

Holden Kidwell
Hahn Crapo PLLC

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August 6, 2009

Lon Haney
260 N. 9th St.
Pocatello, ID 83420

RE: Request to Install Pipeline near Road on Property in Butte County.

Dear Mr. Haney:

Our client, Mike Telford, is in the process of developing a new well to irrigate a portion of his farm ground. Due to the location of the well and the land which Mr. Telford will irrigate with that water, it is necessary to bury a pipeline to carry the water from the well to Mr. Telford's property. The proposed route of this pipeline will cross of portion of your property next to a road that we understand is maintained by the County, but is not actually owned by the County. Accordingly, Mr. Telford would like to acquire an easement from you which would enable him to bury his pipe across that portion of your land described above. Mr. Telford recognizes the temporary inconvenience that this project may present, however once the pipeline is in place, your land will be restored to its previous condition and you should notice no visible signs of the pipe. Mr. Telford would like to work this matter out in a manner that meets your needs and at a time that will cause minimum inconvenience. Please contact me to discuss acquisition of the easement.

We should also point out that if for some reason you are unwilling to grant Mr. Telford this easement, he is authorized to exercise the power of eminent domain pursuant to Idaho Code §§ 7-701 to 7-721, which specifically authorizes condemnation of private land for "canals, ditches, flumes, aqueducts and pipes" (Idaho Code § 7-701(3)) and pursuant to Idaho Code §§ 42-1102 and 42-1106, which specifically provides that "[i]n case of the refusal of the owners or claimants of any lands, through which any ditch, canal, or conduit is proposed to be made or constructed, to allow passage thereof, the person or persons desiring the right of way may proceed as in the law of eminent domain." Idaho Code § 42-1106. We would much prefer to work out an arrangement than go through the condemnation proceeding,

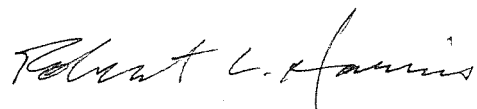
Please contact me within fourteen days if you would be willing to grant Mr. Telford

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the requested easement. You can contact me at the above address, by phone at 523-0620, or by email at rharris@holdenlegal.com.

Best Regards,

A handwritten signature in cursive script, appearing to read "Robert L. Harris".

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C

c: Mike Telford