Patents, Page 10.

8. Easement granted to Idaho Power Company, recorded August 21, 1975, as Instrument No. 203877. (SE of Sec 19)

9. Easement granted to Idaho Power Company, recorded May 25, 1976, as Instrument No. 212672. (NWNE of Sec 30)

10. Provisions in Right-of-Way Deed , recorded May 22, 1985, as Instrument No. 334634.

THE FOLLOWING EXCEPTIONS AFFECT BINGHAM COUNTY - Parcels 2

13. Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code, Recorded June 02, 1976, as Instrument No. 213629

14. Exceptions and reservations contained in Deed from the State of Idaho, wherein mineral rights are reserved to the State under provisions of §§ 47-701 and 47-701A. Idaho Code, recorded June 02, 1976, as Instrument No. 213629.

15. Reservations and Rights contained in United States Patent, recorded in Book 30, of Patents, Page 116.

16. Reservations and Rights contained in United States Patent, recorded in Book 31, of Patents, Page 5.

17. Reservations and Rights contained in United States Patent, recorded in Book 23, of Patents, Page 111.

18. Reservations and Rights contained in United States Patent, recorded in Book 23, of Patents, Page 3.

19. Easement granted to Idaho Power Company, recorded November 23, 1973, as Instrument No. 186273 (Affects SWNW Sec 19).

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20. Easement granted to Idaho Power Company, recorded August 21, 1975, as Instrument No. 203877 (Affects SE Sec 19) .

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Power County General Warranty Deed

SCANNED
OCT 1 1 2022

FA-1003655

Recording Requested By and
When Recorded Return to:

Stoel Rives LLP
Attn: Jeffrey I. Nielson
101 S. Capitol Boulevard, Suite 1900
Boise, ID 83702

Instrument # 219448
POWER COUNTY, IDAHO
12-22-2021 03:00:39 PM No. of Pages: 26
Recorded for: FIRST AMERICAN TITLE - POCATEL
SHAREE SPRAGUE Fee: $15.00
Ex-Officio Recorder Deputy: Flor Cardona
Electronically Recorded by Simplifile

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GENERAL WARRANTY DEED

FOR VALUE RECEIVED, LANCE FUNK, a/k/a LANCE D. FUNK, a/k/a LANCE DONALD FUNK, and LISA FUNK, a/k/a LISA I. FUNK, a/k/a LISA IRIGOYEN FUNK, husband and wife, and also LANCE FUNK and LISA FUNK, d/b/a LANCE FUNK FARMS (collectively, "Grantor"), whose address is 2765 Fairgrounds Road, American Falls, Idaho 83211, does hereby bargain, sell, and convey unto FARMLAND RESERVE, INC., a Utah nonprofit corporation ("Grantee"), whose address is 79 S. Main Street, Suite 500, Salt Lake City, Utah 84111, all of Grantor's right, title, and interest in and to the real property located in Power County, Idaho, more specifically described on Exhibit A attached hereto and incorporated herein (the "Property").

TOGETHER WITH all of Grantor's right, title and interest in and to all streets, alleys and rights of way adjacent thereto, all mineral and water rights appurtenant thereto, and all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the Property, as well in law as in equity.

TO HAVE AND TO HOLD the Property with its appurtenances unto Grantee, its successors and assigns, forever.

TOGETHER WITH a non-exclusive perpetual easement for pedestrian and vehicular access, ingress and egress over and across that certain part of the NE ¼ NE ¼ Section 16 Township 7 South Range 29 East B.M. Power County, Idaho described as:

> COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 16 THENCE, N 89° 19' 23" W ALONG THE NORTH LINE OF SAID SECTION 365.00 FEET TO THE POINT OF BEGINNING;
>
> THENCE, S 00° 39' 43" W 409.00 FEET; THENCE N 89° 18' 33" W 106.50 FEET; THENCE N 00° 39' 43" E 408.97 FEET TO THE NORTH LINE OF SAID SECTION; THENCE ALONG SAID NORTH LINE S 89° 19' 23" E 106.50 TO THE POINT OF BEGINNING.

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Which easement shall be for the benefit of that portion of the Property identified as Tract 9 on Exhibit A attached hereto.

SUBJECT TO the following (collectively, the "Permitted Exceptions") (a) real property taxes and assessments for the current year that are not yet due and payable and (b) those matters set forth on Exhibit B attached hereto and incorporated herein.

AND Grantor does hereby covenant to and with Grantee, and its successors and assigns forever, that Grantor is owner in fee simple of the Property; that Grantor has a good right to convey the fee simple; that the Property is free from any and all liens, claims, encumbrances or other defects of title except the Permitted Exceptions; that Grantor shall and will warrant and defend the quiet and peaceful possession of said Property by Grantee, and its successors and assigns forever, against all other claims whatsoever except as excluded or excepted herein; and that Grantor and its heirs and assigns will, on demand of the Grantee or its heirs or assigns, execute any instrument necessary for the further conveyance of the title to the Property that may be reasonably required.

[Remainder of page intentionally left blank; signature page follows.]

SCANNED
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IN WITNESS WHEREOF, Grantor has executed this General Warranty Deed effective as of December 20, 2021.

GRANTOR:

Lance Funk, a/k/a Lance D. Funk, a/k/a Lance Donald Funk

Lisa Funk, a/k/a Lisa I. Funk, a/k/a Lisa Irigoyen Funk

STATE OF IDAHO)
) ss.
COUNTY OF BANNOCK)

On this 20 day of December of 2021, before me, Stephanie Wight, a notary public, personally appeared Lance Funk, a/k/a Lance D. Funk, a/k/a Lance Donald Funk, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

STEPHANIE WIGHT
COMMISSION #69310
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 02/03/2023

Notary Public for Idaho
Residing at Pocatello
My commission expires 2-3-2023

STATE OF IDAHO)
Bannock) ss.
COUNTY OF ~~POWER~~)

On this 20 day of December of 2021, before me, Stephanie Wight, a notary public, personally appeared Lisa Funk, a/k/a Lisa I. Funk, a/k/a Lisa Irigoyen Funk, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

STEPHANIE WIGHT
COMMISSION #69310
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 02/03/2023

Notary Public for Idaho
Residing at Pocatello
My commission expires 2-3-2023

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EXHIBIT A

Legal Description of the Property

TRACT 1

PARCEL 1:

ALL OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

PARCEL 2 and J:

LOT 3, 4, EAST ½ OF THE SOUTHWEST ¼, AND THE SE1/4 OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO. EXCEPTING OUT THE SW¼

ALSO

NE¼; E½NW¼; GOVERNMENT LOTS 1 AND 2 OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 29, E.B.M., POWER COUNTY, IDAHO

PARCEL 4:

SE1/4 OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

PARCEL 5 & 6:

LOTS 1, 2, 3, AND 4; E1/2 SE1/4; SE1/4 NE1/4; SW1/4 SE1/4; S1/2 NW1/4; SW1/4 NE1/4; NW1/4 SE1/4; E½SW¼ OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO. EXCEPTING OUT THE E½ OF SW¼

EXCEPTING THEREFROM: A PARCEL OF LAND IN THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 4; THENCE NORTH 0°02' EAST ALONG THE EAST LINE OF SAID SECTION, 25 FEET; THENCE SOUTH 89°58' WEST, PARALLEL TO THE SOUTH LINE OF SAID SECTION, 25.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 0°02' EAST, 295.20 FEET; THENCE SOUTH 45°00' WEST, 417.72 FEET; THENCE NORTH 89°58' EAST, 295.20 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: A TRACT OF LAND IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 29 EAST, BOISE

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MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 4; THENCE NORTH 0°00'54" WEST, ALONG THE EAST LINE OF SAID SECTION 25.00 FEET; THENCE SOUTH 89°58'00" WEST, 320.20 FEET TO THE SOUTHWEST CORNER OF LOUIE BURGEMEISTER PROPERTY, THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°58'00" WEST, 215.00 FEET; THENCE NORTH 0°00'54" WEST, 150.00 FEET; THENCE NORTH 89°58'00" EAST, 365.13 FEET TO THE NORTHWESTERLY LINE OF SAID LOUIE BURGEMEISTER PROPERTY; THENCE SOUTH 45°00'00" WEST, ALONG SAID NORTHWESTERLY LINE, 212.36 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: A PARCEL OF LAND LOCATED IN LOT 1, SECTION 4, TOWNSHIP 7 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 4, FROM WHICH AN IDAHO DEPARTMENT OF TRANSPORTATION MONUMENT BEARS SOUTH 00°01'31" EAST, 3.40 FEET; THENCE SOUTH 00°01'31" EAST, ALONG THE EAST LINE OF SAID SECTION 4, A DISTANCE OF 186.00 FEET; THENCE NORTH 89°57'49" WEST, LEAVING SAID EAST LINE, 272.00 FEET TO A 1/2" REBAR WITH PLASTIC CAP STAMPED PLS 843; THENCE SOUTH 00°01'31" EAST,

200.00 FEET TO A 1/2" REBAR WITH PLASTIC CAP STAMPED PLS 843; THENCE NORTH 89°57'49" WEST, 364.50 FEET TO A 1/2" REBAR WITH PLASTIC CAP STAMPED PLS 843; THENCE NORTH 00°01'31" WEST, 386.00 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 4; THENCE SOUTH 89°57'49" EAST, ALONG SAID NORTH LINE, 636.50 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: A PARCEL OF LAND IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 4, THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°57'49" WEST, ALONG THE NORTH LINE OF SAID SECTION,

234.00 FEET; THENCE SOUTH 00°01'31" EAST, LEAVING SAID NORTH LINE, 186.00 FEET; THENCE NORTH 89°57'48" WEST, 38.00 FEET TO A 1/2" REBAR WITH PLASTIC CAP STAMPED PLS 843; THENCE SOUTH 00°01'31" EAST, 200.00 FEET TO A 1/2" REBAR WITH PLASTIC CAP STAMPED PLS 843; THENCE SOUTH 89°57'49" EAST, 272.00 FEET TO A POINT ON THE EAST LINE OF SECTION 4; THENCE NORTH 00°01'31" WEST, 386.04 FEET ALONG THE SAID EAST LINE OF SECTION 4, TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: THE EASTERLY AND NORTHERLY 30.00 FEET TO THE ABOVE DESCRIBED PARCEL FOR COUNTY ROAD PURPOSES

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ALSO EXCEPTING THEREFROM: A PARCEL OF LAND LOCATED IN LOT 1, SECTION 4, TOWNSHIP 7 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, BEING A PORTION OF THE LAND DESCRIBED IN DEED INSTRUMENT 196989 RECORDED IN THE RECORDS OF POWER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 4, BEING MARKED BY A 2" DIA. BUREAU OF RECLAMATION MONUMENT IN A VAULT AND RECORDED UNDER CORNER PERPETUATION AND FILING RECORD INSTRUMENT 187807;

THENCE NORTH 00°35'07" EAST (BASIS OF BEARING PER THE EAST ZONE OF THE IDAHO STATE PLANE COORDINATE SYSTEM) ALONG THE EAST LINE OF SECTION 4, A DISTANCE OF
320.23 FEET;

THENCE NORTH 89°24'53" WEST, A DISTANCE OF 25.00 FEET, TO THE NORTHEAST CORNER OF THE LAND DESCRIBED IN DEED INSTRUMENT 214706, BEING MARKED BY A ½" DIA. X 24" LONG IRON PLASTIC CAP INSCRIBED PLS 10342 THE TRUE POINT OF BEGINNING;

THENCE SOUTH 45°40'35" WEST, ALONG THE NORTHWESTERLY BOUNDARY LINE OF THE LAND DESCRIBED IN DEED INSTRUMENT 214706, A DISTANCE OF 205.46 FEET, TO THE NORTHEAST CORNER OF THE LAND DESCRIBED IN DEED INSTRUMENT 214413, BEING MARKED BY A ½" DIA. X 24" LONG IRON PIN WITH A PLASTIC CAP INSCRIBED PLS 10342;

THENCE NORTH 89°21'25" WEST, ALONG THE NORTH LINE OF THE LAND DESCRIBED IN DEED INSTRUMENT 214413, A DISTANCE OF 365.13 FEET, BEING MARKED BY A ½" DIA. X 24" LONG IRON PIN WITH A PLASTIC CAP INSCRIBED PLS 10342;

THENCE NORTH 00°39'41" EAST, LEAVING SAID NORTH BOUNDARY LINE, A DISTANCE OF 149.33 FEET, BEING MARKED BY A ½" DIA. X 24" LONG IRON PIN WITH A PLASTIC INSCRIBED PLS CAP 10342;

THENCE SOUTH 89°21'25" EAST, A DISTANCE OF 480.25 FEET TO A POINT MARKED BY A ½" DIA. X 24" LONG IRON PIN WITH A PLASTIC INSCRIBED PLS CAP 10342;

THENCE NORTH 45°36'21" EAST, A DISTANCE OF 42.69 FEET, TO A POINT ON THE WEST RIGHT OF WAY LINE OF QUIGLEY ROAD, BEING MARKED BY A ½" DIA. X 24" LONG IRON PIN WITH A PLASTIC INSCRIBED PLS CAP 10342;

THENCE SOUTH 00°35'07" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 34.33 FEET, TO THE TRUE POINT OF BEGINNING.

ALSO

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THE E1/2 E1/2 OF SECTION 33 AND THE W1/2 W1/2 OF SECTION 34, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

EXCEPTING THEREFROM: A PARCEL OF LAND IN THE SW1/4SW1/4 OF SECTION 34, TOWNSHIP 6 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN IN POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34 WHICH IS MARKED BY A 5/8" REBAR AND ALUMINUM CAP PLS 843; THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 740.44 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 00°05'26" WEST 30.00 FEET TO A 1/2" REBAR AND PLASTIC CAP PLS 843, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF NORTH PLEASANT VALLEY ROAD; THENCE NORTH 00°05'26" WEST 201.39 FEET TO A 1/2" REBAR AND PLASTIC CAP PLS 843; THENCE EAST 504.24 FEET TO A 1/2" REBAR AND PLASTIC CAP PLS 843 ON THE WESTERLY RIGHT OF WAY OF QUIGLEY ROAD; THENCE SOUTH 05°09'59" WEST ALONG SAID RIGHT OF WAY A DISTANCE OF 155.46 FEET TO A 1/2" REBAR AND PLASTIC CAP PLS 843; THENCE WEST 66.18 FEET TO A 1/2" REBAR AND PLASTIC CAP PLS 843; THENCE SOUTH 00°05'26" EAST 46.56 FEET TO A 1/2" REBAR AND PLASTIC CAP PLS 843, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF NORTH PLEASANT VALLEY ROAD; THENCE SOUTH 00°05'26" EAST 30.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 34; THENCE WEST ALONG SAID SOUTH LINE 423.82 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: BEGINNING AT THE SOUTHEAST CORNER OF THE

SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 6 SOUTH, RANGE 29 E.B.M., POWER COUNTY, IDAHO; THENCE NORTH ONE MILE; THENCE WEST 50 FEET; THENCE SOUTH ONE MILE; THENCE EAST 50 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: PARCEL OF LAND IN SECTIONS 33 AND 34, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE W1/16 CORNER ON THE SOUTH LINE OF SAID SECTION 34, MONUMENTED WITH A 5/8" REBAR WITH ALUMINUM CAP STAMPED PLS 843; THENCE NORTH 89°57'49" WEST ALONG THE SOUTH LINE OF SAID SECTION 34 A DISTANCE OF 1287.09 FEET; THENCE FROM A TANGENT BEARING OF NORTH 76°29'54" WEST ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1047.92 FEET, THROUGH A CENTRAL 250°04'55", FOR AN ARC LENGTH OF 4573.91 FEET TO A POINT ON THE W1/16 LINE OF SAID SECTION 34; THENCE SOUTH 0°03'15" EAST ALONG SAID W1/16 LINE 1136.89 FEET TO THE POINT OF BEGINNING.

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ALSO EXCEPTING THEREFROM: A STRIP OF LAND 30 FEET WIDE DESCRIBED AS THE NORTH, SOUTH AND EAST, 30.00 FEET OF THE ABOVE DESCRIBED PARCEL FOR COUNTY ROAD RIGHT OF WAYS.

ALSO EXCEPTING THEREFROM: PART OF THE EAST ½ EAST ½ SECTION 33 AND PART OF THE WEST ½ WEST ½ SECTION 34, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 33: THENCE N 90°00'00" W 1320.75 FEET ALONG THE SECTION LINE TO THE SOUTHWEST CORNER OF THE EAST ½ EAST ½ OF SECTION 33; THENCE N 00°04'49" W 2081.90 FEET, MORE OR LESS, ALONG THE WEST LINE OF SAID EAST ½ EAST ½ TO THE CENTERLINE OF AN EXISTING FARM ROAD; THENCE N 89°59'43" E 2640 FEET, MORE OR LESS, ALONG THE CENTERLINE OF SAID FARM ROAD TO A POINT ON THE EAST LINE OF THE WEST ½ WEST ½ OF SECTION 34; THENCE S 00°05'26" E 2082.13 FEET, MORE OR LESS, ALONG SAID EAST LINE TO THE SOUTHEAST CORNER OF SAID WEST ½ WEST ½; THENCE N 90°00'00" W 1319.63 FEET ALONG THE SOUTH LINE OF SECTION 34 TO THE POINT OF BEGINNING.

PARCEL 7:

N1/2 OF SECTION 12, TOWNSHIP 7 SOUTH, RANGE 28 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

PARCEL 8:

THE NORTH HALF (NE¼; NW¼) OF SECTION 16, TOWNSHIP 7 SOUTH, RANGE 29 E.B.M., POWER COUNTY, IDAHO.

EXCEPT:

A PARCEL OF LAND IN THE NE1/4 OF THE NE1/4 OF SECTION 16, TOWNSHIP 7 SOUTH, RANGE 29 E.B.M., POWER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT 25 FEET SOUTH AND 25 WEST OF THE NORTHEAST CORNER OF SAID SECTION 16; THENCE WEST A DISTANCE OF 260.0 FEET, MORE OR LESS, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF AN EXISTING COUNTY ROAD TO A POINT; THENCE SOUTH A DISTANCE OF 223.38 FEET, MORE OR LESS, TO A POINT; THENCE EAST A DISTANCE OF 260.0 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF AN EXISTING COUNTY ROAD; THENCE NORTH ALONG THE AFORESAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 223.38 FEET TO A POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

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A PARCEL OF LAND IN THE NE1/4NE1/4 OF SECTION 16, TOWNSHIP 7 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 16 MONUMENTED WITH AN IDAHO TRANSPORTATION DEPARTMENT BRASS CAP IN MONUMENT WELL; THENCE SOUTH 0°01'43" WEST ALONG THE EAST LINE OF SAID SECTION 16 A DISTANCE OF 409.00 FEET; THENCE NORTH 89°55'28" WEST LEAVING SAID EAST LINE 365.00 FEET; THENCE NORTH 0°01'43" EAST TO A POINT ON THE NORTH LINE OF SAID SECTION 16 A DISTANCE OF 409.00 FEET; THENCE SOUTH 89°55'28" EAST ALONG SAID NORTH LINE 365.00 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

A TRACT OF LAND IN THE NE1/4 NE1/4 OF SECTION 16, TOWNSHIP 7 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SAID SECTION 16, MONUMENTED WITH AN IDAHO TRANSPORTATION DEPARTMENT BRASS CAP IN MONUMENT WELL; THENCE NORTH 89°55'28" WEST, ALONG THE NORTH LINE OF SAID SECTION, ALSO BEING THE NORTH LINE OF A PARCEL OF LAND DESCRIBED ON QUITCLAIM DEED INST. #188429, A DISTANCE OF 365.00 FEET TO THE NORTHWEST CORNER OF SAID DEED, THE TRUE POINT OF BEGINNING;

THENCE SOUTH 00°01'43" WEST, LEAVING SAID NORTH LINE AND ALONG THE WEST LINE OF SAID DEED, A DISTANCE OF 339.22 FEET TO A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843; THENCE NORTH 89°55'28" WEST, LEAVING SAID WEST LINE, 403.51 FEET; THENCE NORTH 00°01'43" EAST, 339.22 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 16; THENCE SOUTH 89°55'28" EAST, ALONG SAID NORTH LINE, 403.51 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL A:

S1/2 SW1/4 AND NE1/4 SW1/4 OF SECTION 2, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

PARCEL B:

E1/2 OF SECTION 12, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

PARCEL K:

S½ (SE¼; SW¼) OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 28 E.B.M., POWER COUNTY, IDAHO

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PARCEL N:

NW¼ OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

PORTION OF PARCEL 6:

LOTS 1, 2 ,3, AND 4; S1/2 NE1/4; S1/2 NW1/4, OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

PARCEL 9:

AN IRRIGATION LINE EASEMENT IN SECTION 33 AND 34, TOWNSHIP 6 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, AS CREATED BY THAT CERTAIN EASEMENT AGREEMENT BY AND BETWEEN KEVIN BERGEMIESTER AND LANCE FUNK RECORDED JULY 19, 2012, AS INSTRUMENT NO. 202638, BEING 50.00 FEET IN WIDTH, 25.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE SECTION CORNER COMMON TO SAID SECTION 33 AND 34, SAID POINT BEING IN THE CENTERLINE OF NORTH PLEASANT VALLEY ROAD AND MARKED WITH A 5/8" REBAR AND ALUMINUM CAP STAMPED PLS 843; THENCE NORTH 00°06'40" WEST, ALONG THE SECTION LINE COMMON TO SAID SECTIONS, A DISTANCE OF 30.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF NORTH PLEASANT VALLEY ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 00°06'40" WEST, CONTINUING ALONG SAID SECTION LINE, MORE OR LESS 2200.00 FEET OR AT THE END OF THE PROPERTY LINE.

TRACT 2:

PARCEL 1:

LOTS 3, 4 AND THE S1/2 NW1/4 IN SECTION 1, TOWNSHIP 7 SOUTH, RANGE 30 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

EXCEPTING THEREFROM:

TOWNSHIP 7 SOUTH, RANGE 30 EAST OF THE BOISE MERIDIAN, SECTION 1, PART OF THE NE1/4 NW1/4 DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 1; THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 730.35 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING WEST ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 273.0 FEET; THENCE SOUTH A DISTANCE OF 239.79 FEET; THENCE EAST A DISTANCE OF 273.0 FEET; THENCE NORTH A DISTANCE OF 239.79 FEET TO THE TRUE POINT OF BEGINNING.

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EXCEPTING THEREFROM:

A PARCEL OF LAND IN THE N1/2 NW1/4 OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 30 EAST OF THE BOISE MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 1; THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1317.85 FEET; THENCE SOUTH 30.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF NORTH PLEASANT VALLEY ROAD, THE TRUE POINT OF BEGINNING; THENCE SOUTH 209.79 FEET; THENCE WEST 590.15 FEET; THENCE NORTH
209.79 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF NORTH PLEASANT VALLEY ROAD; THENCE EAST ALONG SAID RIGHT-OF-WAY 590.15 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM:

THAT PORTION OF LOT 4 AND THE SW1/4 NW1/4 LYING WEST OF THE CENTERLINE OF THE ABERDEEN SPRINGFIELD CANAL CO. RIGHT-OF-WAY IN SECTION 1, TOWNSHIP 7 SOUTH, RANGE 30 EAST, BOISE MERIDIAN.

EXCEPTING THEREFROM:

TOWNSHIP 7 SOUTH, RANGE 30 EAST OF THE BOISE MERIDIAN: SECTION 1, A PART OF THE NE1/4 NW1/4 DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 1; THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 1, 1003.35 FEET; THENCE SOUTH 169.79 FEET TO AN IRON PIPE THAT MARKS THE SE CORNER OF A PARCEL DESCRIBED IN INSTRUMENT NO. 93244 (A DEED FROM ROBERT SCHROEDER AND JENNIE P. SCHROEDER TO RUSSET CHEMICAL CO.) IN THE POWER COUNTY RECORDER'S OFFICE, THE TRUE POINT OF BEGINNING; THENCE WEST ALONG THE SOUTH LINE OF SAID PARCEL 314.50 FEET; THENCE SOUTH 70.00 FEET; THENCE EAST 314.50 FEET; THENCE NORTH 70.00 FEET, TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM:

A PARCEL OF LAND IN THE NW¼NE¼ OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 30 EAST OF THE BOISE MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTH LINE OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 30 EAST OF BOISE MERIDIAN, POWER COUNTY, IDAHO, AT THE INTERSECTION OF THE CENTERLINE OF STATE HIGHWAY NO. 39, WHICH POINT IS ABOUT 343.5 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 6 SOUTH, RANGE 30 EAST, BOISE MERIDIAN; THENCE WESTERLY 2070 FEET TO A POINT ON THE NORTH LINE OF AN EXISTING OILED COUNTRY ROAD

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KNOWN AS THE NORTH PLEASANT VALLEY ROAD, WHICH POINT IS MARKED WITH A 1 INCH BY 2 3/4 FEET GALVANIZED PIPE DRIVE ABOUT 2/3RDS LENGTH INTO THE GROUND AND UNDER AN EXISTING WIRE FENCE; THENCE SOUTH ACROSS SAID ROAD TO A POINT ON THE SOUTH LINE OF SAID ROAD TO THE TRUE PLACE OF BEGINNING; AND RUNNING THENCE WEST 314.5 FEET ALONG THE SOUTH LINE OF SAID ROAD; THENCE SOUTH 139 FEET TO AN IRON PIPE STAKE; THENCE EAST 314.5 FEET TO AN IRON PIPE STAKE; THENCE NORTH 139 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM:

PART OF THE NW¼ SECTION 1 TOWNSHIP 7 SOUTH RANGE 30 EAST B.M. POWER COUNTY, IDAHO DESCRIBED AS:

COMMENCING AT THE N¼ CORNER OF SAID SECTION 1 THENCE ALONG THE NORTH-SOUTH SECTION LINE S 00°44'30" W ALONG THE NORTH LINE OF SAID SECTION 1334.16 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH-SOUTH SECTION LINE S 00°44'30" W 729.74 FEET TO A NON-TANGENT CURVE ON THE WESTERLY RIGHT OF WAY OF HIGHWAY 39, WHOSE CENTER BEARS S 76°18'07" E 1959.86 FEET, THENCE WESTERLY ALONG SAID RIGHT OF WAY, 264.71, FEET, ALONG SAID CURVE TO THE LEFT CURVE DATA = DELTA: 07°44'19", RADIUS: 1959.86 FEET, CHORD BEARING S 09°49'44" W 264.50 FEET TO A POINT OF 50 FEET WESTERLY OF STATION 276+28.7 OF SAID HIGHWAY 39; THENCE, S 02°22'16" W 28.53 FEET TO THE EAST-WEST CENTER SECTION LINE OF SAID SECTION 1; THENCE, ALONG SAID EAST-WEST CENTER SECTION LINE, N 89°31'25" W 403.29 FEET; THENCE, N 00°00'00" E 1015.46 FEET; THENCE N 90°00'00" E 459.05 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

ALSO: NE1/4 SECTION 19, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO

ALSO: SE¼ SECTION 19, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO

ALSO: NE1/4 SECTION 30, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO

EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN SECTION 30, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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BEGINNING AT A POINT BEING SOUTH 41°28'26" WEST 17,165.45 FEET FROM THE SOUTHEAST CORNER OF SECTION 9 AND RUNNING THENCE SOUTH 00°33'26" WEST 50.00 FEET; THENCE NORTH 89°26'34" WEST 80.00 FEET; THENCE NORTH 0°33'26" EAST 50.00 FEET; THENCE SOUTH 89°26'34" EAST 80.00 FEET TO THE POINT OF BEGINNING. RESERVING THE RIGHT FOR INGRESS AND EGRESS TO ACCESS PROPERTY FROM WINTERS ROAD AND ALONG THE CURRENT EXISTING ROADWAY TO THE MICROWAVE FACILITY SITE.

ALSO RETAINING UNTO GRANTOR AN ACCESS EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF LAND IN THE SW¼NE¼ OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO, BEGINNING AT THE SW CORNER OF THE SW¼NE¼ OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 30 EAST, B.M., POWER COUNTY, IDAHO, THENCE RUNNING EAST 30 FEET ALONG THE NE¼ LINE; THENCE NORTH 30 FEET; THENCE WEST 30 FEET TO THE WEST LINE OF THE NE¼, THENCE SOUTH 30 FEET ALONG THE WEST LINE OF THE NE¼ TO THE POINT OF BEGINNING.

ALSO: E1/2 SW1/4; SW1/4 SW1/4; SE1/4, SECTION 32, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO. EXCEPTING OUT THE NW¼SW¼

ALSO: A TRACT OF LAND DESCRIBED AS ALL THAT PART OF THE E1/2 NE1/4 OF SECTION 35, AND N1/2 NW1/4, AND THE SW1/4 NW1/4 IN SECTION 36, TOWNSHIP 9 SOUTH, RANGE 30 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO ALL LYING EAST AND SOUTH OF HALLING ROAD.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT OF LAND:

A PARCEL OF LAND IN THE E1/2 OF THE NE1/4 OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 30 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE CENTER LINE OF HALLING ROAD WHICH BEARS SOUTH 31°55'04" WEST A DISTANCE OF 949.37 FEET FROM THE NE1/4 CORNER OF SECTION 35, AND ALSO BEARING NORTH 05°55'59" WEST A DISTANCE OF 4512.75 FEET FROM THE SE1/4 CORNER OF SECTION 35, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 85°54'25" EAST, 126.68 FEET TO A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843; THENCE ALONG A LINE PARALLEL WITH AND 6 FEET WESTERLY OF THE CENTERLINE OF AN EXISTING IRRIGATION DITCH THE FOLLOWING COURSES AND DISTANCES:

THENCE SOUTH 58°54'39" EAST 101.71 FEET; THENCE SOUTH 22°34'25" EAST 48.78 FEET;

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THENCE SOUTH 18°15'54" EAST 46.64 FEET; THENCE SOUTH 10°08'00" WEST 46.83 FEET;

THENCE SOUTH 11°10'26" WEST 54.88 FEET; THENCE SOUTH 04°19'38" EAST 49.31 FEET;

THENCE SOUTH 18°35'24" WEST 49.98 FEET; THENCE SOUTH 02°34'40" WEST 51.42 FEET;

THENCE SOUTH 11°41'42" WEST 50.17 FEET; THENCE SOUTH 23°42'57" WEST 93.14 FEET; THENCE SOUTH 00°29'56" WEST 65.38 FEET TO A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843;

THENCE LEAVING SAID 6 FOOT OFFSET FROM THE CENTER OF THE IRRIGATION DITCH, SOUTH 73°04'18" WEST 35.15 FEET TO A POINT ON THE CENTER LINE OF HALLING ROAD; THENCE ALONG SAID ROAD CENTER LINE FROM A TANGENT BEARING NORTH 16°53'46" WEST ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2758.00 FEET, THROUGH A CENTRAL ANGLE OF 6°43'51" FOR AN ARC LENGTH OF 302.85 FEET; THENCE ALONG SAID ROAD CENTER LINE NORTH 10°09'55" WEST 193.54 FEET; THENCE ALONG SAID ROAD CENTER LINE, THROUGH A CURVE TO THE LEFT HAVING A RADIUS OF 1866.00 FEET,

THROUGH A CENTRAL ANGLE OF 3°53'39" FOR AN ARC LENGTH OF 126.82 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT OF LAND:

A TRACT OF LAND IN THE SE1/4 NE1/4 OF SECTION 35 AND THE SW1/4 NW1/4 OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 30 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE QUARTER CORNER COMMON TO SECTIONS 35 AND 36, WHICH IS MONUMENTED WITH A 5/8" REBAR AND ALUMINUM CAP STAMPED PLS 843; THENCE NORTH 89°10'57" WEST ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 35, A DISTANCE OF 13.01 FEET TO THE CENTER LINE OF HALLING ROAD; THENCE LEAVING SAID EAST-WEST CENTERLINE AND ALONG SAID ROAD CENTERLINE, FROM A TANGENT BEARING NORTH 05°03'48" WEST, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2124.00 FEET, THROUGH A CENTRAL ANGLE OF 12°40'36" FOR AN ARC LENGTH OF 469.93 FEET;

THENCE NORTH 17°44'24" WEST CONTINUING ALONG SAID ROAD CENTERLINE, 773.23 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2578.00 FEET, THROUGH A CENTRAL ANGLE OF 0°50'38", FOR AN ARC LENGTH OF 37.97 FEET TO THE MOST SOUTHERLY CORNER OF A PARCEL SHOWN ON RECORD OF SURVEY INSTRUMENT NO. 195141; THENCE NORTH 73°04'18" EAST, ALONG THE

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SOUTH LINE OF SAID PARCEL AND THE EXTENSION THEREOF, 43.96 FEET TO THE CENTERLINE OF AN EXISTING IRRIGATION DITCH;

THENCE ALONG THE CENTERLINE OF SAID DITCH THE FOLLOWING COURSES: THENCE SOUTH 63°59'03" EAST 43.56 FEET; THENCE SOUTH 82°10'27" EAST 54.34 FEET; THENCE NORTH 80°13'19" EAST 35.49 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 79.00 FEET, THROUGH A CENTRAL ANGLE OF 45°12'32", FOR AN ARC LENGTH OF 62.33 FEET; THENCE SOUTH 54°34'09" EAST 48.24 FEET; THENCE SOUTH 66°06'39" EAST 26.78 FEET; THENCE SOUTH 55°31'03" EAST 93.69 FEET; THENCE SOUTH 52°28'36" EAST 110.43 FEET; THENCE SOUTH 39°52'54" EAST 75.55 FEET; THENCE SOUTH 47°14'59" EAST 96.38 FEET;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 670.00 FEET, THROUGH A CENTRAL ANGLE OF 13°14'15" FOR AN ARC LENGTH OF 154.79 FEET; THENCE SOUTH 60°29'14" EAST 415.42 FEET ;THENCE SOUTH 59°18'56" EAST 104.11 FEET; THENCE SOUTH 48°57'39" EAST 83.06 FEET; THENCE SOUTH 58°28'15" EAST 28.86 FEET; THENCE SOUTH 51°17'38" EAST 54.03 FEET; THENCE SOUTH 33°38'34" EAST 26.92 FEET; THENCE SOUTH 46°04'58" EAST 96.03 FEET; THENCE SOUTH 42°25'14" EAST 58.93 FEET; THENCE SOUTH 54°56'38" EAST 88.49 FEET; THENCE SOUTH 60°30'14" EAST 29.42 FEET;

THENCE SOUTH 68°33'43" EAST 126.91 FEET; THENCE SOUTH 81°09'15" EAST 45.26 FEET TO THE POINT OF INTERSECTION WITH THE EAST LINE OF SAID SW1/4 NW1/4; THENCE SOUTH 00°16'30" WEST, LEAVING SAID DITCH CENTERLINE AND ALONG THE EAST LINE OF SAID SW1/4 NW1/4, A DISTANCE OF 244.24 FEET TO THE SOUTHEAST CORNER OF SAID SW1/4 NW1/4, SAID POINT BEING MONUMENTED WITH A 5/8" REBAR AND PLASTIC CAP STAMPED PLS 843; THENCE NORTH 89°10'57" WEST, LEAVING SAID WEST LINE AND ALONG THE EAST-WEST CENTERLINE OF SAID SECTION, 1313.34 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PART OF THE N1/2 NW1/4 OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 30 EAST OF THE BOISE MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID N1/2 NW1/4 (N1/4 CORNER); THENCE SOUTH 00°09'58" WEST, ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION, 1320.01 FEET TO THE SOUTHEAST CORNER OF SAID N1/2 NW1/4; THENCE NORTH 89°06'09" WEST, LEAVING SAID NORTH-SOUTH CENTERLINE AND ALONG THE SOUTH LINE OF SAID N1/2 NW1/4, A DISTANCE OF 1171.11 FEET; THENCE LEAVING SAID SOUTH LINE AND ALONG A CURVE TO THE LEFT, FROM A TANGENT BEARING OF NORTH 27°05'09" EAST, HAVING A RADIUS OF 933.00 FEET, THROUGH A CENTRAL ANGLE OF 103°37'34", FOR AN ARC LENGTH OF 1687.44 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION; THENCE SOUTH 89°01'19" EAST, ALONG SAID NORTH LINE, 1788.57 FEET TO THE TRUE POINT OF BEGINNING

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A TRACT OF LAND LOCATED IN GOVERNMENT LOT 3 IN SECTION 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 31; THENCE SOUTH 00°01'34" EAST ALONG THE WEST LINE OF SAID SECTION, 342 FEET; THENCE NORTH 89°54'02" EAST LEAVING SAID WEST LINE, 865 FEET; THENCE NORTH 00°01'34" EAST 342 FEET TO THE LATITUDINAL CENTERLINE; THENCE SOUTH 89°54'02" WEST 865 FEET, MORE OR LESS, TO A POINT ON THE WEST LINE OF SAID SECTION, BEING THE TRUE POINT OF BEGINNING.

TRACT 3:

A TRACT OF LAND IN GOVERNMENT LOT 3 IN SECTION 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE W¼ CORNER OF SAID SECTION 31;

THENCE, S 00°01'34" E, ALONG THE WEST LINE OF SAID SECTION 342.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE, N 89°54'02" E, LEAVING SAID WEST LINE, 865.00 FEET TO A ½" REBAR AND PLASTIC CAP STAMPED PLS 843;

THENCE, S 00°01'34" E, 155.00 FEET TO A ½" REBAR AND PLASTIC CAP STAMPED PLS 843; THENCE, S 89°54'02" W, 865.00 FEET TO A POINT ON THE WEST LINE OF SAID SECTION; THENCE, N 00°01'34" W, 155.00 FEET TO THE TRUE POINT OF BEGINNING

ALSO:

A PARCEL OF LAND LOCATED IN LOT 3 SECTION 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, BOISE MERIDIAN, BEING A PORTION OF THE LAND DESCRIBED IN DEED INSTRUMENT 196680 RECORDED IN THE RECORDS OF POWER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ¼ CORNER OF SECTION 31, BEING MARKED BY A 5/8" DIA. IRON PIN;

THENCE SOUTH 00°01'34" EAST (BASIS OF BEARING PER THE EAST ZONE OF THE IDAHO STATE PLANE COORDINATE SYSTEM) ALONG THE WEST LINE OF SECTION 31, A DISTANCE OF 497.00 FEET, TO THE SOUTHWEST CORNER OF THE LAND DESCRIBED IN DEED INSTRUMENT 201451 BEING MARKED BY A ½" DIA. X 24" LONG IRON PLASTIC CAP INSCRIBED PLS 10342, THE TRUE POINT OF BEGINNING;

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THENCE SOUTH 89°28'37" EAST, ALONG THE SOUTH LINE OF THE LAND DESCRIBED IN DEED INSTRUMENT 201451, A DISTANCE OF 865.00 FEET, TO A POINT MARKED BY A ½" DIA. X 24" LONG IRON PIN WITH A PLASTIC CAP INSCRIBED PLS 10342;

THENCE SOUTH 00°35'47" WEST, PARALLEL WITH THE WEST LINE OF SECTION 31, A DISTANCE OF 353.00 FEET, BEING MARKED BY A ½" DIA. X 24" LONG IRON PIN WITH A PLASTIC CAP INSCRIBED PLS 10342;

THENCE NORTH 89°28'37" WEST, PARALLEL WITH THE SOUTH BOUNDARY LINE OF THE LAND DESCRIBED IN DEED INSTRUMENT 201451, A DISTANCE OF 865.00 FEET, TO A POINT ON THE WEST LINE OF SECTION 31, BEING MARKED BY A ½" DIA. X 24" LONG IRON PIN WITH A PLASTIC INSCRIBED PLS CAP 10342;

THENCE NORTH 00°37'45" EAST, ALONG THE WEST LINE OF SECTION 31, A DISTANCE OF 353.00 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO AND RESERVING THEREFROM:

THE WEST 30.00 FEET OF THE AFOREMENTIONED PARCEL OF LAND FOR RIGHT OF WAY OF NORTH COUNTY LINE ROAD.

TRACT 6:

A PARCEL OF LAND IN THE NW¼ OF SECTION 31, TOWNSHIP 7 SOUTH, RANGE 31, EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 31, MONUMENTED WITH A 5/8" REBAR WITH ALUM. CAP STAMPED PLS 843; THENCE, NORTH 89°37'49" EAST, ALONG THE NORTH LINE OF SAID SECTION 31, A DISTANCE OF 606.37 FEET, TO THE TRUE POINT OF BEGINNING; MONUMENTED WITH A ½" REBAR WITH PLASTIC CAP STAMPED PLS 843; THENCE, NORTH 89°37'49" EAST, CONTINUING ALONG SAID NORTH LINE, 405.04 FEET, TO A ½" REBAR WITH PLASTIC CAP STAMPED PLS 843, SAID POINT ALSO BEING THE NW CORNER OF A PARCEL OF LAND AS SHOWN ON A RECORD OF SURVEY FOR STEVE BENSON, INST. NO. 184217; THENCE, SOUTH 00°17'17" EAST, LEAVING SAID NORTH LINE, ALONG THE WEST LINE OF SAID PARCEL OF LAND SHOWN ON INST. NO. 184217, A DISTANCE OF 182.02 FEET, TO A ½" REBAR WITH PLASTIC CAP STAMPED PLS 843; THENCE, SOUTH 89°58'08" WEST, LEAVING SAID WEST LINE, 405.85 FEET, TO A ½" REBAR WITH PLASTIC CAP STAMPED PLS 843; THENCE, NORTH 00°01'52" WEST, 179.62 FEET, TO THE TRUE POINT OF BEGINNING.

TRACT 8:

A PARCEL OF LAND LOCATED IN LOT 3, SECTION 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, BOISE MERIDIAN, BEING A PORTION OF THE LAND DESCRIBED IN DEED INSTRUMENT 196680 RECORDED IN THE RECORDS OF POWER COUNTY, IDAHO,

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MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 31, BEING MARKED BY A 2" DIA. ALUMINUM CAP MONUMENT;

THENCE SOUTH 89°25'14" EAST (BASIS OF BEARING PER THE EAST ZONE OF THE IDAHO STATE PLANE COORDINATE SYSTEM) ALONG THE SOUTH LINE OF SECTION 31, A DISTANCE OF 1424.33 FEET, TO A POINT MARKED BY A ½" DIA. X 24" LONG IRON PLASTIC CAP INSCRIBED PLS 10342 THE TRUE POINT OF BEGINNING;

THENCE NORTH 00°53'52" EAST, A DISTANCE OF 122.37 FEET, TO A POINT MARKED BY A ½" DIA. X 24" LONG IRON PIN WITH A PLASTIC CAP INSCRIBED PLS 10342

THENCE SOUTH 89°06'28" EAST, A DISTANCE OF 421.62 FEET, BEING MARKED BY A ½" DIA. X 24" LONG IRON PIN WITH A PLASTIC CAP INSCRIBED PLS 10342;

THENCE SOUTH 00°53'52" WEST, A DISTANCE OF 120.03 FEET, TO A POINT ON THE SOUTH LINE OF SECTION 31, BEING MARKED BY A ½" DIA. X 24" LONG IRON PIN WITH A PLASTIC INSCRIBED PLS CAP 10342;

THENCE NORTH 89°25'14" WEST, ALONG THE SOUTH LINE OF SECTION 31, A DISTANCE OF 421.62 FEET TO THE TRUE POINT OF BEGINNING.

TRACT 9:

A TRACT OF LAND IN THE NE1/4 NE1/4 OF SECTION 16, TOWNSHIP 7 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SAID SECTION 16, MONUMENTED WITH AN IDAHO TRANSPORTATION DEPARTMENT BRASS CAP IN MONUMENT WELL; THENCE NORTH 89°55'28" WEST, ALONG THE NORTH LINE OF SAID SECTION, ALSO BEING THE NORTH LINE OF A PARCEL OF LAND DESCRIBED ON QUITCLAIM DEED INST. #188429, A DISTANCE OF 365.00 FEET TO THE NORTHWEST CORNER OF SAID DEED, THE TRUE POINT OF BEGINNING;

THENCE SOUTH 00°01'43" WEST, LEAVING SAID NORTH LINE AND ALONG THE WEST LINE OF SAID DEED, A DISTANCE OF 339.22 FEET TO A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843; THENCE NORTH 89°55'28" WEST, LEAVING SAID WEST LINE, 403.51 FEET; THENCE NORTH 00°01'43" EAST, 339.22 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 16; THENCE SOUTH 89°55'28" EAST, ALONG SAID NORTH LINE, 403.51 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

PART OF THE NE¼NE¼ SECTION 16, TOWNSHIP 7 SOUTH, RANGE 29 EAST, B.M.,

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POWER COUNTY, IDAHO DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 16 THENCE, N 89°19'23" W ALONG THE NORTH LINE OF SAID SECTION 365.00 FEET TO THE POINT OF BEGINNING;

THENCE, S 00°39'43" W 409.00 FEET; THENCE N 89°18'33" W 106.50 FEET; THENCE N 00°39'43" E 408.97 FEET TO THE NORTH LINE OF SAID SECTION; THENCE ALONG SAID NORTH LINE S 89°19'23" E 106.50 TO THE POINT OF BEGINNING.

TRACT 11:

LOTS 3 AND 4, BLOCK 81, RECLAMATION ADDITION TO THE CITY OF AMERICAN FALLS, POWER COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF.

TRACT 12:

PARCEL 1:

A PARCEL OF LAND IN THE NE1/4 OF SECTION 14, TOWNSHIP 7 SOUTH, RANGE 30 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NE1/4 (N1/4 CORNER), SAID POINT BEING MARKED WITH A 5/8" REBAR AND ALUMINUM CAP STAMPED PLS 843;

THENCE, SOUTH 00°36'06" WEST, ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION, 280.00 FEET TO A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843, THE TRUE POINT OF BEGINNING;

THENCE, SOUTH 89°49'00" EAST, LEAVING SAID NORTH-SOUTH CENTERLINE, 2647.53 FEET TO A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843, SAID POINT BEING ON THE EAST LINE OF SAID SECTION;

THENCE, SOUTH 00°32'31" WEST, ALONG SAID EAST LINE, 2353.00 FEET TO THE SOUTHEAST CORNER OF SAID NE1/4 (E1/4 CORNER), SAID POINT BEING MARKED WITH A BUREAU OF RECLAMATION BRASS CAP STAMPED USRS, WC AND DATED 1922;

THENCE, NORTH 89°47'50" WEST, LEAVING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID NE1/4, A DISTANCE OF 2649.98 FEET TO THE SOUTHWEST CORNER OF SAID NE1/4 (C1/4 CORNER), SAID POINT BEING MARKED WITH A 5/8" REBAR AND PLASTIC CAP STAMPED PLS 843;

THENCE, NORTH 00°36'06" EAST, LEAVING SAID SOUTH LINE AND ALONG THE NORTH- SOUTH CENTERLINE OF SAID SECTION, 2352.11 FEET TO THE TRUE POINT

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OF BEGINNING.

ALSO: A TRACT OF LAND IN THE NW1/4 NE1/4 OF SECTION 14, TOWNSHIP 7 SOUTH, RANGE 30 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NW1/4 NE1/4 (N1/4 CORNER); THENCE SOUTH 89°49'00" EAST, ALONG THE NORTH LINE OF SAID SECTION, 463.03 FEET; THENCE SOUTH 00°11'00" WEST, LEAVING SAID NORTH LINE, 280.00 FEET TO A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843;

THENCE, NORTH 89°49'00" WEST, 465.07 FEET TO A POINT ON THE WEST LINE OF SAID NW1/4 NE1/4, SAID POINT BEING MARKED WITH A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843. THENCE, NORTH 00°36'06" EAST, 280.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 1A:

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS IN THE N1/2 NE1/4 OF SECTION 14, TOWNSHIP 7 SOUTH, RANGE 30 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH BEARS NORTH 89°49'00" WEST, ALONG THE NORTH LINE OF SAID SECTION, 1324.62 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 14; THENCE, SOUTH 00°11'00" WEST, LEAVING SAID NORTH LINE, 280.00 FEET; THENCE, NORTH 89°49'00" WEST, 40.00 FEET; THENCE, NORTH 00°11'00" EAST, 280.00 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 14; THENCE, SOUTH 89°49'00" EAST, ALONG SAID NORTH LINE, 40.00 FEET TO THE TRUE POINT OF BEGINNING.

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EXHIBIT B

Permitted Exceptions

THE FOLLOWING EXCEPTIONS AFFECTS POWER COUNTY TRACT 1:

25. Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code. Recorded June 8, 1962, in Book 109, of Deeds, Page 524, (affects Tract 1 Parcel 8) and Recorded January 24, 2003, as Instrument No. 181413 (Affects Parcel 4).

26. Exceptions and reservations contained in Deed from the State of Idaho, wherein mineral rights are reserved to the State under provisions of §§ 47-701 and 47-701A. Idaho Code. Recorded June 8, 1962 in Book 109, of Deeds, Page 524. (Affects Tract 1, Parcel 8)

27. Right-of-way or easement of North Pleasant Valley Road, Roth Road, Winter Road, Schultz Road, Quigley Road, Carter Pleasant Valley Road, Burgemeister Road, Funk Road, Schroeder Road, Schritter Road, County Line Road, Gehring Road and Homestead Road..

28. Reservations and Rights contained in United States Patent, recorded March 14, 1940 in Book 49, of Patents, Page 565, and Recorded May 22, 1916 in Book 25, of Patents, Page 630, Affects Parcel 1.

29. Easement for power line granted to Idaho Power Company, recorded March 9, 1962, in Book 104 of Misc., Page 397. Affects Parcel 8.

30. Provisions in State of Idaho Easment No. 4593, recorded June 17, 1976, as Instrument No. 108524. Affects Parcel 4.

31. Easement for power lines granted to Idaho Power Company, recorded November 5, 1981, as Instrument No. 125168. Affects Parcel 7.

32. Easement for power lines granted to Idaho Power Company, recorded November 14, 1990, as Instrument No. 154104. Affects Parcel 8.

33. Easement for power lines granted to Idaho Power Company, recorded March 13, 1995, as Instrument No. 163155. Affects Parcel 8.

34. Reservation of all coal, oil, oil shale, gas, phosphate, sodium, asbestos, gold, silver, lead, zinc, copper, anitmony and all minerals or deposits of minerals of whatsoever kind or character, including geothermal resources, (and associated by-products), sand, gravel and pumice., by document recorded January 24, 2003, as Instrument No. 181413. Affects Parcel 4, together with the appurtenant rights to use the surface of the land.

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OCT 1 1 2022

35. Easement for power lines granted to Idaho Power Company, recorded March 23, 2012, as Instrument No. 201967. Affects Parcel 6.

36. Reservations and Rights contained in United States Patent, recorded December 31, 1917 in Book 49, of Patents, Page 199. Affects Parcel A.

37. Reservations and Rights contained in United States Patent, recorded April 3, 1923 in Book 49, of Patents, Page 443. Affects Parcel B.

38. Reservations and Rights contained in United States Patent, recorded June 8, 1979 as Instrument No. 117794. Affects Parcel N.

39. Easement for power lines granted to Idaho Power Company, recorded June 23, 1948, as Instrument No. 66432 (Bk 94, Pg 196). Affects Parcel A & N.

40. Easement for power line granted to Idaho Power Company, recorded April 9, 1981, as Instrument No. 123285. Affects Parcel J.

41. Easement for power lines granted to Idaho Power Company, recorded September 4, 1981, as Instrument No. 124693. Affects Parcel B.

42. Memorandum of Land Lease upon the terms, conditions and covenants contained therein:
Recorded: July 19, 2017, as Instrument No. 211334
Lessor: Lance Donald Funk and Lisa Irigoyen Funk, husband and wife Lessee: Idaho 6-Clark limited Partnership dba Verizon Wireless .

43. Reservations and Rights contained in United States Patent, recorded February 5, 1915 in Book 25, of Patents, Page 426 and Recorded May 20, 1916 in Book 25, of Patents, Page 621. Affects Parcel 2.

44. Reservations and Rights contained in United States Patent, recorded March 26, 1915 in Book 25, of Patents, Page 455, Recorded March 2, 1921 in Book 49 of Patents, Page 381 and recorded February 11, 1918 in Book 49 of Patents, page 212. Affects Parcel 5 & 6..

45. Reservations and Rights contained in United States Patent, recorded July 2, 1917 in Book 49, of Patents, Page 151. Affects Parcel K.

46. Reservations and Rights contained in United States Patent, recorded March 11, 1915 in Book 25, of Patents, Page 448 and Recorded June 30, 1916 in Book 49 of Patents, Page 27. Affects a Portion of Parcel 6.

THE FOLLOWING EXCEPTIONS AFFECTS POWER COUNTY TRACT 2:

51. Any claim arising from the difference in the mean high water line of the Aberdeen-Springfield Canal and the meander line as shown by the Original Government Survey. Affects

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Parcel 1

52. Right-of-way or easement of North Pleasant Valley Road and Hwy 39.

53. Easement for highway granted to State of Idaho, recorded May 1, 1934, as Instrument No. 49609 (Bk 63, Pg 467). Affects Parcel 1.

54. Easement for power lines granted to Idaho Power Company, recorded June 15, 1950, as Instrument No. 68694 (Bk 94, Pg 324). Affects Parcel 1.

55. Easement for power lines granted to Idaho Power Company, recorded December 22, 1950, as Instrument No. 69451 (Bk 94, Pg 347). Affects Parcel 1.

56. Reservations and Rights contained in United States Patent, recordedFebruary 2, 1916 in Book 3, of Patents, Page 112 (8103). Affects Parcel 4.

57. Reservations and Rights contained in United States Patent, recorded November 1912 in Book 27, Page 565 (22624). Affects Parcel 4.

58. That portion of land lying within Section 35 and 36 ad described in Parcel 4 is subject to a 30.00 foot easement for the Easterly side of Halling Road and described as the Easterly 30.00 feet of that parcel described in Quitclaim Deed # 198881 with the westerly line of said easement being contiguous with the centerline of Halling Road, recorded September 9, 2010. Affects Parcel 4

59. Easement for power lines granted to Idaho Power Company, recorded October 3, 2011, as Instrument No. 201047. Affects Parcel 5.

60. Reservations and Rights contained in United States Patent, recorded July 1, 1914 in Book 25, of Patents, Page 300. Affects Parcel 1.

61. Reservations and Right contained in United States Patent, recorded May 22, 1916 in Book 25, of Patents, Page 627, Recorded July 13, 1916 in Book 49 of Patents, Page 33, Recorded August 5, 1916 in Book 49 of Patents, Page 45, Recorded March 11, 1915 in Book 25 of Patents, Page 448, Affects Parcel 4.

62. Reservations and Rights contained in United States Patent, recorded June 19, 1915 in Book 25, of Patents, Page 490. Affects Parcel 5.

63. Property is subject to an access easement for ingress and egress as disclosed by a General Warranty Deed recorded (Date of recording) as instrument no. (recorded instrument no.) Affects Parcel 4

THE FOLLOWING EXCEPTIONS AFFECTS POWER COUNTY TRACT 3:

67. Right-of-way or easement of County Line Road.

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OCT 1 1 2022

68. Easement for public utilities granted to Idaho Power Company, recorded October 3, 2011, as Instrument No. 201047.

69. Property is subject to a 30 foot right of way as disclosed by a General Warranty Deed recorded (date of recording) as instrument no. (recorded instrument no.)

THE FOLLOWING EXCEPTIONS AFFECTS POWER COUNTY TRACT 6:

73. Any claim arising from the difference in the mean high water line of the Snake River and the meander line as shown by the Original Government Survey.

74. Right-of-way granted to Mountain States Telephone and Telegraph Company, recorded September 26, 1925, in Book 29 of Misc., Page 579.

75. Easement for public utilities granted to Idaho Power Company, recorded December 27, 1926, in Book 63 of Misc., Page 46.

76. Easement for public utilities granted to Idaho Power Company, recorded June 15, 1950, in Book 94 of Misc., Page 314.

77. Easement for public utilities granted to Idaho Power Company, recorded September 26, 1957, in Book 104 of Misc., Page 61.

78. Easement granted to Oregon Short Line Railroad Company, recorded September 16, 1959, in Book 104 of Misc., Page 204.

79. Easement for public utilities granted to Idaho Power Company, recorded February 28, 1961, in Book 104 of Misc., Page 312.

80. Easement for public utilities granted to Idaho Power Company, recorded March 9, 1962, in Book 104 of Misc., Page 393.

81. Easement for public utilities granted to Idaho Power Company, recorded June 16, 1975, as Instrument No. 106115.

82. Easement for public utilities granted to Idaho Power Company, recorded February 12, 1976, as Instrument No. 107508.

83. Easement for public utilities granted to Idaho Power Company, recorded May 19, 1978, as Instrument No. 114166.

84. Easement for public utilities granted to Idaho Power Company, recorded May 19, 1978, as Instrument No. 114162.

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OCT 11 2022

85. All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded August 26, 2006, as Instrument No. 189245. Amended July 5, 2006 as Instrument No. 189621.

86. An inspection of said land discloses the existence of encroachment of Quonset located on this land onto the adjoining land to the North, and any rights, easements, interests or claims which may exist by reason thereof.

87. Special Land Use License Agreement upon the terms, conditions and provisions contained therein: Parties: The United States of America and MPH Farms
Recorded: January 8, 2007, Instrument No. 190807
Re-Recorded November 22, 2021 as Instrument No. 219274.

Assignment of Easement recorded November 22, 2021 as Instrument No. 219273.

88. Lack of a right of access to and from said land.

THE FOLLOWING EXCEPTIONS AFFECT POWER COUNTY TRACT 8:

93. Right-of-way or easement of North Pleasant Valley Road.

94. Easement for power lines granted to Idaho Power Company, recorded September 26, 1957, in Book 104 of Misc., Page 54.

95. Easement for underground lines granted to Idaho Power Company, recorded October 3, 2011, as Instrument No. 201047.

96. Reservations and Right contained in United States Patent, recorded June 19, 1915 in Book 25, of Patents, Page 490.

THE FOLLOWING EXCEPTIONS AFFECTS POWER COUNTY TRACT 9:

100. Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code. Recorded June 8, 1962 in Book 109, Page 542 Affects This and Other Property

101. Exceptions and reservations contained in Deed from the State of Idaho, wherein mineral rights are reserved to the State under provisions of §§ 47-701 and 47-701A. Idaho Code. Recorded June 8, 1962 in Book 109, Page 542, Affects This and Other Property.

102. Right-of-way or easement of Center Pleasant Valley Road.

103. Easement for power lines granted to Idaho Power Company, recorded March 9, 1962, in Book 104 of Misc., Page 397.

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OCT 11 2022

104. Easement for power line granted to Idaho Power Company, recorded November 14, 1990, as Instrument No. 154104.

105. Easement for power lines granted to Idaho Power Company, recorded March 13, 1995, as Instrument No. 163155.

THE FOLLOWING EXCEPTIONS AFFECT POWER COUNTY TRACT 11:

108. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by the recorded plat of said subdivision, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

109. Covenants, Conditions and Restrictions plus amendment recorded as Instrument No(s). 32042 and 30217, but omitting any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status, or national origin to the extent that such covenants, conditions or restrictions violate 42 USC 3604(c).

THE FOLLOWING EXCEPTIONS AFFECT POWER COUNTY TRACT 12:

113. Right-of-way or easement of Center Pleasant Valley Road.

114. Provisions in deed, recorded March 23, 1920, in Book 60, page 317 .

115. Easement for right of way granted to Intermountain Gas Company, recorded November 8, 1966, as Instrument No. 89971.

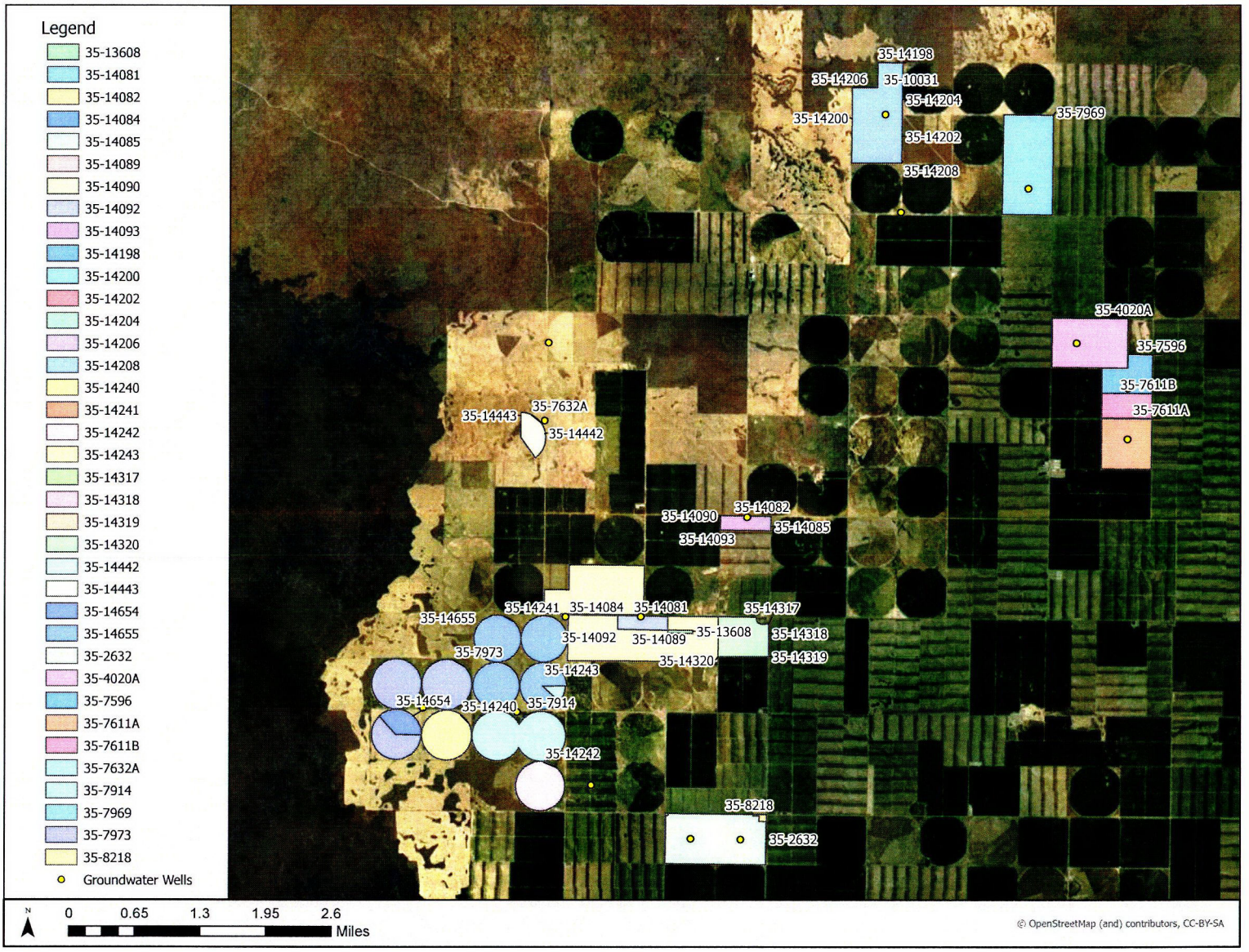
116. All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded September 29, 2010, as Instrument No. 198992.

117. Reserving a 25.00 foot irrigation easement as disclosed by Warranty Deed recorded October 8, 2010 as Instrument No. 199066.

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Water Rights Map

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OCT 1 1 2022



SCANNED
OCT 11 2022

AF 353

WSB Mailing Checklist for Leases

Instructions: Staple to outside of lowest numbered water right file during processing.

Key: Who Completes What?
CLERICAL STAFF: MK
REVIEWER: MC

Received Date: 1/8/2024

Desired Lease Duration: 2024-2028

Lease / Rental Package: (Y) N

If yes, Renter Name: Farmland Reserve

Application # 2904 Contract # 1884

WR#s	
#35-8218	#35-2632
#	#
#	#
#	#
#	#
#	#
#	#

Applicant Authorized?	(Y) / N
Multiple owners, Attach 1A included?	Y / N (NA)
If portion is offered, Attach 2 included?	(Y) / N NA
Map of POU and POD?	(Y) / N NA
POD Consent (if required)?	Y / N (NA)
Application Complete?	(Y) / N
Minimum checklist in data base?	☐
Request for additional information letter sent:	Y NA
WSB Action Request for deficiencies	☐

Stacked Water Rights Need to be Leased? ☐ _____

If checked, list water rights: _____

If the WR owner provided a different address on the application than what's in our database, update address in workflow.

Mailings (per lease application)	CC	Original	
Designated Applicant: Farmland Reserve	☐	☐	EMAIL:
Attorney:	☐	☐	EMAIL:
Consultants Name: Greg Sullivan - Brockway Engineering	☐		Comments:
Watermaster: Blake Jordan	☐		
Delivery Entity:	☐		
Water District: 120	☐		
Ground Water District: AAFGWD	☐		
Region: Eastern	☐		
Other:	☐	☐	
Address:			

Call up Date: 7/23/24

DO NOT SCAN

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little **Director Mathew Weaver**

November 7, 2024

FARMLAND RESERVE INC
60 E SOUTH TEMPLE STE 1700
SALT LAKE CITY UT 84111-1008

RE: WATER SUPPLY BANK LEASE CONTRACTS 1874, 1876, 1877, 1882, 1883 &1884 FOR WATER RIGHTS 35-7969, 35-4020A, 35-7596, 35-7611B, 35-7611A, 35-2632, 35-8218

Dear Lessor:

Water rights 35-7969, 65-4020A, 35-7596, 35-7611B, 35-7611A, 35-2632, 35-8218 **are** leased into the Water Supply Bank (Bank) as of January 2024 in accordance with the enclosed executed lease contract. **Your water rights, as described on the lease contract, are considered leased into the Bank and should remain unused until they are formally released from the Bank**. More information and further restrictions placed on your water rights while leased can be found in conditions of acceptance of the lease contract. Read the conditions of acceptance carefully.

The right(s) will automatically be released from the Bank on **December 31, 2028,** unless the rights are released earlier by the Water Resource Board (Board). To release the water rights from the Bank prior to the release date, submit a written request on the *Request to Release a Water Right from the Bank* form. This form is available on our public website at www.idwr.idaho.gov. **Please note your water rights may not be available for immediate release if they are rented.**

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

Technical Records Specialist I

Enclosure: Executed Lease Contracts (COPIES)

c: IDWR Eastern Region Office
Representative
Water District No. 120

Mansfield, Debra

From: Mansfield, Debra
Sent: Wednesday, November 6, 2024 4:27 PM
To: greg.sullivan@brockwayeng.com; Jordan, Blake
Cc: Bank
Subject: Executed Lease Contracts, Farmland Reserve Inc
Attachments: Executed WSB Lease Contracts 1866, 1869, 1871, 1872, 1873 Farmland Reserve Inc 2024-2025.pdf; Executed WSB Lease Contracts 1874, 1876, 1877, 1882, 1883, 1884 Farmland Reserve Inc 2024-2028.pdf

Hello,

Please see the attached copies of Executed WSB Lease Contracts 1866, 1869, 1871, 1872, 1873, 1874, 1876, 1877, 1882, 1883, & 1884, for your records.

We apologize for the delay in returning these finalized Water Supply Bank Lease Contracts. There was an unexpected delay between the time when the signed contracts were received by the Department and when the Department was able to confirm that we had all of the necessary information to accept the leases into the Water Supply Bank as valid

The contracts that were are returning to Farmland Reserve Inc are **copies** because the Department only received ONE signed copy of each contract, instead of the requested TWO signed copies of each. The Department is required to keep on file a copy of each lease contract that has the original signatures from both parties.

Thank you,

Debra Mansfield | Technical Records Specialist 1
IDWR – State Office
322 E Front St, Boise ID 83702-7371
(208) 287-4921 | Debra.Mansfield@idwr.idaho.gov

RECEIVED
SEP 25 2024
DEPARTMENT OF
WATER RESOURCES

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

September 23, 2024

Mary Condon
Idaho Water Supply Bank
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Farmland Reserve Rental Agreements and Lease Contracts

Dear Ms. Condon:

Attached to this letter are two copies of signed rental agreements 866, 869, 871, 872, 878 and 879 for Farmland Reserve.

Attached to this letter are the sign lease contracts 1866, 1869, 1871, 1872, 1873, 1874, 1876, 1877, 1882, 1883 and 1884 for Farmland Reserve.

Let me know if the Water Supply Bank has any questions or needs additional information.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Jared Cobell via Email
Enc: Rental Agreements and Lease Contracts

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D., P.E.

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 19, 2024

FARMLAND RESERVE INC
60 E SOUTH TEMPLE STE 1700
SALT LAKE CITY, UT 84111-1008

RE: APPLICATION TO LEASE WATER RIGHTS 35-7969, 35-4020A, 35-7596, 35-7611B, 35-7611A, 35-2632, 35-8218 TO THE WATER SUPPLY BANK CONTRACTS 1874, 1876, 1877, 1882, 1883, 1884

******TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water rights to the Water Supply Bank. **I have enclosed ten original Water Supply Bank Lease Contracts for your review and signature**. **Please sign and return ALL Lease Contracts within 14 days**. Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contracts are not considered final until you and the Department have both signed.

The rights will automatically be released from the Bank on **December 31, 2028** unless the rights are released earlier by the Board, or upon your request. To release a right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at http://www.idwr.idaho.gov. Please note your right may not be available for immediate release if it has been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

> "While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

Debra Mansfield

for
Water Supply Bank

Enclosures: Proposed Lease Contracts, Receipt C117615

MEMORANDUM FOR APPLICATION # 2904 / CONTRACT 1884

To: Water Right(s) 35-2632 & 35-8218

From: Mary Condon

Date: July 17, 2024, July 29, 2024

Re: Review & Analysis of Application to Lease Water to the State Water Supply Bank

---

PURPOSE/NARRATIVE: Application to lease 10 acres of stacked water rights 35-2632 and 35-8218 worth 238 acres of irrigation for five years, 2024-2028, received on January 8, 2024, as part of a companion package with other lease applications and rental application 2898. This review covers the lease of this right, only.

AUTHORITY TO FILE: Application to lease is filed for Farmland Reserve, and signed by Scott Baird, who is authorized to sign for Farmland Reserve according to the most recent State of Idaho business filing. Applicant is represented by Greg Sullivan with Brockway Engineering. County tax lot data shows the parcel(s) under the water right place of use (POU) and point of diversion (POD) are in the name of Farmland Reserve. No concerns with authority to file.

WATER RIGHT VALIDITY: Water right 35-2632 was decreed in 2002, and right 35-8218 was licensed in 1996. This is the first time these rights have been offered to the Board's bank. This lease is for a portion of the corner acres remaining in the NW and NE of the NW quarter of section 16 after the approved transfers 88772 and 88781 moved different corners from two new pivot set-ups. Review of 2023, 2021, and 2019 NAIP imagery shows full irrigation of all water right acres, while review of June and July 2024 Sentinel imagery shows conversion of the place of use to two full pivots. No concerns with validity of the water right and portion offered to the bank.

INJURY TO OTHER WATER RIGHTS: Lease of these water rights are not expected to cause injury to other water rights. Proper review to prevent injury if rented.

ENLARGEMENT OF USE: There is some extended vegetation equal to approximately 12 acres in excess of the pivot place of use in the east half of section 16 visible in the June and July 2024 Sentinel imagery, which may be due to residual seeding from the previous years of full cultivation rather than excess irrigation or dry land farming, since it is a darker red than the pivot within the new place of use post transfers 88772 and 88781. Additional information was requested from the representative on July 18 via email about the excess vegetation to ensure it is not due to excess irrigation.

A field report (Inspection Report 1081 and 1082, attached) with photographs and additional sentinel imagery was provided by a representative for Farmland Reserve on July 23rd that the additional acres in excess of the 228 expected to be irrigated during 2024 are from wheat seeding for dry land farming rather than under irrigation. The specifications of the two new pivots were also provided, showing they provide irrigation for 114 acres each, or 228 acres total. This leaves 10 acres of irrigation which have been idled and can be brought into the bank for the five years requested.

No other water rights overlap the water right place of use or point of diversion. Enlargement is not expected through the lease of a portion of this water right.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The lease appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is within the Eastern Snake Plain Aquifer (ESPA), within the Trust Water Area boundary, within the Aberdeen American Falls Ground Water District (AAFGWD) and is subject to Water District # 120. Request for comments or concerns emailed to the regional manager and watermaster on July 29, 2024.

Asset Inspection Report

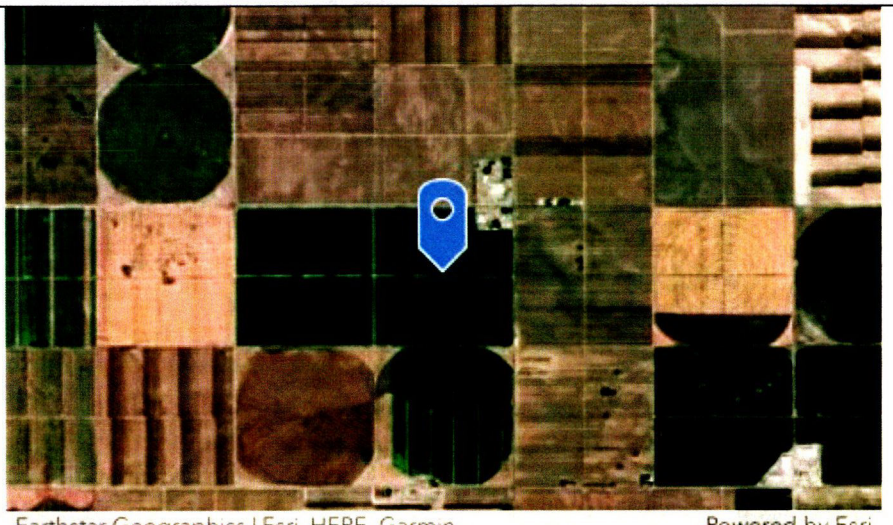
Submitted By: Jared Adamson
Submitted Date: July 23, 2024 12:56 PM

Report on routine asset inspections for Farmland Reserve Inc. The report is intended to summarize the condition of a land asset to help identify its value, and if the asset needs to be included as a capital budget item for maintenance or replacement. Data was collected using Survey123.

Property ID
Canyon Falls Farms

Asset Information	
Asset Type: IRRIGEQUIP	**Description:** Sprinkler Pivot
Asset Tag No.: 1082	**Condition:** C1 New Construction/Item
Comments: Pivot equipment length is 1230 feet with an R55 rotator with a spray radius of 25 feet. Total working length is 1255 feet. The attached photos will show a distinct difference between the irrigated wheat under the pivot and the overplanted wheat beyond the working length of the pivot. The pivot is only irrigating approximately 114 acres.	

Map

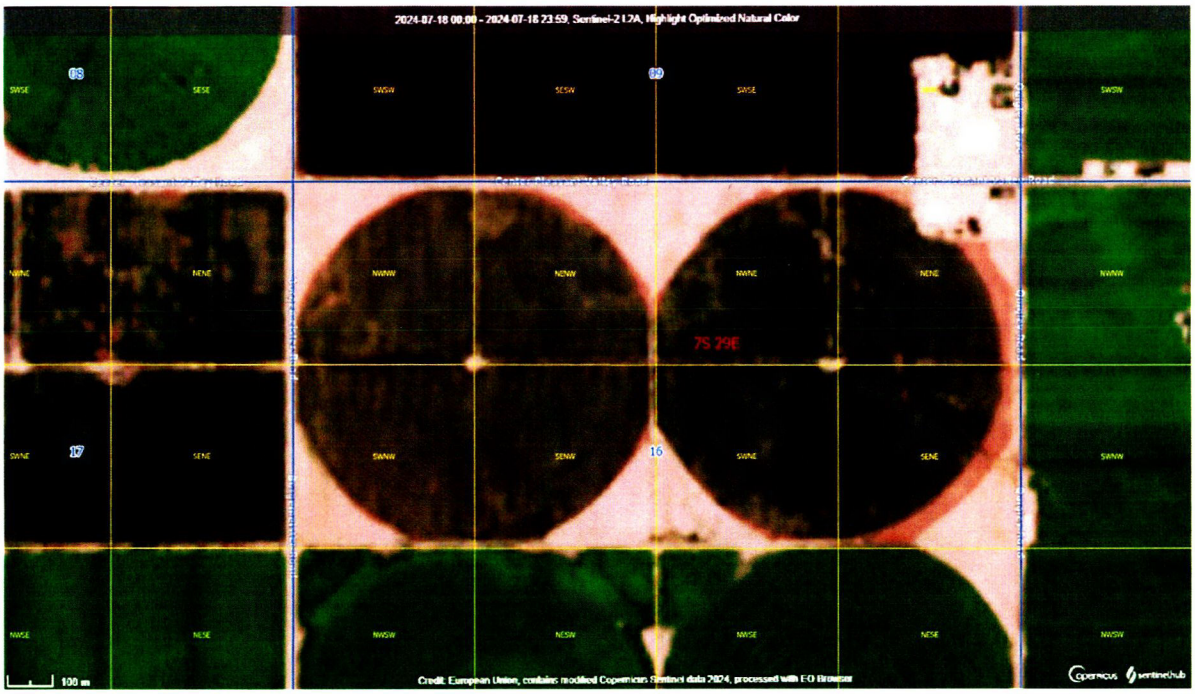


Photos



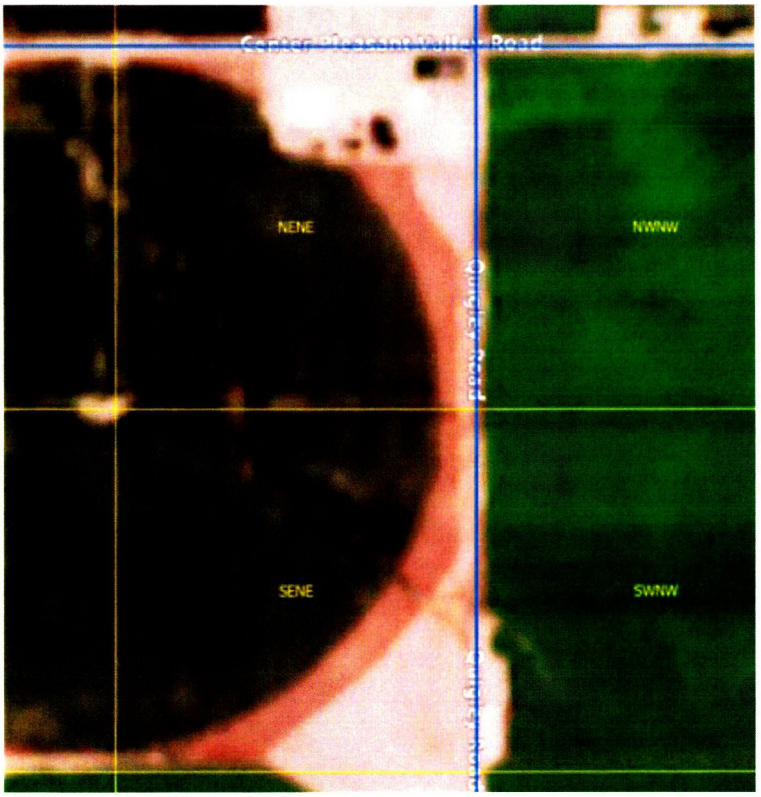




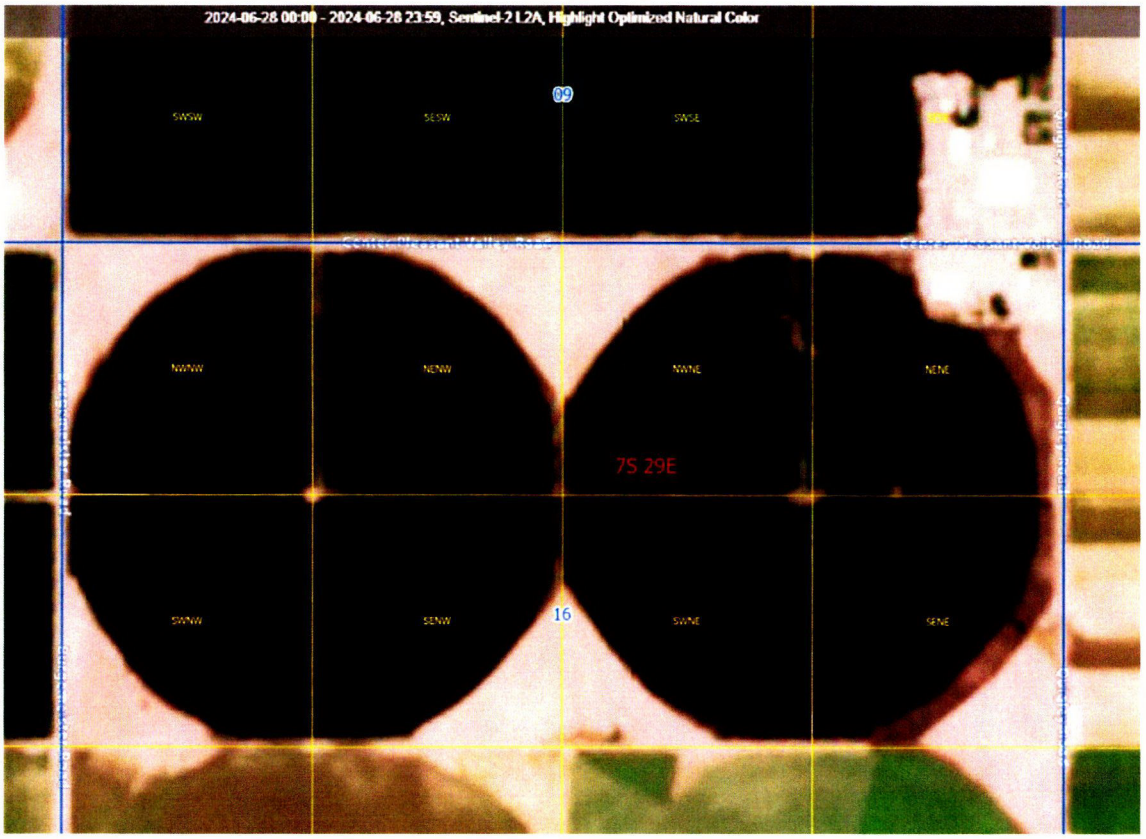


July 18, 2024 Sentinel-2 L2A Natural Color

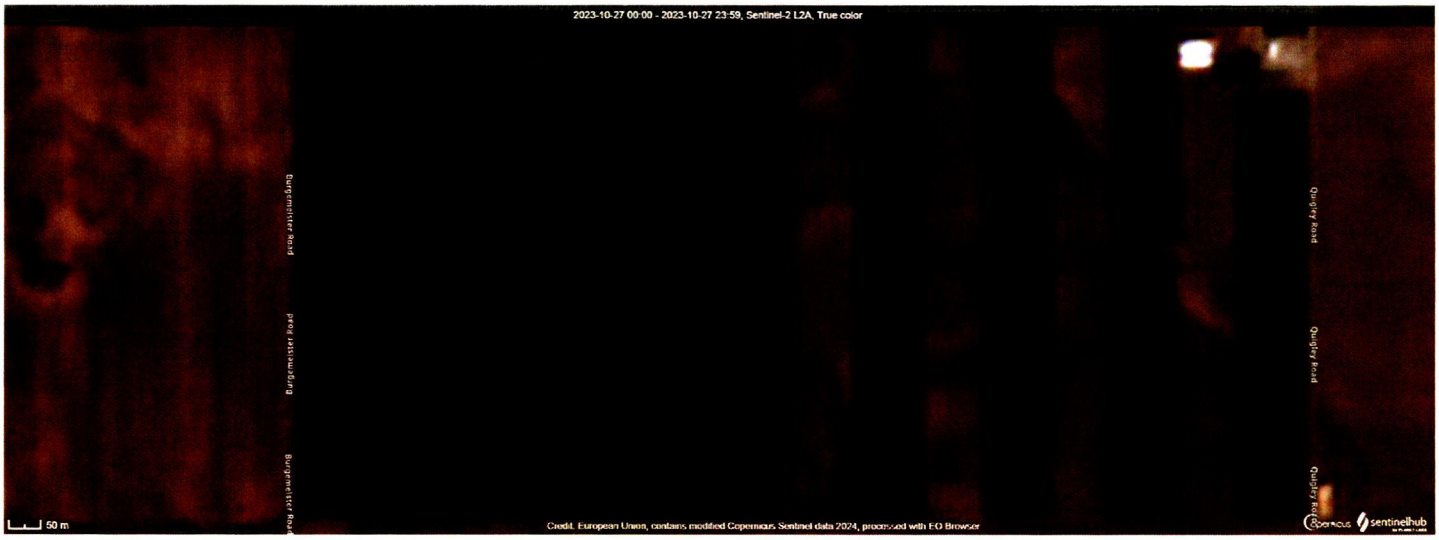
This image shows an edge around each pivot where overplanted wheat that is not irrigated under the pivot has begun to ripen faster than the crop under irrigation.



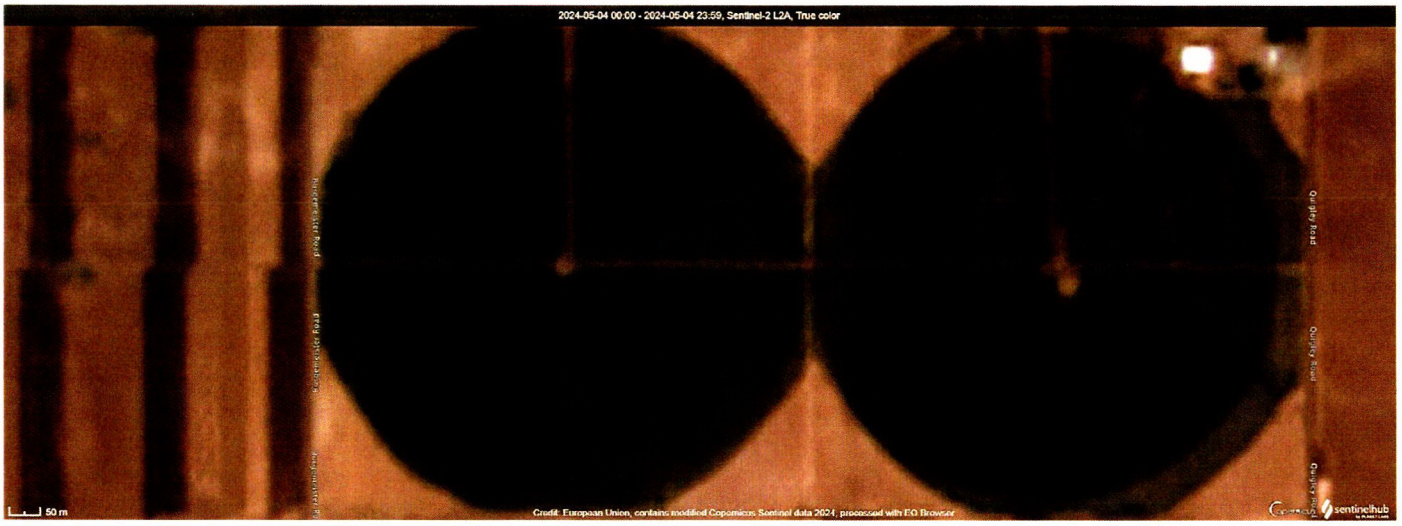
Zoomed in July 18 Sentinel-2 L2A imagery of the eastern half of pivot 1082. Topography may have allowed for run off to provide more water to a small portion of the over planted crop in the SENE QQ.



June 28, 2024 Sentinel-2 L2A Natural Color.
This imagery shows the non-irrigated crop has begun to ripen long before the rest of the irrigated crop. The overplanted wheat around the west pivot (pivot 1081) is harder to distinguish in this image.



October 27, 2023 Sentinel-2 L2A True Color
This image shows that irrigation had occurred under wheel lines after the planting of the crop supporting the observation that the overplanted regions identified in 2024 were supported by a full soil moisture profile going into the winter. This irrigation had occurred before submission of a transfer application and WSB rental application.



May 5, 2024 Sentinel-2 L2A True Color

This image is the most telling Sentinel imagery that shows the irrigated area under the new pivots. Saturated soils under each newly installed pivot can be seen because of the plant growth being in such early stages. This is evident by the darker green circles within a lighter green border surrounding each pivot.

Asset Inspection Report

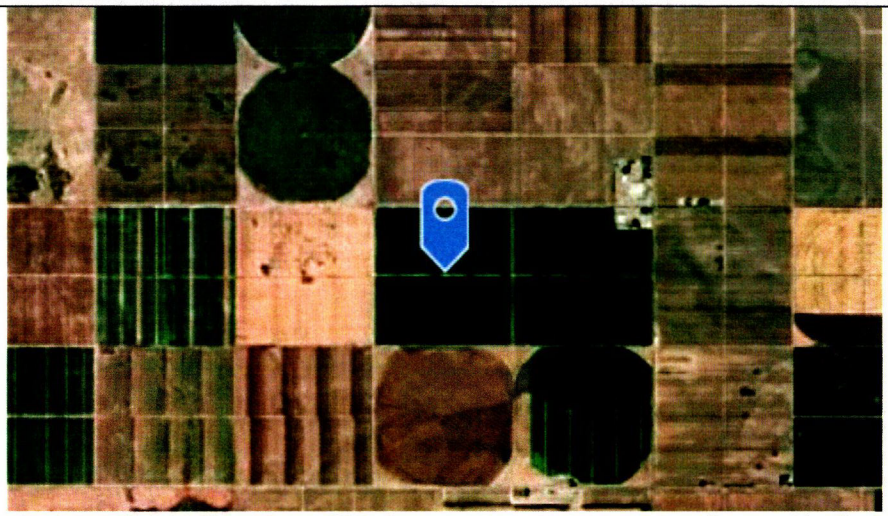
Submitted By: Jared Adamson
Submitted Date: July 23, 2024 1:01 PM

Report on routine asset inspections for Farmland Reserve Inc. The report is intended to summarize the condition of a land asset to help identify its value, and if the asset needs to be included as a capital budget item for maintenance or replacement. Data was collected using Survey123.

Property ID
Canyon Falls Farms

Asset Information	
Asset Type: IRRIGEQUIP	**Description:** Sprinkler Pivot
Asset Tag No.: 1081	**Condition:** C1 New Construction/Item
Comments: Pivot equipment length is 1230 feet with an R55 rotator with a spray radius of 25 feet. Total working length is 1255 feet. The attached photos will show a distinct difference between the irrigated wheat under the pivot and the overplanted wheat beyond the working length of the pivot. The pivot is only irrigating approximately 114 acres.	

Map



Photos





From: Condon, Mary
To: Cefalo, James; Jordan, Blake
Cc: Bank
Subject: WSB Lease WRs 35-2632 and 35-8218 - Farmland Reserve - WD 120
Date: Monday, July 29, 2024 9:16:00 AM
Attachments: Lease Review Memo 2904.docx
image003.png
Lease Map 1884.pdf
Inspection Report 1081 and 1082.pdf
image002.png

Good morning, James, and Blake,

Please see the attached lease review memo, lease map, and field inspection report (response from the applicant to my inquiry regarding the number of irrigated acres in 2024), for the lease of 10 acres of irrigation under water rights 35-2632 and 35-8218 for five years, and kindly reply with comments or concerns within 10 days. This lease is part of a companion lease rental package. I have updated the lease tracking and associated rental application with a review to follow, below.

	Farmland Reserve 2024-2028	Acres	Rental Apps
2904 / 1884	35-2632	10	2898
	35-8218		2898
2903 / 1883	35-7611A	40	2898
2902 / 1882	35-7611B	20	2898
2901 / 1877	35-7596	12	2898
2900 / 1876	35-4020A	40	2898
2899 / 1874	35-7969	76.5	2898
		198.5	

Best,
Mary

Mary Condon
Water Supply Bank Program Coordinator
IDAHO DEPARTMENT OF WATER RESOURCES
Planning & Projects
mary.condon@idwr.idaho.gov
Direct: (208) 287-4936

From: Adamson, Jared
To: Greg Sullivan; Condon, Mary
Cc: Cobell, Jared; Foster, Shawn
Subject: RE: Farmland Reserve Lease Application 2904 - WRs 35-2632 & 35-8218
Date: Tuesday, July 23, 2024 2:59:27 PM
Attachments: image001.png
image002.png
image003.png
Inspection Report 1081 and 1082.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

All,

Thank you for your attention to this matter. Please see the attached reports of my findings where enlargement of water rights 35-2632 and 35-8218 are concerned.

The water right place of use boundary for these rights is the result of a transfer application submitted by Farmland Reserve Inc. This place of use was created to accommodate two pivots, each irrigating 114 acres. Winter wheat was planted in the fall of 2023 before the pivots were installed. This resulted in the overplanting of the wheat beyond the working length of each pivot on fields 1081 and 1082. That working length being approximately 1255 feet. The hardware length for each pivot is 1230 feet with a R55 rotator sprinkler installed at the end with an approximate reach of 25 to 30 feet. The acres that are actively irrigated remain to be approximately 114 ± 0.5 acres. No irrigation infrastructure exists to irrigate beyond 228 acres.

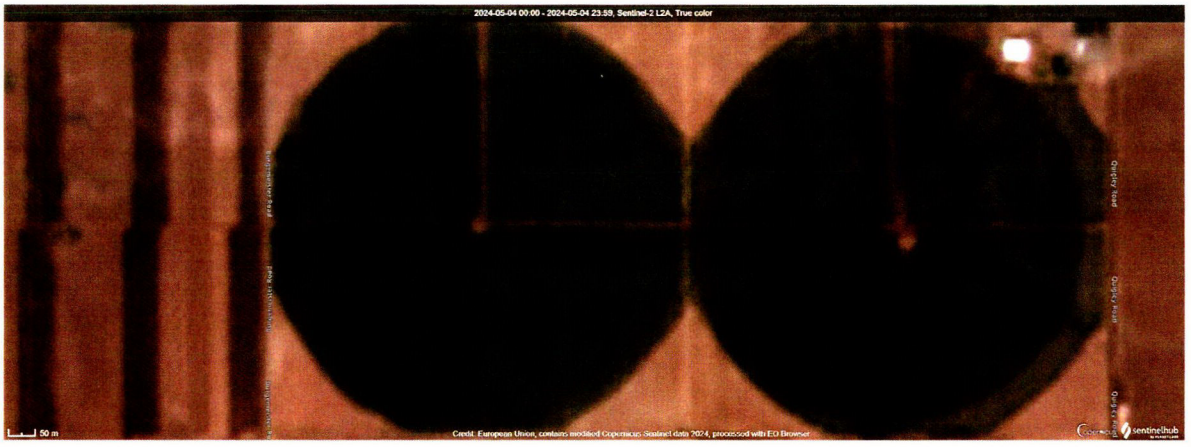
There may have been multiple conditions that impacted the health of the overplanted crop beyond the 228 acres resulting in Sentinel-2 false color imagery showing a potential enlargement of irrigated acres under these rights. The winter wheat crop was planted in the fall of 2023. At the time of planting, the area was irrigated in its entirety under wheel lines and the new pivots had not yet been installed until after the end of the 2023 irrigation season. This end of the season irrigation in preparation for fall tillage and after planting would have filled the soil profile in the overplanted areas beyond normal dry farm conditions. This coupled with substantial late winter and early spring precipitation, along with cool temperatures in the spring helped keep soil moistures higher at crucial stages of early growth. Stages such as tillering and perhaps even into stem extension stages.

The image below helps illustrate that the pivots have not irrigated the entire planted area. This image along with other photos are included in the attached reports with a detailed description.

Feel free to call me with any questions.

Respectfully,

Jared Adamson
Land Management Associate
Farmland Reserve Inc.
Phone: (208) 312-5944



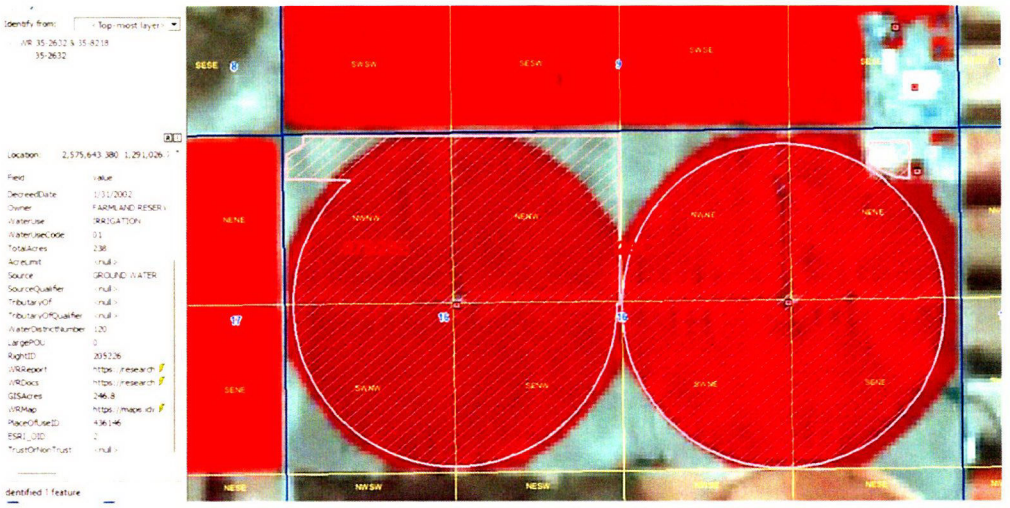
From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Monday, July 22, 2024 9:14 AM
To: Adamson, Jared <jadamson@cffarms.com>
Subject: FW: Farmland Reserve Lease Application 2904 - WRs 35-2632 & 35-8218

I will call you about this

From: Condon, Mary [ ]
Sent: Thursday, July 18, 2024 4:10 PM
To: Greg Sullivan < >
Cc: Bank < >
Subject: Farmland Reserve Lease Application 2904 - WRs 35-2632 & 35-8218

Good afternoon, Greg,

I am reviewing the 2024 June & July sentinel imagery for the place of use of these two stacked rights, and it appears that the farm may be fully utilizing the entire 238 acre water rights on the two new pivots, and possibly in excess of the water right, without idling 10 acres for lease application 2904. The newly installed pivots would need to be equal to or less than 114 acres each to stay under the 228 acres (with 10 acres leased), but the west pivot is measuring nearly 130 acres and the east pivot is about 120 acres.



(The water right place of use shapefile is larger than the authorized acres by 8.8 acres, mostly attributed to the space in the NENE and NWNW, but the pivot circles are nearly exactly set to the 114 acre per pivot limitation, so vegetation outside of the pivot circles would indicate an area larger than 228 acres)

Please provide some additional information about the excess vegetation and if the farm is utilizing the entirety of the two rights for 238 acres.

Thank you,
Mary

Mary Condon
Water Supply Bank Program Coordinator

WATER RESOURCES
Planning & Projects
mary.condon@idwr.idaho.gov
Direct (208) 287-4936

BROCKWAY
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Hydraulics
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Water Resources

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D., P.E.

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

RECEIVED
JAN 08 2024
DEPARTMENT OF
WATER RESOURCES

January 5, 2024

Mary Condon
Idaho Water Supply Bank
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: 198.5 Acre Rental Application and Lease Applications

Dear Ms. Condon:

Farmland Reserve Inc desires to lease 198.5 acres of water rights in the Water Supply Bank and rent 198.5 acres from the Water Supply Bank for the years 2024, 2025, 2026, 2027 and 2028. Attached to this letter is the rental application and ESPA model analysis for the 2024 through 2028 irrigation seasons.

Lease application for 75.5 acres from 35-7969 for the years 2024 through 2028 is attached to this letter. The 76.5 acres to be leased are comprised of pivot corners that will no longer be irrigated. Pivots at this location will be installed and utilized for the 2024 irrigation season. $250.00 lease application fee.

Lease application for 40.0 acres from 35-4020A for the years 2024 through 2028 is attached to this letter. The 40.0 acres to be leased are comprised of pivot corners that will no longer be irrigated. Pivots at this location will be installed and utilized for the 2024 irrigation season. $250.00 lease application fee.

Lease application for 12.0 acres from 35-7596 for the years 2024 through 2028 is attached to this letter. The 12.0 acres to be leased are comprised of pivot corners that will no longer be irrigated. Pivots at this location will be installed and utilized for the 2024 irrigation season. $250.00 lease application fee.

Lease application for 20.0 acres from 35-7611B for the years 2024 through 2028 is attached to this letter. The 20.0 acres to be leased are comprised of pivot corners that will no longer be irrigated. Pivots at this location will be

Rentals - 2898
Leases. - 2899, 2900, 2901, 2902, 2903, 2904

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Hydrology
Water Resources

installed and utilized for the 2024 irrigation season. $250.00 lease application fee.

Lease application for 40.0 acres from 35-7611A for the years 2024 through 2028 is attached to this letter. The 40.0 acres to be leased are comprised of pivot corners that will no longer be irrigated. Pivots at this location will be installed and utilized for the 2024 irrigation season. $250.00 lease application fee.

Lease application for 10.0 acres from 35-2632 and 35-8218 for the years 2024 through 2028 is attached to this letter. The 10.0 acres to be leased are comprised of pivot corners that will no longer be irrigated. Pivots at this location will be installed and utilized for the 2024 irrigation season. $500.00 application lease fee.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Lauren Cabrera via Email
Enc: Rental Application, Leas Applications, Aerial Maps, ESPA Model Analysis, Farmland Reserve Inc Incumbency Certificate, Brockway Engineering Check # 19769 for $1750.00

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D., P.E.

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 28, 2022

FARMLAND RESERVE INC
79 S MAIN ST STE 1000
SALT LAKE CTY UT 84111-1945

Re: Change in Ownership for Water Right No(s): 35-13608, 35-14082, 35-14085, 35-14090, 35-14093, 35-14081, 35-14084, 35-14089, 35-14092, 35-14198, 35-14200, 35-14202, 35-14204, 35-14206, 35-14208, 35-14240, 35-14654, 35-7973, 35-14241, 35-7914, 35-14655, 35-14242, 35-14243, 35-14317, 35-14318, 35-14319, 35-14320, 35-14442, 35-14443, 35-2632, 35-4020A, 35-7596, 35-7611A, 35-7611B, 35-7632A, 35-7969, 35-8218

Dear Water Right Holder(s):

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

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 regarding this matter, please contact me at (208)287-4921 or email me at Sidney.palmer@idwr.idaho.gov.

Sincerely,

Sidney Palmer

Sidney Palmer
Technical Records Specialist 1

Enclosure(s)

c: RABO AGRIFINANCE LLC

SCANNED
OCT 11 2022