

Map "E"

35-02016

PART OF
SECTIONS 23,24,25,26, T. 4 S., R. 32 E.B.M.
BINGHAM COUNTY, IDAHO

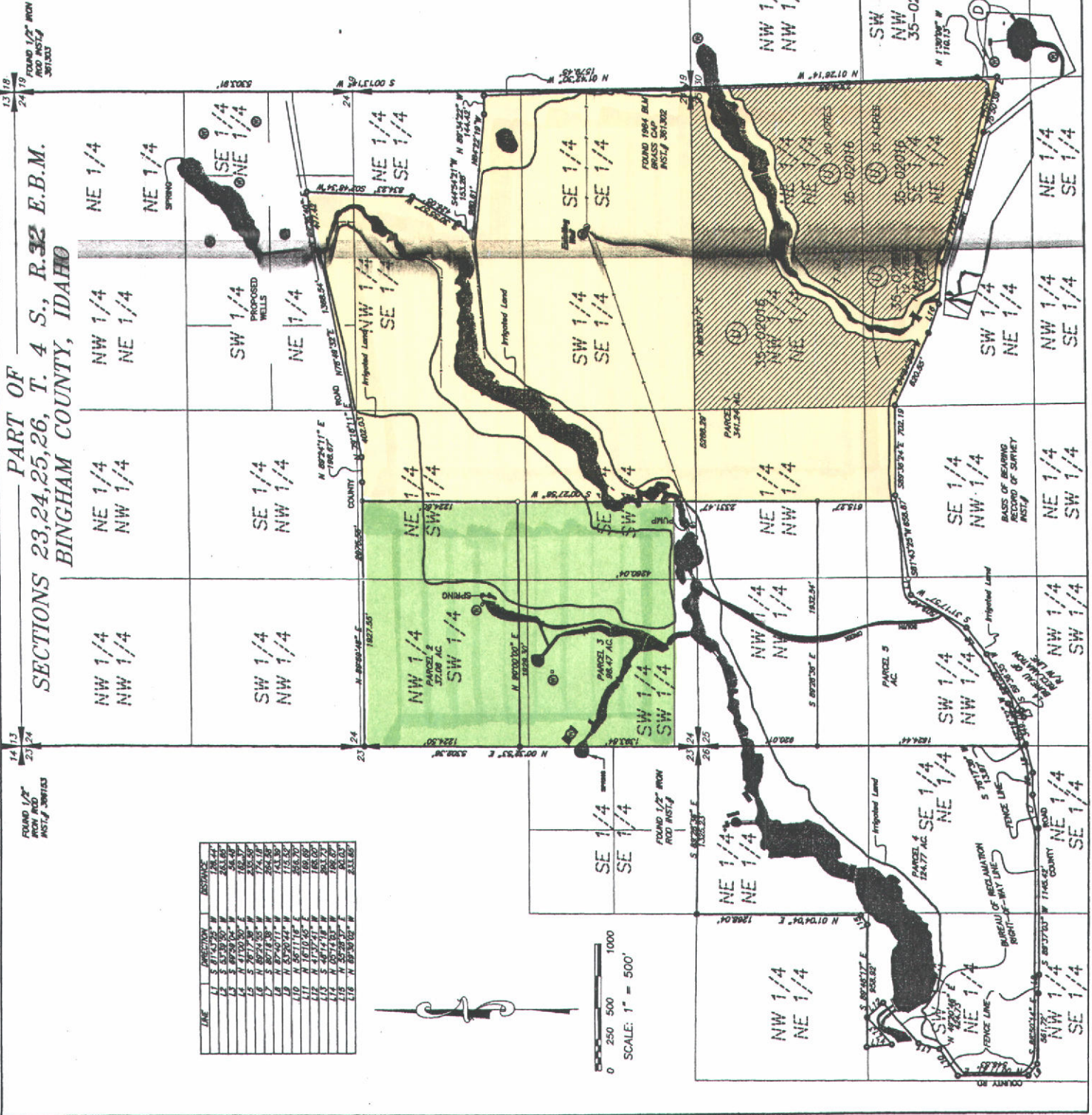
LEGEND

- Section corner control
- Placed 1/2" x 3/4" iron rod INST. 30103
- Found 1/2" x 3/4" iron rod INST. 30103
- Fence line
- Found 1/2" x 3/4" iron rod
- Power Pole
- Existing well, approximate location
- Building
- Overhead Power
- Point of Division of Water right
- Place of Use of Water right
- Imported Land as digitized from 1987 Aerial Photo.

HE

WATER RIGHTS MAP
35-02016; IRRIGATION

JOHNNY MILLER
HARPER-LEVITT ENGINEERING, INC.
SEC. 23,24,25,26, T. 4 S., R. 32 E.B.M.
PROFESSIONAL ENGINEER AND LAND SURVEYOR
IDaho License No. 1111
OFFICE: 1111 N. 1st St., Suite 100, Boise, ID 83724
PHONE: (208) 333-1111
FAX: (208) 333-1112
E-MAIL: jml@hlevitt.com



LINE	SECTION	BEARING	DISTANCE
1	1	S 81°47'25\"	128.24'
2	2	S 81°47'25\"	243.00'
3	3	S 81°47'25\"	243.00'
4	4	S 81°47'25\"	243.00'
5	5	S 81°47'25\"	243.00'
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13	13	S 81°47'25\"	243.00'
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95	95	S 81°47'25\"	243.00'
96	96	S 81°47'25\"	243.00'
97	97	S 81°47'25\"	243.00'
98	98	S 81°47'25\"	243.00'
99	99	S 81°47'25\"	243.00'
100	100	S 81°47'25\"	243.00'

0 250 500 1000
SCALE: 1" = 500'

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

AUG 01 2001

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Do Not Incomplete forms will be returned.

1. Water Right No(s): 35-7, 35-47, 35-2014, 35-2016, 35-7138, 35-7141, 35-7142, 35-11390, 35-4271, 35-8635, 35-8782, 35-8679, 35-11392 and 35-11393

Adjudication Claim No(s): same as above

14

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water rights or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints
50 E. North Temple Street, Salt Lake City, UT 84150
4. New Owner/Claimant(s) Capital Lending, Inc.
 Name connector (check one): [] and [] or, [] and/or
 New Mailing Address 1475 Terminal Way, Suite E
 City, State and ZIP Code Reno, NV 89502
 New Telephone Number (805) 683-0303
5. Date you acquired the property June 28, 2001

Fees paid
5225 - E027178
10-11-01 gc

6. Capital Lending, Inc., is the owner of the real property described in the attached Deed and depicted on map "A" as Parcels 1 and 2. Parcel 1 is shown in yellow and Parcel 2 in green. Map "A" and all of the other maps are copies of maps prepared by Harper Leavitt Engineering and "B" through "P" were prepared specifically for the purposes of understanding the points of diversion and places of use of each of the water rights. There is a separate map attached for each of the water rights listed herein and on each we have depicted Parcel 1 in yellow and Parcel 2 in green so that the relationship of the land acquired by Capital Lending to the points of diversion and places of use can be readily observed. In some cases all of the water right was acquired but in other cases only a portion of the water right. Following is a list of the water rights with a reference to the appropriate map and a brief statement regarding the portion of such right acquired by Capital Lending, Inc.

Water Right ID Number	Map Designation	Description of Portion of Water Right Acquired by Capital Lending
35-7	Map "B"	All
35-47	Map "C"	If there is .5 cfs for 311 acres Capital Lending has acquired all but about 3 or 4 acres (approximately 99%) and the proportionate amount of .5 cfs.
35-2014	Map "D"	All
35-2016	Map "E"	All

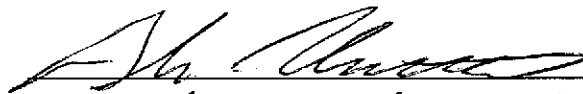
SUPPORT DATA

IN FILE # 35-2016

35-7138	Map "F"	All
35-7141	Map "G"	Approximately 206 of the 240 acre place of use is on lands acquired by Capital Lending, Inc. If that number is accurate, then the proportionate amount of the water acquired by Capital Lending would be some 4.12 cfs.
35-7142	Map "H"	All
35-11390	Map "I"	Two of the three points of diversion and two of the five places of use are on Parcels 1 and 2.
35-4271	Map "J"	Most of the proposed well sites and several of the places of use are on Parcels 1 and 2.
35-8635	Map "K"	Most of the proposed well sites and several of the places of use are on Parcels 1 and 2.
35-8782	Map "L"	Both points of diversion and many of the places of use are on Parcels 1 and 2.
35-8679	Map "N"	It appears that some of the places of use are within Parcels 1 and 2.
35-11392	Map "O"	The point of diversion and place of use for this domestic right appears to be within Parcel 2.
35-11393	Map "P"	The point of diversion and place of use for this domestic right appears to be within Parcel 2.

7.

Signature of New Owner(s)
Or Claimant(s)


president - Capital Lending Inc.

Corporations or other organizations must submit list of directors and/or officers demonstrating authority to sign form.

8.

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.



Dean Heller
Nevada Secretary of State
Corporate Information



Name: CAPITAL LENDING, INC.

Type: Corporation	File Number: C9391-1989	State: NEVADA	Incorporated On: November 02, 1989
Status: Current list of officers on file		Corp Type: Regular	
Resident Agent:	CORPORATE SERVICE CENTER, INC. (Accepted)		
Address:	350 S CENTER STREET		
	SUITE 500		
	RENO	NV	89501-2161
President:	G.HARTMAN		
Address:	1475 TERMINAL WAY, SUITE E		
	RENO	NV	89502
Secretary:	G.HARTMAN		
Address:	1475 TERMINAL WAY, SUITE E		
	RENO	NV	89502
Treasurer:	G.HARTMAN		
Address:	1475 TERMINAL WAY, SUITE E		
	RENO	NV	89502

Return to search menu

Search for another Resident Agent

Search for another Officer

Search for another Corporation

3020001654-J

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

When recorded return to--

FEE 9.00 DEP C

501702

2001 JUN 29 PM 4:26

Property no. 558-2407

RECORDED AT THE REQUEST OF
Alliance Title & Escrow Corp.

SPECIAL WARRANTY DEED

For value received CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, the Grantor, does hereby grant, bargain, sell, and convey unto CAPITAL LENDING, INC., a Nevada corporation, the Grantee, whose address is 1475 Terminal Way, STE E, Reno, NV 89502, the following premises, to wit:

«Detailed Legal» PART OF SECTIONS 24 AND 25, TOWNSHIP 4 SOUTH, RANGE 32 EAST, AND SECTIONS 19 AND 30, TOWNSHIP 4 SOUTH, RANGE 33 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:

BEGINNING AT A POINT IN THE SOUTHERLY RIGHT OF WAY FENCE OF A COUNTY ROAD, SAID POINT BEING NORTH 00°32'53" EAST 2618.34 FEET ALONG THE SECTION LINE AND NORTH 89°59'48" EAST 1927.55 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 24, AND RUNNING THENCE ALONG SAID RIGHT OF WAY FENCE THE FOLLOWING FIVE (5) COURSES:

- (1) NORTH 89°59'48" EAST 148.00 FEET; THENCE
 - (2) NORTH 89°24'11" EAST 198.67 FEET; THENCE
 - (3) NORTH 79°15'11" EAST 402.03 FEET; THENCE
 - (4) NORTH 78°49'32" EAST 1368.54 FEET; THENCE
 - (5) NORTH 81°36'40" EAST 477.42 FEET; THENCE
- SOUTH 02°48'34" WEST 834.23 FEET; THENCE SOUTH 30°55'57" WEST 426.05 FEET; THENCE SOUTH 44°54'21" WEST 153.28 FEET TO AN EXISTING FENCE LINE; THENCE SOUTH 84°22'19" EAST 980.61 FEET ALONG SAID FENCE; THENCE SOUTH 89°34'22" EAST 144.22 FEET TO AN EXISTING NORTH-SOUTH FENCE LINE; THENCE SOUTH 01°42'30" EAST 1579.45 FEET ALONG SAID FENCE; THENCE SOUTH 01°26'14" EAST 2304.88 FEET ALONG SAID FENCE LINE; THENCE SOUTH 01°30'06" EAST 110.13 FEET ALONG SAID FENCE TO THE NORTHERLY RIGHT OF WAY FENCE OF A COUNTY ROAD; THENCE ALONG SAID RIGHT OF WAY FENCE LINE THE FOLLOWING SEVEN (7) COURSES:
- (1) NORTH 75°50'39" WEST 443.76 FEET; THENCE
 - (2) NORTH 74°29'47" WEST 1219.71 FEET; THENCE
 - (3) NORTH 84°26'23" WEST 323.64 FEET; THENCE
 - (4) NORTH 69°30'02" WEST 233.65 FEET; THENCE
 - (5) NORTH 64°24'30" WEST 620.55 FEET; THENCE
 - (6) NORTH 89°36'24" WEST 702.19 FEET; THENCE
 - (7) SOUTH 81°43'25" WEST 42.49 FEET; THENCE
- NORTH 00°27'58" EAST 4171.35 FEET TO THE POINT OF BEGINNING.

ALSO PART OF THE SW¼ OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 32 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS NORTH 00°32'53" EAST 210.00 FEET
ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SAID
SECTION 24 AND RUNNING THENCE NORTH 00°32'53" EAST 2408.34 FEET
ALONG SAID SECTION LINE TO AN EXISTING EAST-WEST FENCE LINE;
THENCE NORTH 89°59'48" EAST 1927.55 FEET ALONG SAID EAST-WEST
FENCE LINE; THENCE SOUTH 00°27'58" WEST 2404.65 FEET; THENCE
SOUTH 89°53'17" WEST 1931.02 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances there unto
belonging or in any wise appertaining, except that Grantor conveys only those water rights expressly
described in a quitclaim deed delivered at the same time as this deed..

SUBJECT TO all of the following--zoning and building ordinances, easements, rights, rights-of-way,
reservations, reservations in patents, conditions, restrictions, covenants and taxes and assessments—
whether of record or enforceable at law or in equity..

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its
successors and assigns forever.

The Grantor reserves and excepts unto itself all minerals, coal, carbons, hydrocarbons, oil, gas, chemical
elements and compounds whether in solid, liquid or gaseous form, and all steam and other forms of
thermal energy on, in or under the above-described land (the "Mineral Estate"), provided that Grantor
does not reserve the right to enter upon or use the surface or any part of the subject lands above a depth of
500 feet below the surface in connection with the mineral estate reserved by this instrument.

And the said Grantor does hereby covenant unto the said Grantee to defend the title to the within
described property but only against all claiming by through or under it, and against acts of itself.

DATED: this 28th day of June, 2001.



CORPORATION OF THE PRESIDING BISHOP OF
THE CHURCH OF JESUS CHRIST OF LATTER-DAY
SAINTS, a Utah corporation sole

By: [Signature]
Its: Authorized Agent

STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

On this 28 day of June, 2001, personally appeared before me Edwin
J. Pond, personally known to me to be the Authorized Agent of the Corporation of the
Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah Corporation Sole, who

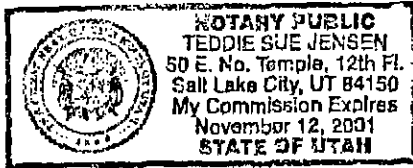
acknowledged to me that he signed the foregoing instrument as Authorized Agent for said Corporation,
that the seal impressed on the within instrument is the seal of said Corporation, and the said
Edwin J. Pond acknowledged to me that the said Corporation executed the same.

Teddie Sue Jensen
Notary Public

My commission expires: 11/12/01

Residing at: Salt Lake County

IDAHO SPECIAL WARRANTY DEED TO CAPITAL LENDING_V1.DOC



501702

1999 NOV 26 PM 4:24

RECORDED AT THE REQUEST OF

FIRST AMERICAN TITLE COMPANY

, 485199

WARRANTY DEED

For Value Received JOHN L. MILLER and LINDA S. MILLER, husband and wife, the Grantors, do hereby grant, bargain, sell, and convey unto THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS (per tithing in kind), the Grantee, whose current address is 50 East North Temple, Salt Lake City, Utah 84150, the following described premises, to wit:

Part of Sections 24 and 25, Township 4 South, Range 32 East, and Sections 19 and 30, Township 4 South, Range 33 East, B.M., Bingham County, Idaho, described as: Beginning at a point in the Southerly right-of-way fence of a County Road, said point being N. 0°32'53" E. 2618.34 feet along the Section line and N. 89°59'48" E. 1927.55 feet from the SW corner of said Section 24, and running thence along said right-of-way fence the following five (5) courses: (1) N. 89°59'48" E. 148.00 feet; thence (2) N. 89°24'11" E. 198.67 feet; thence (3) N. 79°15'11" E. 402.03 feet; thence (4) N. 78°49'32" E. 1368.54 feet; thence (5) N. 81°36'40" E. 477.42 feet; thence S. 02°48'34" W. 834.23 feet; thence S. 30°55'57" W. 426.05 feet; thence S. 44°54'21" W. 153.28 feet to an existing fence line; thence S. 84°22'19" E. 980.61 feet along said fence; thence S. 89°34'22" E. 144.22 feet to an existing North-South fence line; thence S. 01°42'30" E. 1579.45 feet along said fence; thence S. 01°26'14" E. 2304.88 feet along said fence line; thence S. 01°30'06" E. 110.13 feet along said fence to the Northerly right-of-way fence of a County Road; thence along said right-of-way fence line the following seven (7) courses: (1) N. 75°50'39" W. 443.76 feet; thence (2) N. 74°29'47" W. 1219.71 feet; thence (3) N. 84°26'23" W. 323.64 feet; thence (4) N. 69°30'02" W. 233.65 feet; thence (5) N. 64°24'30" W. 620.55 feet; thence (6) N. 89°36'24" W. 702.19 feet; thence (7) S. 81°43'25" W. 42.49 feet; thence N. 0°27'58" E. 4171.35 feet to the point of beginning.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

RESERVING EXCLUSIVELY UNTO the Grantors, their heirs, successors, assigns and designees any and all hunting and fishing rights on the above-described property until December 31, 2020, together with the right of vehicular (including water craft), equestrian, and pedestrian ingress and egress over and upon above-described property in order to exercise said rights. This easement may not be abandoned by non-use or revoked for any reason. The Grantee understands and

agrees that this easement gives only the Grantors, their heirs, successors, assigns, and designees the right to hunt or fish upon the above-described property.

SUBJECT TO Reservations in United States Patent, existing and recorded rights-of-way and easements, zoning and building ordinances, and taxes and assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

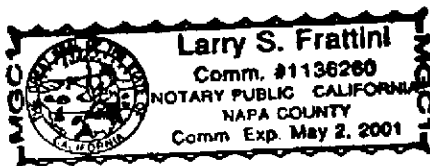
DATED: November 16, 1999

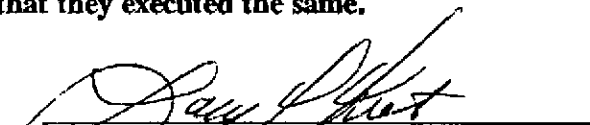

JOHN L. MILLER


LINDA S. MILLER

STATE OF CA)
: ss.
COUNTY OF NAPA)

On this 23 day of November, in the year 1999, before me a Notary Public of said State, personally appeared JOHN L. MILLER and LINDA S. MILLER, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.




Notary Public for NAPA
Residing at 1700 Second St
Commission Expires: 5/02/01

NAPA

485199

Property No. 558-2407

After recording, return to:

LDS Church Real Estate - 12th Fl East
50 East North Temple Street
Salt Lake City, UT 84150

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

FEE 21.00 DEP MP

2000 JUN -5 PM 4:13

RECORDED AT THE REQUEST OF

490762

Property No.

Send Tax Statements to:

LDS Church Tax Admin. - 22nd Fl.
50 East North Temple Street
Salt Lake City, UT 84150-3620

FIRST AMERICAN TITLE COMPANY

AGREEMENT TO CORRECT DEED, TO CONVEY WATER RIGHTS,
AND TO CONVEY PUMP AND WATER PIPELINE EASEMENT

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, (CPB, Grantee) and JOHN L. MILLER and LINDA S. MILLER, husband and wife (Millers, Grantors) of Napa, California, for good and valuable consideration, hereby adopt the following Agreement to Correct Deed (Agreement)

1. BACKGROUND. On or about November 16, 1999, Millers made and delivered to CPB a deed, (the "November Deed"), which was duly recorded in the official records of the county recorder of Bingham County, Idaho, on Nov. 26, 1999, as entry no. 485199. The deed did not identify CPB by its correct name but referred to CPB as The Church of Jesus Christ of Latter-day Saints. The parties desire to correct the November Deed, and to add to it conveyance of certain water rights and a certain pump and water pipeline easement.

2. RESTATED DEED. The parties hereby correct the November Deed by restating it in full as follows:

WARRANTY DEED

For value received JOHN L. MILLER and LINDA S. MILLER, husband and wife, the Grantors, do hereby grant, bargain, sell, and convey unto CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole (per tithing in kind), the Grantee, whose address is 50 East North Temple, Salt Lake City, Utah 84150, the following premises, to wit:

Part of Sections 24 and 25, Township 4 South, Range 32 East, and Sections 19 and 30, Township 4 South, Range 33 East, B.M., Bingham County, Idaho, described as: Beginning at a point in the Southerly right-of-way fence of a County Road, said point being N. 0°32'53" E. 2618.34 feet along the Section line and N. 89°59'48" E. 1927.55 feet from the SW corner of said Section 24, and running thence along said right-of-way fence the following five (5) courses: (1) N. 89°59'48" E. 148.00 feet; thence (2) N. 89°24'11" E. 198.67 feet; thence (3) N. 79°15'11" E. 402.03 feet; thence (4) N. 78°49'32" E. 1368.54 feet; thence (5) N. 81°36'40" E. 477.42 feet; thence S. 02°48'34" W. 834.23 feet; thence S. 30°55'57" W. 426.05 feet; thence S. 44°54'21" W. 153.28 feet to an existing fence line; thence S. 84°22'19" E. 980.61 feet along said fence; thence S. 89°34'22" E. 144.22 feet to an existing North-South fence line; thence S. 01°42'30" E. 1579.45 feet along said fence; thence S. 01°26'14" E. 2304.88 feet along said fence line; thence S. 01°30'06" E. 110.13 feet along said fence to the Northerly right-of-way fence of a County Road; thence along said right-of-way fence line the following seven (7) courses; (1) N. 75°50'39" W. 443.76 feet; thence (2) N. 74°29'47" W. 1219.71 feet; thence (3) N. 84°26'23" W. 323.64 feet; thence (4) N. 69°30'02" W. 233.65 feet; thence

(5) N. 64°24'30" W. 620.55 feet; thence (6) N. 89°36'24" W. 702.19 feet; thence (7) S. 81°43'25" W. 42.49 feet; thence N. 0°27'58" E. 4171.35 feet to the point of beginning.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances there unto belonging or in any wise appertaining, except that Grantor conveys only those water rights expressly described within this instrument.

GRANTORS RESERVE UNTO THEMSELVES a personal license in any and all hunting and fishing rights on the above-described property until December 31, 2020, together with the right of vehicular (including water craft), equestrian, and pedestrian ingress and egress over and upon above-described property in order to exercise said rights. This license may not be abandoned by non-use. The Grantee understands and agrees that this personal license gives only the grantors and their designees the right to hunt or fish upon the above-described property. This personal license is revocable at any time by the Grantee, which may revoke the license by notice to Grantors and by recording a copy of the notice.

SUBJECT TO Reservations in United States Patent, existing and recorded rights-of-way and easements, zoning and building ordinances, and taxes and assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except as herein above set forth and that they will warrant and defend the same from all lawful claims whatsoever.

3. **TRANSFER OF WATER RIGHTS.** Millers have agreed to transfer certain water rights to CPB by quitclaim. Millers desire to retain portions of the water rights, and to express their intent that any water rights they may own not expressly described by this instrument are retained by them. They hereby convey the said water rights by the following instrument:

WATER QUITCLAIM

For value received JOHN L. MILLER and LINDA S. MILLER, husband and wife, the Grantors, individuals residing in Napa, California, hereby quitclaim, without warranty or representation, unto CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, the Grantee, whose address is 50 East North Temple, Salt Lake City, Utah 84150, the following interests in the following described water rights in Bingham County, State of Idaho, to wit:

GRANTORS HAVE DESCRIBED THE WATER RIGHTS CONVEYED BY THIS INSTRUMENT ON THE ANNEXED EXHIBIT "A"

Grantors do not convey any water rights by this Agreement to Correct Deed other than those expressly described in writing in this Agreement.

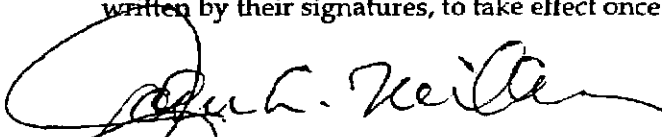
4. **CONVEYANCE OF PUMP AND WATER PIPELINE EASEMENT.** Millers have agreed to convey to CPB a pump and water pipeline easement. Millers hereby convey the said easement by the following instrument:

PUMP AND WATER PIPELINE EASEMENT QUITCLAIM DEED

For value received JOHN L. MILLER and LINDA S. MILLER, husband and wife, the Grantors, individuals residing in Napa, California, hereby quitclaim, without warranty or representation, unto CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, the Grantee, whose address is 50 East North Temple, Salt Lake City, Utah 84150, the easement over the following described real property in Bingham County, State of Idaho, to wit:

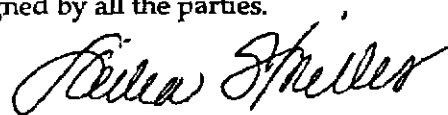
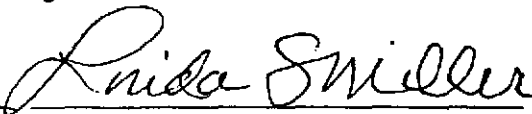
GRANTORS HAVE DESCRIBED THE PUMP AND WATER PIPELINE EASEMENT
CONVEYED BY THIS INSTRUMENT ON THE ANNEXED EXHIBIT "B"

IN WITNESS WHEREOF THE PARTIES HAVE EXECUTED THIS AGREEMENT on the dates
written by their signatures, to take effect once signed by all the parties.




JOHN L. MILLER

DATED: this 27 day of April, 2000.

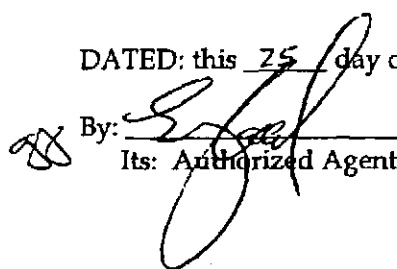



LINDA S. MILLER

DATED: this 27 day of April, 2000.

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS, a Utah corporation sole

DATED: this 25 day of April, 2000.

By: 

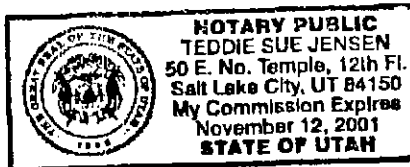
Its: Authorized Agent



STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

On this 25 day of April, 2000, personally appeared before me
Edwin J. Pond, personally known to me to be the Authorized Agent of the
Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah
Corporation Sole, who acknowledged to me that he signed the foregoing instrument as
Authorized Agent for said Corporation, that the seal impressed on the within instrument is the
seal of said Corporation, and the said Edwin J. Pond acknowledged to me
that the said Corporation executed the same.

Teddie Sue Jensen
Notary Public



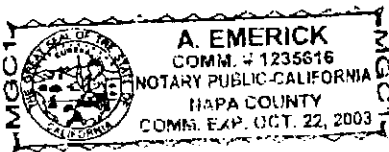
My commission expires: 11/12/01

Residing at: Salt Lake County

STATE OF CALIFORNIA)
: ss
COUNTY OF NAPA)

On the 27 day of May, 2000, before me, A. Emerick, Notary Public,
personally appeared JOHN L. MILLER and LINDA S. MILLER, husband and wife, personally
known to me to be or proved to me on the basis of satisfactory evidence to be the persons
whose names are subscribed to the within instrument and acknowledged to me that they
executed the same.

WITNESS my hand and official seal.



A. Emerick
Notary Public
Residing at Napa County
Commission Expires: 10-22-03

Exhibit "A"

AGREEMENT TO CORRECT DEED, TO CONVEY WATER RIGHTS, AND TO CONVEY PUMP AND WATER PIPELINE EASEMENT

	WATER RIGHT NUMBER	DESCRIPTION OF ORIGINAL RIGHT (consult IDWR records for more complete descriptions)	PERCENTAGE OF RIGHT CONVEYED TO GRANTEE	PERCENTAGE OF RIGHT RETAINED BY GRANTORS
1	35-07141	4.8 cfs and 960 AF/yr. from a well for the irrigation of 240 acres	86.092 %, or 826.48 AF/yr. for the irrigation of 206.62 acres	13.908 %, or 133.52 AF for the irrigation of 33.4 acres
2	35-07138	1.08 cfs and 216 AF/yr. from a well for the irrigation of 81 acres. Use of this right is limited to the irrigation of 54 acres in a single irrigation season. Use of this right in combination with Water Right Number 35-00007 is limited to a total combined diversion rate of 2.06 cfs for the irrigation of a combined total of 103 acres in a single irrigation season.	54.259% for the irrigation of 29.30 acres in a single irrigation season. The portion of this right conveyed to GRANTEE may be used in combination with the portion of 35-00007 conveyed to the GRANTEE for the irrigation of a combined total of 70.83 acres in a single irrigation season.	45.741% for the irrigation of 24.7 acres in any single irrigation season. The portion of this right retained by GRANTORS may be used in combination with the portion of 35-00007 retained by GRANTORS for the irrigation of a combined total of 32.17 acres in a single irrigation season.

3	35-00007	2.06 cfs from an unnamed stream for the irrigation of 103 acres. Use of this right with Water Right Number 35-00007 is limited to a total combined diversion rate of 2.06 cfs for the irrigation of a combined total of 103 acres in a single irrigation season.	68.767 % for the irrigation of 70.83 acres. The portion of this right conveyed to GRANTEE may be used in combination with the portion of 35-07138 conveyed to the GRANTEE for the irrigation of a combined total of 70.83 acres in a single irrigation season.	31.233 % for the irrigation of 32.17 acres. The portion of this right retained by GRANTORS may be used in combination with the portion of 35-07138 retained by GRANTORS for the irrigation of a combined total of 32.17 acres in a single irrigation season.
4	35-02014	1.3 cfs and 160 AF/yr. from Boone Spring for the irrigation of 80 acres	100 %	none
5	35-07142	GRANTORS' interest in this right is limited to the irrigation of 40 acres from an unnamed stream.	100 %	none
6	35-02016	1.48 cfs from Tanner Spring and an unnamed stream for the irrigation of 74 acres	100 %	none
7	35-00047	.5 cfs from springs and waste water from S.W. Gibbs Ranch for the irrigation of 166.5 acres.	97.898 % for the irrigation of 163 acres	2.102 % for the irrigation of 3.5 acres

If the maximum allowable flows under the rights described above (other than Water Right Numbers 35-02014, 35-07142 and 35-02016) were divided in the percentages described, practical use of the rights for irrigation may be impaired. For example, under Water Right Number 35-00047, 2.102 % of .5 cfs would result in only .011 cfs, which may not be enough flow to efficiently operate an irrigation system. Therefore, GRANTORS retain the right at their option to take up to the maximum allowable flow in appropriate turns, such that the annual quantity of water diverted by GRANTORS is consistent with the above described retained portions of the rights.

Exhibit "B"

**AGREEMENT TO CORRECT DEED, TO CONVEY WATER RIGHTS,
AND TO CONVEY PUMP AND WATER PIPELINE EASEMENT**

DESCRIBED SUBJECT PROPERTY

The Southwest quarter of the Southeast quarter of the Southwest quarter of Section 24, Township 4 South, Range 32 East, Boise Meridian.

EASEMENT

The right to use jointly with GRANTOR that existing diversion and pump and all associated pipelines and other associated equipment located in the Southwest quarter of the Southeast quarter of the Southwest quarter of Section 24, Township 4 South, Range 32 East, Boise Meridian, for the purposes of diverting water under Water Right Numbers 35-07141, 35-07138, 35-00007, 35-02014, 35-07142, or 35-00047.

Together with the right to maintain, operate, repair and replace the above facilities and equipment jointly with GRANTOR for the purposes of diverting water under Water Right Numbers 35-07141, 35-07138, 35-00007, 35-02014, 35-07142, or 35-00047.

490762

Property No. 558-2407
After recording, return to:
LDS Church Real Estate - 12th Fl. East
50 East North Temple Street
Salt Lake City, UT 84150

8013630400
BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

T-185 P.04/10 F-521

FEE 6.00 DEP JP

490763

2000 JUN -5 PM 4:14

RECORDED AT THE REQUEST OF

FIRST AMERICAN TITLE COMPANY

Property No.

Send Tax Statements to:

LDS Church Tax Admin. - 22nd Fl.
50 East North Temple Street
Salt Lake City, UT 84150-3620

any order

WELL AND WATER PIPELINE EASEMENT QUIT-CLAIM DEED

For Ten Dollars and other good and valuable consideration, THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, a Utah Corporation Sole, with its principal office in Salt Lake County, Utah, GRANTOR, hereby quitclaims, without warranty or representation, to JOHN L. MILLER and LINDA S. MILLER, individuals residing in Napa, California, GRANTEEES, the following easement over the following described subject real property located in Bingham County, Idaho:

DESCRIBED SUBJECT PROPERTY

Part of Sections 24 and 25, Township 4 South, Range 32 East, and Sections 19 and 30, Township 4 South, Range 33 East, B.M., Bingham County, Idaho described as:

Beginning at a point in the southerly right-of-way fence of a county road, said point being N 0° 32' 53" E 2618.34 feet along the section line and N 89° 59' 48" E 1927.55 feet from the southwest corner said Section 24, and running thence along said right-of-way fence the following five (5) courses (1) N 89° 59' 48" E 148.00 feet; thence (2) N 89° 24' 11" E 198.67 feet; thence (3) N 79° 15' 11" E 402.03 feet; thence (4) N 78° 49' 32" E 1368.54 feet; thence (5) N 81° 36' 40" E 477.42 feet; thence S 02° 48' 34" W 834.23 feet; thence S 30° 55' 57" W 426.05 feet; thence S 44° 54' 21" W 153.28 feet to an existing fence line; thence S 84° 22' 19" E 980.61 feet along said fence; thence S 89° 34' 22" E 144.22 feet to an existing north-south fence line; thence S 01° 42' 30" E 1579.45 feet along said fence; thence S 01° 26' 14" E 2304.88 feet along said fence line; thence S 01° 30' 06" E 110.13 feet along said fence to the northerly right-of-way fence of a county road; thence along said right-of-way fence line the following seven (7) courses (1) N 75° 50' 39" W 443.76 feet; thence (2) N 74° 29' 47" W 1219.71 feet; thence (3) N 84° 26' 23" W 323.64 feet; thence (4) N 69° 30' 02" W 233.65 feet; thence (5) N 64° 24' 30" W 620.55 feet; thence (6) N 89° 36' 24" W 702.19 feet; thence (7) S 81° 43' 25" W 42.49 feet; thence N 0° 27' 58" E 4171.35 feet to the point of beginning.

EASEMENT

The right to use jointly with GRANTOR that existing well, including the existing pump and all associated pipelines and other equipment, located in the Northwest quarter of

Property No. 558-2407
After recording, return to:
LDS Church Real Estate - 12th Fl East
50 East North Temple Street
Salt Lake City, UT 84150

499140

Property No.
Send Tax Statements to:
LDS Church Tax Admin. - 22nd Fl.
50 East North Temple Street
Salt Lake City, UT 84150-3620

WARRANTY DEED

#42964
For value received, JOHN L. MILLER and LINDA S. MILLER, husband and wife, the Grantors, do hereby grant, bargain, sell, and convey unto CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole (per tithing in kind), the Grantee, whose address is 50 East North Temple, Salt Lake City, Utah 84150, the following premises, to wit:

Part of the Southwest Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho described as follows:

Beginning at a point that is N 00°32'53" E 210.00 feet along the section line from the southwest corner of said Section 24 and running thence N 00°32'53" E 2408.34 feet along said section line to an existing east-west fence line; thence N 89°59'48" E 1927.55 feet along said east-west fence line; thence S 00°27'58" W 2404.65 feet; thence S 89°53'17" W 1931.02 feet to the point of beginning.

The parcel contains 106.579 acres.

RESERVING UNTO the Grantors, their heirs, successors, assigns and designees the right to use, operate, maintain, repair, rehabilitate, improve or replace existing wells and springs on the Property for the purpose of diverting water into the natural stream and conveying the same for use under Water Right Number 35-11390, as that right may in the future be modified by license, permit, diligence or decree, including reasonable ingress and egress. The rights reserved to Grantors shall be exercised in a manner reasonably compatible with Grantee's use of water under Water Right Numbers 35-11392 and 35-11393 from the point of diversion which is currently approved for Water Right Numbers 35-11392 and 35-11393.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances there unto belonging or in any wise appertaining, except that Grantors convey only those water rights expressly described in a separate Water Right Quit-Claim Deed.

SUBJECT TO Reservations in United States Patent, existing and recorded rights-of-way and easements, zoning and building ordinances, and taxes and assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with said appurtenances, unto the said Grantee, its successors and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except as herein above set forth and that they will warrant and defend the same from all lawful claims whatsoever.

FIRST AMERICAN TITLE COMPANY

INGRAM COUNTY RECORDER
BLACKFOOT, IDAHO

RECORDED AT THE REQUEST OF
2001 APR -4 PM 4:13
FEE \$6.00

John L. Miller

JOHN L. MILLER

DATED: this 27 day of Nov., 2000.

Linda S. Miller

LINDA S. MILLER

DATED: this 27 day of Nov., 2000.

STATE OF CALIFORNIA)

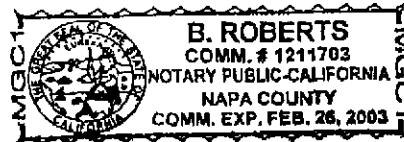
: ss

COUNTY OF NAPA)

On the 27th day of Nov., 2000, before me, B. Roberts,
Notary Public, personally appeared JOHN L. MILLER and LINDA S. MILLER, husband and
wife, personally known to me to be or proved to me on the basis of satisfactory evidence to be
the persons whose names are subscribed to the foregoing Warranty Deed and acknowledged to
me that they executed the same.

WITNESS my hand and official seal.

B. Roberts
Notary Public
Residing at Napa CA
Commission Expires: 2-26-03



499140

RE-RECORDED TO CORRECT LEGAL DESCRIPTION.

472679

ORIGINAL FILED BY RECORDER
BLAINE, IDAHO

473520

FEE 9.00 DSP 2

98 DEC 24 PM 12:51

WHEN RECORDED, MAIL TO:

RECORDED AT THE REQUEST OF

John L. Miller
P.O. Box 2260
Napa, California 94558

Albano Title & Escrow Corp.

473042

WARRANTY DEED

North Fork Energy, Inc., a corporation organized and existing under the laws of the State of Idaho, with its principal place of business in Bingham County, Idaho, GRANTOR, hereby CONVEYS and WARRANTS to John L. Miller, GRANTEE, of Napa County, California, for the sum of TEN DOLLARS and other good and valuable consideration, the following-described tract of land in Bingham County, Idaho: PART OF SECTION 24, 25, AND 26, TOWNSHIP 4 SOUTH, RANGE 32 EAST * BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:

Beginning at a point on the South line of a County Road that is South 0°13'14" West 2167.35 feet along the Section line and South 81°36'31" West 84.90 feet from the Northeast corner of said Section 24 and running thence south 81°36'31" West 1192.27 feet along said South line; thence South 78°49'32" West 1368.55 feet; thence South 79°16'11" West 402.03 feet; thence South 89°24'11" West 198.67 feet; thence South 89°59'48" West 2075.55 feet along said South line to the West line of said Section 24; thence leaving said County Road South 0°32'53" West 2618.34 feet along the Section line to the South West corner of said Section 24; thence North 89°28'36" West 1325.23 feet along a fence line; thence South 1°04'04" West 1268.04 feet along said fence; thence South 55°28'37" West 90.03 feet; thence North 89°46'17" West 958.92 feet along said fence line to the east line of a county road; thence South 5°14'03" East 199.67 feet along said east line to the Bureau of Reclamation take line; thence along said Bureau of Reclamation take line the following three (3) courses (1) North 48°14'18" East 293.73 feet; (2) thence South 41°37'41" East 168.00 feet; (3) thence South 49°20'46" West 424.73 feet; thence South 16°10'45" West 169.69 feet; thence South 56°11'16" West 256.70 feet; thence South 0°11'21" West 546.83 feet; thence South 53°20'44" East 115.52 feet along said east line to the North line of said County Road; thence South 88°50'14" East 561.72 feet along said North line; thence South 87°40'11" East 149.39 feet; thence North 89°37'03" East 1145.42 feet; thence North 80°18'38" East 264.58 feet; thence South 89°24'55" East 174.18 feet to the Bureau of Reclamation Take Line; thence along said Bureau of Reclamation Take Line the following three (3) courses (1) North 76°17'38" East 235.58 feet; (2) thence North 67°19'32" East 349.70 feet; (3) thence South 41°00'50" West 162.37 feet to the North line of a County Road; thence North 69°59'04" East 56.48 feet; thence North 59°36'35" East 521.39 feet; thence North 53°39'50" East 263.65 feet; thence North 31°17'57" East 502.46 feet; thence North 81°43'25" East 787.30 feet; thence South 89°36'24" East 702.19 feet; thence South 64°24'39" East 620.55 feet; thence South

* AND A PORTION OF SECTIONS 19 & 30, TOWNSHIP 4 SOUTH, RANGE 33 EAST BOISE MERIDIAN

RECORDED AT THE REQUEST OF
Albano Title & Escrow Corp.

99 JAN -6 AM 11:53

FEE 9.00 DSP 2

BINGHAM COUNTY RECORDER
BLAINE, IDAHO

67°30'02" East 233.65 feet; thence South 84°26'23" East 323.64 feet; thence South 74°29'47" East 1219.71 feet; thence South 75°50'39" East 443.76 feet along said North line; thence leaving said County Road North 1°30'06" West 110.13 feet; thence North 1°26'14" West 2304.88 feet along a fence line; thence North 1°42'30" West 3088.94 feet along said fence line to the Point of Beginning.

EXCEPTING THEREFROM the following parcel:

Part of the East Half of the Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho, described as follows:

Beginning at a point in an existing North-South fence line that is North 00°13'14" East 1615.08 feet along the Section line and North 89°34'12" West 33.14 feet from the Southeast corner of said Section 24 and running thence North 01°42'30" West 1509.49 feet along said existing fence line to the south line of an existing County Road; thence South 81°36'31" West 714.85 feet along said South line; thence South 02°48'39" West 834.28 feet; thence South 30°55'57" West 426.02 feet; thence South 44°54'25" West 277.78 feet; thence South 89°34'12" East 1208.22 feet to the Point of Beginning.

TOGETHER WITH:

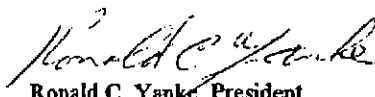
All fixtures and appurtenances located on the described and conveyed real property, including, but not limited to, one trailer home, and all other out buildings located on the property, eight (8) approximately quarter mile long Thunderbird wheeled irrigation lines, two (2) approximately quarter mile long four (4) inch diameter hand irrigation lines, all existing buried main irrigation lines, a 150 horsepower deep well pump and a 100 horsepower centrifugal pump.

AND SUBJECT TO all easements and encumbrances of record.

The officers of North Fork Energy, Inc. who sign this Warranty Deed hereby certify that this Warranty Deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of North Fork Energy, Inc. at a lawful meeting properly noticed and duly held, and attended by a quorum.

IN WITNESS WHEREOF, the GRANTOR has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 23 day of December, 1998.

NORTH FORK ENERGY, INC., Grantor


Ronald C. Yanke, President



473520

ATTEST:

Richard D. Heaton

Richard D. Heaton, Secretary

ALLIANCE TITLE & ESCROW CORP.
RECORDED AT THE REQUEST OF
99 JAN 20 AM 11:31
FEE 9.00 DEP 01
BUTTE COUNTY RECORDER
BLACKFOOT, IDAHO

STATE OF IDAHO)
: ss.
COUNTY OF ADA)

On the 13th day of December, 1998, personally appeared before me Ronald C. Yanke, who having first been duly sworn by me, did say that he is the President of North Fork Energy, Inc., that he has authority to sign the foregoing Warranty Deed on behalf of North Fork Energy, Inc. by reason of a duly and properly adopted resolution of the board of directors of North Fork Energy, Inc., and that the foregoing Warranty Deed was signed on behalf of North Fork Energy by him.

Lori Ann O'Leary
NOTARY PUBLIC
Residing in the State of Idaho
SEAL:
My commission exp: 7/12/01

STATE OF IDAHO)
: ss.
COUNTY OF ADA)

472679

On the 23rd day of December, 1998, personally appeared before me Richard D. Heaton, who having first been duly sworn by me, did say that he is the Secretary of North Fork Energy, Inc., that the President of North Fork Energy, Inc., Ronald C. Yanke, has authority to sign the foregoing Warranty Deed on behalf of North Fork Energy, Inc. by reason of a duly and properly adopted resolution of the board of directors of North Fork Energy, Inc., and that he, Richard D. Heaton, as Secretary of North Fork Energy, Inc., has properly, and pursuant to authority duly granted to him by North Fork Energy, Inc., has signed the foregoing Warranty Deed attesting that the foregoing Warranty Deed was properly signed with authority on behalf of North Fork Energy, Inc.

Lori Ann O'Leary
NOTARY PUBLIC
Residing in the State of Idaho
SEAL:
My commission exp: 7/12/01

473042

472680

3-22191-4

WHEN RECORDED, MAIL TO:

John L. Miller
P.O. Box 2260
Napa, California 94558

UNDEVELOPED COUNTY RECORDER
BLAINE, IDAHO

FEE 18.00 SEP 02

98 DEC 24 PM 12:51

RECORDED AT THE REQUEST OF

Associated Tides and Currents Corp.

**SPECIAL WARRANTY WATER RIGHTS DEED,
WELL DEVELOPMENT AND MAINTENANCE AGREEMENT
AND
WELL DEVELOPMENT AND MAINTENANCE EASEMENT**

North Fork Energy, Inc., a corporation organized and existing under the laws of the State of Idaho, with its principal place of business in Bingham County, Idaho, GRANTOR, hereby CONVEYS and WARRANTS to John L. Miller, or nominee, GRANTEE, of Napa County, California, for the sum of TEN DOLLARS and other good and valuable consideration, all right, title and interest in and to the following-described water rights:

Water Right Number ("WRN") 35-07141 for 4.8 cfs for the irrigation of 240 acres, as described in the Water Right License and the Snake River Basin Adjudication Claim Number ("SRBA Claim Number") A35-7141. Grantor believes this right may be reduced through the Snake River Basin General Adjudication to 4.68 cfs for the irrigation of 234 acres. Grantor makes no warranty beyond 4.68 cfs for the irrigation of 234 acres.

Water Right Number ("WRN") 35-07138 for 1.08 cfs for the irrigation of 54 acres, as described in the Water Right License. Grantor believes that SRBA Claim Number A35-07138 may be incorrect. Grantor makes no warranty except as to 1.08 cfs for the irrigation of 54 acres as described in the Water Right License.

WRN 35-00007 for the irrigation of 103 acres, as described in SRBA Claim Number A35-00007. However, Grantor believes the right may be limited to 2.1 cfs in the Snake River Basin General Adjudication. Grantor makes no warranty beyond 2.1 cfs for the irrigation of 103 acres.

WRN 35-00028 for 1.2 cfs for the irrigation of 109 acres, as described in SRBA Claim Number A35-00028.

WRN 35-00029 for .4 cfs for the irrigation of 109 acres, as described in SRBA Claim Number A35-00029.

WRN 35-02016, as described in SRBA Claim Number A35-02016. Grantor believes that the right may be reduced in the Snake River Basin Adjudication to 1.28 cfs for the irrigation of 64 acres. Grantor makes no warranty beyond 1.28 cfs and 64 acres.

WRN 35-02014, as described in the Water Right License for 1.3 cfs for irrigation as described in the Water Right License.

WRN 35-11390 for 20 cfs for fish propagation as described in SRBA Claim Number A35-11390 and as modified by Transfer Number 5055.

WRN 35-11392 for .04 cfs for the domestic use of one home.

WRN 35-11393 for .04 cfs for the domestic use of one home.

WRN 35-00047. Grantor makes no warranty whatsoever regarding WRN 35-0047.

A portion of WRN 35-007142 for the irrigation of 40 acres. Grantor makes no warranty whatsoever regarding WRN 35-007142.

TOGETHER WITH an undivided interest in the following water rights, and subject to the limitations described below:

WRN 35-04271 for 50 cfs for fish propagation as described in SRBA Claim Number A35-04271 and as modified by Transfer Number 5030.

WRN 35-08635 for .72 cfs for fish propagation as described by the Water Right License and as modified by Transfer Number 5030. Grantor believes that SRBA Claim Number A35-08635 may be incorrect. Grantor makes no warranty beyond .72 cfs.

WRN 35-08782 for 4.64 cfs as described in the Water Right License and as modified by pending, unapproved Transfer Number 5345.

WRN 35-09068 for 4.79 cfs for fish propagation or 3.79 cfs for fish propagation and 1. cfs for commercial use under WRN 35-08679.

WRN 35-08679 for 1.0 cfs for commercial use, as modified by Transfer Number 5030.

As to Water Right Numbers 35-04271, 35-08635, 35-08782 and 35-09068, Grantor retains the right to use the described flow for fish propagation purposes only on property retained by the Grantor located in the Northeast Quarter of Section 24, Township 4 South, Range 32 East

of the Boise Meridian, Bingham County, Idaho. Grantor's use of the water under Water Right Numbers 35-04271, 35-08635, 35-08782 and 35-09068 will be virtually non-consumptive.

As to WRN 35-08679, Grantor retains the right to consumptively use up to 1.0 cfs for commercial purposes, or file a transfer to use the water for irrigation or other consumptive purposes, on property retained by the Grantor located in the Northeast Quarter of Section 24 and the Northeast Quarter of the Southeast Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho.

All flows available for use by Grantor or Grantee under Water Right Numbers 35-04271, 35-08635, 35-08782 and 35-09068, and all flows not consumed by Grantor under WRN 35-08679, shall be discharged to Boom Creek by Grantor at the point where Boom Creek intersects the existing Bingham County road in the Northeast Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho. All water discharged by Grantor to Boom Creek shall meet all applicable state, federal and local laws, statutes, rules, regulations and ordinances, shall be free from any significant pathogens or disease which might adversely affect fish or wildlife, and shall be fit for the purposes of fish propagation, wildlife, recreation, the natural stream environment and aesthetics.

Grantor hereby conveys to Grantee a partial undivided right in and to Water Right Numbers 35-04271, 35-08635, 35-08782 and 35-09068 and 35-08679 consisting of the right to use the flow discharged by Grantor below the point described for all authorized purposes subject to any required Transfer from the Idaho Department of Water Resources and further subject to the limitations described above.

Neither Grantor nor the Grantee shall file any application for Transfer involving Water Right Numbers 35-04271, 35-08635, 35-08782, 35-09068 and 35-08679 which might in any manner diminish the quantity or quality of water available to the other.

Except as expressly stated otherwise above, Grantor warrants that it is conveying good, marketable, unencumbered title to all of the water rights described above. The same acreage may be an approved place of use for more than one water right. As part of the Snake River Basin General Adjudication, approved flows may be reduced because of this stacking of water rights. Reductions in flow as the result of stacking shall not be considered a breach of Grantor's warranties. As part of the Snake River Basin General Adjudication, small adjustments in approved acreage may be made as the result of the capacity for more precise measurements. Small reductions in acreage as the result of better measurement shall not be considered a breach of Grantor's warranties.

Water Right Number 35-04271, 35-08635, 35-08782, 35-09068 and 35-08679 and Transfer Numbers 5030, 5055 and pending Transfer Number T5345, approved a total of 10 wells to be drilled

on property retained by Grantor located in the Northeast Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho. Three of the wells have been completed. Grantor shall continue to develop two (2) additional wells until the total authorized artesian flow from the wells under the described water right numbers and transfer numbers is obtained, or hydro geological data reasonably acceptable to Grantee indicates that additional wells would not result in a net yield from all of the wells of more than 3 cfs. Grantor shall complete the two (2) additional wells on or before August 1, 1999. While Grantor is not obligated to Grantee to develop the full ten (10) wells authorized under the described water rights and transfers, any water developed by Grantor on property belonging to Grantor located in the Northeast Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho shall first be used to satisfy the water rights and transfers that Grantor and Grantee have undivided interests in as described above before being used for any other purpose. Grantor shall submit any proof required under the described water rights and transfers and shall timely take all other steps which may be reasonable and necessary to keep the described water rights and transfers in good standing. Grantor shall reasonably operate and maintain the wells in a condition which will maximize the flow to which the Grantor and Grantee have a right under the described water rights and transfers.

If for any reason Grantor fails to diligently and timely complete development of the two additional wells as described above, or alternatively, Grantor fails to maintain any wells developed by Grantor which are necessary to satisfy the water rights and transfers that Grantor and Grantee have undivided interests in as described above, Grantee shall have an easement and a right of ingress and egress across the property belonging to Grantor located in the Northeast Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho for the purpose of developing the two additional wells described above, or maintaining any wells developed by Grantor which are necessary to satisfy the water rights and transfers that Grantor and Grantee have undivided interests in as described above.

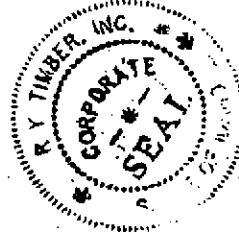
All of Grantor's obligations under this Special Warranty Water Rights Deed, Well Development and Maintenance Agreement and Well Development and Maintenance Easement shall run with the land and shall bind Grantors successors and assigns.

The officers of North Fork Energy, Inc. who sign this Special Warranty Water Rights Deed, Well Development and Maintenance Agreement and Well Development and Maintenance Easement hereby certify that this instrument and the agreements and transfers represented thereby was duly authorized under a resolution duly adopted by the board of directors of North Fork Energy, Inc. at a lawful meeting properly noticed and held, and attended by a quorum.

IN WITNESS WHEREOF, the GRANTOR has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 23 day of December, 1998.

NORTH FORK ENERGY, INC., Grantor

Ronald C. Yanke
Ronald C. Yanke, President



ATTEST:

Richard D. Heaton

Richard D. Heaton, Secretary

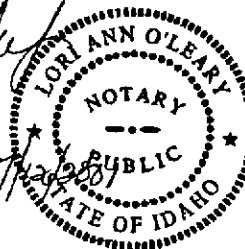
STATE OF IDAHO)

: ss.

COUNTY OF ADA)

On the 23rd day of December, 1998, personally appeared before me Ronald C. Yanke, who having first been duly sworn by me, did say that he is the President of North Fork Energy, Inc., that he has authority to sign the foregoing Special Warranty Water Rights Deed, Well Development and Maintenance Agreement and Well Development and Maintenance Easement on behalf of North Fork Energy, Inc. by reason of a duly and properly adopted resolution of the board of directors of North Fork Energy, Inc., and that the foregoing instrument was signed on behalf of North Fork Energy by him.

Lori Ann O'Leary
NOTARY PUBLIC
Residing in the State of Idaho
SEAL:
My commission exp. 7/24/2001



STATE OF IDAHO)

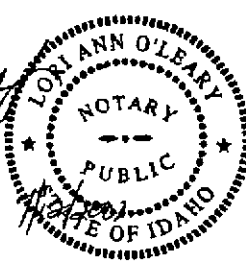
: ss.

COUNTY OF ADA)

On the 23rd day of December, 1998, personally appeared before me Richard D. Heaton, who having first been duly sworn by me, did say that he is the Secretary of North Fork Energy, Inc., that the President of North Fork Energy, Inc., Ronald C. Yanke, has authority to sign the foregoing Special Warranty Water Rights Deed, Well Development and Maintenance Agreement and Well Development and Maintenance Easement on behalf of North Fork Energy, Inc. by reason of a duly and properly adopted

resolution of the board of directors of North Fork Energy, Inc., and that he, Richard D. Heaton, as Secretary of North Fork Energy, Inc., has properly, and pursuant to authority duly granted to him by North Fork Energy, Inc., signed the foregoing instrument attesting that the foregoing instrument was properly signed with authority on behalf of North Fork Energy, Inc.


NOTARY PUBLIC
Residing in the State of Idaho
SEAL:
my commission exp: 11/1/2011



472680

QUITCLAIM DEED

483975

FOR VALUE RECEIVED, NORTH FORK ENERGY, INC., an Idaho corporation, the Grantor, does hereby convey, release, remise and forever quitclaim unto JOHN L. MILLER, a single man, the Grantee, whose address is P.O. Box 2260, Napa, California 94558, the following described premises in Bingham County, Idaho, to wit:

Part of the East $\frac{1}{4}$ of Section 24, Township 4 South, Range 32 East, B.M., Bingham County, Idaho described as:

Beginning at a point in an existing east west fence line that is N 0° 13' 14" E 1615.08 feet along the section line and N 89° 34' 12" W 177.66 feet from the southeast corner of said Section 24 and running thence N 89° 34' 12" W 1063.71 feet; thence N 44° 54' W 5" E 124.50 feet to an existing fence line; thence S 84° 22' 19" E 980.51 feet along said fence line to the point of beginning.

Parcel contains 1.08 acres.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto Grantee and his successors or assigns forever.

DATED: October 4, 1999

GRANTOR:

NORTH FORK ENERGY, INC.

By:

Ronald C. Yanke
Ronald C. Yanke, President

ATTEST:

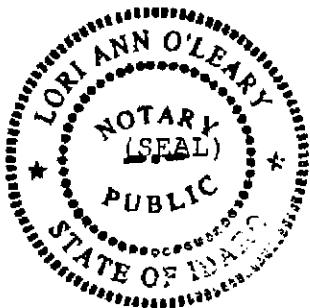
Richard D. Heaton
Richard D. Heaton, Secretary

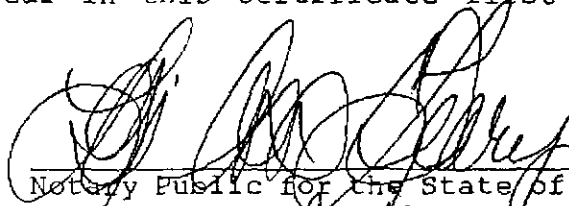
RECORDED AT THE REQUEST OF
JOHN L. MILLER
1999 OCT 13 PM 12:59
FEE *10.00* XP
CLERK OF DISTRICT COURT
BLAINE, IDAHO 83401

STATE OF IDAHO)
) ss
COUNTY OF ADA)

On this 14th day of October, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **RONALD C. YANKE and RICHARD D. HEATON**, President and Secretary, respectively, of **NORTH FORK ENERGY, INC.**, an Idaho corporation, which executed the foregoing document, known to me or identified to me, to be the persons whose names are subscribed to the foregoing, and acknowledged to me that they executed the same for and on behalf of the corporation and in its name.

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 the State of Idaho
Residing at: Buhl
My commission expires: 7/12/2001

483975

2000 APR 13 AM 9:35
FILED
TWIN FALLS CO., IDAHO

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

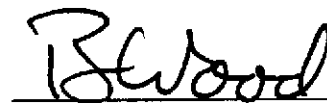
For Water Right 35-02016

On November 9, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 35-02016 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED APR 13 2000



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 35-02016

2000 APR 13 AM 9:35
FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: JOHN L MILLER
PO BOX 2260
NAPA, CA 94558

SOURCE: UNNAMED STREAM TRIBUTARY: SNAKE RIVER

QUANTITY: 1.48 CFS

PRIORITY DATE: 03/01/1909

POINT OF DIVERSION: T04S R33E S30 LOT 02 (SWNW) Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.48 CFS

PLACE OF USE:	Irrigation		Within Bingham County
	T04S R32E S25	NENE 20.0	NWNE 7.0
		SWNE 12.0	SENE 35.0
	74.0 Acres Total		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

2000 APR 13 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 35-02016

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 35-02016 was mailed
on April 13, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USA DEPT OF INTERIOR
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

JOHN L MILLER
PO BOX 2260
NAPA, CA 94558
Phone: 707-224-6444

DIANA DELANEY
Chief Deputy Clerk

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

TO: [REDACTED]
FROM: [REDACTED]
ADDRESS: [REDACTED]

534231038835C

|||||

35-11392 & 35-11393
Unable to forward -
No further action taken.
Km
5.4.05

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 04 2005
20270

RECEIVED
MAY 04 2005
Department of Water Resources

(MAY)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

April 18, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CAPITAL LENDING INC
1475 TERMINAL WY STE E
RENO NV 89502

RE: Change of Ownership for Water Rights 35-11392 & 35-11393 : 35-2016

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klm
Enclosure

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALKER
CHARLES A. HOMER
GARY L. MINKLE
DONALD L. HARRIS
DALE W. STUBBS
MARIE T. TYLER
ROBERT M. POJECT
FREDERICK J. HAHN, III
KARL D. DICKER
TERRY W. CANPHE
SHAN B. MERRY
AMELIA A. HIGGINS

US BANK BUILDING
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

October 10, 2001

RECEIVED

OCT 11 2001

Department of Water Resources
Eastern Region

Jennifer Crabtree
IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

Re: *Change of ownership for Capital Lending, Inc.*

Dear Jennifer:

We are enclosing with this letter the following:

1. Our original letter dated July 30, 2001.
2. A copy of your letter dated August 2, 2001.
3. Notice of Change of Water Right Ownership form originally filed August 1, 2001 (with reference to 35-9068 removed).
4. Set of maps included as attachments.
5. Information on corporate officers of Capital Lending, Inc.
6. Set of deeds showing chain of title from North Fork Energy down to Capital Lending, Inc.
7. Check in the amount of \$225.00 for filing fees.

I realize that your letter of August 2, 2001 suggests we send some of these documents to Kari Lynn Townsend but I became confused about which ones to send to her so I have sent them all to you knowing that you will make sure the right ones will get where they need to go.

As noted, we have eliminated Water Right No. 35-9068 from the list. When I contacted North Fork Energy about this matter they referred me to Dr. Charles E. Brockway

Idaho Department of Water Resources
October 10, 2001
Page 2

who explained that this permit should have not gone with the other rights because it has been modified or will be modified and will have nothing to do with the other lands and rights. Thank you for your kind assistance in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kent W. Foster", written in a cursive style.

Kent W. Foster

Enclosures

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.C.

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
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THEL W. CASPER
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RECEIVED

October 10, 2001
Arthur W. Holden
(1877-1967)

Robert B. Holden

Department of Water Resources

Terry L. Crapo
(1939-1982)

William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

October 10, 2001

RECEIVED

OCT 11 2001

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Eastern Region

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Idaho Department of Water Resources
October 10, 2001
Page 2

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Kent W. Foster

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

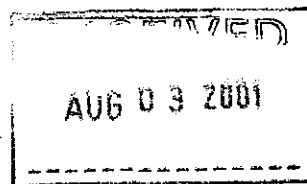
*water rights +
partial deeds =*

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 2, 2001

KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405



RE: OWNERSHIP CHANGE FOR LDS CHURCH – CAPITAL LENDING INC
(35-7, 35-47, 35-2014, 35-2016, 35-4271, 35-7138, 35-7141, 35-7142, 35-8635,
35-8679, 35-8782, 35-9068, 35-11390, 35-11392, 35-11393)

Dear Mr. Foster:

I am returning the above referenced ownership change. Additional information and processing fees are required before our department can make these changes.

Our records show rights 35-11392 and 35-11393 are in the name of North Fork Energy and the rest are in the name of John Miller. Please provide a chain of title from these former owners to Capital Lending Inc. Send the appurtenant deeds and maps to the following offices:

35-7, 35-47, 35-2014, 35-7138, and 35-7141:
(no fees for claims and recommendations)

Idaho Dept. of Water Resources
Attn: Jennifer Crabtree
900 N. Skyline Dr. Ste A
Idaho Falls, ID 83402

✓ 35-2016, *✓* 35-4271B, *✓* 35-7142, *✓* 35-8635B, *✓*
✓ 35-8679, *✓* 35-8782, *✓* 35-11390, *✓* 35-11392, *✓* 35-11393: *water right*
(\$25 per partial decree & water right = \$225)

Idaho Dept. of Water Resources
Attn: Kari Lynn Townsend
1301 N. Orchard
Boise, ID 83706

35-9068-permit
(requires \$25 and the former owner, John
Miller must fill out the enclosed "Assignment
Of Permit"):

withdrawn

Idaho Dept. of Water Resources
Attn: Kari Lynn Townsend
1301 N. Orchard
Boise, ID 83706

Sincerely,

Jennifer Crabtree

Jennifer Crabtree
Technical Records Specialist

Enclosure

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
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Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

July 30, 2001

RECEIVED
AUG 01 2001
Department of Water Resources
Eastern Region

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

Dear Ladies and Gentlemen:

Enclosed for filing on behalf of our client, Capital Lending, Inc., is a notice of change of water right ownership with attachments. If you need any additional information or have questions, feel free to call at your convenience. Thank you for your kind assistance with this matter.

Yours very truly,



Kent W. Foster

Enclosure

cc: Glen Hartman

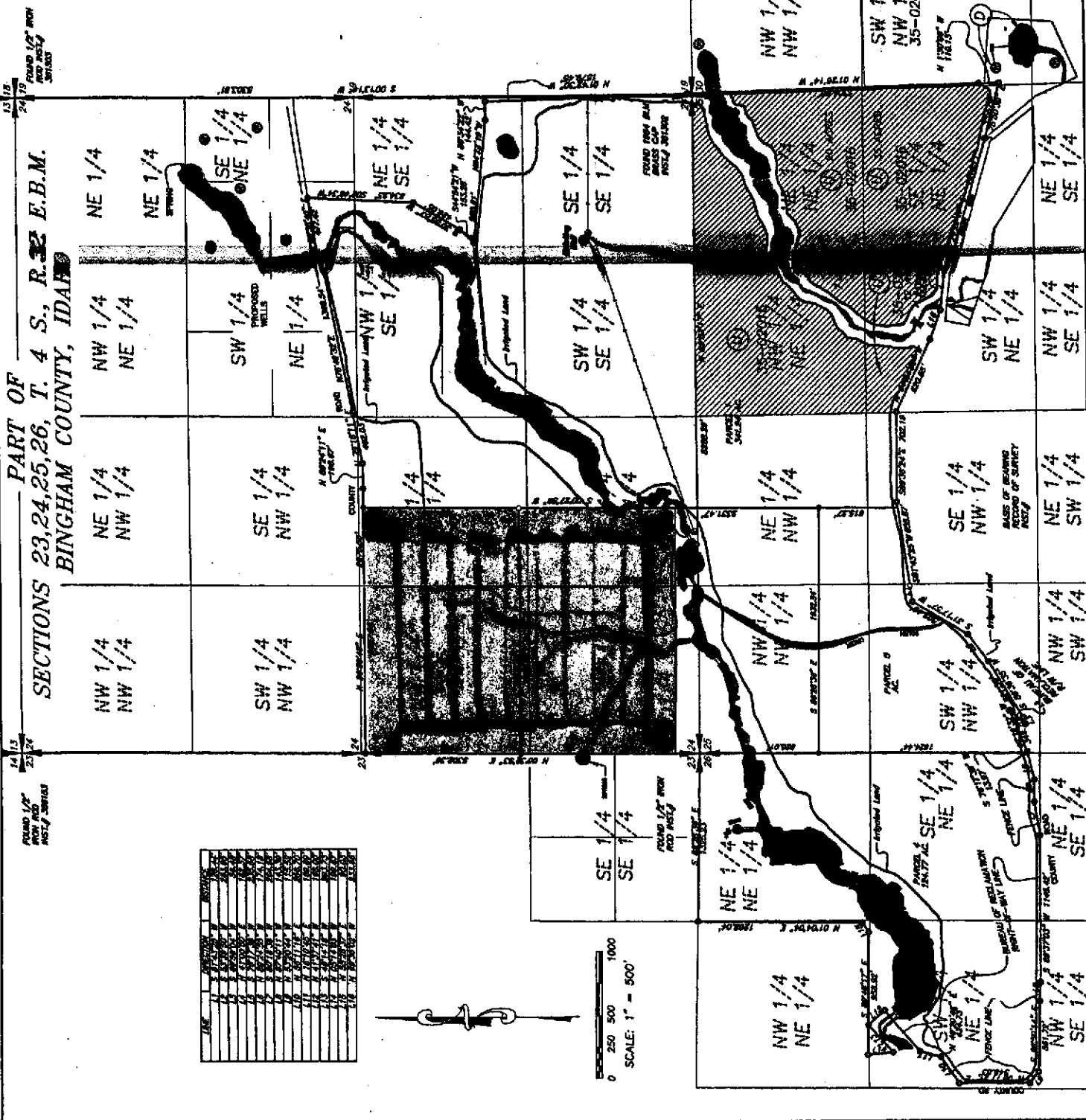
G:\WPDATA\CAH\10147\IDWR.Capital Lending073001.ltr.wpd.bfc

Map "E"

35-02016

PART OF SECTIONS 23, 24, 25, 26, T. 4 S., R. 32 E.B.M. BINGHAM COUNTY, IDAHO

- LEGEND**
- Section corner control
Pinned 1/2" x 3/4" iron
rod with cap marked
P.L.S. 5580
 - Fence line
 - Round 1/2" x 3/4" iron
rod
 - Power Pole
 - Existing well, approximate location
 - Building
 - Overhead Power
 - Point of Division of Water right
 - Place of Use of Water right
 - Irrigated Land on Aerial Photo
1967 Aerial Photo



HE

WATER RIGHTS MAP
35-02016; IRRIGATION

JOHNNY MILLER

SEC. 23, 24, 25, 26, T. 4 S., R. 32 E.B.M.

HARPER-LEVITT ENGINEERING, INC.

PROFESSIONAL ENGINEER AND LAND SURVEYOR

IDAHO REG. NO. 11

EXPIRATION DATE 12/31/2016

DATE OF MAP 12/31/2016

SCALE 1" = 800'