EXHIBIT 2
DATE 1/18/2011
HB 46

Form 4[redacted]

REALTY TRANSFER CERTIFICATE
CONFIDENTIAL TAX DOCUMENT

WHO MUST FILE: Any party transferring real property regardless of whether the transfer is or is not evidenced by deed or instrument or any party presenting an instrument or deed evidencing a transfer of real estate for recordation. Real estate includes land, growing timber, buildings, structures, fixtures, fences, and improvements affixed to land.

YOU MAY OWE INCOME TAXES: Any gain on this transfer is Montana source income and should be reported to the Department of Revenue on the appropriate income tax return.

WHEN AND WHERE TO FILE:

The completed Realty Transfer Certificate must be filed with the County Clerk & Recorder when the instrument or deed evidencing a transfer of real estate is presented for recording.

If the transfer is by operation of law, then a Realty Transfer Certificate with the required supporting documentation should be filed with the local Department of Revenue Office where the property is located. Please see Part 4 for further detailed information.

The Department of Revenue will change the ownership record when this form is fully and accurately completed and signed.

PART 1 – DATE OF TRANSFER (SALE)

This should be the date on which the instrument or deed was executed (the date the instrument or deed was signed by the Seller (Grantor) and Buyer (Grantee) unless otherwise specified in the deed or date of decedent's death). Contracts for Deed and Notices of Purchaser's Interest should use the date the contract or notice was initially signed, not the date the contract was finalized.

PART 2 – PARTIES

Seller (Grantor)/ Buyer (Grantee): Enter the names of the seller (grantor) and buyer (grantee) exactly as they appear on the transferring document. Business organizations, corporations, trusts, etc. should enter their name(s) exactly as it appears on the transferring document.

Addresses: For the seller (grantor) enter the current mailing address. The seller (grantor) and the buyer (grantee) are requested to mark Yes or No to indicate if the property subject to this transfer has been or will be the location of their principal residence. A principal residence is a residential dwelling that was occupied, in the case of the seller (grantor), or will be occupied, in the case of the buyer (grantee), by the owner for at least 7 months (198 days) of the calendar year. For the buyer (grantee) enter the permanent mailing address. If the tax notice is to be sent to a different mailing address, please complete the additional mailing information.

SSN or FEIN: **For individuals, list the last 4 digits of the social security** number of all legal owners named in the transferring document. Business organizations, corporations, trusts, etc. list the last 4 digits of the federal ID number(s) of the legal entity(ies) named in the transferring document, § 15-1-201, MCA and 42 USC § 405(c)(2)(C)(i)(iv). The Department of Revenue utilizes personal identification numbers to cross match Realty Transfer Certificates with income tax returns to ascertain taxpayer compliance on gains from real estate sales or transfers and to identify delinquent taxpayers. Additional SSN or FEIN numbers (last 4 digits) may be provided on an attachment.

Daytime Phone: Enter phone numbers for both the seller (grantor) and buyer (grantee).

PART 3 – PROPERTY DESCRIPTION

This section identifies the parcel that is being transferred by location and is the legal description found on the instrument or deed conveying the real estate or the abstract to the real estate.

The property description may be provided on an attachment, and be identified by checking the applicable box.

PART 4 – TYPE OF TRANSFER (Please refer to "When and Where to File" above.)

Transfer by Recorded Instrument: Check the box(es) that apply to the type of transfer for which an instrument has been recorded with the County Clerk and Recorder.

Transfer by Operation of Law: Check the box(es) that apply to the type of transfer. A copy of the following applicable documentation must be attached to the Realty Transfer Certificate.

- Termination of Joint Tenancy by Death – death certificate and deed that created the joint tenancy with right of survivorship.
- Court Decree -
  - Personal Representative, Special Administrator or Public Administrator – death certificate, order of appointment and letters of administration and an affidavit that their appointment has not been terminated.
  - Conservator – Order of Appointment and Letter of Conservatorship or copy of the order terminating the conservatorship.
- Merger, consolidation or other business reorganization – Plan of Reorganization.
  - Name change only – documents filed with the Secretary of State to accomplish the name change.

PART 5 – EXCEPTION FROM PROVIDING SALES PRICE INFORMATION

If any of the exceptions listed apply to this transfer, please check the appropriate line and do not complete Section 6. If you are unsure whether this transaction should be defined as an exception, or if you have any other questions concerning exception status, please request a determination from your local Department of Revenue Office.

PART 6 – SALE INFORMATION (If there is no exception checked in Part 5, you must complete this section.)

CONFIDENTIALITY: Sale information is confidential and only for official use by the Department of Revenue.

Enter the total purchase price paid for the sale parcel. This should include cash, mortgages, property traded, liabilities assumed, leases, easements and personal property.

Financing: If you paid cash for the entire sale parcel, check the box in front of Cash. If you financed the property by receiving a loan indicate the type by checking the appropriate box; Federal Housing Administration (FHA) Loan, Veterans Administration (VA) Loan or Conventional. If this was a contract for deed or trust indenture, indicate by checking the box in front of Contract. If there was some other type of financing used such as a Montana Board of Housing Loan, trade of property, etc. please indicate by checking the box in front of Other. Also, indicate whether this was a new loan or an assumption of an existing loan.

Personal Property: Enter the dollar amount of any personal property included with the sale of this parcel. Personal property includes furniture and fixtures, business and farm equipment, livestock, recreational vehicles, leases and easements, and mobile homes. Anything that is permanently attached to the real estate should not be included. Negligible personal property included in a residential sale need not be reported.

SID (Special Improvement District – liens levied against the property for amenities like street paving, sewers, water systems, etc.): Please answer the questions by checking the appropriate boxes, also include the amount of the SID paid or assumed.

Value of Inventory: Please provide the value of any business inventory that was included in the sales price.

Value of Licenses: Please provide the value of any licenses included in the sales price i.e., liquor licenses, gambling licenses, etc.

Value of Good Will: Please provide the value of Good Will included in the sale price. (Good Will is defined as "the economic advantage over competitors that a business has acquired by virtue of habitual patronage of customers".)

PART 7 – WATER RIGHTS DISCLOSURE – This disclosure must be completed and signed by the seller or the seller's legally appointed agent. Refer to page 2 for further information about the disclosure. If Box D has been checked, the Certification of Water Right Ownership Update (page 5) must also be signed by the seller (grantor), the buyer (grantee), and the escrow agent (if applicable) to enable recordation of the deed or instrument by the County Clerk and Recorder.

PART 8 – PREPARER INFORMATION - All Realty Transfer Certificates must be signed and dated by the preparer. By his/her signature the preparer indicates the information provided is true and correct to the best of his/her knowledge, that the seller (grantor) and the buyer (grantee) have examined the completed Realty Transfer Certificate and agree the information contained within is correct and accurate.

WATER RIGHT DISCLOSURE INFORMATION

The Water Right Disclosure is required by Montana Law. Legislators decided it is important for both the buyer and seller of property to know what the water right situation is — whether any water rights exist, and whether they are being transferred with or withheld from the property.

A water right is a legally protected right to beneficially use water in priority that was obtained in accordance with Montana law. Buyers should be careful to investigate whether water being used on a piece of property amounts to a valid water right, or is merely an unauthorized and unprotectable use of water. In Montana all irrigation water rights must have a valid DNRC water right number to be of record. However, existing rights for livestock and individual domestic, as opposed to municipal uses, based on an instream flow or groundwater source before July 1, 1973, do not need a DNRC water right number. If a water right does not have a DNRC number, and does not fall within the above narrow exception, then there is no water right.

Once the water rights appurtenant to a piece of property have been identified, the investigation of water right should not stop there. Although a water right may have a valid DNRC water right number, it may still be subject to final adjudication in Montana's general stream adjudication. The Montana Water Court is currently adjudicating all Statements of Claim for pre-July 1, 1973, water rights. How good a water right is depends on how it comes out of the adjudication, and how its priority compares to other water rights on a source of supply. You may need to consult an attorney or water rights consultant for an opinion as to the status of that water right. The Montana Water Court can answer questions about the current status of Statements of Claim being adjudicated by calling 1-800-624-3270 (in state) or 406-586-4364.

If there are water rights which have been historically used on the property being transferred, but are not going to be transferred in the sale of land, the deed must specifically exempt (reserve) those water rights from the land sale. Otherwise, if the deed is silent, the water rights automatically pass with the land by operation of law.

The following descriptions may be of some help in determining which box to mark in Part 7, Water Rights Disclosure. If further assistance is needed, you may want to seek legal advice.

CHECK ONLY ONE BOX (on Part 7, Water Rights Disclosure on page 3)

To correctly complete this water right disclosure the seller needs to know if there are water rights in the seller's or previous land owner's name that are on record with the Department of Natural Resources & Conservation (DNRC).

A. Property is served by a public water supply, i.e., city or water district provides water. Check this box if the water you use on the land described in this document is provided by a city, town, water users association, or other entity. The seller does not need to file a Water Right Ownership Update form.

B. Seller has no water rights on record with DNRC to transfer. Check this box if you do not have any water rights on record with the Department of Natural Resources & Conservation. The seller does not need to file a Water Right Ownership Update form.

C. Seller is transferring ALL water rights on record with DNRC to the Buyer. If all of the water rights you (seller) have on record with the DNRC will be transferring to the buyer, check this box. The seller does not need to file a Water Right Ownership Update form. All of the water rights associated with the land described in part 3 will have the owner name automatically updated. The fee for the ownership update must be submitted to the DNRC with the following information: the buyer's name and address, the seller's name and address, the geocode, the water right numbers being transferred, and the amount of the fee. The fee and the filing fee log sheet can be found at the following website, www.dnrc.mt.gov/wrd/water_rts/HB39/. Submit the fee and filing fee log sheet to **OWNERSHIP UPDATE, DNRC, PO BOX 201601, HELENA MT 59620-1601**. DNRC will send an acknowledgement of the ownership update to the new owner.

D. Seller is dividing or exempting (reserving) water rights. Seller must file Water Right Update form. If you (seller) have divided the property and water rights or have exempted (reserved) the water rights (not transferred with the land sale), check this box and complete the Certification on page 5. The seller must submit an Ownership Update–Exempt (Reserved) Water Right Form No. 642 and filing fee identifying which water right has been kept by the seller. If a water right has been divided, the seller must file an Ownership Update-Divided Interest Form No. 641 and filing fee explaining how and with whom the water right was divided.

Contact the DNRC for information if water is used on the property other than described above.

REALTY TRANSFER CERTIFICATE

CONFIDENTIAL TAX DOCUMENT

The information contained in this certificate is confidential by Montana law. Unauthorized disclosure of this information is a criminal offense.

GEOCODE(S) _____

ASSESSMENT CODE: _____

The Department of Revenue will change the name on ownership records used for the assessment and taxation of real property when this form is fully and accurately completed and signed. (Please read the attached instructions on page 1 for assistance in completing and filing this form).

Montana law requires this form be completed and may impose up to a $500 penalty for failure to file a Realty Transfer Certificate (15-7-304, 305 and 310, MCA)

PART 1 – DATE OF TRANSFER (SALE)

_____ (MM/DD/YYYY)

PART 2 – PARTIES

Please complete this section in full, if additional space is required, please attach a separate page

SELLER (Grantor)

Name _____

Mailing Address _____

(Permanent) _____

City _____ ST____ Zip _____

Seller Principal Residence __Yes __No

List the last 4 digits of the SSN or FEIN

SSN 000 - 00 - _____

SSN 000 - 00 - _____

FEIN 00 - 000

Daytime Phone _____

BUYER (Grantee)

Name _____

Mailing Address _____

(Permanent) _____

City _____ ST____ Zip _____

Buyer Principal Residence __Yes __No

Mailing Address _____

For Tax Notice _____

(If different) City _____ ST____ Zip _____

SSN 000 - 00 - _____

SSN 000 - 00 - _____

FEIN 00 - 000

Daytime Phone _____

Transfer to Trustee, Custodian, or other Representative:

Trust FEIN 00 - 000

Minor SSN 000 - 00 - _____

Assessor Code or Parcel # ____

Main Geocode ____ / ____ / ____ / ____ / ____

PART 3 – PROPERTY DESCRIPTION

Please complete fully, if additional space is required, please attach a separate page

Legal Description: _____ Attachment ☐

Add/Sub _____ Block _____ Lot _____

County _____ City/Town _____ Section _____ Township _____ Range _____

PART 4 – TYPE OF TRANSFER

Please complete fully, more than one may apply.

Transfer by Recorded Instrument

☐ Sale ☐ Gift ☐ Barter ☐ Nominal or No Consideration ☐ Part of 1031 or 1033 exchange ☐ Transfer is subject to a reserved life estate

Transfer by Operation of Law

☐ Termination of joint tenancy by death ☐ Termination of life estate by death ☐ Court Decree ☐ Merger, consolidation, or other business entity reorganization

PART 5 – EXCEPTIONS FROM PROVIDING SALES PRICE INFORMATION

Please complete fully, more than one may apply

☐ Gift

☐ Transfer in contemplation of death without consideration

☐ Transfer between husband/wife or parent/child for nominal consideration

☐ Transfer of property of the estate of a decedent

☐ Transfer by government agency

☐ Correction, modification, or supplement of previously recorded instrument, no additional consideration

☐ Termination of joint tenancy by death

☐ Termination of life estate by death

☐ Transfer pursuant to court decree

☐ Tax deed or sheriff's deed

☐ Foreclosure (include trustee transfer under trust indenture and deed in lieu of foreclosure)

☐ Merger, consolidation or reorganization of business entity

☐ Timberland/Forestland exemption

☐ Land eligible for Agricultural Classification (15-7-201, MCA)

☐ Transfer to a revocable living trust

☐ Other (Specify Type) _____

PART 6 – SALE PRICE INFORMATION

Please complete fully, more than one may apply

Actual Sale Price $ _____

Financing: __Cash __FHA __VA __Contract __Other

Terms: __New loan OR __Assumption of existing loan

Value of personal property included in sale $ _____

Value of inventory included in sale $ _____

Value of licenses included in sale $ _____

Value of good will included in sale $ _____

Was an SID payoff included in the sale price? ____Yes ____No

Did the buyer assume an SID? ____ Yes ____No

Amount of SID paid or assumed: $ _____

Was a mobile home included in the sale? ____ Yes ____ No

PART 7 – WATER RIGHT DISCLOSURE -- This Disclosure is only applicable to the property identified in PART 3 above

☐ **A.** Property is served by a public water supply, i.e., city, irrigation district, or water district provides water.

☐ **B.** Seller has no water rights on record with DNRC to transfer.

☐ **C.** Seller is transferring ALL water rights on record with DNRC to the Buyer.

☐ **D.** Seller is dividing or exempting (reserving) water rights. Seller must file Water Right Update form.

Seller (Grantor) Signature _____ Date _____

PART 8 – PREPARER INFORMATION

Preparer's signature is required

Name/Title _____ (please print) Signature _____

Mailing Address _____ Daytime Phone _____

City _____ ST _____ Zip _____

Clerk and Recorder Use Only

Recording Information: Document # _____ Book _____ Page _____ Date _____

__Warranty __Trust Deed __Quit Claim __Grant __Contract for Deed __Decree __Interest

__Bargain & Sale Deed __Notice of Purchaser's Interest __Statement of Acknowledgement __Termination of Joint Tenancy

__Tax Deed __Beneficiary Deed __Other

Department of Revenue Copy

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CONFIDENTIAL TAX DOCUMENT

The information contained in this certificate is confidential by Montana law. Unauthorized disclosure of this information is a criminal offense.

GEOCODE(S) _____

ASSESSMENT CODE: _____

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Montana law requires this form be completed and may impose up to a $500 penalty for failure to file a Realty Transfer Certificate (15-7-304, 305 and 310, MCA)

PART 1 – DATE OF TRANSFER (SALE)

_____(MM/DD/YYYY)

PART 2 – PARTIES

Please complete this section in full, if additional space is required, please attach a separate page

SELLER (Grantor)

Name _____

Mailing Address _____

(Permanent) _____

City _____ ST_____ Zip _____

Seller Principal Residence __Yes __No

BUYER (Grantee)

Name _____

Mailing Address _____

(Permanent) _____

City _____ ST_____ Zip _____

Buyer Principal Residence __Yes __No

Mailing Address _____

For Tax Notice _____

(If different) City _____ ST_____ Zip _____

Main Geocode ___/___/___/___/___/___

Assessor Code or Parcel # _____

PART 3 – PROPERTY DESCRIPTION

Please complete fully, if additional space is required, please attach a separate page

Legal Description: _____ Attachment ☐

Add/Sub_____ Block _____ Lot _____

County_____ City/Town _____ Section _____ Township _____ Range _____

PART 4 – TYPE OF TRANSFER

Please complete fully, more than one may apply.

Transfer by Recorded Instrument

☐ Sale ☐ Gift ☐ Barter ☐ Nominal or No Consideration ☐ Part of 1031 or 1033 exchange ☐ Transfer is subject to a reserved life estate

Transfer by Operation of Law

☐ Termination of joint tenancy by death ☐ Termination of life estate by death ☐ Court Decree ☐ Merger, consolidation, or other business entity reorganization

PART 5 – EXCEPTIONS FROM PROVIDING SALES PRICE INFORMATION

Please complete fully, more than one may apply

- ☐ Gift
- ☐ Transfer in contemplation of death without consideration
- ☐ Transfer between husband/wife or parent/child for nominal consideration
- ☐ Transfer of property of the estate of a decedent
- ☐ Transfer by government agency
- ☐ Correction, modification, or supplement of previously recorded instrument, no additional consideration
- ☐ Termination of joint tenancy by death
- ☐ Termination of life estate by death
- ☐ Transfer pursuant to court decree
- ☐ Tax deed or sheriff's deed
- ☐ Foreclosure (include trustee transfer under trust indenture and deed in lieu of foreclosure)
- ☐ Merger, consolidation or reorganization of business entity
- ☐ Timberland/Forestland exemption
- ☐ Land eligible for Agricultural Classification (15-7-201, MCA)
- ☐ Transfer to a revocable living trust
- ☐ Other (Specify Type) _____

PART 6 – SALE PRICE INFORMATION

Please complete fully, more than one may apply

Actual Sale Price $ _____

Financing: __Cash __FHA __VA __Contract __Other

Terms: __New loan OR __Assumption of existing loan

Value of personal property included in sale $ _____

Value of inventory included in sale $ _____

Value of licenses included in sale $ _____

Value of good will included in sale $ _____

Was an SID payoff included in the sale price? ____Yes ____No

Did the buyer assume an SID? ____ Yes ____No

Amount of SID paid or assumed: $ _____

Was a mobile home included in the sale? ____ Yes ____No

PART 7 – WATER RIGHT DISCLOSURE -- This Disclosure is only applicable to the property identified in PART 3 above

☐ **A.** Property is served by a public water supply, i.e., city, irrigation district, or water district provides water.

☐ **B.** Seller has no water rights on record with DNRC to transfer.

☐ **C.** Seller is transferring ALL water rights on record with DNRC to the Buyer.

☐ **D.** Seller is dividing or exempting (reserving) water rights. Seller must file Water Right Update form.

Seller (Grantor) Signature _____ Date _____

PART 8 – PREPARER INFORMATION

Preparer's signature is required

Name/Title _____(please print) Signature _____

Mailing Address _____ Daytime Phone _____

City_____ ST _____ Zip _____

Clerk and Recorder Use Only

Recording Information: Document #_____ Book_____ Page_____ Date_____

__Warranty __Trust Deed __Quit Claim __Grant __Contract for Deed __Decree __Interest

__Bargain & Sale Deed __Notice of Purchaser's Interest __Statement of Acknowledgement __Termination of Joint Tenancy

__Tax Deed __Beneficiary Deed __Other

Buyer/Seller Copy

Montana Department of Natural Resources and Conservation
1424 9th Avenue, PO Box 201601
Helena, MT 59620-1601
444-6601; 444-0533 (fax)

Certification of Water Right Ownership Update

The Realty Transfer Certificate submitted with the deed or other instrument indicates a water right is being divided or exempted (reserved) from the property. The Clerk and Recorder may not record the deed or instrument unless this certification is completed and signed by the buyer, seller, and escrow agent (if applicable). See MCA 85-2-424(6).

☐ The required form (DNRC Ownership Update Divided Interest Form 641 or DNRC Ownership Update Exempt/ Reserved Form 642) and the required fee are held in escrow.

I certify under penalty of false swearing that the statement appearing here is to the best of my knowledge true and correct.

Seller Signature: _____ Date: _____

Buyer Signature: _____ Date: _____

Escrow Agent Signature: _____ Date: _____

☐ There is no escrow. The required form (DNRC Ownership Update Divided Interest Form 641 or DNRC Ownership Update Exempt/Reserved Form 642) has been prepared and will be sent with the required fee to the Department of Natural Resources and Conservation within five business days of recording.

I certify under penalty of false swearing that the statement appearing here is to the best of my knowledge true and correct.

Seller Signature: _____ Date: _____

Buyer Signature: _____ Date: _____

If you have questions contact your local water resources regional office.

BILLINGS
406-247-4415
Big Horn, Carbon, Carter, Custer, Fallon, Powder River, Prairie, Rosebud, Stillwater, Sweet Grass, Treasure, and Yellowstone Counties

BOZEMAN
406-586-3136
Gallatin, Madison, and Park Counties

GLASGOW
406-228-2561
Daniels, Dawson, Garfield, McCone, Phillips, Richland, Roosevelt, Sheridan, Valley, and Wibaux Counties

HAVRE
406-265-5516
Blaine, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, and Toole Counties

HELENA
406-444-6999
Beaverhead, Broadwater, Deer Lodge, Jefferson, Lewis and Clark, Powell, and Silver Bow Counties

KALISPELL
406-752-2288
Flathead, Lake, Lincoln, and Sanders Counties

LEWISTOWN
406-538-7459
Cascade, Fergus, Golden Valley, Judith Basin, Meagher, Musselshell, Petroleum, and Wheatland Counties

MISSOULA
406-721-4284
Granite, Mineral, Missoula, and Ravalli Counties