

AGREEMENT

The Fish Creek Irrigation Company hereby formally agrees to continue transporting the City of Lava Hot Springs, Idaho, Fish Creek water. The water has been transported through the system in the past and any excess has been used by the users in the Fish Creek Irrigation system. The City of Lava Hot Springs hereby formally grants Fish Creek Irrigation Company the privilege to continue using any excess water that is not being leased or used by the city for transporting services.

Signed: Dean Day
Dean Day, President
Fish Creek Irrigation Company

Signed: Raymond E. Bailey
Raymond E. Bailey, Mayor
City of Lava Hot Springs

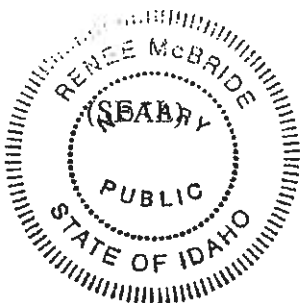
ATTEST:

Canda L. Dimick
Canda L. Dimick, City Clerk

STATE OF IDAHO)
 : SS
COUNTY OF BANNOCK)

On this 1st day of April, 2004, before me, the undersigned Notary Public. Personally appeared Raymond E. Bailey and Canda Dimick, known to me to be the Mayor and Clerk of the City of Lava Hot Springs, Idaho, and acknowledged to me that they executed the foregoing instrument on behalf of the City.

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



Renee McBride
NOTARY PUBLIC FOR IDAHO
Residing at Lava Hot Springs
Commission Expires: May 31, 2006