



Riverside Development Company

PO Box 30009 ♦ Spokane, WA 99223 ♦ (509) 448-5074 ♦ fax (509) 448-5435

October 24, 2006

ATTN: Jeff Peppersack, Manager
Water Right Permits Section
Department of Water Resources
PO Box 83720
Boise, ID 83720-0098
(208) 287-4800 Fax: (208) 287-6700
www.idwr.idaho.gov

RE: Water Right #96-8836

Dear Jeff:

We are in receipt of your 10-18-06 letter. Please be advised that Robert H. Rickel sold to our company, by deed (a copy of which is attached hereto) dated June 9, 2004, All of his interest in Water Right #96-8836 which is appurtenant to Section 33, Township 53 North, Range 3 West.

We ask that you change your records to reflect that our company is the sole owner of this Water Right. Call (509) 448-5074 if you have questions. Thank you.

Sincerely,
Riverside Development Company

Ben Swartout, President

Enc.

cc: Dennis Swartout

1881372

WARRANTY DEED

COPY

For Value Received in consideration of an I.R.S. Section 1031 Tax Deferred Exchange **Robert Rickel and Suzanne Rickel, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Riverside Development Company, an Idaho Corporation

whose address is: **P.O. Box 30009, Spokane, WA 99223**

Hereinafter called the Grantee, the following described premises situated in Kootenai County, Idaho, together with water rights, and any after acquired title or interest, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: January 9, 2004

Robert Rickel
Robert Rickel

Suzanne Rickel
Suzanne Rickel

STATE OF IDAHO

COUNTY OF Kootenai

On this 9 day of JUNE, 2004, before me, personally appeared Robert Rickel and Suzanne Rickel, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Wray
Notary Public of IDAHO
Residing at: COEUR D'ALENE
Commission Expires: 11-22-05



STATE OF IDAHO
COUNTY OF KOOTENAI
AT THE REQUEST OF
First American Title Company

2004 JUN 10 P 3:51

DANIEL J. ENGLISH
DEPUTY DM
FEES 9.00

1881372

sixth revised report

ATTACHED LEGAL DESCRIPTION

Order No.: C53447

Parcel 1:

All of Section 33, Township 53 North, Range 3 W.B.M., Kootenai County, Idaho, lying Easterly of U.S. Highway No. 95;

EXCEPTING therefrom that portion of the South 600 feet of the Southwest quarter of the Southwest quarter of Section 33 lying East of U.S. Highway 95 and that portion of the Southeast quarter of the Southwest quarter of said Section 33 described as follows:

BEGINNING at the Southwest corner of said Southeast quarter of the Southwest quarter; thence

East along the South line of said Section 33, 200 feet; thence

Northwesterly to a point on the West line of said Southeast quarter of the Southwest quarter, 600 feet North of the South line of said Section 33; thence

South along said West line to the **POINT OF BEGINNING**.

LESS AND EXCEPT any portion in road right of way.

AND EXCEPT:

A parcel of land situated in the Northeast quarter of Section 33, Township 53 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

COMMENCING at a railroad spike in the asphalt of Bunco Road, taken to monument the Northeast corner of said Section 33 (see corner perpetuation and filing Instrument No. 1115426, Kootenai County records), said spike being situated North 89° 35' 29" East, 5282.23 feet, from a 2 inch aluminum cap on 5/8 inch rebar, taken to monument the Northwest corner of said Section 33 (see corner perpetuation and filing Instrument No. 1428953, Kootenai County records): thence

Along the line between the monuments taken for the Northeast and Northwest corners of said Section 33, South 89° 35' 29" West, 897.67 feet; thence

Leaving said line, perpendicularly, South 00° 24' 31" East, 23.02 feet, to the **TRUE POINT OF BEGINNING**; thence

Along a barbed wire fenceline, more or less, South 00° 59' 34" East, 125.00 feet; thence

Leaving said barbed wire fenceline, South 89° 11' 42" West, 75.00 feet; thence

North 00° 59' 34" West, 125.00 feet; thence

North 89° 11' 42" East, 75.00 feet to the **TRUE POINT OF BEGINNING**.

Parcel 2:

The West half of the West half of Section 34, Township 53 North, Range 3 West, B.M., Kootenai County, Idaho, except portion described as follows:

sixth revised report

LEGAL DESCRIPTION

(Continued)

Order No.: C53447

A part of the Southwest quarter of the Southwest quarter of Section 34, Township 53 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, described as follows:

COMMENCING at a point 600 feet North and 82 feet West of the Southeast corner of the Southwest quarter of the Southwest quarter of said Section 34; thence

In a general Northeasterly direction, a distance of 605.57 feet, more or less, to a point of the East line of said Southwest quarter of the Southwest quarter of Section 34; thence

South 1200 feet, along the East line of the Southwest quarter of the Southwest quarter of said Section 34 to the Southeast corner of the Southwest quarter of the Southwest quarter of said Section; thence

In a generally Northwesterly direction 605.57 feet, more or less, to the POINT OF BEGINNING.

Parcel 3:

Government Lot 4 and the Southwest quarter of the Northwest quarter of Section 3, Township 52 North, Range 3 WBM, Kootenai County, Idaho, except any portion lying within road right of way.

Parcel 4:

Government Lots 1, 2 and 3 and the Southeast quarter of the Northwest quarter of Section 4, Township 52 North, Range 3 W.B.M., EXCEPT that portion described as follows:

All that portion of the East half of the Northwest quarter of Section 4, Township 52 North, Range 3 West, B.M., Kootenai County, Idaho, described as follows:

BEGINNING at the Northwest corner of said East half of the Northwest quarter; thence

East along the North line of said Section 4, 200 feet; thence

Southeasterly to a point on the South line of the Northeast quarter of the Northwest quarter of of said Section 4, 660 feet East of the Southwest corner of said Northeast quarter of the Northwest quarter; thence

South parallel with the West line of said East half of the Northwest quarter to a point on the South line of said East half of the Northwest quarter; thence

West along said South line to the Southwest corner of said East half of the Northwest quarter; thence

North along the West line of said East half of the Northwest quarter to the POINT OF BEGINNING.