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P.O. BOX 967
POCATELLO, IDAHO 83204-0967

LAMONT JONES
JACK H. ROBISON
THOMAS J. HOLMES

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MR. HOLMES' TELEPHONE EXTENSION: 103

June 4, 2008

Dayna M. Ball
Technical Reviewer
Water Allocations Bureau
P O Box 83720
Boise, ID 83720-0098

RECEIVED
JUN 06 2008
DEPARTMENT OF
WATER RESOURCES

Re: Edna Gunter Revocable Living Trust Water Rights 29-4194

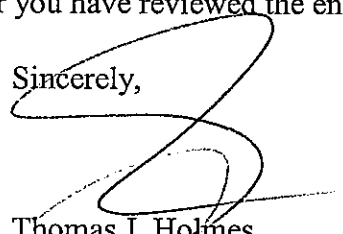
Dear Ms. Ball:

I am responding to your April 21, 2008 letter sent to the trustees of the Edna Gunter Revocable Living Trust. We have reviewed the information you provided and appreciate the detail you provided. The property lying in the Southeast 1/4 of the Northeast 1/4 of Section 22 Township 7 South Range 35 E.B.M. was conveyed in 1996 to Scott and Charonne Gunter. A copy of that Deed is enclosed and is instrument number 96019908 in the records of Bannock County, Idaho. They are relatives of Edna Gunter and have entered into both a lease agreement for the right to use the water from her well and they have an option granted by Edna Gunter to purchase her property in the Northeast 1/4 Southeast 1/4 of Section 22. A copy of the lease and the option are enclosed.

Given Edna Gunter's age and health and the likelihood that Scott and Charonne Gunter will purchase the remainder of her property upon her death, the trustees would prefer not to split the water right at this time as they believe that in the not too distant future the property will all be owned by Scott and Charonne Gunter.

Please advise if you have any questions after you have reviewed the enclosed information.

Sincerely,


Thomas J. Holmes

TJH/ah
gunter060408.11.wpd

Enclosures
cc Marsia Gunter

31
WARRANTY DEED

96019908

THIS INDENTURE, Made this 19th day of November, A.D. 1996
between Boydene Michaels Gale, of Pleasanton, California, and Elvin G. Gunter, of
Pocatello, Idaho, as Acting Trustees for Edna Gunter, a widow, Grantors, and Scot L.
Gunter and Charonne Gunter, husband and wife, Grantees whose mailing address is:
2480 North Blackrock Canyon Road, Pocatello Idaho 83204.

WITNESSETH:

That the said grantors, for value received to them in hand paid by the said grantees,
the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said
grantees, their heirs and assigns forever, the following described land situate, lying and
being in County of Bannock, and State of Idaho, to-wit:

2480 North Blackrock Canyon Road, Pocatello, Idaho, 83204, more
particularly described as follows:

See attached Exhibit "A" hereto attached and by reference
made a part hereof,

Subject to:

1. Taxes and assessments from and after January 1, 1997; and
2. That certain existing road and driveway easement
(unrecorded) contiguous, adjacent and along the south line of
the above-described property so that Grantors, their heirs and
assigns shall have access to the garage on the adjoining
property to the south of the parcel herein being sold.

And the said grantors do hereby fully warrant the title to said land, and will defend
the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantors have signed their names the day and year
above written.

Boydine Michaels Gale
BOYDENE MICHAELS GALE

Elvin G. Gunter
ELVIN G. GUNTER

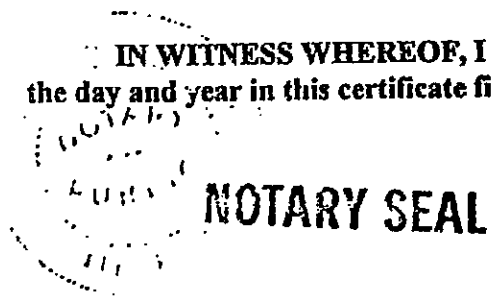
STATE OF IDAHO)
 :ss
 County of Bannock)

96019908

3-2

On this 5th day of November, in the year 1996 before me, Ralph H. Jones, Jr., personally appeared Elvin G. Gunter, known to me to be the person whose name is subscribed to the within instrument as Acting Trustee for Edna Gunter, and acknowledged to me that he executed the same as such Acting Trustee for Edna Gunter.

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



Ralph H. Jones, Jr.
 NOTARY PUBLIC FOR IDAHO
 Residing at Pocatello, Idaho
 My Commission Expires: 1-15-99

STATE OF CALIFORNIA)
 :ss
 County of Alameda)

On this 19th day of November, in the year 1996 before me, Nelken Montoso, personally appeared Boydene Michaels Gale, known to me to be the person whose name is subscribed to the within instrument as Acting Trustee for Edna Gunter and acknowledged to me that she executed the same as Acting Trustee for Edna Gunter.

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



Nelken Montoso
 NOTARY PUBLIC FOR CALIFORNIA
 Residing at Livermore, California
 My Commission Expires: 1-15-00

01356

EXHIBIT "A"

96019908

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THE S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 22, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, ALL IN BANNOCK COUNTY, IDAHO;
 EXCEPTING THEREFROM THE FOLLOWING PROPERTY, TO-WIT: BEGINNING AT THE NORTHEAST CORNER OF THE S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 22, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN; THENCE SOUTH 0°02' EAST ALONG THE EAST LINE OF SAID S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ A DISTANCE OF 77.0 FEET, MORE OR LESS, TO A POINT THAT BEARS SOUTH 25°34' EAST- 188.34 FEET FROM STATION 1278+72.64 OF SAID INTERSTATE 15, PROJECT NO. I-15-1 (8) 57 HIGHWAY SURVEY; THENCE SOUTH 55° 20'35" WEST 27.71 FEET TO A POINT IN A LINE PARALLEL WITH AND 35.0 FEET SOUTHWESTERLY FROM THE CENTER LINE AND OPPOSITE STATION 8+43.12 OF GRADE SEPARATION NO. 4 SURVEY AS SHOWN ON THE PLANS OF SAID HIGHWAY SURVEY; THENCE SOUTH 64°26' WEST ALONG SAID PARALLEL LINE 368.31 FEET TO A POINT OPPOSITE STATION 4+74.81 OF SAID GRADE SEPARATION NO. 4 SURVEY; THENCE SOUTH 37°43' WEST- 95.93 FEET TO A POINT IN THE SOUTH LINE OF SAID S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE WESTERLY ALONG SAID SOUTH LINE 245.0 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE NORTHERLY ALONG THE WEST LINE OF SAID S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ A DISTANCE OF 330.0 FEET, MORE OR LESS, TO THE NORTHWEST CORNER THEREOF; THENCE EASTERLY ALONG THE NORTH LINE OF SAID S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ A DISTANCE OF 660.0 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

NO 96019908
 RECORDED AT REQUEST OF
 ALLIANCE TITLE & ESCROW
 NOV 26 PM 2 44
 BANNOCK COUNTY IDAHO
 LARRY V. CHAN RECORDER
 FEE 1.00 DEPUTY W

OPTION OF ADDENDUM TO
THE EDNA GUNTER
REVOCABLE LIVING AGREEMENT OF TRUST

The undersigned, Edna Gunter, Trustor of that certain agreement of trust dated May 31, 1996, does make the following addition to said trust.

My Trustees, after my death, shall give Scott Gunter and Charonne Gunter the right of first refusal to purchase the real estate that is in this Grantor's trust. I would suggest to my Trustees they establish the fair market value of the real estate and then when they are ready to proceed with a sale or disposition of the sale of the property, that they give written notice to Scott and Charrone Gunter advising them they have thirty (30) days to decided whether or not to purchase the real estate and if they decide to do so, then an additional sixty (60) days after the expiration of the thirty (30) days to close. If instead an offer is made by a third party to purchase the property, that offer shall be conveyed to Scott and Charonne and they would have the same thirty (30) days to decide whether or not to meet the offer and then an additional sixty (60) days after the end of the thirty (30) days to close.

I reaffirm in all other respects the Edna Gunter Revocable Living Agreement of Trust executed by me on May 31, 1996.

DATED this 3 day of October, 2007.



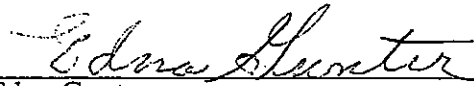
Edna Gunter

LEASE AGREEMENT

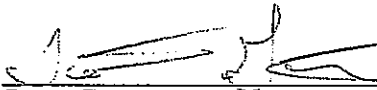
FOR VALUABLE CONSIDERATION, Edna Gunter does herewith lease to Scott and Charonne Gunter, the right to use the water from my well on the real estate at 2480 North Blackrock Canyon Road to water adjacent property owned by Scott and Charonne Gunter as well as my property. This well has historically been used to water the entire property, and I intend to reaffirm by this simple Lease Agreement the right of Scott and Charonne Gunter to continue to do so.

This lease shall be terminable by either party upon thirty (30) days notice.

DATED this 3 of October, 2007.


Edna Gunter

DATED this 3 day of October, 2007.


Scott Gunter

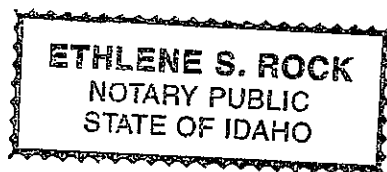
DATED this 3 day of October, 2007.


Charonne Gunter

STATE OF IDAHO)
:SS
County of Bannock)

On this 3rd day of October, 2007, before me, the undersigned Notary Public, in and for said State, personally appeared Edna Gunter, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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



Ethlene S. Rock

NOTARY PUBLIC-STATE OF IDAHO

Commission Expires: 5/23/2013

(SEAL)