RECEIVED
DEC 06 2012
DEPARTMENT OF
WATER RESOURCES

Randall C. Budge (ISB # 1949)
Candice M. McHugh (ISB #5908)
Thomas J. Budge (ISB #7465)
RACINE OLSON NYE BUDGE &
BAILEY, CHARTERED
PO Box 1391
Pocatello, ID 83204-1391
Telephone: (208) 232-6101
Facsimile: (208) 232-6109

ORIGINAL

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION OF WATER TO WATER RIGHTS NOS. 36-02356A, 36-07210, AND 36-07427	**CM –MP** _____
	CM- DC-2010-002
(Blue Lakes Delivery Call)	**MITIGATION PLAN FOR BLUE LAKES**

Aberdeen-American Falls Ground Water District, Bingham Ground Water District, Magic Valley Ground Water District, North Snake Ground Water District and Southwest Irrigation District, hereby file this Mitigation Plan for Blue Lakes ("Mitigation Plan"), pursuant to IDAPA 37.03.11.43 which fully mitigates the pending Blue Lakes Delivery Call.

1. This Mitigation Plan is submitted on behalf of Aberdeen-American Falls Ground Water District, Bingham Ground Water District, Magic Valley Ground Water District, North Snake Ground Water District and Southwest Irrigation District and their associated members and mitigation only members. Correspondence regarding this Mitigation Plan may be sent to the Ground Water Districts, Randall C. Budge at PO Box 1391 Pocatello, ID 83204-1391 and to Southwest Irrigation District, William Parsons, PO Box 910, Burley, ID 83318. The water

rights that benefit from this Mitigation Plan are Water Right Nos. 36-02356A, 36-07210, and 36-07427.

2. On February 29, 2012, Aberdeen American Falls Ground Water District, Bingham Ground Water District, Magic Valley Ground Water District, and North Snake Ground Water District purchased Blue Lakes Trout Farm and water right nos. 36-02356A, 36-07210, and 36-07427, which are the water rights that are the subject of this pending delivery call. See Exhibit A, Warranty Deed Instrument Number 2120827 attached hereto.

3. On July 26, 2012, Southwest Irrigation District also became part owner in Blue Lakes Trout Farm, Inc. and its water rights. See Exhibit B, Warranty Deeds Instrument Numbers 2123299 (Jerome County) and 241874 (Gooding County) attached hereto.

4. The purchase of Blue Lakes Trout Farm and its associated water rights settles the matter between the parties in the above-captioned matter and serves as a Mitigation Plan for the pending Delivery Call for Water Right Nos. 36-02356A, 36-07210, 36-07427.

5. Therefore, the Ground Water Districts and Southwest Irrigation District request the Director to issue an Order, without hearing, approving this Mitigation Plan and finding that the Blue Lakes Delivery Call is fully mitigated by the Ground Water Districts and Southwest Irrigation District's purchase of the Blue Lakes Trout Farm's water rights.

DATED this 5th day of December, 2012.

RACINE OLSON NYE BUDGE & BAILEY

By: _____
Candice M. McHugh

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of December, 2012, the above and foregoing document was served by US Mail postage prepaid to the following:

Director
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098
Deborah.gibson@idwr.idaho.gov

Garrick Baxter
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098
Garrick.Baxter@idwr.idaho.gov

Michael S. Gilmore
Attorney General's Office
P.O. Box 83720
Boise, Idaho 83720-0010
Mike.gilmore@ag.idaho.gov

Jeff Fereday and Mike Creamer
Givens, Pursley
P.O. Box 2720
Boise, Idaho 83701-2720
jcf@givenspursley.com
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409 W. Jefferson
Boise, Idaho 83702
Jo.beeman@beemanlaw.com

Robert E. Williams
Fredricksen Williams Meservy
P.O. Box 168
153 E. Main Street
Jerome, Idaho 83338-0168
rewilliams@cableone.net

Williams Parsons
137 W 13th St.
PO Box 910
Burley, ID 83318
wparsons@pmt.org

Dana Hofstetter
608 W Franklin St.
Boise, ID 83702
dana@idahowaterlaw.com

Bruce Smith
950 W Bannock, Ste 520
Boise, ID 83702
bms@msbtlaw.com

CANDICE M. MCHUGH

Exhibit A

Instrument # 2120827
JEROME COUNTY, JEROME, IDAHO
2-29-2012 12:28:22 No. of Pages: 7
Recorded for : FIRST AMERICAN TITLE
MICHELLE EMERSON Fee: 28.00
Ex-Officio Recorder Deputy

Prepared by, and
after recording return to:

Randall C. Budge, Esq.
Racine, Olson, Nye, Budge & Bailey
P.O. Box 1391
Pocatello, Idaho 83204-1391

373044-J

(Space above reserved for County Recorder's Use Only)

WARRANTY DEED

For value received, Blue Lakes Trout Company LLC, an Idaho limited liability company ("Grantor"), does hereby grant, sell and convey unto North Snake Ground Water District an undivided 40% interest as tenant-in-common, to Magic Valley Ground Water District, an undivided 30% interest as tenant-in-common, to American Falls-Aberdeen Ground Water District, an undivided 17.5% interest as tenant-in-common, and to Bingham Ground Water District, an undivided 12.5% interest as tenant-in-common (collectively "Grantees"), whose address is in care of P.O. Box 1391, Pocatello, Idaho 83204-1391, and their successors and assigns forever, the real property, improvements and water rights located in Jerome County, Idaho, as described in Exhibit "A" attached hereto and incorporated by this reference (the "Property").

TOGETHER WITH all and singular the tenements, hereditaments, easements, rights and appurtenances thereto belonging or in any way appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits therefrom; and all estate, right, and interest in and to the Property, as well in law as in equity.

SUBJECT only to those matters set forth on Exhibit "B", attached hereto and incorporated by this reference ("Permitted Exceptions").

Grantor, for itself and its successors and assigns, covenant and agree with Grantees that Grantor is lawfully seized in fee simple of the Property herein conveyed; that they have good right to sell and convey the same in the manner set forth herein and the Property is free and clear of all liens, claims and encumbrances by and through and under Grantor, except for the Permitted Exceptions; that Grantor, its successors and assigns shall warrant and defend the same unto Grantees forever against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, Grantors have caused these presents to be executed this 29th day of February, 2012.

BLUE LAKES TROUT COMPANY LLC

By: _____
ANITA KAY HARDY, its Manager

STATE OF IDAHO)
: SS
COUNTY OF ADA)

On February 28, 2012, before me, the undersigned Notary Public in and for said State, personally appeared **Anita Kay Hardy**, known or identified to me to be the Manager of Blue Lakes Trout Company LLC, the Idaho limited liability company that executed the foregoing instrument and the person whose name is subscribed to the within instrument, and acknowledged to me that she executed that said limited liability company executed the same.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.

GREGORY A. BYRON NOTARY PUBLIC IDAHO

_____
NOTARY PUBLIC FOR IDAHO
Residing at: Nampa, Idaho
My Commission Expires: November 13, 2013

EXHIBIT "A"

BLUE LAKES LEGAL DESCRIPTION

THIS IS A BOUNDARY LINE ADJUSTMENT

A PARCEL OF LAND LOCATED IN A PORTION OF LOTS 13 AND 14, SECTION 28, AND A PORTION OF LOTS 18 AND 19, SECTION 29, TOWNSHIP 9 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, JEROME COUNTY IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, MARKED BY A 3 INCH BUREAU OF LAND MANAGEMENT BRASS CAP MONUMENT AS DESCRIBED IN CORNER PERPETUATION INST. NO. 2012294; THENCE SOUTH 00°31'16" WEST, ALONG THE EAST LINE OF SAID SECTION 29, (BASIS OF BEARING PER CENTRAL MERIDIAN OF CENTRAL ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 1439.45 FEET TO A MEANDER CORNER RIGHT BANK (OLD) SNAKE RIVER OF SECTIONS 28 AND 29, MARKED BY A 1/2 INCH REBAR (NO CAP) AS DESCRIBED IN RECORD OF SURVEY INST. NO. 2012583; THENCE SOUTH 00°25'10" WEST, ALONG THE EAST LINE OF SAID SECTION 29, A DISTANCE OF 1549.01 FEET TO A CLOSING CORNER LEFT BANK (OLD) SNAKE RIVER SECTIONS 28 AND 29, MARKED BY A CHISELED "X" ON CLIFF FACE AS DESCRIBED IN RECORD OF SURVEY INST. NO. 2012583; THENCE SOUTH 78°58'35" WEST A DISTANCE OF 667.71 FEET TO A LARGE LAVA BOULDER WITH CHISELED "X" AS DESCRIBED IN CORNER PERPETUATION INST. NO. 267144, BEING THE **POINT OF BEGINNING.**

THENCE SOUTH 44°58'30" EAST A DISTANCE OF 530.00 FEET TO A FOUND 1/2 INCH REBAR (NO CAP) BEING THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2120046; THENCE CONTINUING SOUTH 44°58'30" EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 611.00 FEET; THENCE SOUTH 18°53'32" EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 166.00 FEET; THENCE SOUTH 37°19'32" EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 223.00 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 316342; THENCE SOUTH 48°37'32" EAST, ALONG THE SOUTH BOUNDARY LINE OF SAID PARCEL OF LAND DESCRIBED IN DEED INST. NO. 316342, A DISTANCE OF 174.00 FEET TO AN ANGLE POINT ON THE SOUTH BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO.2072572 (PARCEL 2); THENCE SOUTH 56°14'32" EAST A DISTANCE OF 105.45 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2120049; THENCE SOUTH 56°14'32" EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 127.00 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2072572, (PARCEL 8); THENCE CONTINUING SOUTH 56°14'32" EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 254.00 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2072572 (PARCEL 11); THENCE SOUTH 59°07'09" EAST A DISTANCE OF 420.55 FEET; THENCE SOUTH 77°55'15" EAST A DISTANCE OF 47.26 FEET; THENCE NORTH 61°33'32" EAST A DISTANCE OF 151.96 FEET; THENCE SOUTH 23°17'14" EAST A DISTANCE OF 102.43 FEET; THENCE SOUTH 71°11'49" WEST A DISTANCE OF 242.16 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2120047; THENCE NORTH 56°14'32" WEST, ALONG THE

SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 132.42 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2072572, (PARCEL 12); THENCE SOUTH 22°33'27" WEST, ALONG THE WESTERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 97.85 FEET TO THE APPROXIMATE HIGH WATER MARK OF THE NORTH BANK OF THE SNAKE RIVER; THENCE ALONG THE APPROXIMATE HIGH WATER MARK OF THE NORTH BANK OF THE SNAKE RIVER FOR THE NEXT TWENTY SIX (26) COURSES;

(1) NORTH 40°38'24" WEST A DISTANCE OF 61.29 FEET;
(2) NORTH 47°53'20" WEST A DISTANCE OF 94.30 FEET;
(3) NORTH 48°19'24" WEST A DISTANCE OF 144.58 FEET;
(4) NORTH 46°51'47" WEST A DISTANCE OF 130.20 FEET;
(5) NORTH 56°08'30" WEST A DISTANCE OF 118.13 FEET;
(6) NORTH 58°10'53" WEST A DISTANCE OF 147.09 FEET;
(7) NORTH 61°47'44" WEST A DISTANCE OF 53.52 FEET;
(8) NORTH 75°10'57" WEST A DISTANCE OF 34.57 FEET;
(9) NORTH 85°53'55" WEST A DISTANCE OF 61.79 FEET;
(10) NORTH 69°57'28" WEST A DISTANCE OF 159.12 FEET;
(11) NORTH 63°02'50" WEST A DISTANCE OF 142.02 FEET;
(12) NORTH 77°00'41" WEST A DISTANCE OF 77.61 FEET;
(13) SOUTH 49°56'58" WEST A DISTANCE OF 111.92 FEET;
(14) SOUTH 75°19'46" WEST A DISTANCE OF 70.20 FEET;
(15) NORTH 35°52'47" WEST A DISTANCE OF 107.64 FEET;
(16) NORTH 54°35'29" WEST A DISTANCE OF 88.81 FEET;
(17) SOUTH 70°43'42" WEST A DISTANCE OF 81.75 FEET;
(18) SOUTH 79°46'43" WEST A DISTANCE OF 105.71 FEET;
(19) NORTH 85°01'57" WEST A DISTANCE OF 97.54 FEET;
(20) NORTH 43°32'19" WEST A DISTANCE OF 41.09 FEET;
(21) NORTH 24°57'26" WEST A DISTANCE OF 72.03 FEET;
(22) NORTH 00°59'28" WEST A DISTANCE OF 96.37 FEET;
(23) SOUTH 75°16'23" WEST A DISTANCE OF 132.14 FEET;
(24) NORTH 79°51'22" WEST A DISTANCE OF 35.54 FEET;
(25) NORTH 74°00'47" WEST A DISTANCE OF 68.09 FEET;
(26) NORTH 70°41'14" WEST A DISTANCE OF 10.00 FEET;

THENCE ALONG THE EASTERLY AND NORTHERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2081786 FOR THE NEXT FOUR (4) COURSES;

(1) NORTH 16°56'58" EAST A DISTANCE OF 588.68 FEET;
(2) NORTH 36°13'32" WEST A DISTANCE OF 20.01 FEET;
(3) NORTH 48°58'32" WEST A DISTANCE OF 430.00 FEET;
(4) NORTH 58°49'28" EAST A DISTANCE OF 380.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 23.22 ACRES MORE OR LESS.

WATER RIGHTS

BLUE LAKES TROUT CO., LLC:

Water Source:	Water Right No.	Priority Date
Flow diverted from Alpheus Creek which is fed by Blue Lakes Springs	36-2356A	5/29/1958
Flow diverted from Alpheus Creek which is fed by Blue Lakes Springs	36-7210	11/17/1971
Flow diverted from Alpheus Creek which is fed by Blue Lakes Springs	36-7427	12/28/1973
Re-Use	36-7720	6/8/1977

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. 2012 taxes that are not yet due and payable
3. Reservations in United States Patent.
4. 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.
5. Levies and assessments of Lower Snake River Aquifer Recharge District.
6. Easement granted to Idaho Power Company, recorded April 19, 1941, in Book 121 of , page 241 as Instrument No. 80254.
7. Easement granted to Idaho Power Company, recorded July 12, 1945, in Book 128 of , page 563 as Instrument No. 93043.
8. Agreement upon the terms, conditions and provisions contained therein: Parties: Ira B. Perrine and Hortense Perrine; Stella L. Haight, H. G. Haight, Ira B. Perrine Jr., Emerald Perrine, Eugene Perrine and Mary Louise Perrine Recorded: November 14, 1939, in Book 112 at Page 576 as Instrument No. 74828
9. Easements Reserved and Granted between Ira Burton Perrine, Jr., Emerald Perrine, Blue Lakes Country Club, Inc., recorded November 10, 1964 in Book 174 at Page 258 as Instrument No. 161199.
10. Agreement upon the terms, conditions and provisions contained therein: Parties: Ira Burton Perrine, Jr., Emerald Perrine and City of Twin Falls, Idaho Recorded: March 1, 1966, in Book 189 at Page 6 as Instrument No. 167127
11. Easement granted to Idaho Power Company, recorded December 7, 1967, in Book 184 of , page 153 as Instrument No. 174266.
12. Easement for use of existing pipelines or any other form of water conveyance granted to Royal Catfish Industries, recorded September 21, 1970, as Instrument No. 186287.
13. Right-of-way granted to Mountain States Telephone and Telegraph Company, recorded as Instrument No. 186850.
14. Easement granted to Idaho Power Company, recorded January 24, 1972, as Instrument No. 192479.
15. Provisions in deed to Richard Kirkman, recorded May 2, 1973, as Instrument No. 200039. Affects Parcel 1
16. Provisions in deed to Percy Greene, Nedra H. Greene, Harold S. Miller and Jessie F. Miller, recorded April 17, 1975, as Instrument No. 211303.
17. Easement for ingress and egress granted to Richard Kirkman, recorded July 22, 1986, as Instrument No. 299671.
18. Easement for all purposes granted to Blue Lakes Country Club, Inc. and Blue Lakes Trout Farm, Inc., recorded December 19, 1989, as Instrument No. 318867.

19. Provisions in deed to Blue Lakes Trout Farm, Inc., recorded July 14, 1991, as Instrument No. 912088.
20. A 50 foot wide ditch and access road easement as disclosed by Warranty Deed recorded July 14, 1991 as Instrument No. 912089.
21. Agreement upon the terms, conditions and provisions contained therein:
Parties: Pristine Springs, Inc., an Idaho Corporation, and Blue Lakes Trout Farm, Inc., an Idaho Corporation Recorded: January 20, 2000, Instrument No. 2000347 Affects Parcels 1, 2 and 3
22. Affidavit of the Custodian of the Official Records of the Idaho Department of Water Resources, recorded April 4, 2008 as Instrument No. 2081779.
23. Affidavit of the Custodian of the Official Records of the Idaho Department of Water Resources, recorded April 4, 2008 as Instrument No. 2081781.
24. Affidavit of the Custodian of the Official Records of the Idaho Department of Water Resources, recorded April 4, 2008 as Instrument No. 2081784.
25. Pipeline Easement Agreement by and between Dr. John R. Lythgoe, Grantor, and Blue Lakes Trout Company LLC, an Idaho limited liability company, recorded February 28, 2012 as instrument no. 2120784.
26. Pipeline Easement Agreement by and between Blue Lakes Trout Company LLC, an Idaho limited liability company, Grantor, and Blue Lakes Trout Company LLC, recorded February 28, 2012 as instrument no. 2120785.
27. Pipeline Easement Agreement by and between Blue Lakes Trout Company LLC, an Idaho limited liability company, Grantor, and Idaho Water Resource Board, a constitutionally established State Water Resource Agency, recorded February 28, 2012 as instrument no. 2120786.
28. Shared Well Agreement by and between Dr. John R. Lythgoe, Supplied Party, and Blue Lakes Trout Company LLC, an Idaho limited liability company, recorded February 28, 2012 as instrument no. 2120787.
29. Access Easement Agreement by and between Blue Lakes Trout Company LLC, an Idaho limited liability company, Grantor, and Blue Lakes Trout Company LLC, recorded February 28, 2012 as instrument no. 2120788.
30. Lower Warm Creek Road Maintenance and Easement Agreement by and between Blue Lakes Trout Company LLC, an Idaho limited liability company; ELW Holdings LLC, an Idaho limited liability company; Randy B. Perrine and Tammie A. Perrine, husband and wife; Dr. John R. Lythgoe; Richy B. Stroud, and the State of Idaho by and through the Idaho Water Resource Board, a constitutionally established State Water Resource Agency, recorded February 29, 2012 as instrument no. 2120825.

Exhibit B

Prepared by, and
after recording return to:

William Parsons
Southwest Irrigation District
P.O. Box 910
Burley, Idaho 83318

Recorded Electronically
ID 2123299
County Jerome
Date 07-31-2012 Time 01:31:59 pm
Simplifile.com 800.460.5657

Recorded Electronically
ID 241874
County Gooding
Date 07-31-2012 Time 14:35:32 pm
Simplifile.com 800.460.5657

(Space above reserved for County Recorder's Use Only)

WARRANTY DEED

For value received, North Snake Ground Water District an undivided 5% interest as tenant-in-common, Magic Valley Ground Water District, an undivided 5% interest as tenant-in-common, American Falls-Aberdeen Ground Water District, an undivided 2.5% interest as tenant-in-common, and Bingham Ground Water District, an undivided 2.5% interest as tenant-in-common, whose address is in care of P.O. Box 1391, Pocatello, Idaho 83204-1391 (collectively "Grantors"), do hereby grant, sell and convey unto Southwest Irrigation District, whose address is Box 668., Burley, Idaho 83318 (hereinafter "Grantee") and its successors and assigns forever, their collective and undivided 15% interest as tenant-in-common in the real property, improvements and water rights located in Gooding County and Jerome County, Idaho, as described in Exhibit "A" attached hereto and incorporated by this reference commonly known as the Blue Lakes, Rim View and Clear Lake Trout Hatcheries (the "Property").

TOGETHER WITH all and singular the tenements, hereditaments, easements, water rights, operating permits, licenses and appurtenances thereto belonging or in any way appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits therefrom; and all estate, right, and interest in and to the Property, as well in law as in equity.

SUBJECT TO those matters set forth on Exhibit "B", attached hereto and incorporated by this reference ("Permitted Exceptions").

SUBJECT TO Amended and Restated Joint Powers Agreement for Thousand Springs Mitigation effective January 3, 2012, made and entered into between the Grantors.

Grantors, for themselves and their successors and assigns, covenants and agrees with Grantee that Grantors are lawfully seized in fee simple of the Property herein conveyed; that they have good right to sell and convey the same in the manner set forth herein and the Property is free and clear of all liens, claims and encumbrances by and through and under Grantors, except for the Permitted Exceptions; that Grantors, their successors and assigns shall warrant and defend the same unto Grantee forever against the lawful claims and demands of all persons.

Prepared by, and
after recording return to:

William Parsons
Southwest Irrigation District
P.O. Box 910
Burley, Idaho 83318

Instrument # 2123299
JEROME COUNTY, JEROME, IDAHO
07-31-2012 01:31:59 PM No. of Pages: 18
Recorded for: LAND TITLE AND ESCROW - BURLEY
MICHELLE EMERSON Fee: $61.00
Ex-Officio Recorder Deputy: jw
Electronically Recorded by Simplifile

(Space above reserved for County Recorder's Use Only)

WARRANTY DEED

For value received, North Snake Ground Water District an undivided 5% interest as tenant-in-common, Magic Valley Ground Water District, an undivided 5% interest as tenant-in-common, American Falls-Aberdeen Ground Water District, an undivided 2.5% interest as tenant-in-common, and Bingham Ground Water District, an undivided 2.5% interest as tenant-in-common, whose address is in care of P.O. Box 1391, Pocatello, Idaho 83204-1391 (collectively "Grantors"), do hereby grant, sell and convey unto Southwest Irrigation District, whose address is Box 668., Burley, Idaho 83318 (hereinafter "Grantee") and its successors and assigns forever, their collective and undivided 15% interest as tenant-in-common in the real property, improvements and water rights located in Gooding County and Jerome County, Idaho, as described in Exhibit "A" attached hereto and incorporated by this reference commonly known as the Blue Lakes, Rim View and Clear Lake Trout Hatcheries (the "Property").

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Prepared by, and
after recording return to:

William Parsons
Southwest Irrigation District
P.O. Box 910
Burley, Idaho 83318

Instrument # 241874
GOODING COUNTY, GOODING, IDAHO
07-31-2012 14:33:32 No. of Pages: 18
Recorded for: LAND TITLE AND ESCROW - BURLEY
DENISE GILL Fee: $61.00
Ex-Officio Recorder Deputy: MJS
Electronically Recorded by Simplifile

(Space above reserved for County Recorder's Use Only)

WARRANTY DEED

For value received, North Snake Ground Water District an undivided 5% interest as tenant-in-common, Magic Valley Ground Water District, an undivided 5% interest as tenant-in-common, American Falls-Aberdeen Ground Water District, an undivided 2.5% interest as tenant-in-common, and Bingham Ground Water District, an undivided 2.5% interest as tenant-in-common, whose address is in care of P.O. Box 1391, Pocatello, Idaho 83204-1391 (collectively "Grantors"), do hereby grant, sell and convey unto Southwest Irrigation District, whose address is Box 668., Burley, Idaho 83318 (hereinafter "Grantee") and its successors and assigns forever, their collective and undivided 15% interest as tenant-in-common in the real property, improvements and water rights located in Gooding County and Jerome County, Idaho, as described in Exhibit "A" attached hereto and incorporated by this reference commonly known as the Blue Lakes, Rim View and Clear Lake Trout Hatcheries (the "Property").

TOGETHER WITH all and singular the tenements, hereditaments, easements, water rights, operating permits, licenses and appurtenances thereto belonging or in any way appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits therefrom; and all estate, right, and interest in and to the Property, as well in law as in equity.

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IN WITNESS WHEREOF, the Grantors have caused these presents to be executed this 26th day of July, 2012.

AMERICAN FALLS-ABERDEEN GROUND WATER DISTRICT

By: _____
NICHOLAS BEHREND, Chairman

BINGHAM GROUND WATER DISTRICT

By: _____
CRAIG EVANS, Chairman

MAGIC VALLEY GROUND WATER DISTRICT

By: _____
ORLO H. MAUGHAN, Chairman

NORTH SNAKE GROUND WATER DISTRICT

By: _____
LYNN CARLQUIST, Chairman

STATE OF IDAHO)
: SS
COUNTY OF ~~BANNOCK~~ Cassia)

On July 27, 2012, before me personally appeared **Nicholas Behrend,** personally known to me to be the Chairman of American Falls-Aberdeen Ground Water District whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the entity upon behalf of which he acted executed the instrument.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.

WILLIAM A. PARSONS
NOTARY PUBLIC
STATE OF IDAHO

NOTARY PUBLIC FOR IDAHO
Residing at: ~~Pocatello~~ Burley, Idaho
My Commission Expires: ~~10/11/2012~~ 7/20/2016

STATE OF IDAHO)
: SS
COUNTY OF ~~BANNOCK~~ CASSIA)

On JULY 26, 2012, before me personally appeared **Craig Evans,** personally known to me to be the Chairman of Bingham Ground Water District whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the entity upon behalf of which he acted executed the instrument.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.

WILLIAM A. PARSONS
NOTARY PUBLIC
STATE OF IDAHO

NOTARY PUBLIC FOR IDAHO
Residing at: ~~Pocatello~~ BURLEY, Idaho
My Commission Expires: ~~10/11/2012~~ 7/20/2016

STATE OF IDAHO)
: SS
COUNTY OF ~~BANNOCK~~ CASSIA)

On JULY 26, 2012, before me personally appeared **Orlo H. Maughan,** personally known to me to be the Chairman of Magic Valley Ground Water District whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the entity upon behalf of which he acted executed the instrument.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.

WILLIAM A. PARSONS
NOTARY PUBLIC
STATE OF IDAHO

NOTARY PUBLIC FOR IDAHO
Residing at: ~~Pocatello~~ Burley, Idaho
My Commission Expires: ~~10/11/2012~~ 7/20/2016

STATE OF IDAHO)
: SS
COUNTY OF ~~BANNOCK~~ CASSIA)

On JULY 26, 2012, before me personally appeared **Lynn Carlquist,** personally known to me to be the Chairman of North Snake Ground Water District whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the entity upon behalf of which he acted executed the instrument.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.

WILLIAM A. PARSONS
NOTARY PUBLIC
STATE OF IDAHO

NOTARY PUBLIC FOR IDAHO
Residing at: ~~Pocatello~~ Burley, Idaho
My Commission Expires: ~~10/11/2012~~ 7/20/2016

EXHIBIT "A"

BLUE LAKES LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN A PORTION OF LOTS 13 AND 14, SECTION 28, AND A PORTION OF LOTS 18 AND 19, SECTION 29, TOWNSHIP 9 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, JEROME COUNTY IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, MARKED BY A 3 INCH BUREAU OF LAND MANAGEMENT BRASS CAP MONUMENT AS DESCRIBED IN CORNER PERPETUATION INST. NO. 2012294; THENCE SOUTH 00°31'16" WEST, ALONG THE EAST LINE OF SAID SECTION 29, (BASIS OF BEARING PER CENTRAL MERIDIAN OF CENTRAL ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 1439.45 FEET TO A MEANDER CORNER RIGHT BANK (OLD) SNAKE RIVER OF SECTIONS 28 AND 29, MARKED BY A 1/2 INCH REBAR (NO CAP) AS DESCRIBED IN RECORD OF SURVEY INST. NO. 2012583; THENCE SOUTH 00°25'10" WEST, ALONG THE EAST LINE OF SAID SECTION 29, A DISTANCE OF 1549.01 FEET TO A CLOSING CORNER LEFT BANK (OLD) SNAKE RIVER SECTIONS 28 AND 29, MARKED BY A CHISELED "X" ON CLIFF FACE AS DESCRIBED IN RECORD OF SURVEY INST. NO. 2012583; THENCE SOUTH 78°58'35" WEST A DISTANCE OF 667.71 FEET TO A LARGE LAVA BOULDER WITH CHISELED "X" AS DESCRIBED IN CORNER PERPETUATION INST. NO. 267144, BEING THE **POINT OF BEGINNING.**

THENCE SOUTH 44°58'30" EAST A DISTANCE OF 530.00 FEET TO A FOUND 1/2 INCH REBAR (NO CAP) BEING THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2120046; THENCE CONTINUING SOUTH 44°58'30" EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 611.00 FEET; THENCE SOUTH 18°53'32" EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 166.00 FEET; THENCE SOUTH 37°19'32" EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 223.00 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 316342; THENCE SOUTH 48°37'32" EAST, ALONG THE SOUTH BOUNDARY LINE OF SAID PARCEL OF LAND DESCRIBED IN DEED INST. NO. 316342, A DISTANCE OF 174.00 FEET TO A ANGLE POINT ON THE SOUTH BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO.2072572 (PARCEL 2); THENCE SOUTH 56°14'32" EAST A DISTANCE OF 105.45 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2120049; THENCE SOUTH 56°14'32" EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 127.00 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2072572, (PARCEL 8); THENCE CONTINUING SOUTH 56°14'32" EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 254.00 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2072572 (PARCEL 11); THENCE SOUTH 59°07'09" EAST A DISTANCE OF 420.55 FEET; THENCE SOUTH 77°55'15" EAST A DISTANCE OF 47.26 FEET; THENCE NORTH 61°33'32" EAST A DISTANCE OF 151.96 FEET; THENCE SOUTH 23°17'14" EAST A DISTANCE OF 102.43 FEET; THENCE SOUTH 71°11'49" WEST A DISTANCE OF 242.16 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2120047; THENCE NORTH 56°14'32" WEST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 132.42 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2072572, (PARCEL 12); THENCE SOUTH 22°33'27" WEST, ALONG THE WESTERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 97.85 FEET TO THE APPROXIMATE HIGH WATER MARK OF THE NORTH BANK OF THE SNAKE RIVER; THENCE ALONG THE

APPROXIMATE HIGH WATER MARK OF THE NORTH BANK OF THE SNAKE RIVER FOR THE NEXT TWENTY SIX (26) COURSES;

(1) NORTH 40°38'24" WEST A DISTANCE OF 61.29 FEET;
(2) NORTH 47°53'20" WEST A DISTANCE OF 94.30 FEET;
(3) NORTH 48°19'24" WEST A DISTANCE OF 144.58 FEET;
(4) NORTH 46°51'47" WEST A DISTANCE OF 130.20 FEET;
(5) NORTH 56°08'30" WEST A DISTANCE OF 118.13 FEET;
(6) NORTH 58°10'53" WEST A DISTANCE OF 147.09 FEET;
(7) NORTH 61°47'44" WEST A DISTANCE OF 53.52 FEET;
(8) NORTH 75°10'57" WEST A DISTANCE OF 34.57 FEET;
(9) NORTH 85°53'55" WEST A DISTANCE OF 61.79 FEET;
(10) NORTH 69°57'28" WEST A DISTANCE OF 159.12 FEET;
(11) NORTH 63°02'50" WEST A DISTANCE OF 142.02 FEET;
(12) NORTH 77°00'41" WEST A DISTANCE OF 77.61 FEET;
(13) SOUTH 49°56'58" WEST A DISTANCE OF 111.92 FEET;
(14) SOUTH 75°19'46" WEST A DISTANCE OF 70.20 FEET;
(15) NORTH 35°52'47" WEST A DISTANCE OF 107.64 FEET;
(16) NORTH 54°35'29" WEST A DISTANCE OF 88.81 FEET;
(17) SOUTH 70°43'42" WEST A DISTANCE OF 81.75 FEET;
(18) SOUTH 79°46'43" WEST A DISTANCE OF 105.71 FEET;
(19) NORTH 85°01'57" WEST A DISTANCE OF 97.54 FEET;
(20) NORTH 43°32'19" WEST A DISTANCE OF 41.09 FEET;
(21) NORTH 24°57'26" WEST A DISTANCE OF 72.03 FEET;
(22) NORTH 00°59'28" WEST A DISTANCE OF 96.37 FEET;
(23) SOUTH 75°16'23" WEST A DISTANCE OF 132.14 FEET;
(24) NORTH 79°51'22" WEST A DISTANCE OF 35.54 FEET;
(25) NORTH 74°00'47" WEST A DISTANCE OF 68.09 FEET;
(26) NORTH 70°41'14" WEST A DISTANCE OF 10.00 FEET;

THENCE ALONG THE EASTERLY AND NORTHERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2081786 FOR THE NEXT FOUR (4) COURSES;

(1) NORTH 16°56'58" EAST A DISTANCE OF 588.68 FEET;
(2) NORTH 36°13'32" WEST A DISTANCE OF 20.01 FEET;
(3) NORTH 48°58'32" WEST A DISTANCE OF 430.00 FEET;
(4) NORTH 58°49'28" EAST A DISTANCE OF 380.00 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 23.22 ACRES MORE OR LESS.

WATER RIGHTS

BLUE LAKES:

Water Source:	Water Right No.	Priority Date
Flow diverted from Alpheus Creek which is fed by Blue Lakes Springs	36-2356A	5/29/1958
Flow diverted from Alpheus Creek which is fed by Blue Lakes Springs	36-7210	11/17/1971
Flow diverted from Alpheus Creek which is fed by Blue Lakes Springs	36-7427	12/28/1973
Re-Use	36-7720	6/8/1977

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. 2012 taxes that are not yet due and payable
3. Reservations in United States Patent.
4. 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.
5. Levies and assessments of Lower Snake River Aquifer Recharge District.
6. Easement granted to Idaho Power Company, recorded April 19, 1941, in Book 121 of, page 241 as Instrument No. 80254.
7. Easement granted to Idaho Power Company, recorded July 12, 1945, in Book 128 of, page 563 as Instrument No. 93043.
8. Agreement upon the terms, conditions and provisions contained therein: Parties: Ira B. Perrine and Hortense Perrine; Stella L. Haight, H. G. Haight, Ira B. Perrine Jr., Emerald Perrine, Eugene Perrine and Mary Louise Perrine Recorded: November 14, 1939, in Book 112 at Page 576 as Instrument No. 74828
9. Easements Reserved and Granted between Ira Burton Perrine, Jr., Emerald Perrine, Blue Lakes Country Club, Inc., recorded November 10, 1964 in Book 174 at Page 258 as Instrument No. 161199.
10. Agreement upon the terms, conditions and provisions contained therein: Parties: Ira Burton Perrine, Jr., Emerald Perrine and City of Twin Falls, Idaho Recorded: March 1, 1966, in Book 189 at Page 6 as Instrument No. 167127
11. Easement granted to Idaho Power Company, recorded December 7, 1967, in Book 184 of, page 153 as Instrument No. 174266.
12. Easement for use of existing pipelines or any other form of water conveyance granted to Royal Catfish Industries, recorded September 21, 1970, as Instrument No. 186287.
13. Right-of-way granted to Mountain States Telephone and Telegraph Company, recorded as Instrument No. 186850.
14. Easement granted to Idaho Power Company, recorded January 24, 1972, as Instrument No. 192479.
15. Provisions in deed to Richard Kirkman, recorded May 2, 1973, as Instrument No. 200039. Affects Parcel 1
16. Provisions in deed to Percy Greene, Nedra H. Greene, Harold S. Miller and Jessie F. Miller, recorded April 17, 1975, as Instrument No. 211303.
17. Easement for ingress and egress granted to Richard Kirkman, recorded July 22, 1986, as Instrument No. 299671.
18. Easement for all purposes granted to Blue Lakes Country Club, Inc. and Blue Lakes Trout Farm, Inc., recorded December 19, 1989, as Instrument No. 318867.
19. Provisions in deed to Blue Lakes Trout Farm, Inc., recorded July 14, 1991, as Instrument No. 912088.

20. A 50 foot wide ditch and access road easement as disclosed by Warranty Deed recorded July 14, 1991 as Instrument No. 912089.
21. Agreement upon the terms, conditions and provisions contained therein:
Parties: Pristine Springs, Inc., an Idaho Corporation, and Blue Lakes Trout Farm, Inc., an Idaho Corporation Recorded: January 20, 2000, Instrument No. 2000347 Affects Parcels 1, 2 and 3
22. Affidavit of the Custodian of the Official Records of the Idaho Department of Water Resources, recorded April 4, 2008 as Instrument No. 2081779.
23. Affidavit of the Custodian of the Official Records of the Idaho Department of Water Resources, recorded April 4, 2008 as Instrument No. 2081781.
24. Affidavit of the Custodian of the Official Records of the Idaho Department of Water Resources, recorded April 4, 2008 as Instrument No. 2081784.
25. Terms and conditions of Blue Lakes Grade Road Maintenance Agreement by and between Blue Lakes Country Club, Inc., an Idaho corporation ("Country Club"), the City of Twin Falls, a municipal corporation (the "City"), Blue Lakes Trout Company LLC, an Idaho limited liability company ("BLTC"), North Snake Ground Water District, Magic Valley Ground Water District, American Falls-Aberdeen Ground Water District, and Bingham Ground Water District (the "Districts") and the State of Idaho by and through the Idaho Water Resource Board, a constitutionally established State Water Resources Agency ("IWRB"), dated March 1, 2012, recorded April 26, 2012, as Instrument No. 2121823, Jerome County records.
26. Such further expections appearing on Land Title and Escrow, Inc. Commitment GJ-30843/PH dated July 27, 2012.

EXHIBIT A

RIM VIEW LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN A PORTION OF LOTS 1, 2, 9 AND 10, SECTION 10, TOWNSHIP 9 SOUTH, RANGE 15 EAST, BOISE MERIDIAN, GOODING COUNTY IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 10, MARKED BY A 2 INCH DIAM. PIPE, THENCE SOUTH 00°24'52" WEST, ALONG THE SECTION LINE BETWEEN SECTIONS 10 AND 11,(BASIS OF BEARING PER CENTRAL MERIDIAN OF CENTRAL ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 754.65 FEET; THENCE NORTH 89°35'08" WEST A DISTANCE OF 427.90 FEET TO A FOUND 1/2 INCH STEEL BAR, BEING THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 210304, ALSO BEING THE **POINT OF BEGINNING.**

THENCE SOUTH 00°24'52" WEST, ALONG THE EAST LINE OF SAID PARCEL OF LAND, A DISTANCE OF 1178.90 FEET TO A POINT ON THE APPROXIMATE MEAN HIGH WATER MARK OF THE RIGHT BANK OF THE SNAKE RIVER; THENCE FOLLOWING SAID APPROXIMATE HIGH WATER MARK OF THE RIGHT BANK OF THE SNAKE RIVER FOR THE NEXT SIX (6) COURSES;

(1) NORTH 77°58'01" WEST A DISTANCE OF 162.36 FEET;
(2) SOUTH 89°40'27" WEST A DISTANCE OF 219.74 FEET;
(3) NORTH 85°32'08" WEST A DISTANCE OF 173.47 FEET;
(4) SOUTH 88°58'53" WEST A DISTANCE OF 194.46 FEET;
(5) NORTH 84°32'50" WEST A DISTANCE OF 233.51 FEET;
(6) NORTH 75°39'17" WEST A DISTANCE OF 123.20 FEET;

THENCE NORTH 00°24'52" EAST, ALONG THE WEST LINE OF SAID PARCEL OF LAND, A DISTANCE OF 891.49 FEET TO A FOUND 1/2 INCH STEEL BAR; THENCE NORTH 00°28'03" EAST, ALONG THE WEST LINE OF SAID PARCEL OF LAND, A DISTANCE OF 311.89 FEET TO THE NORTHWEST CORNER OF SAID PARCEL OF LAND; THENCE SOUTH 83°05'18" EAST, ALONG THE NORTH LINE OF SAID PARCEL OF LAND, A DISTANCE OF 704.29 FEET TO A FOUND 1/2 INCH STEEL BAR; THENCE SOUTH 84°57'48" EAST, ALONG THE NORTH LINE OF SAID PARCEL OF LAND, A DISTANCE OF 399.62 FEET, BEING THE **POINT OF BEGINNING.**

CONTAINING 30.04 ACRES MORE OR LESS.

SUBJECT TO A 50 FOOT WIDE PRESCRIPTIVE RIGHT-OF-WAY OF NIAGARA SPRINGS ROAD TO WENDELL HIGHWAY DISTRICT.

WATER RIGHTS

RIM VIEW:

Water Source:	Water Right No.	Priority Date
Spring flow from Niagara Springs	36-4032A	3/15/1912
Spring flow from Niagara Springs	36-4032B	4/1/1951
Spring flow from Niagara Springs	36-4032C	4/1/1952
Spring flow from Niagara Springs	36-4032D	12/1/1962
Spring flow from Niagara Springs	36-2680	6/6/1966
Spring flow from Niagara Springs	36-7167	1/18/1971
Spring flow from Niagara Springs	36-7789	3/15/1978
Re-Use from IPCO Hatchery	36-7791	3/17/1978
Spring flow from Niagara Springs	36-8597	8/12/1991

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. 2012 taxes that are not yet due and payable.
3. 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.
4. Any assessments for delivery of water levied by the Lower Snake River Aquifer Recharge District.
5. Levies and assessments due Gooding County for solid waste. (Said assessments are included in the taxes.)
6. Right of way for Canals and laterals.
7. Right of way for underground pipe lines.
8. Reservations in United States Patent.
9. Provisions in deed to James H. Mays, recorded February 25, 1914, as Instrument No. 2101.
10. Ditch Agreement upon the terms, conditions and provisions contained therein: Parties: Ida Owen Mays, a widow and W.M. Thompson and Alice E. Thompson, husband and wife Recorded: March 13, 1950, Instrument No. 111211
11. Provisions in deed to Wayne Schmeckpeper, recorded April 10, 1950, as Instrument No. 111497.
12. Easement granted to Idaho Power Company, recorded October 3, 1951, as Instrument No. 116426.
13. Easement granted to The Mountain States Telephone and Telegraph Company, recorded February 7, 1955, as Instrument No. 126364.
14. Provisions in deed to H. Warren Barry, David E. Barry and Arlie E. White, recorded February 28, 1958, as Instrument No. 134432.
15. Easement granted to Idaho Power Company, recorded June 20, 1961, as Instrument No. 1587.
16. Easement granted to Idaho Power Company, recorded March 19, 1963, as Instrument No. 7526.
17. Easement granted to Idaho Power Company, recorded June 10, 1963, as Instrument No. 8256.
18. Provisions in Easement Agreement, recorded March 2, 1977, as Instrument No. 63511.
19. Easement granted to Idaho Power Company, recorded January 29, 2001, as Instrument No. 189113.
20. Right-of-way or easement of Niagara Springs Road.
21. Easement by and between Idaho Power Company, a Corporation, and H. Warren Barr, David E. Barry, and Arlie White, dated February 13, 1964, recorded February 14, 1964 as Instrument No. 10477, Gooding County records.
22. Canal Easement by and between Idaho Power Company, a corporation, and Rimview Trout Company, a corporation, dated October 3, 1966, recorded October 10, 1966k, as Instrument No. 19579, Gooding County records.

23. A 50-foot wide prescriptive right-of-way of Niagara Springs Road to Wendell Highway District as set forth in Warranty Deed by Rim View LLC, an Idaho limited liability company ("Grantor") to North Snake Ground Water District an undivided 40% interest as tenant-in-common, to Magic Valley Ground Water District, an undivided 30% interest as tenant-in-common, to American Falls-Aberdeen Ground Water District, an undivided 17.5% interest as tenant-in-common, and to Bingham Ground Water District, an undivided 12.5% interest as tenant-in-common ("Grantees"), dated February 29, 2012, recorded February 29, 2012, as Instrument Number 240397, Gooding County records.

24. Such further exceptions appearing on Land Title and Escrow, Inc. Commitment GJ-30843/PH dated July 27, 2012.

EXHIBIT "A"

CLEAR LAKES LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN A PORTION OF GOVERNMENT LOT 12 OF SECTION 1, AND A PORTION OF GOVERNMENT LOTS 5, 6, 8, AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 9 SOUTH, RANGE 14 EAST, BOISE MERIDIAN, GOODING COUNTY IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 2, TOWNSHIP 9 SOUTH, RANGE 14 EAST, B.M., MARKED BY A 5/8 INCH REBAR WITH PLASTIC CAP STAMPED PELS 3260 AS DESCRIBED IN CORNER PERPETUATION INSTRUMENT NO. 105192, THENCE SOUTH 00°59'29" WEST, ALONG THE MERIDIONAL CENTERLINE OF SAID SECTION 2, (BASIS OF BEARING PER CENTRAL MERIDIAN OF CENTRAL ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 2669.71 FEET TO THE CENTER 1/4 CORNER OF SAID SECTION 2, MARKED BY A 5/8 INCH REBAR WITH PLASTIC CAP STAMPED PELS 3260 AS DESCRIBED IN CORNER PERPETUATION INSTRUMENT NO. 105196; THENCE SOUTH 89°21'07" EAST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 2, A DISTANCE OF 1232.95 FEET BEING THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 125633, ALSO BEING THE **POINT OF BEGINNING.**

THENCE ALONG THE NORTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 125633, FOR THE NEXT THREE (3) COURSES;

(1) CONTINUING SOUTH 89°21'07" EAST A DISTANCE OF 95.12 FEET;
(2) NORTH 00°54'21" EAST A DISTANCE OF 75.24 FEET;
(3) NORTH 80°46'55" EAST A DISTANCE OF 932.50 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 125633, COMMON TO THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 197431;

THENCE SOUTH 85°29'04" EAST, ALONG THE NORTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 197431, A DISTANCE OF 134.03 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 197431;

THENCE IN A SOUTHEASTERLY DIRECTION FOR THE NEXT EIGHT (8) COURSES ON THE EASTERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN SAID DEED INSTRUMENT NO. 197431 AND DEED INSTRUMENT NO. 79691 AND THE WESTERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO.'S 89238 AND 104634;

(1) SOUTH 21°12'32" EAST A DISTANCE OF 97.30 FEET;
(2) SOUTH 42°43'17" EAST A DISTANCE OF 153.38 FEET;
(3) SOUTH 51°30'54" EAST A DISTANCE OF 214.44 FEET;
(4) SOUTH 58°06'57" EAST A DISTANCE OF 179.61 FEET;
(5) SOUTH 55°32'52" EAST A DISTANCE OF 167.26 FEET;
(6) SOUTH 53°17'37" EAST A DISTANCE OF 83.05 FEET;
(7) SOUTH 74°05'32" EAST A DISTANCE OF 110.81 FEET;
(8) SOUTH 06°52'35" EAST A DISTANCE OF 129.28 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 79691, ALSO BEING A POINT ON THE NORTHERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 199356;

THENCE IN A WESTERLY DIRECTION FOR THE NEXT FOUR (4) COURSES, ALONG THE NORTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESCRIBED IN INSTRUMENT NO. 199356, AND THE SOUTHERLY BOUNDARY LINE OF SAID PARCELS OF LAND DESCRIBED IN DEED INSTRUMENT NO.'S 79691, 197431 AND 125633;

(1) SOUTH 83°58'21" WEST A DISTANCE OF 1195.54 FEET;
(2) NORTH 81°27'29" WEST A DISTANCE OF 98.83 FEET;
(3) NORTH 58°07'39" WEST A DISTANCE OF 119.95 FEET;
(4) SOUTH 85°36'22" WEST A DISTANCE OF 424.77 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 125633;

THENCE NORTH 11°41'19" WEST, ALONG THE WESTERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 125633, COMMON WITH THE EASTERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DEED INSTRUMENT NO. 104634, A DISTANCE OF 614.52 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 26.19 ACRES MORE OR LESS.

WATER RIGHTS

CLEAR LAKE:

Water Source:	Water Right No.	Priority Date
Springs tributary to Clear Lakes	36-2659	6/23/1966
Springs tributary to Clear Lakes	36-7004	7/21/1967

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. 2012 taxes that are not yet due and payable.
3. 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.
4. Levies and assessments for delivery of water levied by the Lower Snake River Aquifer Recharge District.
5. Levies and assessments due Gooding County for solid waste. (Said assessments are included in the taxes.)
6. Right of way for underground pipe lines.
7. Reservations in United States Patent.
8. The effect of Easement for road right of way granted to Lincoln County, recorded January 13, 1913, as Instrument No. 30894.
9. Easement granted to Idaho Power Company, recorded August 30, 1927, as Instrument No. 44023.
10. Terms and conditions and easement created in Agreement between Otis E. Syster and Mary E. Syster and J.W. Tingey, recorded November 30, 1928, as Instrument No. 47154, Supplemental Agreement recorded October 22, 1934 as Instrument No. 60159 and Agreement recorded April 29, 1935 as Instrument No. 61523.
11. Transmission Line Easement granted to Idaho Power Company, recorded January 28, 1938, as Instrument No. 69627.
12. Easement granted to Idaho Power Company, recorded February 17, 1960, as Instrument No. 140053 and Partial Release of Easement recorded September 30, 1986 as Instrument No. 124088.
13. Easement granted to Idaho Power Company, recorded December 5, 1966, as Instrument No. 20083.
14. Easement granted to Mountain States Telephone and Telegraph Company, recorded April 12, 1967, as Instrument No. 21489.
15. Easement granted to Idaho Power Company, recorded January 28, 1971, as Instrument No. 34315 and Partial Release of Easement recorded September 30, 1986 as Instrument No. 124089.
16. Easement granted to Idaho Power Company, recorded November 30, 1972, as Instrument No. 42954 and Partial Release of Easement recorded September 30, 1986 as Instrument No. 124092.
17. Provisions in deed to Wes Trounson and Mary E. Brush, recorded December 20, 1976, as Instrument No. 62402.
18. Provisions in deeds to Earl M. Hardy, recorded March 29, 1976, as Instrument No. 58794 and 58796.
19. All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded September 20, 1983, as Instrument No. 103618.

20. Easement granted to Idaho Power Company, recorded February 5, 1986, as Instrument No. 119528 (Previously and Erroneously shown as 119526).
21. Easement granted to Idaho Power Company, recorded February 5, 1986, as Instrument No. 119527.
22. All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded October 14, 1986, as Instrument No. 124284.
23. All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded December 31, 1986, as Instrument No. 125619.
23. Provisions in deed to Clear Lake Ranch, Inc., an Idaho Corporation, recorded December 31, 1986, as Instrument No. 125632.
24. Provisions in deed to Hardy Properties L.P., an Idaho limited partnership, recorded October 23, 2002, as Instrument No. 197431.
25. Such further exceptions appearing on Land Title and Escrow, Inc. Commitment GJ-30843/PH dated July 27, 2012.