



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 01, 2023

BEAR CREST LIMITED LLC
PO BOX 413
REXBURG ID 83440-0413

RE: Change in Ownership Water Right No(s): 1-10490 & 1-10607

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on May 18, 2023 for the above referenced water rights. The Notice could not be processed because water rights 1-10490 (current land and water right owner is Allred Brothers) and 1-10607 (current land and water right owners is Jeff Gideon) are not appurtenant to property conveyed to Bear Crest Limited LLC. All water rights appurtenant to your property have been updated.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$50 has been requested and will be mailed to D L Evans Bank under separate cover from the Idaho State Controller's Office.

If you have any questions regarding this matter, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: DL Evans Bank

WARRANTY DEED

FOR VALUE RECEIVED, Bear Crest Limited, LLC, an Idaho Limited Liability Company, of 6010 South 4300 West, P.O. Box 160, Rexburg, Idaho 83440, hereinafter called "Grantor," does hereby grant, bargain, sell and convey unto Madison County, Idaho, of 134 East Main Street, Rexburg, Idaho 83440, hereinafter "Grantee," the following described properties located in Madison County, Idaho.

Bear Crest Limited, LLC – Parcel 1:

This parcel is situated in a portion of the S.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Section 22, Township 5 North, Range 39 East of the Boise Meridian, Madison County, Idaho, more particularly described as follows:

COMMENCING at the northwest corner of the N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of said Section 22 (N.W. Section Corner), a railroad spike as per CP&F Instrument No. 395432; thence along the west boundary of said N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$,

- A) S.00°05'39"E., 1310.98 feet to the northwest corner of the S. $\frac{1}{2}$ of said N.W. $\frac{1}{4}$ (N. 1/16 W.) an aluminum cap as per CP&F Instrument No. 286826; thence along the north boundary of the S. $\frac{1}{2}$ of said N.W. $\frac{1}{4}$,
- B) S.89°54'55"E. 2651.82 feet to the northeast corner of said S.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ (C.N. 1/16); an aluminum cap as per CP&F Instrument No. 257663; thence,
- C) S.00°00'00"E. 996.09 feet; thence,
- D) N.90°00'00"E. 510.71 feet to the Northwestern Right of Way of US-20; thence along the Northwestern Right-of-Way the following four (4) courses;
- E) S.30°03'42"W. 1045.01 feet; thence,
- F) S.30°37'35"W. 867.12 feet; thence,
- G) S.25°16'50"W. 387.50 feet; thence,
- H) S.30°18'37"W. 282.00 to the POINT OF BEGINNING; thence continuing along said Northwestern Right-of-Way;
- I) S.30°18'37"W. 847.16 feet; thence departing said Right-of-Way,
- J) N.89°55'57"W. 140.17 feet to a point curvature; thence along a curve to the left,
- K) Having an arc length of 158.46 feet, a radius of 593.00 feet, through a central angle of 15°18'36", and a long chord which bears N.37°57'55"E. 157.98 feet; thence,
- L) N.30°18'37"E. 587.52 feet; thence,
- M) N.60°15'21"E. 200.43 feet to the POINT OF BEGINNING.

This parcel contains 79,950 square feet or 1.84 acres, more or less.

As well as the following parcel:

Bear Crest Limited, LLC – Parcel 2:

This parcel is situated in a portion of the N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ and the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Section 27, Township 5 North, Range 39 East of the Boise Meridian, Madison County, Idaho, more particularly described as follows:

COMMENCING at the northwest corner of the N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of said Section 22 (N.W. Section Corner), a railroad spike as per CP&F Instrument No. 395432; thence along the west boundary of said N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$,

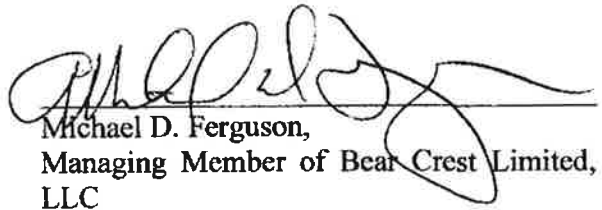
- A) S.00°05'39"E., 1310.98 feet to the northwest corner of the S. $\frac{1}{2}$ of said N.W. $\frac{1}{4}$ (N. 1/16 W.) an aluminum cap as per CP&F Instrument No. 286826; thence along the north boundary of the S. $\frac{1}{2}$ of said N.W. $\frac{1}{4}$,
- B) S.89°54'55"E. 2651.82 feet to the northeast corner of said S.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ (C.N. 1/16); an aluminum cap as per CP&F Instrument No. 257663; thence,
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- H) S.30°18'37"W. 282.00; thence,
- I) S.30°18'37"W. 847.16 to the POINT OF BEGINNING; thence continuing along said Northwestern Right-of-Way;
- J) S.30°18'37"W. 137.78 feet; thence departing said Right-of-Way,
- K) S.66°06'34"W. 1154.25 feet; thence,
- L) N.25°14'23"W. 100.03 feet; thence,
- M) N.66°06'34"E. 932.69 feet to a point of curvature; thence along a curve to the left,
- N) Having an arc length of 212.06 feet, a radius of 593.00 feet through a central angle of 20°29'21", and a long chord bears N.55°51'54"E. 210.93 feet to a point of non-tangency; thence,
- O) S.89°55'57"E. 140.17 feet to the POINT OF BEGINNING.

This parcel contains 125,936 square feet or 2.89 acres, more or less.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee, its heirs and assigns forever. And that said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; and that he will warrant and defend the same from all lawful claims whatsoever.

Notwithstanding delivery of this Warranty Deed, the covenants and conditions contained in the Purchase and Sale Agreement dated September 26, 2018 between the parties, shall remain in full force and effect and shall survive delivery of this Deed.

Dated this 19th day of October, 2018.


Michael D. Ferguson,
Managing Member of Bear Crest Limited,
LLC

STATE OF IDAHO)
 : ss.
County of Madison)

On this 19th day of October, 2018, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Michael D. Ferguson, known or identified to me by his Idaho's driver's license and the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same, and that he signed it voluntarily as Michael D. Ferguson, Managing Member of Bear Crest Limited, LLC, an Idaho limited liability company.

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




Notary Public for Idaho
Residing at: Fremont County
My Commission Expires: 2/18/21

WARRANTY DEED

FOR VALUE RECEIVED, Bear Crest Limited, LLC, an Idaho Limited Liability Company, of 6010 South 4300 West, P.O. Box 160, Rexburg, Idaho 83440, hereinafter called "Grantor," does hereby grant, bargain, sell and convey unto Madison County, Idaho, of 134 East Main Street, Rexburg, Idaho 83440, hereinafter "Grantee," the following described properties located in Madison County, Idaho.

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- A) S.00°05'39"E., 1310.98 feet to the northwest corner of the S. $\frac{1}{2}$ of said N.W. $\frac{1}{4}$ (N. 1/16 W.) an aluminum cap as per CP&F Instrument No. 286826; thence along the north boundary of the S. $\frac{1}{2}$ of said N.W. $\frac{1}{4}$,
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- C) S.00°00'00"E. 996.09 feet; thence,
- D) N.90°00'00"E. 510.71 feet to the Northwesternly Right of Way of US-20; thence along the Northwesternly Right-of-Way the following four (4) courses;
- E) S.30°03'42"W. 1045.01 feet; thence,
- F) S.30°37'35"W. 867.12 feet; thence,
- G) S.25°16'50"W. 387.50 feet; thence,
- H) S.30°18'37"W. 282.00 to the POINT OF BEGINNING; thence continuing along said Northwesternly Right-of-Way;
- I) S.30°18'37"W. 847.16 feet; thence departing said Right-of-Way,
- J) N.89°55'57"W. 140.17 feet to a point curvature; thence along a curve to the left,
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- A) S.00°05'39"E., 1310.98 feet to the northwest corner of the S. $\frac{1}{2}$ of said N.W. $\frac{1}{4}$ (N. 1/16 W.) an aluminum cap as per CP&F Instrument No. 286826; thence along the north boundary of the S. $\frac{1}{2}$ of said N.W. $\frac{1}{4}$,
- B) S.89°54'55"E. 2651.82 feet to the northeast corner of said S.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ (C.N. 1/16); an aluminum cap as per CP&F Instrument No. 257663; thence,
- C) S.00°00'00"E. 996.09 feet; thence,
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- G) S.25°16'50"W. 387.50 feet; thence,
- H) S.30°18'37"W. 282.00; thence,
- I) S.30°18'37"W. 847.16 to the POINT OF BEGINNING; thence continuing along said Northwestern Right-of-Way;
- J) S.30°18'37"W. 137.78 feet; thence departing said Right-of-Way,
- K) S.66°06'34"W. 1154.25 feet; thence,
- L) N.25°14'23"W. 100.03 feet; thence,
- M) N.66°06'34"E. 932.69 feet to a point of curvature; thence along a curve to the left,
- N) Having an arc length of 212.06 feet, a radius of 593.00 feet through a central angle of 20°29'21", and a long chord bears N.55°51'54"E. 210.93 feet to a point of non-tangency; thence,
- O) S.89°55'57"E. 140.17 feet to the POINT OF BEGINNING.

This parcel contains 125,936 square feet or 2.89 acres, more or less.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee, its heirs and assigns forever. And that said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; and that he will warrant and defend the same from all lawful claims whatsoever.

Notwithstanding delivery of this Warranty Deed, the covenants and conditions contained in the Purchase and Sale Agreement dated September 26, 2018 between the parties, shall remain in full force and effect and shall survive delivery of this Deed.

Dated this 19th day of October, 2018.


Michael D. Ferguson,
Managing Member of Bear Crest Limited,
LLC

STATE OF IDAHO)
 : ss.
County of Madison)

On this 19th day of October, 2018, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Michael D. Ferguson, known or identified to me by his Idaho's driver's license and the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same, and that he signed it voluntarily as Michael D. Ferguson, Managing Member of Bear Crest Limited, LLC, an Idaho limited liability company.

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



Notary Public for Idaho
Residing at: Fernmont County
My Commission Expires: 2/18/21

CORPORATION DEED

Order No. **3040414334-G**

For Value Received

Vallinda Inc., an Idaho Corporation

a corporation duly organized and existing under the laws of the State of Idaho, Grantor,
does hereby Grant, Bargain, Sell and convey unto

Bear Crest Limited LLC, an Idaho Limited Liability Company

whose current address is: **2120 N 6000 W**
Rexburg, ID 83440

the following described real estate, to-wit:

Commencing at a point approximately 437 feet East of the Southwest corner of the NW ¼ of the NW ¼ of Section 27, Township 5 North, Range 39 East, Boise meridian, Madison County, Idaho, on the existing right of way fence line of the old county road, and running thence East 270 feet, more or less, to the West right of way line of new U.S. Highway 20-191; thence North 30°18'51" East 66 feet; thence North 59°44'09" West 343.83 feet; to a point on the East right of way line of said old county road; thence South 300 feet along the old county road fence line to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee(s), that it is the owner of said premises; that they are free from all encumbrances **EXCEPT**: current year taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this August 16, 2004.

By:

Vallinda Inc.

By: Linda J. Eames, President

Instrument # 314244

REXBURG, MADISON, IDAHO

2004-08-24

11:21:00 No. of Pages: 1

Recorded for: ALLIANCE TITLE AND ESCROW

MARILYN R. RASMUSSEN

Fee: 3.00

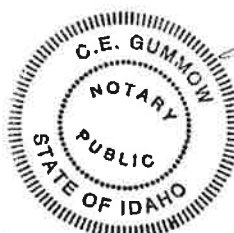
Ex-Officio Recorder Deputy

State of Idaho

}
}ss.

County of Madison

On this 16th day of August, 2004, before me, a Notary Public in and for said state, personally appeared Linda J. Eames, known to me to be the President of the Corporation, and acknowledged to me that pursuant to a Resolution of the Board of Directors, she executed the foregoing in said Corporation name.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for the State of Idaho

Residing at: **REXBURG ID**

Commission Expires: **10-31-04**

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
535 First American Circle
Rexburg, ID 83440

First American Title Company

Instrument # 341604

REXBURG, MADISON, IDAHO

2007-11-15

04:27:00 No. of Pages: 2

Recorded for : FIRST AMERICAN TITLE

MARILYN R. RASMUSSEN

Ex-Officio Recorder Deputy

Fee: 6.00

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **235506-RX (ns)**

Date: **November 05, 2007**

For Value Received, **Robert A. Tietjen and Susan M. Tietjen, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Bear Crest Limited, LLC**, hereinafter called the Grantee, whose current address is **P.O. Box 160, Rexburg, ID 83440**, the following described premises, situated in **Madison County, Idaho**, to-wit:

Commencing at a point which is approximately 405 feet East from the NW corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 5 North, Range 39 E.B.M., Madison County, Idaho, said Point of Beginning begins on the west right of way line of an abandoned county road; and running thence East 330 feet to the Westerly right of way of the U.S. Highway 191-20; thence S. 30°18'51" W. 231.68 feet, along said right of way, thence West 213.06 feet to the West right of way of said abandoned county road; thence N. 200.00 feet along said right of way to the Point of Beginning.

ALSO; Commencing at a point that is approximately 735 feet East and South 30°18'51" W. 231.68 feet from the NW $\frac{1}{4}$ corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township and Range aforesaid; running thence West 98.22 feet more or less to the intersection of the Haderlie Property as Deeded in Instrument No. 238668, thence Southeasterly 99 feet more or less to the Westerly right of way of the U. S. Highway 191-20; thence Northeasterly 20 feet, more or less along highway right of way to the Point of Beginning.

LESS: Commencing at a point which is approximately 405 feet East and 180 feet South from the NW corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township and Range aforesaid, and running thence Southeasterly 115 feet 9 inches more or less to the North line of the Haderlie Property as deeded in Instrument No. 238668; thence West 114 feet 10 inches more or less; thence North 20 feet to the Point of Beginning.

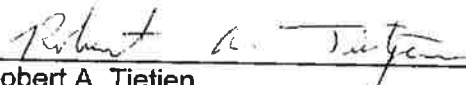
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 11/05/2007

Warranty Deed
- continued

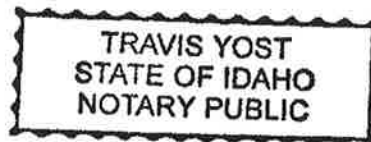
File No.: 235506-RX (n


Robert A. Tietjen


Susan M. Tietjen

STATE OF Idaho)
SS.
COUNTY OF Madison)

this 13 day of November, 2007, before me, a Notary Public in and for said State, personally appeared **Robert A. Tietjen and Susan M. Tietjen**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.




Notary Public for the State of Idaho
Residing at: Idaho Falls, Idaho
My Commission Expires: 1-3-2012

Residing at: Rexburg, Idaho
My Commission Expires: 01/13/2012

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
535 First American Circle
Rexburg, ID 83440

First American Title Company

Microfile No. 411432
10 DAY Aug 2017
At 08 O'Clock 09 AM
KIM H. MUIR
MADISON CO RECORDER
Fee \$15.00
Deputy
Recorded at Request of
FIRST AMERICAN TITLE - REXBURG

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **647758-RX (ns)**

Date: **August 07, 201**

For Value Received, **Jeffery H. Gideon and Melissa Gideon, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Bear Crest Limited, LLC, an Idaho limited liability company**, hereinafter called the Grantee, whose current address is **PO Box 160, Rexburg, ID 83440**, the following described premises, situated in **Madison County, Idaho**, to-wit:

A parcel of land situated in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22 and the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 27, all in Township 5 North, Range 39 E.B.M., Madison County, Idaho, described as:
Beginning at the Southeast Corner of the SW $\frac{1}{4}$ of said Section 22, recorded in the Madison County Courthouse as Instrument No. 395487 (N $\frac{1}{4}$ Corner of said Section 27);
thence S. 00°00'09" W. for a distance of 1313.77 (Record = 1313.41) feet to the Southeast Corner of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 27;
thence S. 89°58'10" W. along the South line of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 27 for a distance of 1526.05 feet to the True Point of Beginning.
thence S. 89°58'10" W. along said South line for a distance of 34.71 feet;
thence N. 30°10'30" E. running parallel with and 30 feet distant from the Easterly right-of-way line of the Oregon Short Line Railroad for a distance of 1992.80 feet;
thence S. 59°49'30" E. for a distance of 30.00 feet;
thence S. 30°10'30" W. running parallel with and 60 feet distant from the Easterly right-of-way line of the Oregon Short Line Railroad for a distance of 1975.35 feet to the True Point of Beginning.

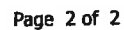
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservation restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

File No.: **647758-RX (ns)**

Melissa Gideon
Melissa Gideon


 Notary Public for the State of Utah
 Residing at: Brigham UT
 My Commission Expires: May 12, 2019



ALLIANCE
TITLE & ESTATE SERVICE

WARRANTY DEED

For Value Received

ROBERT R. LEE and GWEN J. LEE, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

BEAR CREST LIMITED L.L.C.

whose current address is

P.O. BOX 160
REXBURG, IDAHO 83440

the grantee(s), the following described premises, in **MADISON** County **IDAHO**, to wit:

SEE ATTACHED "EXHIBIT A"

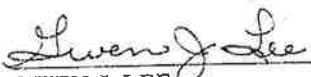
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: **April 10, 1998**



ROBERT R. LEE

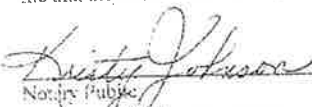


GWEN J. LEE

STATE OF ID, COUNTY OF **MADISON**
On this **10TH** day of **APRIL**, 1998
before me, a Notary Public in and for said State, personally
appeared

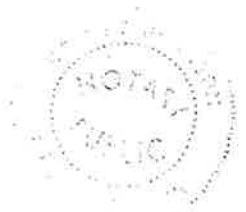
ROBERT R. LEE
GWEN J. LEE

known to me to be the person(s) whose name(s),
subscribed to the within instruments and acknowledged to
me that they executed the same.



Notary Public
Residing at **RIGBY**
Comm. Expires **11/2002**

271506
Microfilm No _____
Date **APR 01 1998**
At **REXBURG** **IDAHO** m
MARLYNE R. BUSSETT
MADISON COUNTY RECORDER
Fee \$ _____ Deputy
Received & Recorded



PARCEL I: A PARCEL OF LAND SITUATED IN MADISON COUNTY, STATE OF IDAHO, TOWNSHIP 5 NORTH, RANGE 39 EAST OF THE BOISE MERIDIAN, SECTION 28, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 5 NORTH, RANGE 39 EAST OF THE BOISE MERIDIAN, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 4, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING. THENCE SOUTH 00°14'02" EAST FOR A DISTANCE OF 1134.50 FEET TO THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY 191-20; THENCE SOUTH 30°18'51" WEST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 215.16 FEET, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 4 AND THE NORTHEAST CORNER OF LOT 3; THENCE SOUTH 89°44'11" WEST BETWEEN LOTS 3 AND 4 FOR A DISTANCE OF 847.40 FEET, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 4 AND THE NORTHWEST CORNER OF LOT 3 SAID POINT ALSO BEING A CLOSING CORNER ON THE EAST AND WEST CENTER LINE OF SECTION 28 ON THE RESTORED ORIGINAL MEANDER LINE FOR THE RIGHT BANK OF THE SNAKE RIVER; THENCE NORTH 23°42'03" WEST ALONG SAID MEANDER LINE FOR A DISTANCE OF 156.39 FEET, SAID POINT BEING CALLED ANGLE POINT NUMBER 3 ON THE RESTORED ORIGINAL MEANDER LINE FOR THE RIGHT BANK OF THE SNAKE RIVER; THENCE NORTH 50°17'53" WEST ALONG SAID MEANDER LINE FOR A DISTANCE OF 369.36 FEET, SAID POINT BEING A CLOSING CORNER ON THE NORTH AND SOUTH CENTER LINE OF THE NORTHEAST QUARTER OF SECTION 28, SAID POINT ALSO BEING ON THE WEST LINE OF LOT 4; THENCE NORTH 01°09'34" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 942.47 FEET TO AN EXISTING B.L.M. BRASS CAP, SAID POINT BEING THE NORTHWEST CORNER OF LOT 4 AND ALSO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28; THENCE NORTH 89°52'58" FOR A DISTANCE OF 1317.48 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL II: A PARCEL OF LAND SITUATED IN MADISON COUNTY, STATE OF IDAHO, TOWNSHIP 5 NORTH, RANGE 39 EAST OF THE BOISE MERIDIAN, SECTION 28, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 5 NORTH, RANGE 39 EAST OF THE BOISE MERIDIAN, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 4. THENCE SOUTH 00°14'02" EAST FOR A DISTANCE OF 1134.50 FEET TO THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY 191-20; THENCE SOUTH 30°18'51" WEST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 215.16 FEET, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 4 AND THE NORTHEAST CORNER OF LOT 3, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING. THENCE SOUTH 30°18'51" WEST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 531.79 FEET TO AN EXISTING RIGHT OF WAY MARKER; THENCE SOUTH 41°37'27" WEST SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 152.97 FEET TO AN EXISTING RIGHT OF WAY MARKER; THENCE SOUTH 30°18'51" WEST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 266.84 FEET TO AN EXISTING B.L.M. BRASS CAP, SAID CORNER BEING A WITNESS POINT ON THE RESTORED ORIGINAL MEANDER LINE FOR THE RIGHT BANK OF THE SNAKE RIVER; THENCE NORTH 19°23'52" WEST ALONG SAID MEANDER LINE FOR A DISTANCE OF 103.13 FEET TO AN EXISTING B.L.M. BRASS CAP, SAID CORNER BEING ANGLE POINT NUMBER 2 ON THE RESTORED ORIGINAL MEANDER LINE FOR THE RIGHT BANK OF THE SNAKE RIVER; THENCE NORTH 23°42'03" WEST ALONG SAID MEANDER LINE FOR A DISTANCE OF 767.32 FEET, SAID POINT BEING A CLOSING CORNER ON THE EAST AND WEST CENTER LINE OF SECTION 28 ON THE RESTORED ORIGINAL MEANDER LINE FOR THE RIGHT BANK OF THE SNAKE RIVER; THENCE NORTH 89°44'11" EAST BETWEEN LOTS 3 AND 4 FOR A DISTANCE OF 847.40 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL III: A PARCEL OF LAND SITUATED IN MADISON COUNTY, STATE OF IDAHO, TOWNSHIP 5 NORTH, RANGE 39 EAST OF THE BOISE MERIDIAN, SECTION 27, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 39 EAST OF THE BOISE MERIDIAN, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 4, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING. THENCE SOUTH 00°14'02" EAST FOR A DISTANCE OF 1134.50 FEET TO THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY 191-20; THENCE NORTH 30°18'51" EAST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 796.83 FEET; THENCE NORTH 00°14'01" WEST FOR A DISTANCE OF 446.90 FEET, SAID POINT OF BEGINNING ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 39 EAST, THENCE SOUTH 89°57'35" WEST ALONG SAID NORTH LINE FOR A DISTANCE OF 405.00 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH A RIGHT OF WAY OVER AND ACROSS THE WEST 30 FEET OF THE FOLLOWING DESCRIBED PROPERTY FOR INGRESS AND EGRESS AS RESERVED IN WARRANTY DEEDS RECORDED FEBRUARY 10, 1977, AS INSTRUMENT NOS. 164911, 164912, 164913, 164914 AND 164915, RECORDS OF MADISON COUNTY, IDAHO, TO WIT: COMMENCING AT A POINT 405 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 39 EAST, BOISE MERIDIAN, MADISON COUNTY, IDAHO, SAID POINT OF BEGINNING BEING LOCATED AT THE INTERSECTION OF THE WEST RIGHT OF

271900

WAY LINE OF THE OLD COUNTY ROAD AND THE NORTH BOUNDARY LINE OF THE AFORESAID
SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27. AND RUNNING THENCE
SOUTH 200 FEET ALONG SAID COUNTY ROAD RIGHT OF WAY LINE; THENCE EAST 158.10 FEET,
MORE OR LESS, TO THE WEST RIGHT OF WAY LINE OF THE NEW U.S. HIGHWAY 20-191; THENCE
NORTH $30^{\circ}18'51''$ EAST, ALONG SAID RIGHT OF WAY LINE TO ITS INTERSECTION WITH THE
AFORESAID NORTH BOUNDARY LINE OF THE OLD COUNTY ROAD; THENCE WEST 240 FEET,
MORE OR LESS, TO THE POINT OF BEGINNING.

1/10/10

1/10/10

Instrument # 324935

REXBURG, MADISON, IDAHO

2005-12-27

01:18:00

No. of Pages: 3

Recorded for: BILLY DUPREE

MARILYN R. RASMUSSEN

Fee: 9.00

Ex-Officio Recorder Deputy

WHEN RECORDED RETURN TO:

Michael D. Ferguson

P.O. Box 160

Rexburg, Idaho 83440

WARRANTY DEED

Roger and Sybil Ferguson, husband and wife, P.O. Box 519, Rexburg, Idaho 83440, as GRANTORS, for a good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto Bear Crest Limited LLC, an Idaho limited liability company, P.O. Box 160, Rexburg, Idaho 83440, as GRANTEE, and to GRANTEE'S successors and assigns forever, the property situated in Madison County, Idaho described on the attached Exhibit A.

TOGETHER with all water rights and shares for water appurtenant thereto and all improvements, easements, hereditaments and appurtenances to said property.

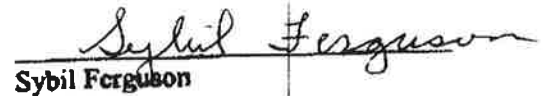
SUBJECT to existing liens and encumbrances and all existing patent reservations, easements, rights of way, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations apparent or of record.

GRANTORS, for themselves, their heirs and assigns do hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the GRANTEE, its successors and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, GRANTORS have hereunto subscribed their names to this instrument this 19th day of December, 2005.

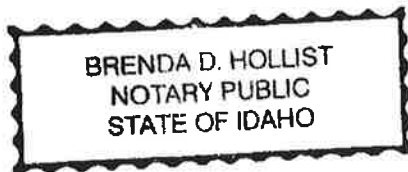
GRANTORS:


Roger Ferguson


Sybil Ferguson

State of Idaho)
)ss,
County of Madison)

On this 14th day of December, in the year 2005, before me, a Notary Public in and for said State, personally appeared Roger Ferguson and Sybil Ferguson, husband and wife, known or identified to me (or proved to me on the oath of _____,) to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Brenda D. Hollist
Notary Public for Idaho
Residing at: Rexburg
My Commission Expires: 4-21-2010

EXHIBIT A

Real Property Description

The real property located in Madison County, Idaho described as follows:

Parcel 1

A parcel of land situated in Madison County, State of Idaho, Township 5 North, Range 39 East of the Boise Meridian, Section 28, more particularly described as follows: Beginning at the Southeast corner of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 28, Township 5 North, Range 39 East, said point also being the True Point of Beginning;

Thence S89°52'58"W for a distance of 1317.48 feet to the Southwest corner of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 28, Township 5 North, Range 39 East;

Thence S89°30'15"W for a distance of 45.00 feet to the centerline of a dike, the following calls being along the centerline of said dike:

Thence N46°32'02"W for a distance of 413.63 feet;

Thence N44°12'10"W for a distance of 228.47 feet;

Thence N39°04'18"W for a distance of 138.17 feet;

Thence N25°58'48"W for a distance of 144.51 feet;

Thence N19°57'11"W for a distance of 115.38 feet;

Thence N23°17'57"W for a distance of 468.59 feet;

Thence N16°38'20"W for a distance of 92.93 feet to the North line of Section 28;

Thence N89°45'22"E for a distance of 2218.33 to the Northeast corner of Section 28; Township 5 North, Range 39 East;

Thence S00°14'01"E for a distance of 1319.73 feet to the true point of beginning, containing 57.18 acres more or less.

Parcel 2

A parcel of land situated in Madison County, State of Idaho, Township 5 North, Range 39 East of the Boise Meridian, Section 27, more particularly described as follows: Beginning at the Southwest corner of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 27, Township 5 North, Range 39 East, said point also being the True Point of Beginning;

Thence N00°14'01"W for a distance of 1319.73 feet to the Northwest corner of Section 27, Township 5 North, Range 39 East;

Thence S09°27'53"E for a distance of 94.38 feet to the West right-of-way of a county road;

Thence S24°53'55"E along said right-of-way for a distance of 568.93 feet;

Thence S19°21'34"W for a distance of 753.16 feet to the True Point of Beginning, containing 3.66 acres more or less.

QUITCLAIM DEED

For Value Received, Madison County, a political subdivision of the state of Idaho, of 134 East Main Street, Rexburg, Idaho 83440, as Grantor, does hereby quitclaim and convey unto Bear Crest Limited LLC, an Idaho Limited Liability Company, as Grantee, of P.O. Box 160, Rexburg, Idaho 83440, and to Grantee's successors, and assigns forever, all interests Madison County has in the following real property located in Madison County, Idaho:

A parcel of land situated in Madison County, State of Idaho, Township 5 North, Range 39 East of the Boise Meridian, Section 27, more particularly described as follows: Beginning at the Southwest corner of the Northwest Quarter of the Northwest Quarter of said section and running thence N89°57'35"E for a distance of 357.88 feet to the point of beginning, thence continuing N89°57'35"E for a distance of 79.00 feet more or less to the Southwest corner of the Bear Crest Limited LLC Property as deeded in Instrument No. 314244, thence North along the West boundary line of said property bearing N1°30'48"E for a distance of 300.00 feet, thence along a curve to the right a distance of 85.74 feet with a radius of 150.00 feet and a chord bearing N36°58'45"W, thence N16°17'06"W for a distance of 93.82 feet to the Northeast corner of the Bear Crest Limited LLC Property deeded in Instrument No. 272306, thence South along said parcels East boundary line a distance of 457.71 feet more or less to the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument this 5th day of April, 2021.

MADISON COUNTY

By: Todd Smith
Todd Smith, Commission Chairman

W. In Recorded
Return To:

Billy G. DuPree, Jr.
P.O. Box 723
Rexburg, Idaho 83440

277231
A 7547
Fees 27.00
Handwritten signature: Billy G. DuPree, Jr.

WARRANTY DEED

Coral Stephen Allred and Sally I. Allred, husband and wife, of 1627 East Nines Point Lane, Boise, Idaho 83702, William Edgar Allred and Linda M. Allred, husband and wife, of 4101 East Menan-Lorenzo Highway, Rigby, Idaho 83442, David Lorin Allred, a single man, of 1614 7th Avenue, Clarkston, Washington 99403, and Leon C. Peterson and Margaret Claire Peterson, aka Margaret Claire Allred, of 197 Hillridge, Blackfoot, Idaho 83221, as GRANTORS, for a good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto Bear Crest Limited LLC, an Idaho limited liability company, of 2120 North 6000 West, Rexburg, Idaho 83440, as GRANTEE, and to GRANTEE'S successors and assigns forever, all of the following described real estate:

A parcel of land situated in Madison County, State of Idaho, Township 5 North, Range 39 East of the Boise Meridian, Section 27, more particularly described as follows: Beginning at the Southwest corner of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section 27, Township 5 North, Range 39 East of the Boise Meridian, said point also being the true point of beginning.

Thence N89°57'35"E for a distance of 357.88 feet;
Thence N01°15'30"E for a distance of 457.71 feet;
Thence N25°04'40"W for a distance of 279.03 feet;
Thence S19°21'36"W for a distance of 753.16 feet to the true point of beginning, containing 3.57 acres more or less.

Together with any and all water, water rights, carrying rights, ditch and ditch rights belonging or appurtenant to the foregoing real property, including without limitation shares for water from the Liberty Park Canal attributable to the foregoing real property.

TOGETHER with all improvements, easements, hereditaments and appurtenances thereto.

2000

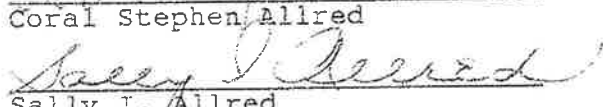
GRANTORS, for themselves, their heirs and assigns do hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the GRANTEE, its successors and assigns forever against the lawful claims of all persons.

This Warranty Deed may be executed in Counterparts, each of which when executed and delivered shall be deemed to be an original, and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, GRANTORS have hereunto subscribed their names to this instrument as of the 30th day of April, 1998.

GRANTORS:


Coral Stephen Allred


Sally I. Allred

William Edgar Allred

Linda M. Allred

David Lorin Allred

Leon C. Peterson

Margaret Claire Peterson

GRANTORS, for themselves, their heirs and assigns do hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the GRANTEE, its successors and assigns forever against the lawful claims of all persons.

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GRANTORS:

Coral Stephen Allred

Sally I. Allred

William E. Allred
William Edgar Allred

Linda M. Allred
Linda M. Allred

David Lorin Allred

Leon C. Peterson

Margaret Claire Peterson

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GRANTORS:

Coral Stephen Allred

Sally I. Allred

William Edgar Allred

Linda M. Allred



David Lorin Allred

Leon C. Peterson

Margaret Claire Peterson

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This Warranty Deed may be executed in Counterparts, each of which when executed and delivered shall be deemed to be an original, and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, GRANTORS have hereunto subscribed their names to this instrument as of the 30th day of April, 1998.

GRANTORS:

Coral Stephen Allred

Sally I. Allred

William Edgar Allred

Linda M. Allred

David Lorin Allred

Leon C. Peterson

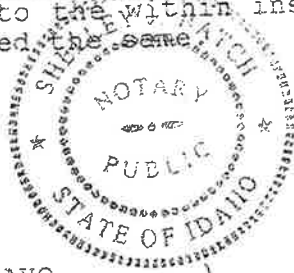
Margaret Claire Peterson

2 OF IDAHO

:ss

ty of ALA

On this 20 day of April, in the year of 1998, before me, a
ary Public in and for said State, personally appeared Coral
hen Allred and Sally I. Allred, husband and wife, known or
ntified to me (or proved to me on the oath of
), to be the persons whose names are
scribed to the within instrument, and acknowledged to me that
y executed the same.



[Signature]
Notary Public for State of Idaho
Residing at: 711 Meridian, Idaho
My Commission Expires: 8/28/2001

TE OF IDAHO

:ss

nty of Madison

On this _____ day of April, in the year of 1998, before me, a
ary Public in and for said State, personally appeared William
ar Allred and Linda M. Allred, husband and wife, known or
ntified to me (or proved to me on the oath of
), to be the persons whose names are
scribed to the within instrument, and acknowledged to me that
ey executed the same.

Notary Public for Idaho
Residing at:
My Commission Expires:

STATE OF IDAHO)

:ss

County of Bernilla)

On this 13 day of April, in the year of 1998, before me, a Notary Public in and for said State, personally appeared Coral Stephen Allred and Sally I. Allred, husband and wife, known or identified to me (or proved to me on the oath of _____), to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public for _____
Residing at: _____
My Commission Expires: _____

STATE OF IDAHO)

:ss

County of Madison)

On this 14 day of May, in the year of 1998, before me, a Notary Public in and for said State, personally appeared William Edgar Allred and Linda M. Allred, husband and wife, known or identified to me (or proved to me on the oath of _____), to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Robin Nelson
Notary Public for Idaho
Residing at: Firth ID
My Commission Expires: 4-15-99

DATE OF ~~WASHINGTON~~)
:ss
County of Thurston)

On this 30th day of April, in the year 1998, before me, a Notary Public in and for said State, personally appeared David Brin Allred, known or identified to me (or proved to me on the oath of _____), to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Diana K. Bridges
Notary Public for Idaho
Residing at: Lewiston, Idaho
My Commission Expires: 11/9/2000

DATE OF IDAHO)
:ss
County of _____)

On this _____ day of April, in the year of 1998, before me, a Notary Public in and for said State, personally appeared Leon C. Peterson and Margaret Claire Peterson, husband and wife, known or identified to me (or proved to me on the oath of _____), to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public for Idaho
Residing at:
My Commission Expires:

STATE OF WASHINGTON)
 :ss
County of _____)

On this _____ day of April, in the year 1998, before me, a Notary Public in and for said State, personally appeared David Lorin Allred, known or identified to me (or proved to me on the oath of _____), to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public for _____
Residing at: _____
My Commission Expires: _____

STATE OF IDAHO)
 :ss
County of Bannock)

On this 1 day of April, in the year of 1998, before me, a Notary Public in and for said State, personally appeared Leon C. Peterson and Margaret Claire Peterson, husband and wife, known or identified to me (or proved to me on the oath of _____), to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

David Williams
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 5/1/01

