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November 14, 2007

Ernie Carlson
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

RECEIVED

NOV 16 2007

Idaho Department of Water Resources
Eastern Region

Re: Timberview Properties, LLC
Permit No. 25-14071

Dear Ernie:

You called us some time ago and advised you had discovered that the lands covered by the above numbered permit had been excluded from Progressive Irrigation District. When we checked into that, we discovered that it was so, but that it had apparently been as a result of a misunderstanding on the part of both Timberview Properties and Progressive Irrigation District. In any event, Timberview petitioned the land back in and that has now been completed. We are enclosing with this letter a copy of a recorded Order reinstating the land into the District.

Yours very truly,

Kent W. Foster

Enclosure

G:\WPDATA\KWF\12452 Timberline Properties, LLC\Ernie Carlson ltr 111407.wpd:cdv

BEFORE THE BOARD OF DIRECTORS OF THE PROGRESSIVE IRRIGATION DISTRICT

IN THE MATTER OF THE PETITION OF AN)
OWNER OF LAND WITHIN THE LIMITS OF)
THE PROGRESSIVE IRRIGATION DISTRICT)
FOR THE EXCLUSION OF THAT LAND FROM)
PROGRESSIVE IRRIGATION DISTRICT)

BONNEVILLE COUNTY RECORDER

1282513 NOV 9 107 PM 3 04

ORDER OF REINSTATEMENT OF LAND 2810

The above entitled matter came on regularly for hearing before the Board of Directors of the Progressive Irrigation District at its meeting held on November 6, 2007, in the office of the Progressive Irrigation District, at Idaho Falls, Bonneville County, Idaho, on a properly verified petition filed by Kevin Taggart, President of Timberline Estates Subdivision Homeowner's Association, and acting representative of the owners, for the reinstatement to the jurisdiction and operation of certain lands within the Progressive Irrigation District. The Board determined this land is being used for agricultural, farming or residential purposes. Having determined the foregoing matter and on a motion by Tebbin Johnson, which was seconded by Ray Sutter, the Board enters the following order:

IT IS ORDERED, that the following described lands in Bonneville County, Idaho, be, and they are hereby reinstated to the jurisdiction and operation of the Progressive Irrigation District:

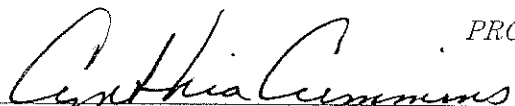
Timberline Estates Division #1 NE1/4, Sec 21 T 3N Range 38
Less Lot 8 & Lot 11 Block 2, Lot 6 Block 3, and Lot 6 Block 6

Commonly known as: Timberline Estates

Containing 32.496 acres

The reinstatement is on the condition that the water used on said lands shall be returned to the land within District and ownership shall be returned to land owners.

IT IS FURTHER ORDERED, that this order be entered in the minutes of the Board and that a copy of said order certified by the President and Secretary of the Board be immediately filed for record in the office of the County Recorder of Bonneville County, Idaho.


Cynthia Cummins Secretary/Treasurer

PROGRESSIVE IRRIGATION DISTRICT

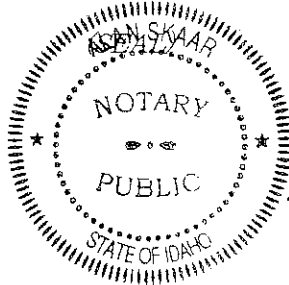

Dale Rockwood - Chairman



STATE OF IDAHO)
County of Bonneville)

On this 6th day of November, 2007, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Dale Rockwood and Cynthia Cummins, known to me to be the Chairman and Secretary, respectively, of the Progressive Irrigation District, and acknowledged to me that such District 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.



INSTRUMENT NO. 1282513
DATE 11-9-07
INST. CODE 890
IMAGED PGS 1
FEE 3.00
STATE OF IDAHO) ss
COUNTY OF BONNEVILLE)
I hereby certify that the within
instrument was recorded.
Ronald Longmire, County Recorder
Deputy Request of PID


Notary Public for Idaho
Residing in Jefferson County, Idaho
Commission Expires: March 24, 2012