

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF ASPEN CREEK</b>	)	<b>CASE NO. ASP-W-24-02</b>
<b>WATER CO., INC.'S APPLICATION TO</b>	)	
<b>AMEND CERTIFICATE OF PUBLIC</b>	)	<b>CERTIFICATE NO. 403</b>
<b>CONVENIENCE AND NECESSITY NO. 403</b>	)	<b>FIRST AMENDMENT</b>
	)	

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On August 20, 2024, Aspen Creek Water Co., Inc. applied to amend its Certificate of Public Convenience and Necessity No. 403 to incorporate property that is contiguous to its existing system and certificated area where it intends to serve a new customer.

IT IS HEREBY CERTIFIED that the public convenience and necessity requires, or will require, Aspen Creek Water Co., Inc., its successors and assigns, to hold, construct or otherwise acquire, to maintain and to operate a water system and provide a potable water supply to the extending boundary of the existing system and certificated area.

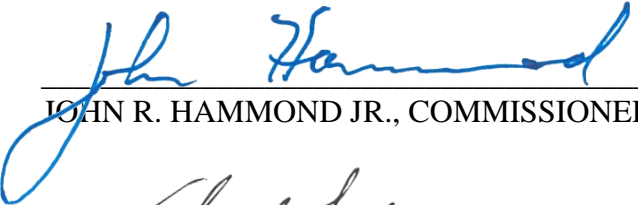
This Certificate is for such purpose to own, hold, construct or otherwise acquire and to maintain and operate within said territory water wells, reservoirs, tanks, towers, stand pipes, collectors, settling basins, galleries and other works and structures, and also to lay, take up, repair, remove, extend, alter, maintain and operate water mains, pipes, conduits, aqueducts, hydrants and other appliances, equipment and facilities in, upon, over, under, along, through and across all streets, avenues, alleys, streams, highways, roads, and other public places in said territory as the same now exists or may hereafter be extended, laid out or established, and to exercise the rights and privileges granted, or to which may hereafter be granted Aspen Creek Water Co, Inc., its successors or assigns, by any franchise conferred by the state of Idaho or any political subdivision thereof.

This Certificate incorporates property to the extending boundary of the existing certificated service area (Attachment A) and all previously authorized certificated service area (Attachment B).

This Certificate is predicated upon and issued pursuant to the findings and provisions of Order No. 36417 in Case No. ASP-W-24-02 to which reference is hereby made.

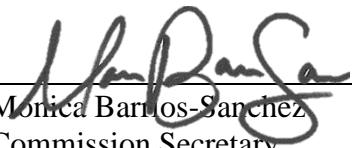
DATED at Boise, Idaho this 9<sup>th</sup> day of December 2024.

  
ERIC ANDERSON, PRESIDENT

  
JOHN R. HAMMOND JR., COMMISSIONER

  
EDWARD LODGE, COMMISSIONER

ATTEST:

  
Monica Barros-Sanchez  
Commission Secretary

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**ATTACHMENT A**  
**Addition to Aspen Creek CPCN No. 403**

**ASP-W-24-02**

**Addition to Aspen Creek Certificate of Convenience and Necessity No. 403  
Case No. ASP-W-24-02**

Bear Lake County, Idaho, Instrument No. 227910

*(See Exhibit 1 for Instrument No. 227910 detailed property description)*

and

Bear Lake County, Idaho, Instrument No. 22049

*(See Exhibit 2 for Instrument No. 22049 detailed property description)*

and

Bear Lake County, Idaho, Instrument No. 227372

*(See Exhibit 3 for Instrument No. 227372 detailed property description)*

and

B.S. Farms Subdivision, Bear Lake County, Idaho, Instrument No. 239792

*(See Exhibit 4 for B.S. Farms Subdivision plat map and detailed property description)*



**Exhibit "A"**

A parcel of land located in Sections 14, 15 and 23, Township 16 South, Range 43 East, Boise Meridian, Bear Lake County, Idaho and further described as follows:

Beginning at the Northwest corner of said Section 23, from which the Meander corner of Section 23 bears North 89° 38' 10" East 1069.02 feet;  
Thence North 89° 38' 10" East 72.64 feet along the North line of said Section 23 to a point on the Northerly right of way line of Loveland Lane, the True Point of Beginning;  
Thence South 75° 30' 44" East 461.31 feet along said right of way line, to a point on the East deed line of the parcel of land owned by William D. Stock & Lucy Knight as recorded under instrument number 158878 in the official records of Bear Lake County;  
Thence North 08° 35' 00" East 315.56 feet along said East line;  
Thence North 13° 13' 00" East 200.10 feet along said East line it's extension to a point on a fence line;  
Thence North 78° 29' 30" West 1048.74 feet along said fence line to a found 5/8" rebar with cap; Thence South 06° 30' 49" West 463.91 feet along a fence line to a point on the said Northerly right of way line of Loveland Lane;  
Thence South 75° 30' 44" East 558.55 feet along said right of way line to the True Point of Beginning.

(05803.00 & 05860.00)

*WPS  
LTK by WPS*

EXHIBIT "A"

A parcel of land located in Sections 15 and 22, Township 16 South, Range 43 East, Boise Meridian, Bear Lake County, Idaho and further described as follows:

Beginning at the North quarter corner of said Section 22, from which the Northeast corner of Section 22 bears North 89° 43' 00" East 2632.38 feet;

Thence North 89° 43' 00" East 1434.50 feet along the north line of said Section 22;

Thence North 00° 17' 00" West 276.58 feet to a found rebar with cap labeled, JHS set on the southerly right of way line of Loveland Lane, said point also being the northeast corner of that parcel of land as shown on Record of Survey instrument number 200056 in the official records of Bear Lake County, the True Point of Beginning;

Thence South 75° 34' 28" East 520.70 feet along said right of way line;

Thence South 35° 25' 10" West 462.88 feet to a 5/8" rebar with cap labeled, "A.A. Hudson, PLS 13173";

Thence North 73° 16' 50" West 388.22 feet to a point on the east line of said parcel shown on Record of Survey instrument number 200056;

Thence North 18° 57' 37" East 417.92 feet along said east line to the True Point of Beginning.

BKM

LEMM

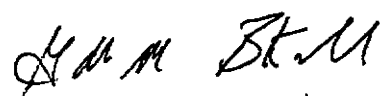
PM

201909

EXHIBIT A

A parcel of ground located in the Southeast Quarter of Section 15 and the Northeast Quarter of Section 22, Township 16 South, Range 43 East of the Boise Meridian, and further described as follows:

Commencing at the rebar with AAH Cap found at the South Quarter Corner of Section 15, Township 16 South, Range 43 East of the Boise Base and Meridian, and running thence North 00°09'42" East 255.42 feet; thence South 75°25'37" East 61.95 feet; thence North 00°09'42" East 203.19 feet; thence South 75°24'48" East 231.99 feet; thence South 16°36'20" West 23.72 feet; thence South 75°24'48" East 208.71 feet; thence North 16°36'20" East 208.84 feet to a point on the South right of way line of Loveland Lane; thence Southeasterly along said right of way line the following two courses: 1) South 75°24'48" East 375.87 feet to a rebar with a HLE 4563 Cap; 2) thence South 75°13'17" East 427.31 feet to a rebar with a HLE 4563 Cap found at the Northeast Corner of the Aspen Creek Meadows Subdivision Phase 3 and is also a point on the Easterly right of way line of Old Ephriam Road, said point being the TRUE POINT OF BEGINNING; and running thence Southerly along the Easterly right of way line of Old Ephriam Road the following two courses: 1) South 25°18'30" West 84.67 feet; 2) thence South 16°36'20" West 320.19 feet; thence South 15°13'29" West along the Easterly right of way line of Old Ephriam Road and the projection thereof 354.44 feet; thence South 75°37'05" East 403.60 feet to a point in the approximate centerline of an existing canal; thence Northwesterly following said approximate centerline the following eleven courses: 1) North 08°14'43" East 46.61 feet; 2) thence North 06°16'08" West 29.62 feet; 3) thence North 14°40'40" West 28.36 feet; 4) thence North 18°18'19" West 38.73 feet; 5) thence North 23°58'42" West 38.27 feet; 6) thence North 36°35'50" West 29.34 feet; 7) thence North 34°28'08" West 52.60 feet; 8) thence North 31°00'21" West 88.68 feet; 9) thence North 35°51'57" West 14.00 feet; 10) thence North 36°26'42" West 35.78 feet; 11) thence North 41°15'19" West 56.54 feet; thence leaving said canal North 19°18'48" East 417.92 feet to a point on the South right of way line of Loveland Lane; thence North 75°13'17" West along said South right of way line 121.27 feet to The Point of Beginning.



227372

Date: 07/18/2018

Warranty-Deed  
- continued

File No.: 688319-MON (ab)

### EXHIBIT A

A parcel of land located in Sections 22 and 23, Township 16 South, Range 43 East, Boise Meridian, Bear Lake County, Idaho and further described as follows:

Beginning at the Northeast corner of said Section 22, from which the North quarter corner of Section 22 bears South 89° 43' 00" West 2632.58 feet;

Thence North 78° 32' 23" West 709.33 feet to a found 5/8" rebar with cap set on the Southerly right of way line of Loveland Lane;

Thence South 35° 25' 10" West 238.90 feet to a 5/8" rebar with cap labeled, "A.A. Hudson, PLS 13173", the True Point of Beginning;

Thence South 75° 33' 37" East 961.35 feet to a found 5/8" rebar with cap set at the Southwest corner of the parcel of land owned by W. Charles Swanson, which parcel is described in Instrument # 214618 in the official records of Bear Lake County;

Thence South 74° 53' 26" East 300.70 feet along the South line of said Swanson parcel to a 5/8" rebar with cap;

Thence South 23° 05' 43" West 210.21 feet to a 5/8" rebar with cap set at a fence corner;

Thence South 17° 36' 12" West 314.19 feet along a fence line to a 5/8" rebar with cap set on a fence line agreed upon as a property line in the boundary line agreement recorded as Instrument # 190485 in the official records of Bear Lake County;

Thence along said agreed upon line the following 2 courses:

Thence North 76° 15' 05" West 1123.04 feet;

Thence North 74° 14' 22" West 259.46 feet to a point on the East line of the parcel of land shown on the survey recorded as Instrument # 200056 in the official records of Bear Lake County;

Thence along said East line the following 11 courses:

Thence North 08° 14' 43" West 49.06 feet;

Thence North 06° 16' 08" West 29.62 feet;

Thence North 14° 40' 40" West 28.36 feet;

Thence North 18° 18' 19" West 38.73 feet;

Thence North 23° 58' 42" West 38.27 feet;

Thence North 36° 35' 50" West 29.34 feet;

Thence North 34° 28' 08" West 52.60 feet;

Thence North 31° 00' 21" West 88.68 feet;

Thence North 35° 51' 57" West 14.00 feet;

Thence North 36° 26' 42" West 35.78 feet;

Thence North 41° 15' 19" West 56.54 feet to the Southwest corner of the parcel of land shown on the survey recorded as Instrument # 223696 in the official records of Bear Lake County;

Thence South 73° 16' 50" East 388.22 feet along the South line of said Instrument # 223696 parcel to a found rebar with cap set at the Southeast corner thereof;

Thence North 35° 25' 10" East 223.97 feet along the East line of said Instrument # 223696 parcel to the True Point of Beginning.



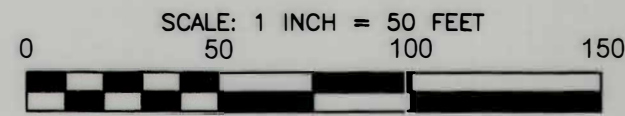
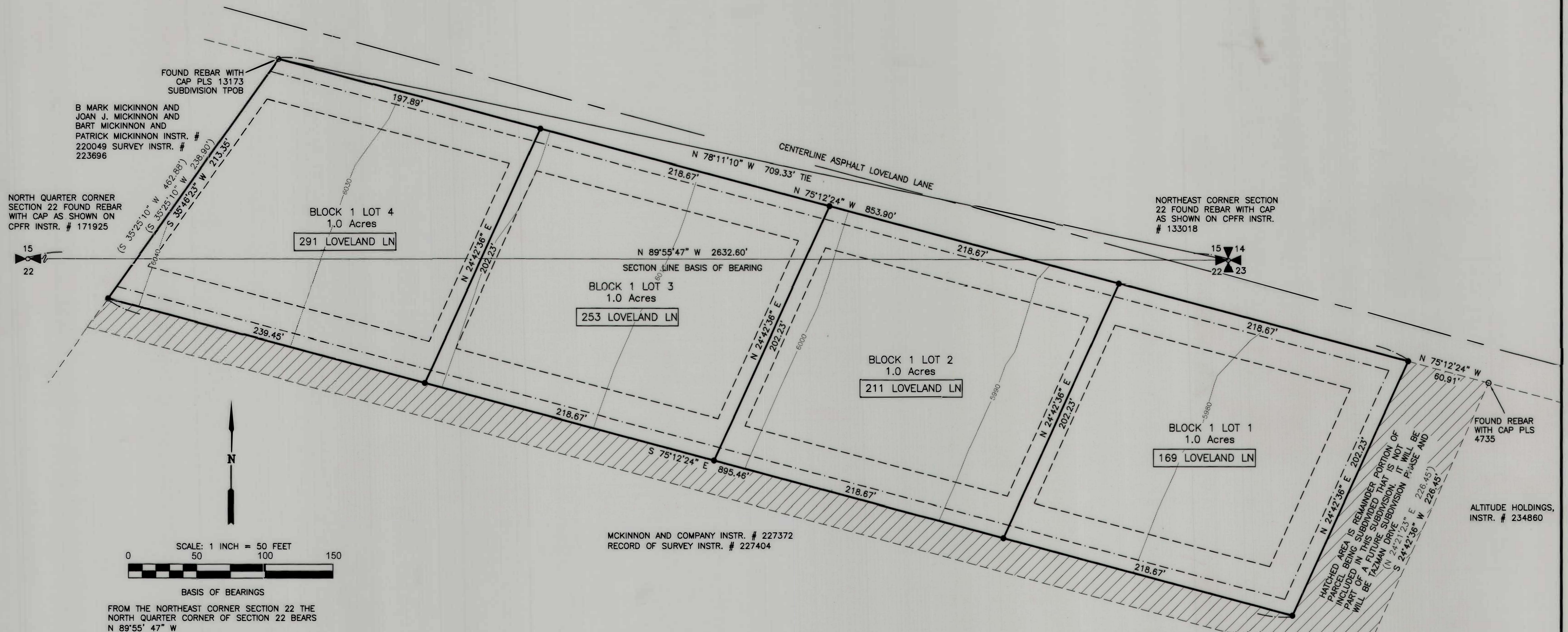
# COMBINED PRELIMINARY AND FINAL PLAT

## B.S. FARMS SUBDIVISION

SECTIONS 15, 22, & 23, T. 16 S. R. 43 E. BOISE MERIDIAN  
BEAR LAKE COUNTY, IDAHO

SUBDIVIDER AND OWNER:  
BILL STOCK  
1917 US HIGHWAY 89  
FISH HAVEN, IDAHO 83287

Attachment A  
ASP-W-24-02  
Comments  
October 9, 2024



FROM THE NORTHEAST CORNER SECTION 22 THE  
NORTH QUARTER CORNER OF SECTION 22 BEARS  
N 89°55' 47" W

MCKINNON AND COMPANY INSTR. # 227372  
RECORD OF SURVEY INSTR. # 227404

**LEGAL DESCRIPTION  
FOR  
B.S. FARMS SUBDIVISION BOUNDARY**

A PARCEL OF LAND LOCATED IN SECTIONS 15, 22 AND 23, TOWNSHIP 16 SOUTH, RANGE 43 EAST, BOISE MERIDIAN, BEAR LAKE COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 22, FROM WHICH THE NORTH QUARTER CORNER OF SECTION 22 BEARS SOUTH 89° 55' 47" WEST 2632.60 FEET;  
THENCE NORTH 78° 11' 10" WEST 709.33 FEET TO A FOUND 5/8" REBAR WITH CAP SET ON THE SOUTHERLY RIGHT OF WAY LINE OF LOVELAND LANE, THE TRUE POINT OF BEGINNING;  
THENCE SOUTH 35° 46' 23" WEST 213.35 FEET (SOUTH 35° 25' 10" WEST BY RECORD) TO A 5/8" REBAR WITH CAP LABELED, "A.A. HUDSON, PLS 13173";  
THENCE SOUTH 75° 12' 24" EAST 895.46 FEET TO A 5/8" REBAR WITH CAP;  
THENCE NORTH 24° 42' 36" EAST 202.23 FEET TO A 5/8" REBAR WITH CAP SET ON THE SAID SOUTHERLY RIGHT OF WAY LINE OF LOVELAND LANE;  
THENCE NORTH 75° 12' 24" WEST 853.90 FEET (NORTH 75° 33' 37" WEST BY RECORD) ALONG SAID RIGHT OF WAY LINE TO THE TRUE POINT OF BEGINNING.  
CONTAINING 4.0 ACRES OF LAND.

**LEGEND**

- x — EXISTING FENCE
- (R) — DEED (RECORD) LINE BY RECORD
- ⊕ SECTION CORNER FOUND
- SET BY THIS SURVEY 5/8" REBAR W/ AL. CAP
- FOUND BY THIS SURVEY 5/8" REBAR W/ CAP
- ◇ POINT NOT FOUND OR SET
- EDGE 10' WIDE PUBLIC UTILITY EASEMENT
- BUILDING SET BACK LINES SEE NOTE 7 ON SHEET 2 OF 2

SHEET 1 OF 2

LAND SURVEYORS

**A. A. HUDSON  
AND  
ASSOCIATES**

132 SOUTH STATE  
PRESTON, IDAHO 83263  
(208) 852-1155

COMBINED PRELIMINARY AND FINAL SUBDIVISION PLAT  
FOR

**B.S. FARMS SUBDIVISION**

SECTIONS 15, 22, & 23, TOWNSHIP 16 SOUTH, RANGE 43 EAST, BOISE MERIDIAN  
BEAR LAKE COUNTY, IDAHO

REVISIONS	SURVEYED BY: TC
1	OFFICE WORK BY: TC
2	FIELD BOOK NO. ---
PROJECT NO. 15178	COMPLETION DATE OCT 2022

**SURVEYOR'S CERTIFICATE**

I, TIMOTHY LYNN CHRISTENSEN DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF IDAHO, THAT I HOLD CERTIFICATE NUMBER 13173 AND THAT BY THE AUTHORITY OF THE OWNERS OF THIS PROPERTY I HAVE CAUSED A SURVEY TO BE MADE AS SHOWN AND DESCRIBED ON THIS PLAT.

10/19/22  
TIMOTHY LYNN CHRISTENSEN  
DA E

**RECORDER'S CERTIFICATE**

INSTRUMENT NO. 239792 p 1 of 2  
DATE 10-24-2022 TIME 10:36 am  
RECORD OF SURVEY NO. \_\_\_\_\_  
REQUESTED BY Bill Stock  
RECORDED BY Angie Riebel  
FEE \$ 11.00



COMBINED PRELIMINARY AND FINAL PLAT

B.S. FARMS SUBDIVISION  
SECTIONS 15, 22, & 23, T. 16 S. R. 43 E. BOISE MERIDIAN  
BEAR LAKE COUNTY, IDAHO

SUBDIVIDER AND OWNER:  
BILL STOCK  
1917 US HIGHWAY 89  
FISH HAVEN, IDAHO 83287

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENT, THAT I THE UNDERSIGNED OWNER OF THE TRACT OF LAND DESCRIBED ABOVE AND SHOWN ON THIS PLAT HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED INTO LOTS, AND EASEMENTS AS INDICATED ON THIS PLAT, THE WHOLE TO BE HERINAFTER KNOWN AS B.S. FARMS SUBDIVISION, A SUBDIVISION LOCATED IN SECTIONS 15, 22, AND 23, TOWNSHIP 16 SOUTH, RANGE 43 EAST, BOISE MERIDIAN, DO HEREBY DEDICATE AND SET APART THE SAME AS A SUBDIVISION AND DEDICATE THE PUBLIC UTILITY UTILITY EASEMENTS FOR THE USE OF PUBLIC UTILITY COMPANIES.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY SIGNATURE THIS  
24<sup>th</sup> DAY OF October, A.D. 2022.

*William D. Stock*  
WILLIAM D. STOCK

NOTES:

- 1: THE ZONING OF THIS PROPERTY IS RECREATION.
- 2: THE LOTS IN THIS SUBDIVISION WILL BE USED FOR SINGLE FAMILY RESIDENTIAL.
- 3: THERE IS NO SPACE TO BE DEDICATED TO BEAR LAKE COUNTY WITH THIS PLAT. THE PUBLIC UTILITY EASEMENTS SHOWN WILL BE DEDICATED TO THE PUBLIC UTILITY COMPANIES.
- 4: DISPOSAL OF SANITARY SEWER FROM ALL LOTS WILL BE PROVIDED BY FISH HAVEN RECREATIONAL SEWER DISTRICT.
- 5: CULINARY WATER WILL BE PROVIDED TO ALL LOTS BY INDIVIDUAL WELLS.
- 6: THIS AREA IS NOT IN A FLOOD PLAIN.
- 7: NORMAL BUILDING SETBACK LINES WILL BE 30 FEET OFF FRONT PROPERTY LINES, 10 FEET OFF SIDE PROPERTY LINES AND 20' OFF REAR PROPERTY LINES. BUILDING SETBACK LINES ARE SHOWN.
- 8: PUBLIC UTILITY EASEMENTS WILL BE CREATED BY THIS PLAT THAT RUN 10 FEET WIDE ALONG ALL THE ROADS.
- 9: THE LOTS IN THIS SUBDIVISION ARE ALL IN THE SAME BLOCK. THERE ARE NOT MULTIPLE BLOCKS.
- 10: THERE WILL BE NO IRRIGATION WATER PROVIDED TO THESE LOTS.

ACKNOWLEDGEMENT

STATE OF Idaho,  
COUNTY OF Bear Lake SS  
ON THIS 24<sup>th</sup> DAY OF October 2022 BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED WILLIAM D. STOCK, THE ABOVE NAMED OWNER OF THE ABOVE DESCRIBED SUBDIVISION, KNOWN TO ME TO BE THE PARTY WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS SUCH.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

*Licia Poulsen*  
NOTARY PUBLIC FOR IDAHO  
RESIDING AT: Montpelier, Id.  
MY COMMISSION EXPIRES: 5-25-2023



FISH HAVEN RECREATIONAL SEWER DISTRICT

SANITARY SEWER FROM THIS SUBDIVISION WILL BE DISPOSED OF TO FISH HAVEN RECREATIONAL SEWER DISTRICT.

10/19/22  
DATE  
*[Signature]*  
VICE CHAIRMAN

COUNTY ENGINEER

APPROVED AS TO CONTENT AND CONFORMANCE WITH THE IDAHO CODE AND THE BEAR LAKE COUNTY SUBDIVISION ORDINANCE THIS DAY OF 10/21, A.D., 2022.

*[Signature]*

REVIEWING LAND SURVEYOR CERTIFICATE

REVIEWED AND FOUND TO BE IN COMPLIANCE WITH IDAHO CODE TITLE 50, CHAPTER 13.

8348  
LS NUMBER  
*[Signature]*  
THOMAS TAYLOR

BEAR LAKE COUNTY CLERK

APPROVAL AND ACCEPTANCE

COUNTY COMMISSIONERS HAVE REVIEWED AND APPROVED THIS PLAT

APPROVED THIS 24<sup>th</sup> DAY OF October, A.D., 2022

*[Signature]*

COUNTY TREASURER'S CERTIFICATION

CERTIFIED THIS 24<sup>th</sup> DAY OF October, 2022.

*[Signature]*  
BEAR LAKE COUNTY TREASURER

VICINITY MAP

NOT TO SCALE  
(PROJECT LOCATED ON LOVELAND LANE SOUTH OF FISH HAVEN)



UTILITY STATEMENT

UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING ELECTRIC SERVICE WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUE.

HEALTH DEPARTMENT STATEMENT

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 50, CHAPTER 13 ARE IN FORCE. NO OWNER SHALL CONSTRUCT ANY BUILDING, DWELLING OR SHELTER WHICH NECESSITATES THE SUPPLYING OF WATER OR SEWAGE FACILITIES FOR PERSONS USING SUCH PREMISES UNTIL SANITARY REQUIREMENTS ARE SATISFIED AND LIFTED. SANITARY RESTRICTIONS WILL BE LIFTED ON A LOT BY LOT BASIS WITH NO LOT HAVING MORE THAN ONE DWELLING. LOTS SHALL NOT BE REDUCED IN SIZE WITHOUT PRIOR APPROVAL OF THE HEALTH DEPARTMENT. NO ADDITIONAL DOMESTIC WATER SUPPLIES SHALL BE INSTALLED BEYOND THE WATER SYSTEM APPROVAL IN THE SANITARY RESTRICTION RELEASE.

HEALTH DEPARTMENT CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 50, CHAPTER 13 ARE IN FORCE. NO OWNER SHALL CONSTRUCT ANY BUILDING, DWELLING, OR SHELTER WHICH NECESSITATES THE SUPPLYING OF WATER OR SEWAGE FACILITIES FOR PERSONS USING SUCH PREMISES UNTIL SANITARY REQUIREMENTS ARE SATISFIED AND LIFTED.

10/20/22  
DATE  
*[Signature]*  
DISTRICT HEALTH DEPARTMENT, EHS

SHEET 2 OF 2

LAND SURVEYORS

A. A. HUDSON  
AND  
ASSOCIATES

132 SOUTH STATE  
PRESTON, IDAHO 83263  
(208)852-1155

COMBINED PRELIMINARY AND FINAL SUBDIVISION PLAT FOR

B.S. FARMS SUBDIVISION

SECTIONS 15, 22, & 23, TOWNSHIP 16 SOUTH, RANGE 43 EAST, BOISE MERIDIAN  
BEAR LAKE COUNTY, IDAHO

REVISIONS	SURVEYED BY: TC
1	OFFICE WORK BY: TC
2	FIELD BOOK NO. ---
PROJECT NO. 15178	COMPLETION DATE OCT 2022

SURVEYOR'S CERTIFICATE

I, TIMOTHY LYNN CHRISTENSEN DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF IDAHO, THAT I HOLD CERTIFICATE NUMBER 13173 AND THAT BY THE AUTHORITY OF THE OWNERS OF THIS PROPERTY I HAVE CAUSED A SURVEY TO BE MADE AS SHOWN AND DESCRIBED ON THIS PLAT.

10/19/22  
DATE  
*[Signature]*  
TIMOTHY LYNN CHRISTENSEN

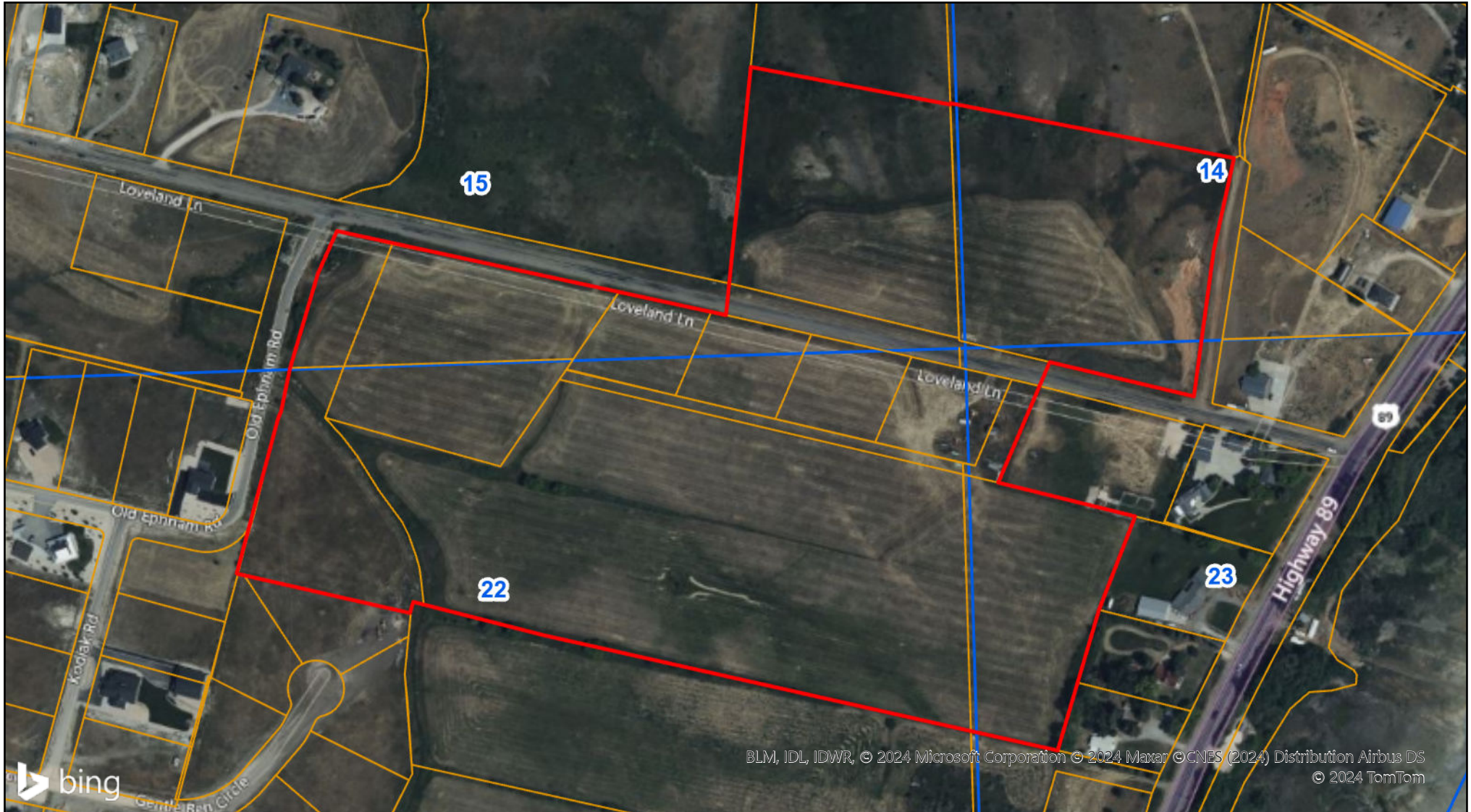
RECORDER'S CERTIFICATE

INSTRUMENT NO. \_\_\_\_\_  
DATE \_\_\_\_\_ TIME \_\_\_\_\_  
RECORD OF SURVEY NO. \_\_\_\_\_  
REQUESTED BY \_\_\_\_\_  
RECORDED BY \_\_\_\_\_  
FEE \_\_\_\_\_






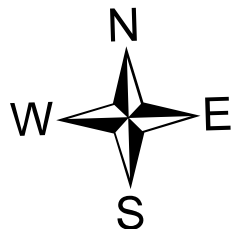
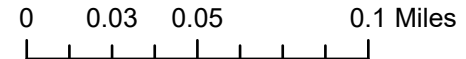
# Aspen Creek Water Company Amendment to CPCN No. 403 Case No. ASP-W-24-02

Attachment B  
ASP-W-24-02  
Comments  
October 9, 2024



## Legend

-  Additional service area to CPCN No. 403
-  Bear Lake County Parcels
-  Public Land Survey System Sections



**ATTACHMENT B**  
**Existing Service Area**  
**Aspen Creek CPCN No. 403**

**ASP-W-24-02**





9412

WOR King

-1942

GNR-W-02-0

RECEIVED  
FILED

# FIRST IDAHO TITLE COMPANY

TITLE INSURANCE - ESCROWS

IDAHO PUBLIC UTILITIES COMMISSION

469 Washington Street, Montpelier, Idaho 83254 • Phone: 208-847-1300, Fax: 208-847-1314

July 23, 2002

Michael Fuss  
Idaho Public Utilities Commission  
472 West Washington  
P.O. Box 83720  
Boise ID 83720-0074

RE: Aspen Creek Water Company

Dear Mr. Fuss:

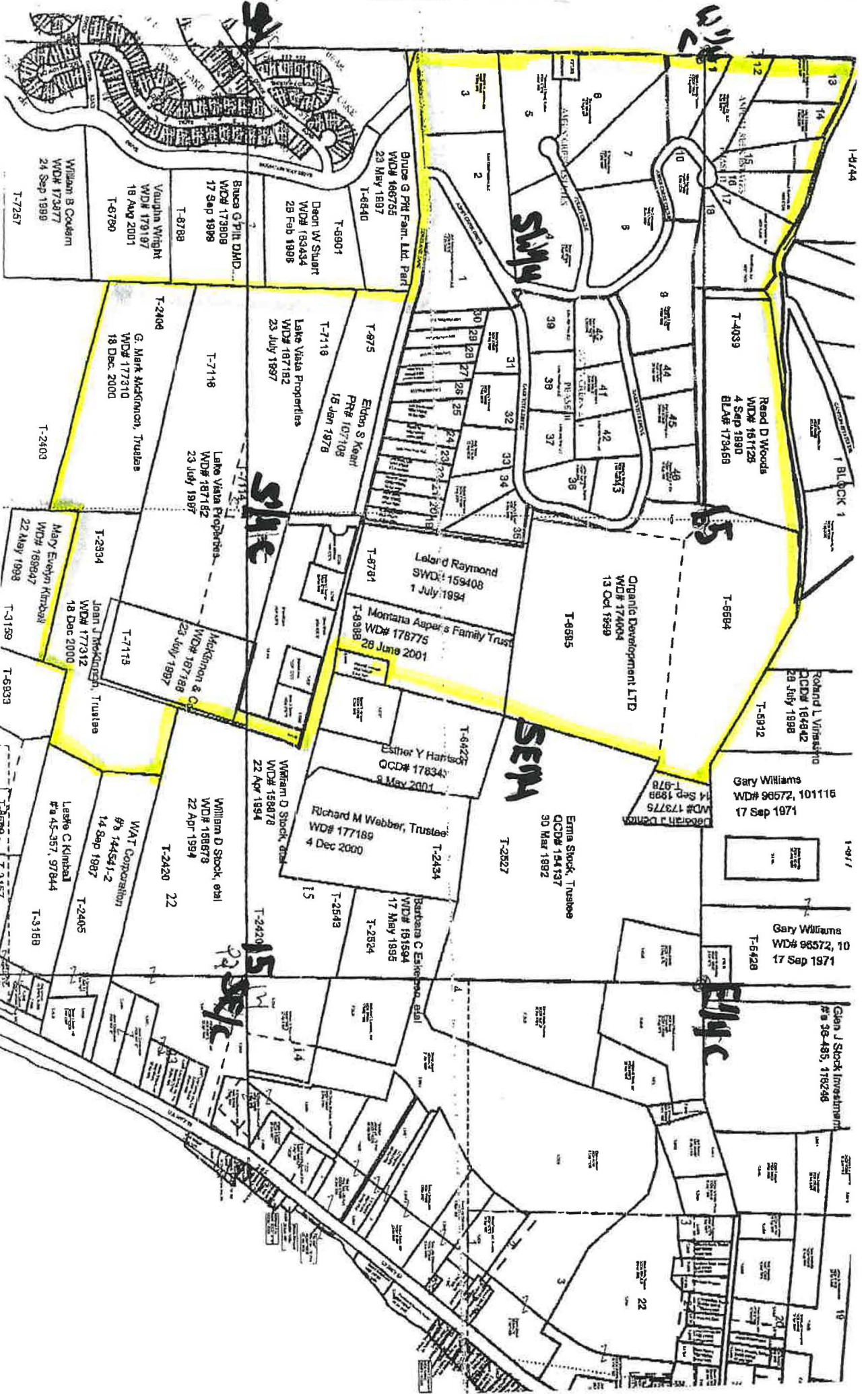
Gary McKee asked me to send you the attached plat map with the Sections marked, so you can tell a little better where the subject property lies. I have tried to mark the sections on the attached plat map, and highlight the property involved in the proposed water company. I am also including one of the old county plat maps for your comparison. The detail is not nearly as good on it as on the new plats, but the outline of the sections involved is much more clear.

If we can be of further assistance to you in any way, please contact our office.

Sincerely

Kay Beck  
Manager

RL  
RES  
m Maxwell  
m Fuss



Sec. 22

William B Coakem  
WDM# 173877  
24 Sep 1999  
T-7257

Vaughn Wright  
WDM# 179197  
18 Aug 2001  
T-6789

Bruce G Pitt DMD  
WDM# 173908  
17 Sep 1999  
T-8788

Dean W Stuart  
WDM# 183434  
28 Feb 1998  
T-6901

Bruce G Pitt Fam. Ltd. Part  
WDM# 166755  
23 May 1997  
T-6840

G. Mark McKinnon, Trustee  
WDM# 177310  
18 Dec 2000  
T-2404

Lake Vista Properties  
WDM# 187182  
23 July 1997  
T-7118

Eldon S Keart  
PR# 107108  
15 Jan 1978  
T-875

Leland Raymond  
SWD# 159408  
1 July 1994  
T-8781

Montana Asper's Family Trust  
WDM# 178775  
28 June 2001  
T-8388

Organic Development LTD  
WDM# 174004  
13 Oct 1999  
T-6585

Roland L Vinas  
CCD# 184842  
28 July 1998  
T-6912

Gary Williams  
WDM# 96572, 101116  
17 Sep 1971  
T-6428

Richard M Wabber, Trustee  
WDM# 177189  
4 Dec 2000  
T-2434

Esther Y Harris  
CCD# 178347  
9 May 2001  
T-6426

William D Stock, et al  
WDM# 198878  
22 Apr 1994  
T-2520

Mary Evelyn Kimball  
WDM# 189847  
22 May 1998  
T-3159

Jean J McKinnon, Trustee  
WDM# 177312  
18 Dec 2000  
T-2394

McKinnon & Co  
WDM# 187188  
23 July 1997  
T-7173

Erma Stock, Trustee  
CCD# 154137  
30 Mar 1992  
T-2527

Barkam C Eske  
WDM# 181584  
17 May 1995  
T-2524

WAT Corporation  
#s 144541, 2  
14 Sep 1987  
T-2405

William D Stock, et al  
WDM# 188878  
22 Apr 1994  
T-2420

Leah C Kimball  
#s 45-357, 97844  
T-3158

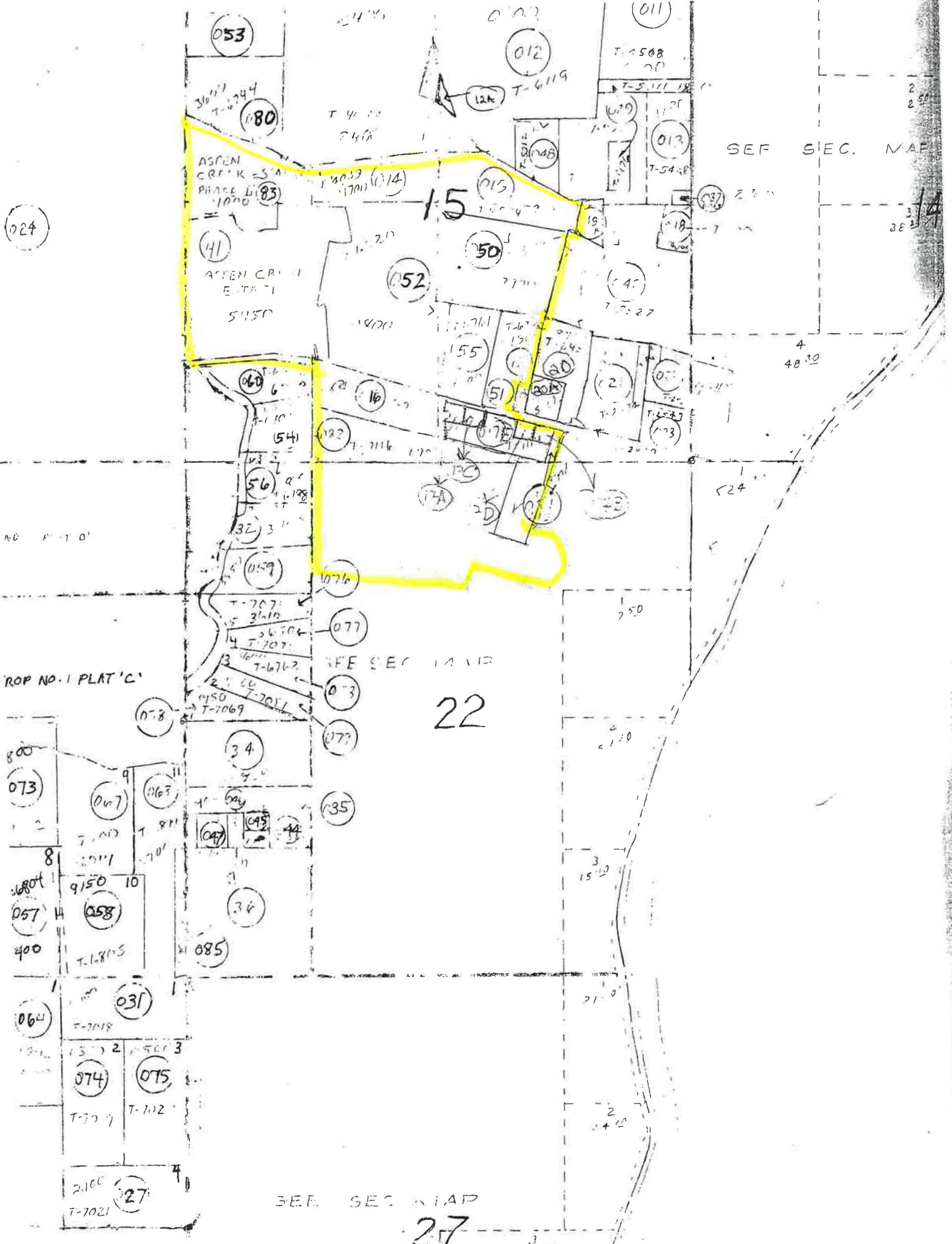
Glen J Stock Investment  
#s 38-485, 18246  
T-2427

Richard M Wabber, Trustee  
WDM# 177189  
4 Dec 2000  
T-2434

Esther Y Harris  
CCD# 178347  
9 May 2001  
T-6426

William D Stock, et al  
WDM# 198878  
22 Apr 1994  
T-2520





*W. Nancy*



# FIRST IDAHO TITLE COMPANY

TITLE INSURANCE - ESCROWS

*GNL-W-02-02*

469 Washington Street, Montpelier, Idaho 83254 • Phone: 208-847-1300, Fax: 208-847-1314

July 5, 2002

Ms. Jean Jewel  
 Public Utilities Commission  
 P.O. Box 83720  
 Boise ID 83720-0074

RE: Aspen Creek Water Company

Dear Ms. Jewel:

Per the request of Aspen Creek Water Company, enclosed please find deeds which include all the legal descriptions for the properties to be included in the proposed area that said Aspen Creek Water Company will cover. We are also enclosing a plat map of the property outlining the area covered by the enclosed deeds.

If we can be of further assistance regarding this matter, please don't hesitate to call.

Sincerely,

FIRST IDAHO TITLE COMPANY

*Kay Beck*

Kay Beck  
Manager

RECEIVED  
 FILED  
 2002 JUL -8 AM 8:52  
 PUBLIC UTILITIES COMMISSION

DETAILED DESCRIPTION  
 REFERRED TO IN THE  
 STAFF COMMENTS IN THIS  
 CASE.

*RL ITR  
 MIM copy  
 RES copy  
 MFuss copy*

167094

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
 ASPEN CREEK ESTATES PHASE I

INDEXED

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (CC&R) (the Declaration) is made as of the 10 day of July, 97, by Lake Vista Properties, L.L.C., a Utah Limited Liability Company, ( the Declarant) with reference to the following facts:

A. Declarant is the owner of real property known as Aspen Creek Estates, located in Part of Section 15, Township 16 South, Range 43 East of the Boise Meridian Described as follows:

BEGINNING SOUTH 00°18'24" EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, 215.16 FEET;

THENCE NORTH 82°56'33" EAST, 477.43 FEET;

THENCE 361.21 FEET ALONG A CURVE TO THE LEFT, WITH RADIUS OF 205.00 FEET, INCLUDED ANGLE OF 100°57'16" AND A LONG CHORD THAT BEARS SOUTH 57°32'05" EAST, 316.26 FEET;

THENCE NORTH 71°59'17" EAST, 31.97 FEET;

THENCE 166.71 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 495.00 FEET, INCLUDED ANGLE OF 19°17'49" AND A LONG CHORD THAT BEARS NORTH 81°38'12" EAST, 165.93 FEET;

THENCE NORTH 01°17'06" EAST, 275.31 FEET;

THENCE SOUTH 80°19'31" EAST, 213.41 FEET;

THENCE NORTH 89°57'51" EAST, 173.15 FEET;

THENCE NORTH 88°04'00" EAST, 322.03 FEET;

THENCE SOUTH 12°14'24" EAST, 369.52 FEET;

THENCE SOUTH 77°45'36" WEST, 19.02 FEET;

THENCE 216.18 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 495.00 FEET, INCLUDED ANGLE OF 25°01'23" AND A LONG CHORD THAT BEARS NORTH 89°43'42" WEST, 214.47 FEET;

THENCE SOUTH 11°10'14" WEST, 675.05 FEET;

THENCE 34.69 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 15.00 FEET, INCLUDED ANGLE OF 132°33'48" AND A LONG CHORD THAT BEARS SOUTH 55°05'10" EAST, 27.46 FEET;

THENCE NORTH 58°39'26" EAST, 69.18 FEET;

THENCE SOUTH 26°22'59" EAST, 60.23 FEET;

THENCE SOUTH 04°32'58" EAST, 567.15 FEET TO THE NORTH RIGHT OF WAY LINE OF LOVELAND

LAND;

THENCE WESTERLY ALONG THE NORTH RIGHT OF WAY LINE OF LOVELAND LANE IN THE FOLLOWING THREE COURSES:

1. NORTH 75°46'01" WEST, 174.24 FEET;

2. NORTH 83°42'18" WEST, 392.00 FEET;

3. SOUTH 85°43'54" WEST, 951.05 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER

OF SAID SECTION 15;

THENCE NORTH 00°18'24" WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, 1437.16 FEET TO THE BEGINNING CONTAINING 50.04 ACRES +/-.

B. Declarant has subdivided the above-described property, in accordance with Subdivision plats, to be approved by the Bear Lake County Board of Planning and Zoning, and which are filed concurrently herewith, in the Office of the County Recorder of Bear Lake County, State of Idaho.

C. Declarant desires, by filing of this Declaration and the aforesaid Subdivision Plat, to submit the above-described property, and all lots within the above-described property and as shown on the Subdivision Plat, to the provisions of this Declaration of Covenants, Conditions and Restrictions, and hereby specifies that this declaration shall constitute covenants to run with all of the land, as provided by law, and shall be binding on all parties and all persons claiming under them, and for the benefit of and limitations upon all future owners in said subdivision.

NOW THEREFORE, as part of the general plan for improvement of the above-described real property, the undersigned hereby declares said property subject to the Covenants, Conditions and Restrictions herein recited.



ASPEN

REEK ESTATES

PHASE II

BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 15, TOWNSHIP 16 SOUTH, RANGE 43 EAST, BOISE MERIDIAN, BEAR LAKE COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 15, LOCATED NORTH 00° 15' 00" WEST 2670.09 FROM THE SOUTHWEST CORNER OF SAID SECTION, THE TRUE POINT OF BEGINNING; THENCE NORTH 00° 04' 39" WEST 814.17 FEET ALONG THE WEST LINE OF SAID SECTION TO A POINT ON THE CENTER LINE OF FISH HAVEN CANYON ROAD; FOLLOWING SAID CENTERLINE THE NEXT 7 COURSES: THENCE SOUTH 74° 18' 58" EAST 10.34 FEET TO THE BEGINNING OF A 1610.87 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12° 24' 01" A DISTANCE OF 348.83 FEET TO THE POINT OF TANGENCY (CHORD = S 68° 08' 58" E 347.95 FEET); THENCE SOUTH 61° 54' 57" EAST 151.10 FEET; THENCE SOUTH 74° 39' 18" EAST 371.73 FEET TO THE BEGINNING OF A 593.94 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17° 13' 59" A DISTANCE OF 178.64 FEET TO THE POINT OF TANGENCY (CHORD = S 66° 02' 18" E 177.97 FEET); THENCE SOUTH 57° 25' 19" EAST 149.27 FEET TO THE BEGINNING OF A 157.90 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 39° 41' 52" A DISTANCE OF 109.40 FEET (CHORD = S 77° 16' 15" E 107.23 FEET); THENCE SOUTH 58° 07' 24" EAST 125.41 FEET TO A FOUND REBAR; THENCE SOUTH 00° 10' 50" EAST 300.64 FEET TO A FOUND REBAR; THENCE SOUTH 00° 16' 08" EAST 55.74 FEET TO A POINT ON THE NORTH LINE OF A PARTIAL AMENDMENT OF ASPEN CREEK ESTATES; FOLLOWING SAID LINE THE NEXT 10 COURSES: THENCE SOUTH 89° 57' 51" WEST 173.15 FEET; THENCE NORTH 80° 19' 31" WEST 213.41 FEET; THENCE SOUTH 01° 17' 06" WEST 208.52 FEET TO A POINT ON A 250.00 FOOT RADIUS NONTANGENT CURVE CONCAVE TO THE SOUTHWEST, WHOSE CENTER BEARS SOUTH 03° 24' 23" WEST; THENCE SOUTHWESTERLY THROUGH A CENTRAL ANGLE OF 22° 33' 38" A DISTANCE OF 98.44 FEET TO THE POINT OF TANGENCY (CHORD = SOUTH 82° 07' 34" WEST 97.80 FEET); THENCE SOUTH 70° 50' 45" WEST 140.51 FEET TO THE BEGINNING OF A 136.38 FOOT RADIUS CURVE CONCAVE TO THE NORTH; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 50° 20' 55" A DISTANCE OF 119.84 FEET TO THE POINT OF TANGENCY (CHORD = N 83° 08' 48" W 116.02 FEET); THENCE NORTH 58° 48' 20" WEST 80.45 FEET TO THE BEGINNING OF A 110.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22° 51' 15" A DISTANCE OF 43.88 FEET TO THE POINT OF TANGENCY (CHORD = N 47° 22' 42" W 43.59 FEET); THENCE SOUTH 88° 54' 47" WEST 431.58 FEET; THENCE SOUTH 82° 56' 33" WEST 58.27 FEET TO A POINT ON SAID WEST LINE OF SAID SECTION; THENCE NORTH 00° 15' 00" WEST 216.91 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 25.3 ACRES.

MERIDIAN

- D BRG
5'14" W
10'44" W
17'34" W
18'48" E
18'48" E
18'48" E
2'42" E
8'35" E
0'06" E
0'06" E
4'01" W
8'26" W
5'23" E
5'53" W
3'47" W
6'18" E
3'38" W
3'53" W
2'45" W
2'07" E
1'53" W
1'18" W
1'15" E
1'55" E
1'09" E
1'10" W
1'09" W
1'12" W
1'13" W

Let 10
11
12
WD 178063
09 April 2001
13
WB 173049
QC 180169
05 DEC 2001
14
15
16
17
18

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENT, THAT WE THE UNDERSIGNED OWNER'S OF THE TRACT OF LAND DESCRIBED ABOVE AND SHOWN ON THIS PLAT HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED INTO LOTS, STREETS, AND EASEMENTS AS INDICATED ON THIS PLAT, DO HEREBY REPRESENT AND CERTIFY THAT ASPEN CREEK CIRCLE IS PRIVATE AND IS NOT PUBLIC, AND THEREFORE THE COUNTY IS NOT OBLIGATED AND SHALL NOT BECOME OBLIGATED TO MAINTAIN SAID STREET AND EASEMENTS AS PORTRAYED IN THIS PLAT. THAT PORTION OF FISH HAVEN CANYON ROAD SHOWN ON THIS PLAT IS DEDICATED TO THE PUBLIC. THE EASEMENT SHOWN FOR THE CANAL IS RESERVED FOR THE CANAL COMPANY. ANY PERSON PURCHASING SAID LOTS IS HEREBY NOTIFIED THAT SAID PRIVATE STREET AND EASEMENTS MAY INTERFERE WITH NORMAL PUBLIC SERVICES SUCH AS FIRE PROTECTION, AMBULANCE SERVICE AND SCHOOL BUS TRANSPORTATION. THE PERSONS PURCHASING SAID LOTS, HEREBY ACCEPT SAID CONDITION OF PRIVATE ROADS WITHOUT PUBLIC MAINTENANCE AND THE POTENTIAL REDUCTION OF NORMAL PUBLIC SERVICES FROM BEAR LAKE COUNTY AND OTHER PUBLIC ENTITIES.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR SIGNATURES THIS DAY OF A.D. 19

Handwritten signatures and dates at the bottom of the page.

# WARRANTY DEED

For Value Received TEN DOLLARS AND OTHER VALUABLE CONSIDERATION

DEVERE C. STOCK and RUTH S. STOCK, husband and wife

the grantor<sup>s</sup>, do hereby grant, bargain, sell and convey unto

REED D. WOODS and ILA MAE WOODS, husband and wife  
2579 West Cassidy Circle; West Jordan, Utah 84084

the grantee<sup>s</sup>, the following described premises, in Bear Lake County Idaho, to wit:

TOWNSHIP 16 SOUTH, RANGE 43 EAST OF THE BOISE MERIDIAN IN IDAHO:

Section 15: Beginning at the Southeast Corner of the Northwest Corner of said Section 15, and running thence West 1320 feet to the Southwest Corner of the SE1/4NW1/4 of said Section; thence North along existing fence line, 400 feet, more or less, to the center of the Fish Haven Canyon Road; thence Easterly following said road 1320 feet, more or less, to the point where said road intersects the North-South centerline of said Section 15; thence South 520 feet, more or less, to the Place of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee<sup>s</sup>, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 28 August 1990

Devere C. Stock

Ruth S. Stock

STATE OF ~~IDAHO~~ <sup>UTAH</sup> COUNTY OF Wallois  
On this 28th day of August, 1990,  
before me, a notary public in and for said State, personally  
appeared

DEVERE C. STOCK and RUTH S. STOCK,  
husband and wife

known to me to be the persons whose names are  
subscribed to the within instrument, and acknowledged to  
me that they executed the same.

Cindy G. Nielsen Notary Public  
Residing at Eden Utah, Idaho  
Comm. Expires November 9, 1993

'90 SEP 4 AM 10 34  
DEPUTY Cindy G. Nielsen FEE \$3.00

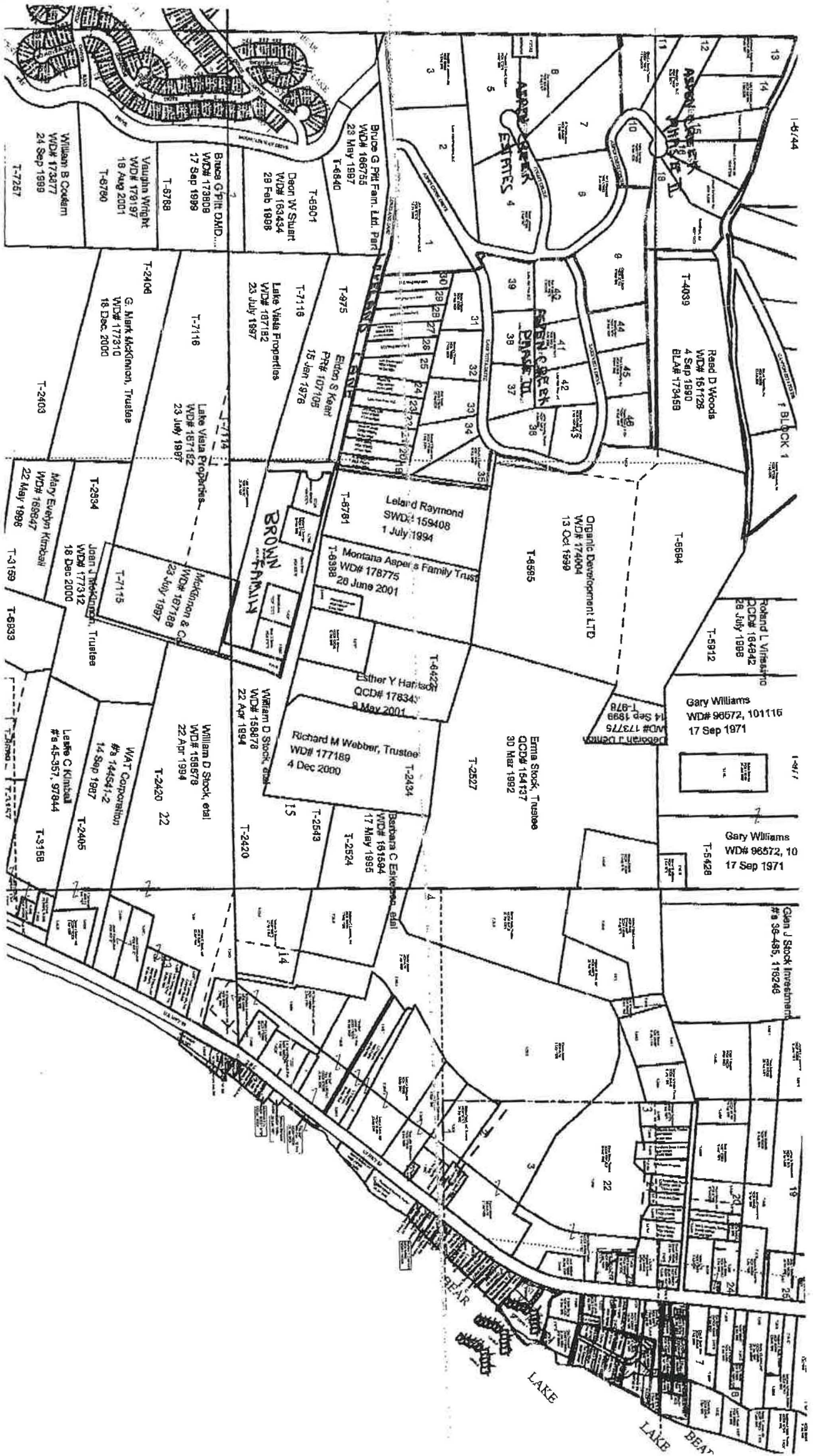
BEAR LAKE COUNTY RECORDER  
JOHN P. EDORN

151126

INSTRUMENT No









BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 15, TOWNSHIP 16 SOUTH, RANGE 43 EAST, BOISE MERIDIAN, BEAR LAKE COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 15 LOCATED NORTH 00° 15' 00" WEST 2670.09 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 15; THENCE SOUTH 00° 15' 00" EAST 43.84 FEET; THENCE EAST 1645.98 FEET TO THE NORTHEAST CORNER OF LOT 9 OF A PARTIAL AMENDMENT OF ASPEN CREEK ESTATES, PHASE I AS RECORDED UNDER INSTRUMENT NUMBER 171550 IN THE OFFICIAL RECORDS OF BEAR LAKE COUNTY, THE TRUE POINT OF BEGINNING;

THENCE NORTH 88° 02' 27" EAST 896.53 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 00° 26' 45" WEST 252.53 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 21° 53' 19" WEST 58.28 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 72° 27' 21" EAST 86.09 FEET TO THE BEGINNING OF A 160.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST, WHOSE CENTER BEARS SOUTH 17° 32' 39" WEST; THENCE SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 90° 00' 19", A DISTANCE OF 251.34 FEET TO THE POINT OF TANGENCY, (CHORD BEARS S 27° 21' 11" E 226.28 FEET); THENCE SOUTH 17° 32' 59" WEST 220.67 FEET TO THE BEGINNING OF A 120.12 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST, WHOSE CENTER BEARS SOUTH 72° 27' 01" EAST; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10° 33' 10" A DISTANCE OF 22.12 FEET TO THE POINT OF TANGENCY (CHORD = S 12° 16' 24" W 22.09 FEET);

THENCE SOUTH 06° 59' 48" WEST 115.84 FEET TO THE BEGINNING OF A 210.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHWEST, WHOSE CENTER BEARS NORTH 83° 00' 12" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 29° 52' 17" A DISTANCE OF 109.48 FEET TO THE POINT OF TANGENCY (CHORD = S 21° 55' 57" W 108.25 FEET);

THENCE SOUTH 82° 57' 37" EAST 243.72 FEET TO A 5/8" REBAR WITH CAP; THENCE SOUTH 06° 58' 59" WEST 926.62 FEET TO A 5/8" REBAR WITH CAP ON THE NORTH RIGHT OF WAY LINE OF LOVELAND LANE;

FOLLOWING SAID NORTH RIGHT OF WAY LINE THE NEXT 3 COURSES:

THENCE NORTH 79° 21' 04" WEST 22.79 FEET TO A 5/8" REBAR WITH CAP; THENCE NORTH 76° 58' 28" WEST 830.90 FEET TO A 5/8" REBAR WITH CAP; THENCE NORTH 75° 44' 59" WEST 571.09 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF ASPEN CREEK ESTATES PHASE I AS RECORDED IN THE OFFICIAL RECORDS OF BEAR LAKE COUNTY UNDER INSTRUMENT NUMBER 167100;

FOLLOWING THE EASTERLY LINE OF SAID PHASE I THE NEXT 5 COURSES:

THENCE NORTH 04° 32' 58" WEST 557.15 FEET; THENCE NORTH 26° 22' 59" WEST 60.23 FEET; THENCE SOUTH 58° 39' 26" WEST 69.16 FEET TO THE BEGINNING OF A 15.00 FOOT RADIUS CURVE WHOSE CENTER BEARS NORTH 31° 20' 34" WEST; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 132° 30' 48" A DISTANCE OF 34.69 FEET TO THE POINT OF TANGENCY (CHORD = N 55° 05' 10" W 27.46 FEET);

THENCE NORTH 11° 10' 14" EAST 294.19 FEET TO THE BEGINNING OF A 80.00 FOOT RADIUS CURVE WHOSE CENTER BEARS NORTH 78° 49' 46" WEST TO THE SOUTHEASTERLY CORNER OF SAID PARTIAL AMENDMENT;

FOLLOWING THE EASTERLY LINE OF SAID PARTIAL AMENDMENT THE NEXT 11 COURSES:

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30° 43' 29" A DISTANCE OF 42.90 FEET TO THE POINT OF TANGENCY (CHORD = N 04° 11' 30" W 42.39 FEET);

THENCE NORTH 19° 33' 15" WEST 45.77 FEET; THENCE NORTH 01° 02' 14" WEST 122.42 FEET TO THE BEGINNING OF A 130.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST WHOSE CENTER BEARS SOUTH 88° 57' 46" WEST; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 36° 21' 27" A DISTANCE OF 87.03 FEET TO THE POINT OF TANGENCY (CHORD = N 20° 12' 58" W 85.41 FEET);

THENCE NORTH 39° 23' 41" WEST 18.01 FEET TO A POINT ON A 20.00 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTHEAST, WHOSE CENTER BEARS NORTH 50° 36' 19" EAST;

THENCE SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 77° 31' 14", A DISTANCE OF 27.06 FEET TO THE POINT OF TANGENCY, (CHORD BEARS S 78° 09' 18" E 25.04 FEET);

THENCE NORTH 63° 05' 05" EAST 89.76 FEET TO THE BEGINNING OF A 230.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST, WHOSE CENTER BEARS SOUTH 26° 54' 55" EAST;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 29° 46' 46" A DISTANCE OF 119.54 FEET (CHORD = N 77° 58' 28" E 118.20 FEET); THENCE NORTHEASTERLY ALONG A REVERSE CURVE WHOSE CENTER BEARS NORTH 02° 51' 51" EAST, HAVING A 495.00 FOOT RADIUS, THROUGH A CENTRAL ANGLE OF 15° 06' 15" A DISTANCE OF 130.49 FEET TO THE POINT OF TANGENCY (CHORD N 85° 18' 44" E 130.11 FEET);

THENCE NORTH 77° 45' 36" EAST 19.02 FEET TO A 5/8" REBAR WITH CAP;

THENCE NORTH 12° 14' 24" WEST 369.52 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 48.6 ACRES.

Aspen CREEK ESTATES PHASE III

# WARRANTY DEED

INDEXED

For Value Received,

**LAKE VISTA PROPERTIES, LLC,**  
Of 2126 BEAR LAKE BLVD, GARDEN CITY, County of RICH, State of UT., 84028,

THE GRANTOR(S),

do hereby, grant, bargain, sell, and convey unto

**ORGANIC DEVELOPMENT LIMITED COMPANY,**  
Of 1719 SOUTH OAK SPRINGS DRIVE, SALT LAKE CITY, County of SALT LAKE, State of UT., 84108,  
THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of BEAR LAKE, State of Idaho:

See Attached Exhibit "A"

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), its heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS 12TH DAY OF OCTOBER, 1999.

LAKE VISTA PROPERTIES, LLC

\_\_\_\_\_  
BY: *Ray Elliott*

BY: A. RAY ELLIOTT

\_\_\_\_\_  
BY: *Norman Mecham*

BY: NORMAN MECHAM

\_\_\_\_\_  
BY: *Gary C. McKee*

BY: GARY C. MCKEE

**STATE OF IDAHO, COUNTY OF BEAR LAKE**

On this 12 day of October, 1999, before me a Notary Public in and for the State, personally appeared

**A. RAY ELLIOTT, NORMAN MECHAM and GARY C. MCKEE,**

known to me to be the members in the limited liability company of LAKE VISTA PROPERTIES, LLC, and the members who subscribed said limited liability company name to the foregoing instrument and acknowledged to me that they executed the same in said limited liability company name.

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

*Kevin Beck*  
\_\_\_\_\_  
Notary Public  
Residing at OVID, IDAHO  
My Commission Expires: 12/01/00

BEAR LAKE COUNTY RECORDER  
JOHN D. FOWEN  
1999 OCT 13 AM 11 47  
DEPUTY FEE

174004

MAIL TAX NOTICE TO: **ORGANIC DEVELOPMENT LIMITED COMPANY**  
1719 SOUTH OAK SPRINGS DRIVE, SALT LAKE CITY, UT 84108



A parcel of land located in Section 15, Township 16 South, Range 43 East, Boise Meridian, Bear Lake County, Idaho, and further described as follows:

Commencing at the West Quarter Corner of said Section 15; thence North 89°52'08" East for a distance of 2542.14 feet along the Latitudinal Centerline of said Section 15 to the TRUE POINT OF BEGINNING; thence North 04°53'44" West for a distance of 9.07 feet along an existing fence line to a ½" rebar with cap marked LS 843; thence North 14°21'00" East for a distance of 221.07 feet along said fence line to a ½" rebar with cap marked LS 843; thence North 15°55'05" East for a distance of 324.03 feet along said fence line to a ½" rebar with cap marked LS 843 set on the Southerly Right-of-Way Line of Fish Haven Canyon Road; thence along said South Right-of-Way Line through the following courses: thence South 87°23'44" East 274.23 to a ½" rebar with cap marked LS 843 set at the point of curvature of a 657.35 foot radius curve concave to the Southwest; thence Southeasterly along said curve through a central angle of 27°02'51" for a distance of 310.32 to a ½" rebar with cap marked LS 843; thence continuing along said Right-of-Way Line South 60°20'53" East for a distance of 700.53 feet to a ½" rebar with cap marked LS 843 set at the point of curvature of a 180 foot radius curve concave to the Northeast; thence Southeasterly along said curve through a central angle 32°29'49" for a distance of 102.09 feet to a ½" rebar with cap marked LS 843; thence continuing along said Right of Way North 87°09'18" East for a distance of 85.90 feet to a ½" rebar with cap marked LS 843 set at the point of curvature of a 270 foot radius curve concave to the South; thence Easterly along said curve through a central angle of 12°12'40" for a distance of 57.54 feet to a ½" rebar with cap marked LS 843; thence leaving said Right-of-Way South 3°14'51" West for a distance of 132.23 along an existing fenceline to a ½" rebar with cap marked LS 843; thence South 04°45'12" West for a distance of 205.87 to a ½" rebar with cap marked LS 843 set on the South Line of parcel as recorded under Instrument Number 144711 in the official records of Bear Lake County, Idaho; thence North 63°30'00" West for a distance of 34.49 feet along said South Leed line to a ½" rebar with cap marked LS 843 set at a point along the East Line of the parcel recorded under Instrument Number 51661 in the official records of Bear Lake County, Idaho; thence South 13°47'36" West for a distance of 933.42 feet along said East Line to a 5/8 rebar with cap marked LS 843; thence North 83°00'20" West for a distance of 1257.95 feet along the North Line of parcels recorded under Instrument Numbers 162481 and 159408 in the official records of Bear Lake County, Idaho, to a 5/8" rebar with cap marked LS 4735, said line extends past Instrument Number 159408 by 243.83 feet, said point being on a 210.00 foot radius nontangent curve concave to the Northwest; said point also being on the East Right of Way Line of Lake Vista Drive; thence Northeasterly along said curve for a distance of 110.38 feet through a central angle of 30°06'55" to a 5/8" rebar with cap marked LS 4735; thence along said Right of Way North 06°59'48" East 115.84 feet to a 5/8" rebar with cap marked LS 4735 set at the point of curvature of a 120.12 foot radius curve concave to the South; thence Northeasterly along said curve through a central angle of 10°33'10" for a distance of 22.12 feet to a 5/8" rebar with cap marked LS 4735; thence North 17°32'59" East 229.67 feet to a 5/8" rebar with cap marked LS 4735 set at the point of curvature of a 160.00 foot radius curve concave to Southwest; thence Northwesterly along said curve through a central angle 90°00'21" for a distance of 251.34 feet to a 5/8" rebar marked LS 843; thence North 72°27'21" West 86.09 feet to a 5/8" rebar with cap marked LS 4735; thence leaving said right-of-way North 21°53'19" East 58.28 feet to a 5/8" rebar with cap marked LS 4735; thence North 00°26'45" East 156.90 feet to a 5/8" rebar with cap marked LS 843; thence North 00°28'32" East 45.46 feet to a 5/8" rebar with cap marked LS 4735; thence North 00°01'40" East 49.50 feet to a 5/8" rebar with cap marked LS 4735 set at a fence corner; thence North 04°53'44" West 17.79 feet along said fence line to the True Point of Beginning.



Recorded at Request of: FIRST IDAHO TITLE COMPANY  
File Number: FITC 19940205

DEPT. OF LAND RECORDS

After recording, please return to:  
LELAND RAYMOND  
CINDY J. RAYMOND  
702 WASHINGTON  
MONTPELIER, IDAHO 83254

'94 JUN 1 AM 9 47  
*Cindy J. Raymond* \$6.00  
REPU. FEE

SPECIAL  
WARRANTY DEED

SWENCO LIMITED PARTNERSHIP, a restated Utah Limited Partnership  
GRANTOR  
of 2451 MICHIGAN AVENUE, SALT LAKE CITY UT 84108, COUNTY OF  
SALT LAKE, STATE OF UTAH, hereby CONVEYS and WARRANTS, against  
all claiming by, through or under, TO:

LELAND RAYMOND and CINDY J. RAYMOND, as joint tenants  
GRANTEE  
of BEAR LAKE COUNTY, STATE OF IDAHO for the sum of TEN AND  
00/100'S DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the  
following described tract(s) of land in BEAR LAKE County, State  
of Idaho:

TOWNSHIP 16 SOUTH, RANGE 43 EAST, OF THE BOISE MERIDIAN, IN  
IDAHO:

SECTION 15:

Beginning at a point North 1003.83 feet and East 1323.14 feet  
and South 75 degrees 45 minutes 57 seconds East 1410.00 feet and  
North 06 degrees 59 minutes 40 seconds East 30.00 feet from the  
Southwest corner of said Section 15, and continuing thence  
North 6 degrees 59 minutes 40 seconds East 960.00 feet; thence  
South 83 degrees 00 minutes 20 seconds East 540.00 feet; thence  
south 13 degrees 02 minutes 07 seconds West 1020.00 feet; thence  
North 75 degrees 45 minutes 57 seconds West 440.00 feet to the  
point of beginning.

SUBJECT TO: County and/or City Taxes not delinquent; Bonds  
and/or Special Assessments not delinquent and Covenants,  
Conditions, Restrictions, Rights-of-Way, Easements, Leases and  
Reservations now of Record.

WITNESS, the hand(s) of said grantor(s), this 20th day of JUNE,  
1994.

THE SWENCO LIMITED PARTNERSHIP, a restated  
Utah Limited Partnership, by and through the  
Don B. Swenson Revocable Trust, dated April 21,  
1989, as General Partner; and the Nola R.  
Swenson Revocable Trust, dated April 21, 1989,  
as General Partner

*Don B. Swenson*  
DON B. SWENSON, Trustee of  
the Don B. Swenson Revocable  
Trust, as General Partner

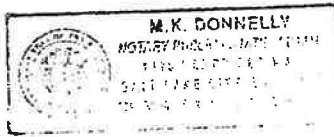
*Nola R. Swenson*  
NOLA R. SWENSON, Trustee of  
the Nola R. Swenson Revocable  
Trust, as General Partner

STATE OF UTAH )  
:  
COUNTY OF SALT LAKE )

On the 20th day of June, 1994, personally appeared  
before me Don B. Swenson, Trustee of the Don B. Swenson  
Revocable Trust, dated April 21, 1989, the General Partner of  
THE SWENCO LIMITED PARTNERSHIP, and Nola R. Swenson, Trustee of

Notary Acknowledgement (continued)  
the Nola R. Swenson Revocable Trust, dated April 21, 1989, the General Partner of THE SWENCO LIMITED PARTNERSHIP, who being by me duly sworn (or affirmed upon oath) did say that said Revocable Trusts, through their Trustees, are the General Partners of the withinnamed limited partnership, and that the foregoing instrument was executed pursuant to the partnership agreement with consent of non-executing partners, as may be required by law, and said Don B. Swenson, Trustee of the Don B. Swenson Revocable Trust, dated April 21, 1989, General Partner and Nola R. Swenson, Trustee of the Nola R. Swenson Revocable Trust, dated April 21, 1989, General Partner, acknowledged to me that said persons executed same as the act of said partnership.

*M.K. Donnelly*  
Notary Public





INDEXED

# WARRANTY DEED

For Value Received,

**MICHAEL S. PECK and KIMBERLIE R. PECK, husband and wife,**  
of PO BOX 90, GARDEN CITY, County of RICH, State of UT. 84028,

THE GRANTOR(S),

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

**MONTANA ASPENS FAMILY TRUST,**  
of 811 SOUTH 410 WEST, GARDEN CITY, County of RICH, State of UT 84028,

THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of Bear Lake, State of Idaho:

TOWNSHIP 16 SOUTH, RANGE 43 EAST OF THE BOISE MERIDIAN, IN IDAHO:

Section 15: Beginning at a point North 1033.83 feet and East 1323.14 feet from the Southwest Corner of said Section 15; running thence South 75°45'57" East 1650.00 to the TRUE POINT OF BEGINNING; running thence North 13°02'07" East 1020 feet; thence South 83°00'20" East 473.66 feet; thence South 17°53'04" West 95 feet; thence South 13°02'07" West 695 feet; thence North 75°24'48" West 150 feet; thence South 13°20'08" West 290.40 feet; thence North 75°45'57" West 312.34 feet, to the True Point of Beginning.

SUBJECT TO a 20 foot Right of Way along the Southerly side of property for Loveland Lane, a Bear Lake County Road.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), its heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS June 15, 2001.

\_\_\_\_\_

*Michael S. Peck*  
MICHAEL S. PECK

\_\_\_\_\_

*Kimberlie R. Peck*  
KIMBERLIE R. PECK

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 15 day of June, 2001, before me a Notary Public in and for the State, personally appeared

**MICHAEL S. PECK and KIMBERLIE R. PECK,**  
husband and wife

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

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

*Kay Beck*

Notary Public  
Residing at: OVID, ID.  
My Commission Expires: 12-01-06



2001 JUN 28 AM 9 21  
 JOHNNY K. OLSON  
 DEPUTY  
 FEE

BEAR LAKE COUNTY RECORDER  
 JOAN D. EBORN

178775

MAIL TAX NOTICE TO: MONTANA ASPENS FAMILY TRUST  
 811 SOUTH 410 WEST, GARDEN CITY, UT. 84028

STATE OF IDAHO  
County of Bear Lake  
Date January 15, 1976  
Time 4:00 P.M.  
No. Microfilmed  
Clerk Betty Wallentine  
*Joannina P. ...*

ARDEE HELM, Jr.  
Attorney at Law  
1020 Washington  
Montpelier, Idaho 85254  
Telephone: 847-0805

MAGISTRATE'S DIVISION  
DISTRICT COURT,  
SIXTH JUDICIAL DISTRICT  
BEAR LAKE COUNTY, IDAHO

INDEXED

JAN 15 1976

Filed 3:50 P.M. No. 710  
Betty Wallentine Clerk  
E. ... Deputy

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BEAR LAKE

IN THE MATTER OF THE ESTATES OF ) No. 710  
ALLEN M. KEARL and VERA SHIRLEY KEARL, ) ORDER APPROVING FINAL ACCOUNT  
Deceased. ) AND DECREE OF DISTRIBUTION

The petition of Eldon W. Cook for settlement and distribution of the above named estate having come before the Court for hearing, the Court makes the following findings:

1. Eldon W. Cook is the duly appointed, qualified and acting personal representative of the above named estate.
2. The personal representative has filed an inventory and appraisalment of all property of the estate known to him.
3. Notice to creditors has been published and the time for presenting claims that arose prior to the death of the decedent has expired.
4. All debts of the decedent and of the estate, and all expenses of administration, and all taxes that have attached to or accrued against the estate have been paid.
5. The personal representative has filed a final account and the estate is in a condition to be closed.
6. Proof of service of the notice of the time for filing objections to the final account and petition for distribution has been filed herein. No objections have been filed.

7. Allen M. Kearl died intestate on May 6, 1973, and Vera Shirley Kearl died intestate on August 15, 1974, and the

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following persons are entitled to distribution of the remaining estate property:

Eldon Shirley Kearn	one-half
Allen Kearn	one-half

IT IS HEREBY ORDERED AND DECREED:

1. The final account is allowed and settled.

2. The personal representative is directed to make distribution of the remaining estate property, and any other property of the decedent or the estate not now known or discovered to the persons and in the manner set forth above.

3. Eldon Shirley Kearn and Allen Kearn are hereby decreed the following described real property as tenants in common, to-wit:

Parcel No. 1:

Beginning at the Quarter Corner common to Sections 10 and 15, Township 16 South, Range 45 East, Boise Meridian, running thence North 1080 feet; thence North  $86^{\circ} 50'$  East 2645 feet; thence South 1241 feet; thence West 2640 feet to place of beginning, and containing 70.40 acres, more or less.

Parcel No. 2:

Commencing at a point 12.72 chains South  $10^{\circ} 15'$  West from the Northeast corner of Lot 1, in Section 14, Township 16 South, Range 45 East, Boise Meridian; running thence North  $85^{\circ}$  West 4.11 chains; thence South  $5^{\circ}$  West along State highway, 95 feet; thence South  $85^{\circ}$  East, 4.75 chains, more or less, to a point South  $21^{\circ}$  East, 1.42 chains, more or less, from the point of beginning; thence North  $21^{\circ}$  West 1.42 chains, more or less, to the point of beginning. Said tract is also described and designated as the North 95 feet of Lot 12, as platted on page 45, Plat Book "B" of records of said Bear Lake County, Idaho.

ALSO, beginning at a point 12 chains 72 links South  $10^{\circ} 15'$  West and North  $85^{\circ}$  West 4 chains 14 links and 90 feet South  $5^{\circ}$  West from the Northeast corner of Lot 1, Section 14, Township 16 South, Range 45 East Boise Meridian. Said point being the present Southwest corner of Allen Kearn's lot. Running thence South  $5^{\circ}$  West 46 feet more or less to the Northwest corner of Arthur C. Shirley's 8 rod front; thence South  $85^{\circ}$  East 6 chains 50 links more or less to survey line; thence North  $21^{\circ}$  West 48 feet more or less to the Southeast corner of Allen Kearn's present lot. Thence North  $85^{\circ}$  West 6 chains 50 links more or less to place of beginning; together with all water rights belonging thereto.

Parcel No. 3:

Commencing at a point fifteen (15) rods and twelve (12) links North from the Southeast corner of the Southwest Quarter of Section Fifteen (15), Township Sixteen (16) South of Range Forty-three (43) East of Boise Meridian, and running thence



North Twenty-five (25) rods to the center of a certain two rod street; thence West along said street eighty-two (82) rods more or less to Government subdivision lines; thence South twenty-five (25) rods; thence East eighty-two (82) rods to point of beginning, and containing 12 acres and 150 square rods of land, be there more or less.

Parcel No. 4:

Commencing at a point 5 chains and 70 links North of the Meander corner on Lake shore of Lot 5 of Section 22, Township 16 South of Range 45 East, Boise Meridian, and running thence South  $85^{\circ} 55'$  East 28 chains; thence South One chain and 85 links to place of beginning, and containing  $6\text{-}1/6$  acres more or less; EXCEPTING therefrom the State Highway which passes North and South across said tract; ALSO EXCEPTING all of that portion of said land which lies East of said Highway.

DATED this 15<sup>th</sup> day of January, 1976.

Willie Smith  
Judge

# CORRECTED WARRANTY DEED

INDEXED

For Value Received,

**R. DAYLE BROWN AND VIRGINIA BROWN, HUSBAND AND WIFE.,**  
Of 462 CLAY STREET, MONTEPELIER, County of BEAR LAKE, State of ID., 83254,

THE GRANTOR(S),

do hereby, grant, bargain, sell, and convey unto

**BARBARA MORRISON,**  
Of 1460 NORTH 1180 EAST, SHELLEY, County of BINGHAM, State of ID., 83274,

THE GRANTEE(S).

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of BEAR LAKE, State of Idaho:

Part of the SE¼ of Section 15, Township 16 South, Range 43 East, Boise Meridian, Bear Lake County, Idaho, described as:

Beginning at a point on the South line of Loveland Lane that is North 0°09'42" East 649.65 feet along the North-South centerline of said Section 15 and South 75°24'48" East 61.95 feet from the South ¼ Corner of said Section 15 and running thence South 75°24'48" East 286.09 feet along said South line of Loveland Lane; thence South 16°36'20" West 185.11 feet; thence North 75°24'48" West 231.99 feet; thence North 0°09'42" East 33.92 feet to a point on a non-tangent curve, being the 50 foot radius of an existing well; thence to the left along said curve 165.81 feet (Curve Data D = 190°00'32" R = 50.00) chord bears North 0°09'42" East 99.62 feet; thence North 0°09'42" East 57.49 feet to the point of beginning.

This deed is given to correct the legal description given on that certain Warranty Deed dated 29 September 1998 and recorded 15 April 1999 as Microfilm Instrument No. 172354, records of Bear Lake County, Idaho.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), her heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS 24TH DAY OF MAY, 1999.

\_\_\_\_\_  
R. DAYLE BROWN  
\_\_\_\_\_  
VIRGINIA BROWN

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 25 day of May, 1999, before me a Notary Public in and for the State, personally appeared

**R. DAYLE BROWN AND VIRGINIA BROWN,**  
HUSBAND AND WIFE.

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

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

\_\_\_\_\_  
Notary Public  
Residing at: OWID, IDAHO  
My Commission Expires: 12/01/00

1999 MAY 26 AM 10 29  
DEPUTY  
FEE \$3.00  
BEAR LAKE COUNTY RECORDER  
JOHN P. EGGAN  
172774

MAIL TAX NOTICE TO: **BARBARA MORRISON**  
1460 NORTH 1180 EAST, SHELLEY, ID 83274



# CORRECTED WARRANTY DEED

INDEXED

For Value Received,

**R. DAYLE BROWN AND VIRGINIA BROWN, HUSBAND AND WIFE.,**  
Of 462 CLAY STREET, MONTPELIER, County of BEAR LAKE, State of ID., 83254,

THE GRANTOR(S).

do hereby, grant, bargain, sell, and convey unto.

**BRIAN C. BROWN,**  
Of 462 CLAY STREET, MONTPELIER, County of BEAR LAKE, State of ID., 83254,

THE GRANTEE(S).

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of BEAR LAKE, State of Idaho:

Part of the SE¼ of Section 15, Township 16 South, Range 43 East, Boise Meridian, Bear Lake County, Idaho, described as:

Beginning at a point on the South line of Loveland Lane that is North 0°09'42" East 649.65 feet along the North-South centerline of said Section 15 and South 75°24'48" East 932.70 feet and South 75°13'17" East 117.71 feet along said South line from the South ¼ Corner of said Section 15; and running thence South 75°13'17" East 208.68 feet; thence South 16°36'20" West 207.72 feet; thence North 75°13'17" West 208.71 feet; thence North 16°36'20" East 208.82 feet to the point of beginning.

This deed is given to correct the legal description on that certain Warranty Deed dated 20 September 1998 and recorded 15 April 1999 as Microfilm Instrument No. 172355, records of Bear Lake County, Idaho.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), his heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS 24TH DAY OF MAY, 1999.

\_\_\_\_\_  
R. DAYLE BROWN  
\_\_\_\_\_  
VIRGINIA BROWN

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 25 day of May, 1999, before me a Notary Public in and for the State, personally appeared

**R. DAYLE BROWN AND VIRGINIA BROWN,**  
HUSBAND AND WIFE.

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

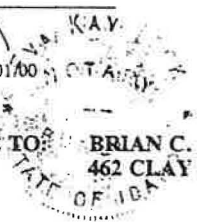
IN WITNESS WHEREOF, I hereunto set my hand and seal the day and year in the certificate first above written.

\_\_\_\_\_  
Notary Public  
Residing at: OVIED, IDAHO  
My Commission Expires: 12/01/00

BEAR LAKE COUNTY RECORDER  
JOAH P. EICKH  
1999 MAY 26 AM 10 26  
DEPUTY  
FEE  
\$3.00

172771

MAIL TAX NOTICE TO: **BRIAN C. BROWN**  
462 CLAY STREET, MONTPELIER, ID 83254



# PERSONAL REPRESENTATIVE DEED

INDEXED

THIS DEED, made this February 12, 2001,

BETWEEN

**BARBARA D. MORRISON, as the Personal Representative of the**

**BEVERLY L. COLVIN ESTATE, BEVERLY L. COLVIN deceased,**  
of 1460 NORTH 1180 EAST, SHELLEY, ID., 83274,

party of the First Part,

AND

**BETHANY LUTISHIE GEORGE,**  
of 2508 WEST 81ST SOUTH, IDAHO FALLS, ID., 83402,

party of the Second Part.

Witnesseth, that the said parties of the First Part, for valuable consideration, and for the purpose of conveying that certain real property from the does by these presents hereby grant, bargain, sell, convey, and confirm unto the said parties of the Second Part, and to their heirs and assigns forever, all that certain parcel of land, situated lying and being in **Montpelier, County of Bear Lake, State of ID.**, and more particulary described as follows:

Part of the SE¼ of Section 15, Township 16 South, Range 43 East, Boise Meridian, Bear Lake County, Idaho, described as:

Beginning at a point on the South line of Loveland Lane that is North 0°09'42" East 649.65 feet along the North-South centerline of said Section 15 and South 75°24'48" East 348.05 feet from the South Quarter Corner of said Section 15; and running thence South 75°24'48" East 208.71 feet; thence South 16°36'20" West 208.84 feet; thence North 75°24'48" West 208.71 feet; thence North 16°36'20" East 208.84 feet to the point of beginning.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances unto the parties of the Second Part, and to their heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the First Part has hereunto set her hand(s) and seals the day and year first above written.

*Barbara D. Morrison*  
BARBARA D. MORRISON

177758

STATE OF IDAHO	
County of Bear Lake	
Date	Feb. 28, 2001
Time	10:35 AM
Deputy	Cindy Sloan
Clerk	John P. Eboch
Fees	\$ 3.00

STATE OF IDAHO, COUNTY OF BINGHAM

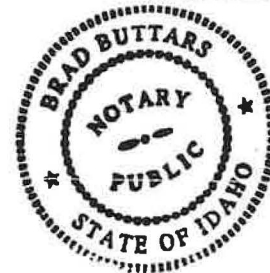
On this February 15, 2001, before me a Notary Public in and for the State, personally appeared

**BARBARA D. MORRISON**

known to me to be the person whose subscribed to within instrument, and acknowledge to me that she executed the same, as Personal Representative of the .

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

*Brad Buttar*  
Notary Public  
Residing at: IDAHO FALLS  
My Commission Expires: 9-29-2005





# CORRECTED WARRANTY DEED

INDEXED

For Value Received,

**R. DAYLE BROWN AND VIRGINIA BROWN, HUSBAND AND WIFE.,**  
Of 462 CLAY STREET, MONTPELIER, County of BEAR LAKE, State of ID., 83254,

THE GRANTOR(S),

do hereby, grant, bargain, sell, and convey unto

**BEVERLY COLVIN, ,**  
Of 461 CLAY STREET, MONTPELIER, County of BEAR LAKE, State of ID., 83254,

THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of BEAR LAKE, State of Idaho:

Part of SE¼ of Section 15, Township 16 South, Range 43 East, Boise Meridian, Bear Lake County, Idaho, described as:

Beginning at a point on the South line of Loveland Lane that is North 0°09'42" East 649.65 feet along the North-South centerline of said Section 15 and South 75°24'48" East 348.05 feet from the South ¼ Corner of said Section 15; and running thence South 75°24'48" East 208.71 feet; thence South 15°36'20" West 208.84 feet; thence North 75°24'48" West 208.71 feet; thence North 16°36'20" East 208.84 feet to the point of beginning.

This deed is given to correct the legal description on that certain Warranty Deed dated 20 September 1998 and recorded 15 April 1999 as Microfilm Instrument No. 172356, records of Bear Lake County, Idaho.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), her heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS 24TH DAY OF MAY, 1999.

\_\_\_\_\_  
*R. Dayle Brown*  
R. DAYLE BROWN

\_\_\_\_\_  
*Virginia Brown*  
VIRGINIA BROWN

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 25 day of May, 1999, before me a Notary Public in and for the State, personally appeared

**R. DAYLE BROWN AND VIRGINIA BROWN,**  
HUSBAND AND WIFE.

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

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

\_\_\_\_\_  
Notary Public  
Residing at: IDAHO  
My Commission Expires: 12/01/00

KAY DECK  
NOTARY  
IDAHO

99 MAY 26 PM 10 28  
DEPUTY FEE  
*David P. Egan*

BEAR LAKE COUNTY RECORDER  
JOAN P. EGGAN

172772

MAIL TAX NOTICE TO: **BEVERLY COLVIN**  
461 CLAY STREET, MONTPELIER, ID 83254



# CORRECTED WARRANTY DEED

INDEXED

For Value Received,

**R. DAYLE BROWN AND VIRGINIA BROWN, HUSBAND AND WIFE.,**  
Of 462 CLAY STREET, MONTPELIER, County of BEAR LAKE, State of ID., 83254,

THE GRANTOR(S),

do hereby, grant, bargain, sell, and convey unto:

**BRENDA LEWIS,**  
Of 13152 HORSESHOE BEND ROAD, BOISE, County of ADA, State of ID., 83703,

THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of BEAR LAKE, State of Idaho:

Part of the SE 1/4 of Section 15, Township 16 South, Range 43 East, Boise Meridian, Bear Lake County, Idaho described as:

Beginning at a point on the South line of Loveland Lane that is North 0°09'42" East 649.65 feet along the North-South centerline of said Section 15 and running thence South 75°24'48" East 841.70 feet from the South 1/4 Corner of said Section 15 and running thence South 75°24'48" East 91.00 feet along said South line; thence South 75°13'17" East 117.71 feet along said South line; thence South 16°36'20" West 208.82 feet; thence North 75°13'17" West 110.71 feet; thence North 75°24'48" West 98.35 feet; thence North 16°36'20" East 208.84 feet to the point of beginning.

This deed is given to correct the legal description on that certain Warranty Deed dated 20 September 1998 and recorded 15 April 1999 as Microfilm Instrument No. 172357, records of Bear Lake County, Idaho.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), her heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS 24th DAY OF MAY, 1999.

*R. Dayle Brown*  
R. DAYLE BROWN

*Virginia Brown*  
VIRGINIA BROWN

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 25 day of May, 1999, before me a Notary Public in and for the State, personally appeared

**R. DAYLE BROWN AND VIRGINIA BROWN,**  
HUSBAND AND WIFE.

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

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

*[Signature]*  
Notary Public  
Residing at: OVID, IDAHO  
My Commission Expires: 12/01/00

1999 MAY 26 AM 10 28  
DEPUTY  
FEE \$3.00

BEAR LAKE COUNTY RECORDER  
JOHN F. FRONK

172773

MAIL TAX NOTICE TO: **BRENDA LEWIS**  
13152 HORSESHOE BEND ROAD, BOISE, ID 83703



# CORRECTED WARRANTY DEED

INDEXED

For Value Received,

**R. DAYLE BROWN AND VIRGINIA BROWN, HUSBAND AND WIFE.,**  
Of 462 CLAY STREET, MONTEPELIER, County of BEAR LAKE, State of ID., 83254,

THE GRANTOR(S),

do hereby, grant, bargain, sell, and convey unto

**BRUCE BROWN,**  
Of 6239 WEST 2900 SOUTH, WEST VALLEY CITY, County of SALT LAKE, State of UT., 84120,

THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of BEAR LAKE, State of Idaho:

Part of the SE $\frac{1}{4}$  of Section 15, Township 16 South, Range 43 East, Boise Meridian, Bear Lake County, Idaho, described as:

Beginning at a point that is North 0°09'42" East 255.42 feet along the North-South centerline of said Section 15 and South 75°25'37" East 61.95 feet from the South  $\frac{1}{4}$  Corner of said Section 15 and running thence North 0°09'42" East 203.19 feet; thence South 75°24'48" East 231.99 feet; thence South 16°36'20" West 23.72 feet; thence South 75°24'48" East 208.71 feet; thence North 16°36'20" East 208.84 feet to the South line of Loveland Lane; thence South 75°24'48" East 284.94 feet along said South line; thence South 16°36'20" West 208.84 feet; thence South 75°24'48" East 98.35 feet; thence South 75°13'17" East 319.42 feet; thence South 16°36'20" West 171.85 feet; thence North 75°25'37" West 1085.55 feet to the point of beginning.

This deed is given to correct the legal description given on that certain Warranty Deed dated 29 September 1998 and recorded 15 April 1999 as Microfilm Instrument No. 172358, records of Bear Lake County, Idaho.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), his heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS 24TH DAY OF MAY, 1999.

\_\_\_\_\_  
R. DAYLE BROWN  
\_\_\_\_\_  
VIRGINIA BROWN

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 25 day of May, 1999, before me a Notary Public in and for the State, personally appeared

**R. DAYLE BROWN AND VIRGINIA BROWN,**  
HUSBAND AND WIFE.

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

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

\_\_\_\_\_  
Notary Public  
Residing at: QUID, IDAHO  
My Commission Expires: 12/01/00

99 MAY 26 AM 10 30  
DEPUTY FEE \$3.00

BEAR LAKE COUNTY RECORDER  
JOHN P. EPPER

172775

MAIL TAX NOTICE TO: **BRUCE BROWN**  
6239 WEST 2900 SOUTH, WEST VALLEY CITY, UT 84120

167182

WARRANTY DEED

INDEXED

R. Dayle Brown and Virginia Brown, husband and wife, GRANTORS of Montpelier, County of Bear Lake, State of Idaho, hereby CONVEYS, GRANTS AND WARRANTS TO Lake Vista Properties, L.L.C., GRANTEES, whose current address is 2126 Bear Lake Blvd., Garden City, Utah 84028, for the sum of Ten and No/00 (\$10.00) the described tract of land in Bear Lake County, State of Idaho whose legal description is set forth in Exhibit "A" which has been initialed by Grantors and is attached hereto and incorporated herein by reference.

RESERVING UNTO GRANTORS a 30 foot easement particularly described in Exhibit "B" which has been initialed by Grantors and is attached hereto and is incorporated herein by reference, said easement being reserved for the sole purpose of conveying irrigation water by ditch, pipeline, or otherwise. Such easement shall be for the additional purpose of installing, repairing, and maintaining such water conveyance system. Said easement shall be appurtenant to the property described in Exhibit "C" which has been initialed by Grantors and is attached hereto and is incorporated herein by reference.

SUBJECT TO any right, title and interest claimed by G. Mark McKinnon and Joan McKinnon in and to the property described in Exhibit "D" which has been initiated by Grantors and is attached hereto and is incorporated herein by reference.

R. Dayle Brown  
R. Dayle Brown

Virginia Brown  
Virginia Brown



167182

STATE OF IDAHO        )  
                              : ss.  
County of Bear Lake    )

On this ~~10th~~ <sup>23<sup>rd</sup></sup> day of ~~June~~ <sup>July</sup>, 1997, before me, the undersigned Notary Public,

personally appeared R. Dayle Brown and Virginia Brown, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

*[Handwritten Signature]*

Notary Public for Idaho  
Commission expires: 12-01



## EXHIBIT "A"

Part of the SE 1/4, SW 1/4 and SW 1/4, SE 1/4 of Section 15 and the NE 1/4, NW 1/4 and NW 1/4, NE 1/4 of Section 22 in Township 16 South, Range 43 East, B.M., Bear Lake County, Idaho described as:

Beginning at a point on the south right-of-way line of Loveland Lane that is N 0°09'42" E 649.38 feet along the north-south center line of said Section 15 from the South 1/4 corner of said Section 15 and running thence S 76°40'28" E 11.86 feet along said south right-of-way; thence S 75°24'48" E 50.02 feet along said south right-of-way; thence S 00°09'42" W 394.22 feet; thence S 75°25'37" E 1085.55 feet thence N 16°36'20" E 380.67 feet to said south right-of-way; thence S 75°13'17" E 100.82 feet along said south right-of-way to an existing fence line; thence along said existing fence line the following (8) eight courses (1) S 25°18'30" W 84.67 feet; thence (2) S 16°36'20" W 320.19 feet; thence (3) S 15°13'29" W 354.75 feet; thence (4) S 16°27'14" W 476.03 feet; thence (5) N 75°32'26" W 780.18 feet; thence (6) N 79°41'23" W 155.08 feet; thence (7) N 76°23'25" W 1099.10 feet; thence N 74°58'58" W 320.02 feet to the west line of said NE 1/4, NW 1/4 of said Section 22; thence N 00°02'01" W 310.67 feet along said west line to the NW corner of said NE 1/4, NW 1/4; thence N 00°06'21" E 604.75 feet along the west line of said SE 1/4, SW 1/4 of said Section 15; thence S 74°54'21" E 966.13 feet along an existing fence line; thence S 76°10'42" E 402.12 feet to the north-south center line of said Section 15; thence N 00°09'42" E 393.96 feet along said center line to the point of beginning.

R. P. B. S.



167182

EXHIBIT "B"

30 Foot Irrigation Easement

Part of the South Half of Section 15, Township 16 South, Range 43 East, B.M., Bear Lake County, Idaho described as:

Beginning at a point that is N 89°55'40" E 1323.67 feet along the south line of said Section 15 to the south west corner of the SE 1/4, SW 1/4 and N 00°06'21" E 573.69 feet along the west line of said SE 1/4, SW 1/4 from the south west corner of said Section 15; thence N 00°06'21" E 31.06 feet along said west line; thence S 74°54'21" E 966.13 feet along an existing fence; thence S 76°10'40" E 402.12 feet along said existing fence; thence S 75°25'37" E 91.95 feet; thence S 14°34'23" W 30.00 feet; thence N 75°25'37" W 84.24 feet; thence N 76°09'51" W 409.76 feet; thence N 74°54'21" W 958.44 feet to the point of beginning.

*RT VB*

167182

EXHIBIT "C"

10 Acre Parcel

Part of the South East 1/4 of Section 15 and the North East 1/4 of Section 22, Township 16 South, Range 43 East, B.M., Bear Lake County, Idaho described as:

Beginning at a point that is N 00°09'42" E 255.42 feet along the north-south center line of said Section 15 and S 75°25'37" E 61.95 feet from the South 1/4 Corner of said Section 15 and running thence N 00°09'42" E 394.22 feet to the south right-of-way of Loveland Lane; thence S 75°24'48" E 870.75 feet along said south right-of-way; thence S 75°13'17" E 326.42 feet along said south right-of-way; thence S 16°36'20" W 380.67 feet; thence N 75°25'37" W 1085.55 feet to the point of beginning.

*RAM V. B*



EXHIBIT "D"

Part of the NE 1/4, NW 1/4 and the NW 1/4, NE 1/4 of Section 22, Township 16 South, Range 43 East, B.M., Bear Lake County, Idaho described as:

Beginning at a point on the West line of said NE 1/4, NW 1/4 that is N 89°55'40" E 1323.67 feet along the Section line and S 0°02'01" E 275.43 feet from the NW corner of said Section 22 and running thence S 75°36'41" E 1366.68 feet; thence N 0°01'46" W 29.64 feet; thence S 75°36'41" E 976.80 feet; thence N 16°13'19" E 475.20 feet; thence S 75°36'41" E 29.09 feet to an existing fence line thence S 15°39'29" W 40.58 feet along existing fence; thence S 16°27'14" W 476.03 feet along existing fence line; thence N 75°32'26" W 780.18 feet along existing fence line; thence N 79°41'23" W 155.08 feet along said fence; thence N 76°23'25" W 1099.10 feet along said fence; thence N 74°58'58" W 320.02 feet to said West line of said NE 1/4, NW 1/4; thence N 0°02'01" W 35.24 feet along said West line to the point of beginning.

*RAP. V. B*

97 JUL 23 PM 4 51  
*Dindy Joyce*  
DEPUTY FEE \$18.00

BEAR LAKE COUNTY RECORDER  
JAMES R. ROBERTS

167182

# WARRANTY DEED

**INDEXED**

For Value Received,

**LAKE VISTA PROPERTIES, L.L.C.,**  
Of 2126 BEAR LAKE BLVD., GARDEN CITY, County of RICH, State of UT., 84028,

THE GRANTOR(S),

do hereby, grant, bargain, sell, and convey unto

**McKINNON & COMPANY, A COLORADO PARTNERSHIP,**  
Of 12850 EVANS ROAD, ELBERT, State of CO., 80106,

THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of BEAR LAKE, State of Idaho:

Part of the SE¼ of Section 15 and the NE¼ of Section 22, Township 16 South, Range 43 East, B.M., Bear Lake County, Idaho, described as:

Beginning at a point that is North 00°09'42" East 255.42 feet along the North-South centerline of said Section 15 and South 75°25'37" East 772.40 feet to the TRUE POINT OF BEGINNING, from the South Quarter Corner of said Section 15, and running thence South 75°25'37" East 375.11 feet; thence North 16°36'20" East 380.67 feet to the South Right-of-Way of Loveland Lane; thence South 75°13'17" East 100.82 feet along said South Right-of-Way to an existing fence line; thence the following 5 courses along said fence line: (1) South 25°18'30" West 84.67 feet; (2) thence South 16°36'20" West 320.19 feet; (3) thence South 15°13'29" West 354.75 feet; (4) thence South 16°27'14" West 476.03 feet; (5) thence North 75°32'26" West 472.97 feet; thence North 16°36'20" East 855.08 feet to the Point of Beginning.

The said Grantor(s) hereby covenant to and with the said Grantee(s) that he is the owner(s) in fee simple of said premises; that they are free from all incumbrances, and that he will warrant and defend the same from all lawful claims whatsoever.

DATED THIS 23 DAY OF JULY, 1997.

LAKE VISTA PROPERTIES, L.L.C.

*Gary C. McKee*  
BY: GARY C. MCKEE, MEMBER

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 23rd day of July, 1997, before me a Notary Public in and for the State, personally appeared

GARY C. MCKEE

known to me to be a member in the limited liability company of LAKE VISTA PROPERTIES, L.L.C., and the Member who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company name.

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

*Kay Beck*  
Notary Public  
Residing at: *Duo*, Idaho.  
My Commission Expires: 12-01-00



97 JUL 23 PM 4 59  
*[Signature]*  
DEPUTY FEE

DEAR LAKE COUNTY RECORDER

167188

MAIL TAX NOTICE TO: **McKINNON & COMPANY, A COLORADO PARTNERSHIP**  
12850 EVANS ROAD, ELBERT, CO 80106



INDEXED

177312

WARRANTY DEED

Date	12-14-2000
Time	11:30 AM
Deputy	William
Clerk	Joan J. McKinnon
Fee	43.00

FOR VALUE RECEIVED, JOAN J. McKINNON, of 178 F Yellow Creek Road, Evanston, Wyoming, 82930, Grantor, do hereby, grant, bargain, sell, and convey unto JOAN J. McKINNON, as Trustee of the Joan J. McKinnon Revocable Trust dated June 17, 1992, of P. O. Box 1610, Evanston, Wyoming, 82931, Grantee, for the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of Bear Lake, State of Idaho:

Commencing at a point 5.12 chains North of the Southeast Corner of the Northeast Quarter of the Northwest quarter of Section 22, Township 16 South, Range 43 East of the Boise Base and Meridian; and running thence North 5.60 chains; thence South 75°35' East 14.80 chains; thence North 16°15' East 7.20 chains; thence South 75°35' East 6.50 chains; thence South 2°20' East 5.21 chains; thence South 26°55' West 5.18 chains; thence North 75°35' West 6.52 chains; thence South 16°15' West 2.42 chains; thence North 76° 30' West 13.25 chains to the place of beginning.

TOGETHER WITH that certain Right of Way Easement, as described in Grant of Easement dated 02 February and recorded 04 February 1991 as Microfilm Instrument No. 151936, records of Bear Lake County, Idaho.

SUBJECT TO that certain Pipeline Irrigation Easement as described in that certain Pipeline and Joint Use Agreement, dated 02 February 1991 and recorded 04 February 1991 as Microfilm Instrument No. 151937, records of Bear Lake County, Idaho.

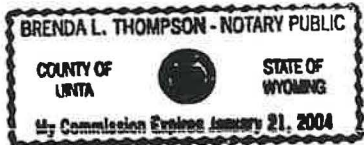
WITNESS my hand this 14<sup>th</sup> day of December, 2000.

Joan J. McKinnon  
Joan J. McKinnon

THE STATE OF WYOMING )  
 ) ss.  
COUNTY OF UINTA )

On this 14<sup>th</sup> day of December, in the year of 2000, before me, Brenda L. Thompson a notary public, personally appeared Joan J. McKinnon, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

WITNESS my hand and official seal.



My Commission Expires: 1/21/04

Brenda L. Thompson  
Notary Public

177310

INDEXED

WARRANTY DEED

STATE OF IDAHO
County of Bear Lake
Date 12-12-00
Time 11:47 AM
Deputy <i>Cunningham</i>
Clerk <i>Joan E. [unclear]</i>
Fee \$3.00

FOR VALUE RECEIVED, G. MARK MCKINNON, of 178 F Yellow Creek Road, Evanston, Wyoming, 82930, Grantor, do hereby, grant, bargain, sell, and convey unto G. MARK MCKINNON, as Trustee of the Glen Mark McKinnon Revocable Trust dated June 17, 1992, of P. O. Box 1610, Evanston, Wyoming, 82931, Grantee, for the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of Bear Lake, State of Idaho:

Commencing at a point 2.98 chains North of the Southeast Corner of the Northeast Quarter of the Northwest Quarter of Section 22, Township 16 South, Range 43 East of the Boise Base and Meridian; and running thence North 75°35' West 20.60 chains; thence North 7.70 chains; thence South 75°35' East 20.60 chains; thence South 7.70 chains to the place of beginning.

TOGETHER WITH that certain Right of Way Easement, as described in Grant of Easement dated 02 February and recorded 04 February 1991 as Microfilm Instrument No. 151936, records of Bear Lake County, Idaho.

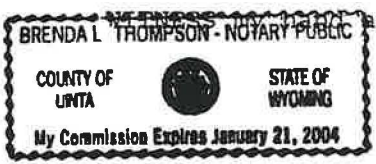
SUBJECT TO that certain Pipeline Irrigation Easement as described in that certain Pipeline and Joint Use Agreement, dated 02 February 1991 and recorded 04 February 1991 as Microfilm Instrument No. 151937, records of Bear Lake County, Idaho.

WITNESS my hand this 14<sup>th</sup> day of December, 2000.

*G. Mark McKinnon*  
G. Mark McKinnon

THE STATE OF WYOMING )  
 ) ss.  
COUNTY OF UINTA )

On this 14<sup>th</sup> day of December, in the year of 2000, before me, BRENDA L. THOMPSON a notary public, personally appeared G. Mark McKinnon, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



*Brenda L. Thompson*  
Notary Public

My Commission Expires:  
1/21/04