

Transfer No. 75076

Receipt No. 5030411

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information RICHARD F POTEET

788 E 800 N

RUPERT ID 83350

(208)531-4090

And/Or

SHERMA F POTEET

788 E 800 N

RUPERT ID 83350

(208)531-4090

And/Or

TRIANGLE P, L. L. C.

788 E 800 N

RUPERT ID 83350

(208) 531-4090

Will this transfer result in an ownership change? Y Yes No**2. Current Water Right****Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
36-2089	WR/Decreed	4.84	1,700.0	425.0	499.0	GROUND WATER
36-10852	WR/Decreed	0.14		425.0	499.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-2089	NO	NO	NO	YES	NO	NO
36-10852	NO	NO	NO	YES	NO	NO

Describe the reason for the proposed changes

To add another point of diversion to augment our water supply.

4. FOR CHANGES IN NATURE OF USE ONLY**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

N/A

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

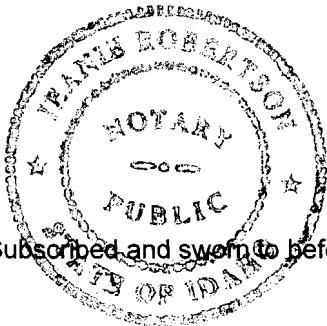
B. Describe the effects on other water uses resulting from the proposed change

N/A

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
36-2089	4.84 cfs	425.0	499.0	1,700.0 af
36-10852	0.14 cfs	425.0	499.0	
TOTAL	4.84 cfs 4.98	425.0	499.0	1,700.0 af

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



Aherma Poteet
(Signature of Applicant)

Manager
(Title or Office)

Subscribed and sworn to before me this 15th day of September, 2008.

Jeanie Robertson
(Notary Public)

My commission expires 1-12-13

Transfer No. 75076

Receipt No. 5030411

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 36-2089

Priority Date: March 28, 1950

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	4.84 CFS	1,700.0 AFA	
	Total Diversion	4.84 CFS	1,700.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNESW Sec. 16 Twp 08S Rge 26E BLAINE County

GROUND WATER NESWNE Sec. 17 Twp 08S Rge 26E BLAINE County

GROUND WATER SENWSE Sec. 17 Twp 08S Rge 26E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 26E 16	12.0	13.0	40.0	39.0	33.0	39.0	39.0	40.0	39.0	39.0	38.0	4.0	37.0	36.0	17.0	34.0	499.0

Total Acres: 499

Conditions/Remarks:

1. Rights 36-2089 and 36-10852 when combined shall not exceed the total instantaneous diversion of water from all points of diversion of 4.98 cfs, nor a total annual maximum diversion volume of 1700.0 af at the field headgate, and the irrigation of 425.0 acres.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Approval of Transfer 69569 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Page 4

5. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A and 36-7823A are diverted through the point(s) of diversion described above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Documentation of Ownership of the Current Place of Use

Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 75076

Receipt No. 503041

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 36-10852

Priority Date: January 01, 1968

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.14 CFS		
	Total Diversion	0.14 CFS		

Source and Point(s) of Diversion:

GROUND WATER SWNESW Sec. 16 Twp 08S Rge 26E BLAINE County

GROUND WATER NESWNE Sec. 17 Twp 08S Rge 26E BLAINE County

GROUND WATER SENWSE Sec. 17 Twp 08S Rge 26E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 26E 16	12.0	13.0	40.0	39.0	33.0	39.0	39.0	40.0	39.0	39.0	38.0	4.0	37.0	36.0	17.0	34.0	499.0

Total Acres: 499

Conditions/Remarks:

1. Rights 36-2089 and 36-10852 when combined shall not exceed the total instantaneous diversion of water from all points of diversion of 4.98 cfs, nor a total annual maximum diversion volume of 1700.0 af at the field headgate, and the irrigation of 425.0 acres.
2. The quantity of water decreed for this water right is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

6. Approval of Transfer 69569 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A and 36-7823A are diverted through the point(s) of diversion described above.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Documentation of Ownership of the Current Place of Use

Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 75076

Receipt No. 5030411

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 36-2089

Priority Date: March 28, 1950

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	4.84 CFS	1,700.0 AFA	
	Total Diversion	4.84 CFS	1,700.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNENW	Sec. 16 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	SWNESW	Sec. 16 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	NESWNE	Sec. 17 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	SENWSE	Sec. 17 Twp 08S	Rge 26E	BLAINE County

Describe the proposed diversion system

Point of Diversion # 1 Existing well owned by Richard Poteet
 Point of Diversion # 2 Existing well owned by Terry Miller
 Point of Diversion # 3 Existing Well owned by Terry Miller

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 26E 16	12.0	13.0	40.0	39.0	33.0	39.0	39.0	40.0	39.0	39.0	38.0	4.0	37.0	36.0	17.0	34.0	499.0

Total Acres: 499

Transfer No. 75076

Receipt No. 5030411

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 36-10852

Priority Date: January 01, 1968

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.14 CFS		
	Total Diversion	0.14 CFS		

Source and Point(s) of Diversion:

GROUND WATER	NWNENW	Sec. 16 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	SWNESW	Sec. 16 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	NESWNE	Sec. 17 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	SENWSE	Sec. 17 Twp 08S	Rge 26E	BLAINE County

Describe the proposed diversion system

Point of Diversion # 1 Existing well owned by Richard Poteet
 Point of Diversion # 2 Existing well owned by Terry Miller
 Point of Diversion # 3 Existing Well owned by Terry Miller

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 26E 16	12.0	13.0	40.0	39.0	33.0	39.0	39.0	40.0	39.0	39.0	38.0	4.0	37.0	36.0	17.0	34.0	499.0

Total Acres: 499

After recording send to:

Jason D. Walker, Esq.
LING & ROBINSON
P.O. Box 396
Rupert, Idaho 83350

465560

Instrument # 465560

MINIDOKA COUNTY, RUPERT, IDAHO
2003-05-09 02:09:27 No. of Pages: 6
Recorded for : LING ROBINSON & WALKER
DUANE SMITH Fee: 18.00
Ex-Officio Recorder Deputy

La

Recording Information

QUITCLAIM DEED

FOR VALUE RECEIVED RICHARD F. POTEET and SHERMA F. POTEET, husband and wife, "Grantors", do hereby release, remise, grant, bargain, sell, convey and forever quitclaim unto TRIANGLE P, LLC, an Idaho Limited Liability Company, "Grantee", the following described premises, located in Minidoka County, Idaho, to-wit:

Parcel 1

TOWNSHIP 8 SOUTH, RANGE 25, EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 11: That part of Farm Unit G, Tract G lying in said Section 11 of the North Side Pumping Division of the Minidoka Project, Idaho, as shown by plat dated July 10, 1957, records of Minidoka County, Idaho, described as follows:

Beginning at the South Quarter section of Section 11, said corner marked by a U.S. Bureau of Reclamation pipe with brass cap; thence South 89°16'00" East (basis of bearing) along section line for 530.56 feet to a ½" rebar which shall be the Point of Beginning.

Thence North 0°01'44" West for 487.17 feet to a point on the Tract line common to Tract C & G; thence South 32°58'55" East (South 33°02' East recorded) along said tract line for 585.63 feet to a U.S. Bureau of Reclamation pipe with brass cap on section line, said corner being corner Number 6 of Tract G; thence North 89°16'00" West along section line for 318.58 feet to the Point of Beginning.

SUBJECT TO a 30 foot wide county road right-of-way along the South side.

Parcel 2

TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN

SECTION 10: That part of Farm Unit E, Tract E, of the North side Pumping Division of the Minidoka Project, Idaho, (as shown by plat, dated July 10, 1957, on file in the office of the County Recorder, Minidoka County, Idaho), described as follows:

Beginning at the Southeast corner of Section 10, Township 8 South, Range 25 East, Boise Meridian; thence West 300 feet to the True Point of Beginning, thence West 661.62 feet, more or less, to Corner No. 6 of said Farm Unit E, Tract E; thence North 17°01' East, 918.72 feet to Corner No. 5 of said Farm Unit E, Tract E; thence South 86°52' East, 400 feet; thence in a Southerly direction 875 feet, more or less, to the True Point of Beginning.

Parcel 3

TOWNSHIP 8 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SECTION 16: All

26-2001
1-852
20-10853
20-

Parcel 4

TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO

SECTION 11: Farm Unit C, Tract C of the Northside Pumping Division of the Minidoka Project, Idaho (as shown by plat dated July 10, 1957, on file in the office of the County Recorder, Minidoka County, Idaho), SAVE AND EXCEPT the following described parcel:

Beginning at the Southeast corner of said Section 11; thence North 00°01' East along the East section line of said Section 11 for 264.00 feet; thence North 08°59' West along the East boundary line of said Farm Unit C, Tract C, for 1293.00 feet to a point, which point shall be known as the TRUE POINT OF BEGINNING; thence South 83°41' West for 270.00 feet; thence North 08°46' West for 721.00 feet thence North 85°24' East for 268.20 feet to a point on the East boundary line of said Farm Unit C, Tract C; thence South 08°59' East along said East boundary line for 713.00 feet to the True Point of Beginning.

Parcel 5

TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO

An irregular shaped parcel of land situated in Lot 8 of Section 2 and Lots 2 and 3 of Section 11, being more particularly described as follows:

Beginning at the northeast corner of said Lot 2; thence South $0^{\circ}06'$ West along the east line of said Lot 2, a distance of 1327.26 feet to southeast corner thereof; thence North $88^{\circ}42'$ West along the south line of said Lot 2, a distance of 654.72 feet to the southwest corner thereof, and the southeast corner of said Lot 3; thence North $89^{\circ}06'$ West along the south line of said Lot 3, a distance of 1567.50 feet to the southwest corner thereof and a point 100.00 feet distant southeasterly, measured normally, from the centerline of the main track of the Twin Falls Branch of the Union Pacific Railroad Company, as now constructed and operated; thence North $40^{\circ}17'$ East along the northwest line of said Lot 3, parallel with and 100.00 feet distant southeasterly, measured normally, from said centerline of main track, a distance of 1716.66 feet to the northwest corner of said Lot 3, and the southwest corner of said Lot 8; thence North $40^{\circ}17'$ East along the northwest line of said Lot 8, parallel with said centerline of track, a distance of 121.07 feet, more or less, to a point opposite Railroad engineering station 46+80; thence South $49^{\circ}43'$ East, perpendicular to said centerline of track, a distance of 103 feet to a point 203.00 feet distant southeasterly, measured normally, from said centerline of track; thence northeasterly to a point 252.90 feet distant southeasterly, measured normally, from said centerline of track at Railroad engineering station 38+30; thence South $49^{\circ}43'$ East a distance of 70.2 feet to a point 323.1 feet distant southeasterly, measured normally, from said centerline of track; thence North $40^{\circ}17'$ East, parallel with said centerline of track, a distance of 422.7 feet, more or less, to a point in the east line of said Lot 8; thence South $0^{\circ}09'$ West along said east line of said Lot 8, a distance of 994.15 feet, more or less, to the Point of Beginning. Containing an area of 62.36 acres, more or less.

In addition, the Grantors do hereby release, remise, grant, bargain, sell, convey and forever quitclaim unto Grantee, an undivided one-half ($\frac{1}{2}$) interest in the following described premises:

Parcel 6

TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO

TRACT NO. 1:

SECTIONS 11, 12 AND 13: Farm Unit D, Tract D of the North Side Pumping Division of the Minidoka Project, Idaho (as shown by plat, dated July 10, 1957, filed in the office of County recorder, Minidoka County, Idaho), SAVE AND EXCEPT the following described parcel:

Beginning at Corner No. 5 of said Farm Unit D, Tract D, which point shall be known as the TRUE POINT OF BEGINNING; thence South $55^{\circ}55'$ West for 5.51 chains; thence West for 1.52 chains to a point on the West side of the road; thence South $57^{\circ}55'$ West for 3.79 chains; thence South $88^{\circ}41'$ East for 16.281 chains; thence North $51^{\circ}52'$ West for 8.873 chains to the TRUE POINT OF BEGINNING.

TRACT NO. 2:

SECTION 12: That part of Farm Unit A, Tract A of the North Side Pumping Division of the Minidoka Project, Idaho as shown by plat, dated July 10, 1957, filed in the office of the County Recorder, Minidoka County, Idaho, more particularly described as follows:

Beginning at the East $\frac{1}{4}$ corner of said Section 12, which point shall be known as the TRUE POINT OF BEGINNING; thence North $75^{\circ}27'$ West for 29.78 chains to Corner No. 6 of said Farm Unit A, Tract A; thence South $25^{\circ}40'$ West for 8.18 chains to Corner No. 7 of said Farm Unit A, Tract A; thence South $58^{\circ}10'30''$ East for 38.07 chains to Corner No. 8 of said Farm Unit A, Tract A, and which point is also located on the East section line of said Section 12; thence North $00^{\circ}04'$ East along said East section line for 19.97 chains to the East $\frac{1}{4}$ corner of said Section 12, which point is also known as the TRUE POINT OF BEGINNING.

Parcel 7

TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO

SECTION 2: SE $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 9

SAVE AND EXCEPT the following described parcels:

Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2 of Township 8 South, Range 25 East of the Boise Meridian, Minidoka County, State of Idaho.

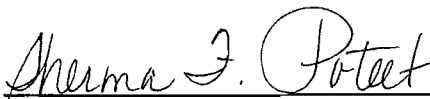
Beginning at the NE corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2 of T.8. S., R.25 E., B.M. said corner marked by a U.S. Reclamation Service pipe with brass cap which shall be the Point of Beginning; thence S 0°46'17" E along section line for 327.43 feet to a $\frac{1}{2}$ " rebar; thence N 88°41'29" W for 218.57 feet to a $\frac{1}{2}$ " rebar; thence N 1°06'46" E for 326.93 feet to a $\frac{1}{2}$ " rebar on the north line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence S 88°46'15" E for 207.80 feet to the Point of Beginning.

ALSO SAVE AND EXCEPTING the following described parcel:

From a POINT OF BEGINNING which is South 88°43' East 653.0 feet from the 1/16 corner of the Center Section line South of Section 2, Township 8 South, Range 25 East Boise, Meridian; running thence South 0°17' East 324.1 feet; turning thence and running North 40°20' East 417.2 feet; turning and running thence North 88°43' West 271.7 feet more or less to the POINT OF BEGINNING.

together with their appurtenances.

DATED this THU day of May, 2003.


Sherma F. Poteet


Richard F. Poteet

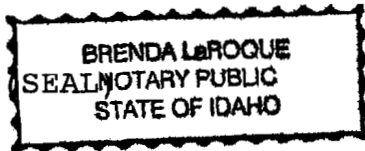
STATE OF IDAHO

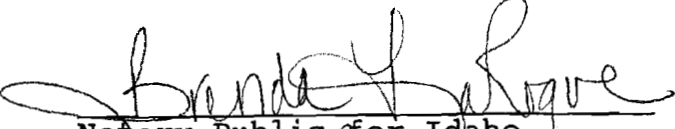
County of Minidoka

)
) ss.
)

On this 7th day of May, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared **RICHARD F. POTEET** and **SHERMA F. POTEET**, known to me or proved to me on oath to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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




Notary Public for Idaho
Residing at: Burley ID.
My Comm. Expires: 02/12/07



APPLICATION FOR REINSTATEMENT

To the SECRETARY OF STATE, STATE OF IDAHO

1. The name of the Idaho corporation / limited liability company / limited partnership / limited liability partnership applying for reinstatement following administrative dissolution or forfeiture, if available, is:

TRIANGLE P, LLC

2. The date of its incorporation / organization was: 02/10/2000

3. The corporation / limited liability company / limited partnership / limited liability partnership hereby applies for reinstatement. If the entity name is unavailable, a certificate of amendment for a name change must be attached.

4. This application is accompanied by a current annual report, appointment of registered agent, or articles of amendment extending existence, as appropriate, and a filing fee of \$30.00.

Signature: Sharon J. Poteet

Capacity/Title: Manager

Date: 9/19/08

(must be signed by a chairman of the board of directors, officer or partner of the corporation / LLC / LP / LLP)

2008 SEP 22 PM 12:21
SECRETARY OF STATE
IDAHO

FILED EFFECTIVE

Secretary of State use only

IDAHO SECRETARY OF STATE
09/22/2008 05:00
CK: 155001 CT: 172899 BH: 1137036
1 @ 30.00 = 30.00 CORP REINS # 2

Idaho Department of State
P.O. Box 102000

State of Idaho

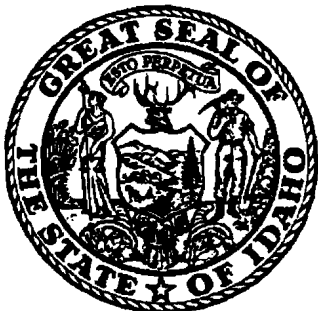
Office of the Secretary of State

LIMITED LIABILITY COMPANY REINSTATEMENT CERTIFICATE

I, BEN YSURSA, Secretary of State of the State of Idaho, hereby certify that the articles of organization of **TRIANGLE P, LLC**, file number W 11077 , a limited liability company organized under the laws of the State of Idaho, was administratively dissolved on May 7, 2007, for failure to file the required annual report form by the date due.

I FURTHER CERTIFY That the limited liability company has on September 22, 2008, been reinstated on the records of this office, and that its articles of organization in the State of Idaho are hereby restored.

Dated: September 22, 2008



Ben Yursa
SECRETARY OF STATE

By

Cynthia L. [Signature]

REINSTATEMENT

No. W 11077	Annual Report Form ADMIN DISSOLVED 06/07/2007		2. Registered Agent and Office NOT A P.O. BOX													
Return to: SECRETARY OF STATE 460 N 4th STREET PO BOX 83720 BOISE, ID 83720-0080 FEE DUE \$30.00	1. Mailing Address (Correct in this box if applicable)		SHERMA RAE FENNEL POTET 800-N-788-E 788 E 800 N RUPERT, ID 83350													
	TRIANGLE P, LLC SHERMA RAE FENNEL POTET 800-N-788-E 788 E 800 N RUPERT, ID 83350															
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors Limited Liability Companies: Enter Names and Addresses of management. Limited and Limited Liability Partnerships: Enter names and addresses of at least two (2) partners. <table border="1" data-bbox="61 535 1518 630"><thead><tr><th>Office held</th><th>Name</th><th>Street or P.O. Address</th><th>City</th><th>State</th><th>Zip</th></tr></thead><tbody><tr><td>Manager</td><td>Sherma F. Potet</td><td>788 E 800 N</td><td>Rupert</td><td>Id</td><td>83350</td></tr></tbody></table>					Office held	Name	Street or P.O. Address	City	State	Zip	Manager	Sherma F. Potet	788 E 800 N	Rupert	Id	83350
Office held	Name	Street or P.O. Address	City	State	Zip											
Manager	Sherma F. Potet	788 E 800 N	Rupert	Id	83350											
5. Organized under the laws of: IDAHO W 11077	6. <table border="1"><tr><td>Signature <i>Sherma F. Potet</i></td><td>Date <i>9/19/08</i></td></tr><tr><td>Name (Typed or Printed) <i>Sherma F. Potet</i></td><td>Title <i>Manager</i></td></tr></table>				Signature <i>Sherma F. Potet</i>	Date <i>9/19/08</i>	Name (Typed or Printed) <i>Sherma F. Potet</i>	Title <i>Manager</i>								
Signature <i>Sherma F. Potet</i>	Date <i>9/19/08</i>															
Name (Typed or Printed) <i>Sherma F. Potet</i>	Title <i>Manager</i>															

Issued 9/16/2008 by SL1

RECEIVED

NOV 26 2001

Department of Water Resources
Southern Region

T69569

AGREEMENT

THIS AGREEMENT made and entered into this 26 day of November, 2001 by and between Richard F. Poteet of 800 North, 775 East, Minidoka, Idaho 83345, and Terry Miller of 1175 East, 800 North, Rupert, Idaho 83350.

WITNESSETH:

WHEREAS, Richard F. Poteet is the owner of certain lands located in Section 16 of Township 8 South, Range 26 East of the Boise Meridian, Blaine County, Idaho, which are watered by a well and pump located in SWNESW of said section; and

WHEREAS, Terry Miller is the owner of certain lands located in Section 17 of Township 8 South, Range 26 East of the Boise Meridian, Blaine County, Idaho, which are watered by a well and pump located in SENWSE of said section, and a second well and pump located in NESWNE of said section; and

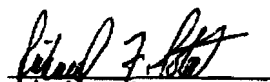
WHEREAS, both properties will be benefited by the landowners' ability to divert water to each landowner's property from any of the said pumps, and the course of good husbandry will be promoted thereby.

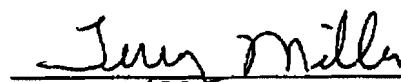
NOW, THEREFORE, in consideration of the mutual covenants herein contained, it is agreed by and between Poteet and Miller that both Poteet and Miller will have access to and full use of the wells and pumps of the other, and said wells and pumps may be used to irrigate any of the above-referenced lands owned by Poteet and Miller.

IT IS FURTHER AGREED by and between the parties hereto that this Agreement will continue for so long as it is mutually beneficial to the parties hereto and that the Agreement may be terminated by one of the parties by giving written notice of termination at least three (3) months prior to the date of termination.

IT IS FURTHER AGREED by and between the parties hereto that the purpose of this Agreement is for the sharing of the wells and pumps above referenced, and that no interest in said wells and pumps, water rights or the lands above described are conveyed to the other party by this Agreement.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.


Richard Poteet


Terry Miller

AGREEMENT

-1-

MICROFILMED

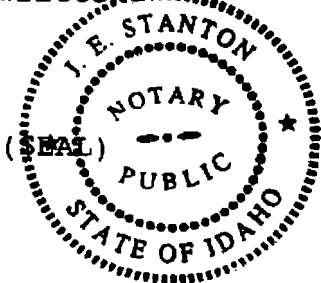
FEB 25 2002



STATE OF IDAHO)
County of Twin Falls) ss.

On this 26th day of November, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard Poteet, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

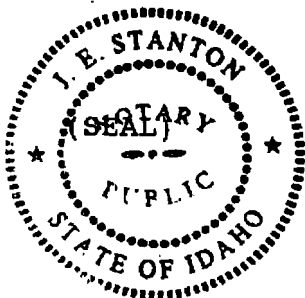


J. E. Stanton
Notary Public for Idaho
Residing at: Twin Falls, ID
My commission expires: 10-25-2006

STATE OF IDAHO)
County of Twin Falls) ss.

On this 26th day of November, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared Terry Miller, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



J. E. Stanton
Notary Public for Idaho
Residing at: Twin Falls, ID
My commission expires: 10-25-2006

AGREEMENT

MICROFILMED

FEB 25 2002