

City of Driggs

80 North Main St. - P.O. Box 48
Driggs, Idaho
83422

Phone: (208) 354-2362 - FAX: (208) 354-8522
www.driggs.govoffice.com

Louis B. Christensen, Mayor

February 2, 2005

Nick Olson
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402

RECEIVED

FEB 04 2005

Department of Water Resources
Eastern Region

Dear Mr. Olson,

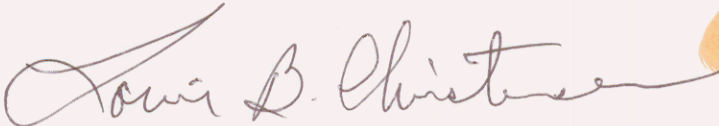
Attached is a copy of the Warranty Deeds regarding the Broulim's property in Driggs. The Warranty Deed going from Hillman's Economy Cash, Inc. to Broulim's Supermarket, Inc. Instrument number 131744.

Then a Warranty Deed from Broulim's Supermarket, Inc to the City of Driggs is covered by Warranty Deed instrument number 162688.

I hope this helps with keeping track of where it is all going. We currently plan to use the well for potential irrigation of landscape.

Thank you for your help.

Sincerely,



Louis B. Christensen



IF THIS HAPPENS -
THEY NEED TO DO A
TRANSFER TO CHANGE
PURPOSE OR USE FROM
COMMERCIAL TO IRRIG.
AND, IRRIG IS A PROBLEM
@ 0.02 cfs (9 gpm) - IT'S
NOT GONNA IRRIG MUCH.

CORPORATION WARRANTY DEED

131744

1. Date

Effective as of 12:00a.m. September 27, 1998

2. Parties

Grantor: Hillman's Economy Cash, Inc., an Idaho corporation, d/b/a Hillman's Thriftway (Thriftway)

Current address: 52 South Main, Driggs, Idaho

Supplement 1/02

Grantee: Broadbent, Inc., an Idaho corporation (Broadbent)

Current address: 415 North 3900 East, Rigby, Idaho 83442

3. Property

Idaho County: Teton

Transferred Interest: A full fee interest in the real property described below.

Description:

Parcel 1: Beginning at a point 49.5 feet West and 149.5 feet South of the Northeast corner of the Northwest Quarter of Section 35, Township 5 North, range 45 East, Boise Meridian, Teton County, Idaho, and thence running West 234 feet; thence South 231 feet; thence East 284 feet; thence North 231 feet to the point of beginning.

Parcel 2: Beginning at a point 199.5 feet West and 510 feet South of the Northeast corner of the Northwest Quarter of Section 35, Township 5 North, range 45 East, Boise Meridian, Teton County, Idaho and running thence West 114 feet; thence South 150 feet; thence East 114 feet; thence North 150 feet to the point of beginning.

Also including: Beginning at a point 49.5 feet West and 49.5 feet South of the Northeast corner of the Northwest Quarter of Section 35, Township 5 North, range 45 East, Boise Meridian, Teton County, Idaho and running thence West 202 feet; thence North 105 feet; thence West 84 feet; thence South 130.5 feet; thence East 284 feet; thence North 25.5 feet to the point of beginning.

Together With:

Easement:

Granted To: Village of Driggs

Purpose: Sewer Collection Pipe

Recorded: February 8, 1988 as Instrument No. 65408

Easement:

Granted To: Fall River Rural Electric Cooperative, Inc.

Purpose: Public Utilities

Recorded: November 28, 1988 as Instrument No. 103468.

Subject To:

Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.

Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water, whether or not the matters in this paragraph are shown by the public records.

Taxes, including any assessments collected therewith, for the year 1998 which are a lien not yet payable.

Easement:

Granted To: Village of Driggs

Purpose: Sewer Collection Pipe

Recorded: February 8, 1988 as Instrument No. 65408

Easement:

Granted To: Fall River Rural Electric Cooperative, Inc.

Purpose: Public Utilities

Recorded: November 28, 1988 as Instrument No. 103468.

Deed of Trust:

Amount: \$283,000

Trustor: Hillman's Economy Cash, Inc.

Trustee: First American Title Co.

Beneficiary: East Central Idaho Development Co.

Recorded: October 30, 1985, Instrument No. 97702 with modifications and amendments.

Deed of Trust:

Amount: \$437,685.74

Trustor: Hillman's Economy Cash, Inc.

Trustee: First American Title Co.

Beneficiary: Key Bank of Idaho

Recorded: October 31, 1985, Instrument No. 121768 (Parcel 1)

Deed of Trust:

Amount: \$447,000

Trustor: Hillman's Economy Cash, Inc.

Trustee: First American Title Co.

Beneficiary: East Central Idaho Development Co.

Recorded: October 31, 1985, Instrument Nos. 121768, 121769 with modifications and amendments.

Financing Statement

Debtor: Hillman's Economy Cash, Inc.

Secured Party: Small Business Administration

Recorded November 8, 1985

Instrument No. 97745

Continuation/Record: August 27, 1990, as Instrument No. 108472

Financing Statement

Debtor: Hillman's Economy Cash, Inc.

Secured Party: Valley Bank

Recorded: November 24, 1987

Instrument No. 101721

Financing Statement

Debtor: Hillman's Economy Cash, Inc., Guy R. Hillman, Eric L. Hillman, Kent L. Hillman and Ava J. Hillman

Secured Party: Key Bank of Idaho

Recorded: September 30, 1994

Instrument No. 117722

Financing Statement

Debtor: Helman's Economy Cash, Inc.
Secured Party: East-Central Idaho Development Company
Recorded: October 31, 1995
Instrument No. 121785

131744

RECEIVED
OCT 08 1995
TETON CO., ID
CLERK RECORDER

4. Consideration

Ten Dollars and other good and valuable consideration, receipt of which is acknowledged.

5. Grant

Grantor, for the consideration listed above grants, bargains, sells, conveys and confirms to grantees, their heirs, successors and assigns, the transferred interest in the property described in this deed.

6. Warranties

Grantor, for itself, its successors and assigns, covenants with grantees, and their heirs, successors, and assigns as follows:

Grantor is current, the owner of the property as described in this deed.

Grantor has good right to convey the property described in this deed to grantees.

The property described in this deed is free from all encumbrances, except as otherwise shown in this deed.

Grantor and its heirs and successors will forever warrant and defend the quiet and peaceful possession of the property granted by this deed to grantees, heirs, successors and assigns against the lawful claims of all persons.

7. Construction

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

HELMAN'S ECONOMY CASH, INC.

By: Ken J. Blalock
Its: President

STATE OF IDAHO)
) ss.
County of BONNEVILLE)

On September 24, 1995, before me, Winston V. Beard, an
Idaho Notary Public, personally appeared
Ken J. Blalock, known or identified to me to be the
President of the corporation that executed the instrument or the
person who executed the instrument on behalf of said corporation, and
acknowledged to me that such corporation executed the same.

In witness, I have set my hand and affixed my official seal the day and year in
this certificate first above written.

Winston V. Beard
Notary Public for Idaho
Residing at: Idaho Falls ID
Commission Expires: 5/27/00

(SEAL)



2
131744

131744

FILED
AT THE REQUEST OF
ALLIANCE TITLE AND ESCROW
AT 4:55 PM OCT 9 1995
DATE Oct 9 1995
Chas J. Drake
BY Dana Hughes
DEPUTY

25-989E-G
ALLIANCE TITLE & ESCROW
P.O. BOX 732
BLANDING, ID 83400

WARRANTY DEED

RECEIVED

AUG 03 2004

TETON CO., ID
CLERK RECORDERFor Value Received **Broulims Supermarket, Inc., an Idaho corporation**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

City of Driggs, a Municipal corporationwhose address is: **PO Box 48, Driggs, ID 83422**Hereinafter called the Grantee, the following described premises situated in **Teton County, Idaho**, to-wit:**A part of the Northwest Quarter of Section 35, Township 5 North, Range 45 East, B.M., U.S. Survey in the City of Driggs, Teton County, Idaho:****Beginning at a point on the West Line of State Highway 33 (Main Street) as it exists at 49.50 feet half-width being 49.50 feet North 89°53'21" West along the Section Line; and 148.50 feet South 0°06'59" West along said West Line of the State Highway from the North Quarter Corner of said Section 35; and running thence South 0°06'59" West 231.00 feet along said West Line; thence North 89°53'21" West 264.00 feet; thence North 0°06'59" East 231.00 feet; thence South 89°53'21" East 264.00 feet to the point of beginning.**

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

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

Dated: *8-2-04***Broulims Supermarket, Inc., an Idaho corporation**BY: *C. Richard Broulim*
President

STATE OF Idaho

)ss.

COUNTY OF TETON

Instrument # 162655

DRIGGS, TETON, IDAHO

2004-08-03

01:20:21 No. of Pages: 1

Recorded for : FIRST AMERICAN TITLE

NOLAN G. BOYLE

Fee: 3.00

Ex-Officio Recorder Deputy *N. G. Boyle*

Index to: DEED, WARRANTY

On this 2nd day of August, 2004, before me a notary public, personally appeared C. Richard Broulim, known or identified to me (or proved to me on the oath of), to be the president, or vice president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Jerrilee J. Brower
Notary Public of *Idaho*
Residing at: *Tetonia, Idaho*
Commission Expires: *2-27-10*JERRILEE J. BROWER
NOTARY PUBLIC
STATE OF IDAHO

162655