Form 42-248/42-1409(a) July, 2000

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

RECEIVED
APR 15 2004
DEPARTMENT OF WATER RESOURCES

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
36-02432A					
36-2694A					
36-7053					
36-7479					
36-7588					

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

   A. The appropriate **FILING FEE.** See instructions for fee amounts.

   B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**

   C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
   PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

   OR

   If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the 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(s): LG Gillette Investments, LC
   1961 South 1800 East, Gooding, ID 83330

4. New Owner/Claimant(s): Floyd B. Gardner and Vishi J. Gardner co-trustees of
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
   the Gardner Trust dated June 3, 1983
   New Mailing Address: 2685 North River ~~Bend~~ Road
   City, State and ZIP Code: St. Anthony, ID 83445
   New Telephone Number: (208) 624-0966

5. Date you acquired the property: April , 2004

SUPPORT DATA
IN FILE # 36-2432A

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other _____		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other _____		
Total		

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Floyd B. Gardner , Co-Trustees

Vishi J. Gardner , Co-Trustees

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

For Office Use Only
Received by _____ Date 4/14/04 Fee 125.00
Receipted by _____ Date 4/14/04 Receipt No. 3026650
Processed by _____ AJ Date _____ WR _____ Date _____

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other _____		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other _____		
Total		

Signature of New Owner(s) or Claimant(s) (include title if applicable) Floyd B. Gardner

Floyd B. Gardner, Co-Trustee

Vishi J. Gardner, Co-Trustee

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

For Office Use Only
Received by _____ Date _____ Fee _____
Reviewed by _____ Date _____ Receipt No _____
Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

#GL-05236

For Value Received

LG Gillette Investments, L.C. and Larry Russell & Cindy Gillette, husband and wife

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

Floyd B. Gardner and Vishi J. Gardner, as Co-Trustees of the Gardner Trust dated June 3, 1983
Address: 2685 North River Bend, St. Anthony, ID 83445

Hereinafter called the Grantee, the following described premises situated in **Lincoln** County, Idaho, to-wit:

Parcel No. 1:

TOWNSHIP 6 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 35: SE¼SE¼; SW¼SE¼;

TOWNSHIP 7 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 6: Lot 2; E½ of Lot 3; E½SE¼SW¼; SE¼; S½NE¼; E½SE¼NW¼; E½NE¼SW¼;

Parcel No. 2:

TOWNSHIP 7 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 6: Lot 1;

Parcel No. 3:

TOWNSHIP 6 SOUTH, RANGE 20, EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 36: Part of the SE¼SE¼, more particularly described as follows:

Beginning at the Southeast Section corner of Section 36 of T.6.S., R.20 E., B.M., said corner marked by a 5/8" rebar which shall be the POINT OF BEGINNING;
Thence North 89°40'35" West along the South Section line for a distance of 270.48 feet;
Thence North 00°31'48" West for a distance of 40.96 feet to a ½" rebar;
Thence North 00°31'48" West for a distance of 1172.45 feet to a ½" rebar;
Thence North 89°58°54" East for a distance of 257.65 feet to a ½" rebar;
Thence North 89°58'54" East for a distance of 24.80 feet to the East Section line;
Thence South 00°02'07" West along said line for a distance of 1214.98 feet to the POINT OF BEGINNING.

SUBJECT to a 25 foot county road right of way along the South and East sides and subject to a 20 foot irrigation Easement more particularly described as follows:

TOWNSHIP 6 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 36: Part of the SE¼SE¼ more particularly described as follows:

Beginning at the Southeast Section corner of Section 36 of T.6.S., R.20 E., B.M., said corner marked by a 5/8" rebar;
Thence North 00°02'07" East along the East section line for a distance of 31.47 feet to the POINT OF BEGINNING;
Thence North 89°47'06" West for a distance of 270.78 feet;
Thence North 00°31'48" West for a distance of 10.00 feet to a ½"rebar;
Thence North 00°31'48" West for a distance of 10.00 feet;
Thence South 89°47'06" East for a distance 270.98 feet to the East Section line;
Thence South 00°02'07" West along said line for a distance of 20.00 feet to the POINT OF

BEGINNING

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2004 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments levied or to be levied by any local irrigation district.

Power Line Easement given by Fred Stewart and Phyllis S. Stewart, husband and wife, to Idaho Power Company, a corporation, dated April 26, 1966, recorded May 2, 1967 as Instrument Number 119811, Lincoln County records, affecting the East 200 feet of the SE¼ of Section 5, Township 7 South, Range 21, East Boise Meridian.

Power Line Easement given by Fred Stewart and Phyllis Stewart, husband and wife, to Idaho Power Company, a corporation, dated July 15, 1966, recorded May 2, 1967 as Instrument Number 119812, Lincoln County records, affecting the West 10 feet of Lot 1, the West 5 feet of the SE¼NE¼ and the East 5 feet of the SW¼NE¼ of Section 6, Township 7 South, Range 21, East Boise Meridian. (Parcel No. 1)

Mineral Lease from Wallace Bingham and Claire S. Bingham, husband and wife, to Rio Vista Oil Ltd., dated December 27, 1973, recorded January 30, 1974 as Instrument Number 128377, ASSIGNED to Arjay Oil Company by Assignment of Leases, dated November 20, 1975, recorded December 15, 1975 as Instrument Number 130943, Lincoln County records. ASSIGNMENT OF MINERAL LEASE by and between Arjay Oil Company, a Utah Corporation, Assignor, and Emery Coal, Inc., a Utah Corporation, Assignee, dated January 13, 1977, recorded February 3, 1977 as Instrument Number 132717, Lincoln County records, wherein Assignor does hereby assign unto Assignee an undivided thirty-four percent interest in those certain Mineral Leases. ASSIGNMENT OF UNDIVIDED INTEREST IN MINERAL LEASES by and between Arjay Oil Company, Assignor, and Altex Oil Corporation, a Utah corporation, Assignee, dated November 22, 1976, recorded March 7, 1977 as Instrument Number 132864, Lincoln County records, wherein Assignor does hereby assign to Assignee thirty-five percent of those mineral leases. ASSIGNMENT OF UNDIVIDED INTEREST IN MINERAL LEASES by and between Altex Oil Corporation, Assignor, and Royal Resources Exploration, Inc., Assignee, dated March 9, 1977, recorded September 13, 1977 as Instrument Number 133898, Lincoln County records, wherein Assignor does hereby assign to Assignee ten percent of eight-eighths in those mineral leases. ASSIGNMENT OF UNDIVIDED INTEREST IN MINERAL LEASES by and between Arjay Oil Company, Assignor, and Ceron Oil Company, a Utah Corporation, Assignee, dated March 26, 1980, recorded July 14, 1980 as Instrument Number 139401, Lincoln County records, ASSIGNMENT by and between Royal Resources Exploration, Inc., a Delaware Corporation, Assignor, and Kenneth W. Nickerson, Michael Owen and Robert M. Olmsted, Assignees, each a one percent of ten percent, dated November 14, 1980, recorded November 17, 1980 as Instrument Number 139977, Lincoln County records.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho, Department of Water Resources Numbers 36-02432A, 36-02694A, 36-07053, 36-07479, 36-07588, 36-02432B, 36-15121.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumberances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: **April 1, 2004**

Larry R. Gillette

LG Gillette Investments, L.C.
By Larry R. Gillette, Operating Manager

Larry Russell Gillette

Larry Russell Gillette

Cindy Gillette

Cindy Gillette

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 6th day of **April, 2004**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Larry Russell Gillette and Cindy Gillette**, known or identified to me to be the person whose name subscribed to the within instrument, and acknowledged to me that executed the same.

Becky Shubert
Notary Public
Residing at: Wendell ID
My Commission expires: 02-23-05

Becky Shubert
Notary Public
State of Idaho

STATE OF IDAHO)
)ss.
COUNTY OF Gooding)

On this 6th day of March, 2004, before me, the undersigned, a Notary Public, personally appeared Larry R. Gillette known or identified to me (or proved on the oath of) to be (the manager, the managers, a member, the members) of Operating Manager the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.

Becky Shubert
Notary Public
Residing at: Wendell ID
My Commission Expires:
02-23-05

Becky Shubert
Notary Public
State of Idaho

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
Land Title & Escrow 176523

APR - 5 2004

at 20 minutes past 4 P.M.
recorded by Crystal Naylor
Fee: 9.00 Return to: SAME AS Above by hand

72342

L-30908

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS,

That KENNETH R. KOSTKA and NANETTE KOSTKA, husband and wife, and LAVEL D. STOKER and WENDY STOKER, husband and wife, and BRENT STOKER and MARLA STOKER, husband and wife, collectively hereinafter called "Grantors" hereby grant, bargain, sell and convey unto LG GILLETTE INVESTMENTS, L.C., whose address is 1961 South 1800 East, Gooding, Idaho 83330, hereinafter called the "Grantee" the following described real property located in Lincoln County, Idaho, to-wit:

TOWNSHIP 6 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 35: SE¼SE¼; SW¼SE¼

TOWNSHIP 7 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 5: S½;

Section 6: Lot 2; E¼ of Lot 3; E½SE¼SW¼; SE¼; S½NE¼; E½SE¼NW¼; E½NE¼SW¼

TO HAVE AND TO HOLD said premises with all appurtenances unto the said Grantees and their heirs and assigns forever. Said Grantors do hereby covenant to and with said Grantees, that the Grantors are the owners in fee simple of said premises. And also that said premises are free and clear from all other encumbrances except current years taxes, levies, and assessments and except U.S. Patent reservations restrictions, easements of record, and easements viable upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

DATED this 18th day of March, 2002.

GRANTORS:

STATE OF IDAHO
COUNTY OF LINCOLN 172342
Recorded at the request of
LAND TITLE & ESCROW

MAR 19 2002

at 36 minutes past 2 P. M.
recorded by Kelly Jackson Dep.
Fee: 9.00 Return to: Above
By hand.

Name: 17234200.TIF
Dimensions: 2544 x 3300 pixels

Kenneth R. Kostka

Nanette Kostka

LaVel Stoker

Wendy Stoker

Brent Stoker

Marla Stoker

STATE OF IDAHO)
) ss.
County of Cassia)

On this 18th day of March, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared KENNETH R. KOSTKA and NANETTE KOSTKA, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

Name: 17234201.TIF
Dimensions: 2544 x 3300 pixels

Larry Roberts
Notary Public
State of Idaho

NOTARY PUBLIC FOR IDAHO
Residence: Burley ID
My Commission Expires: 6-30-03

STATE OF IDAHO)
) ss.
County of Cassia)

On this 19th day of March, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared LAVEL D. STOKER and WENDY STOKER, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

Larry Roberts
Notary Public
State of Idaho

NOTARY PUBLIC FOR IDAHO
Residence: Burley, ID
My Commission Expires:
6-30-03

STATE OF IDAHO)
) ss.
County of Cassia)

On this 18th day of March, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared BRENT STOKER and MARLA STOKER, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

Larry Roberts
Notary Public
State of Idaho

NOTARY PUBLIC FOR IDAHO
Residence: Burley
My Commission Expires: 6-30-03.

Name: 17234202.TIF
Dimensions: 2544 x 3300 pixels

159315

DEED OF PERSONAL REPRESENTATIVE

THIS DEED made the 22 day of May, 1995, by CLAIRE S. BINGHAM, Personal Representative of the Estate of Wallace S. Bingham, deceased, herein called the First Party, Grantor, and CLAIRE S. BINGHAM, a widow, herein called the Second Party, Grantee whose present address is Route # 2, Box 2165, Dietrich, ID 83324.

WITNESSETH:

That the First Party, by virtue of the power and authority to her given and vested and by reason thereof and for value received, has granted, conveyed and confirmed, and by these presents does grant, remise, convey and confirm, unto the Second Party, Grantee and her heirs forever, all of the following described real property located in Lincoln County, Idaho, to-wit:

TOWNSHIP 6 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO.

SECTION 35: SE¼SE¼; SW¼SE¼

TOWNSHIP 7 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

SECTION 5: S½

SECTION 6: Lot 2; E½ of Lot 3; E½SE¼SW¼; SE¼; S½NE¼; E½SE¼NW¼ and E½NE¼SW¼.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; and the reversion, remainder and remainders, rents, issues and profits thereof, and also all the estate, right, title and interest, property, possession, claim and demand whatsoever, which the said Wallace S. Bingham, decedent, had in his lifetime, and at the time of his decease, and which the First Party has, by virtue of her appointment as Personal Representative of the Estate of Wallace S. Bingham, deceased, in and to the above-described premises, with appurtenances.

TO HAVE AND TO HOLD all and singular the above-granted premises, together with appurtenances, and every part thereof, unto the Second Party, her heirs and assigns forever.

IN WITNESS WHEREOF the First Party has hereunto set her hand the day and year first above written.

Claire S. Bingham
Claire S. Bingham
Personal Representative

STATE OF IDAHO)
) ss.
County of Minidoka)

On the 4th day of May, 1995, before me the undersigned Notary Public in and for said State, personally appeared Claire S. Bingham, Personal Representative of the Estate of Wallace S. Bingham known to me to be the person whose name is subscribed to the within and foregoing 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 above written.

(SEAL)

Kathleen Hawkins
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 6-15-98

INDEXED

159315

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
Evelina J. Rollins
MAY - 8 1995
at 15 minutes past 10 P.M.
recorded by Helen Jackson
Fee: 6.00 Return to: Above

Bx. D
Rupert 83350

161087

161087

INDEXED

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
Land Title & Escrow

JUL 16 1996

at 04 minutes past 10 A M
recorded by Helen Jacobson
Fee: 11.00 Return to: Above

By hand.

DEED IN LIEU OF FORECLOSURE

FOR VALUE RECEIVED, CLAIRE S. BINGHAM, a widow, hereinafter referred to as the "Grantor," hereby grants, bargains, sells and conveys unto CONNECTICUT GENERAL LIFE INSURANCE COMPANY, a Connecticut corporation, the Grantee, whose relevant current address is c/o CIGNA Investments, Inc., S-305 Hartford, Connecticut 06152, the following described real property of the Grantor located in the County of Lincoln, State of Idaho, to wit:

> Described on EXHIBIT "A" attached hereto and made a part hereof (hereinafter referred to as the "Subject Property").

TO HAVE AND TO HOLD, unto the said Grantee, its successors and assigns forever. Said Grantor does hereby covenant to and with the Grantee, that the Grantor is the owner in fee simple of the Subject Property; that the Subject Property is free from all encumbrances except as set forth on EXHIBIT "B" attached hereto and made a part hereof and that Grantor will warrant and defend the same from all lawful claims whatsoever.

This Deed is given in lieu of foreclosure of Grantee's first mortgage lien in and to the Subject Property; provided, however, that Grantee's mortgage lien in and to the Subject Property shall not be deemed to have merged into this Deed, but shall survive the execution, delivery and recording of this Deed. Grantee expressly reserves and retains its priority of lien in and to the Subject Property for the purpose of protecting Grantee

against any third party liens, claims or interests, known or unknown, disclosed or undisclosed, liquidated or unliquidated of whatever kind or nature.

Grantor does hereby waive, surrender, convey and relinquish any equity and statutory rights of redemption she may now have or may hereafter acquire in and to the Subject Property.

Grantor does hereby acknowledge and agree that possession of the Subject Property is hereby surrendered and delivered to Grantee. Grantor acknowledges and agrees that she is not acting under any misapprehension as to the legal effect of this Deed nor any duress, undue influence, or misrepresentation of Grantee, its agents or attorneys or any other person. At this point in time there is no person, partnership or corporation other than the Grantor interested in said Subject Property directly or indirectly, in any manner whatsoever.

It is expressly covenanted and agreed that the Grantee by accepting delivery of and/or by recording this Deed does not assume any liability arising out of or in connection with the ownership or use of the Subject Property by the Grantor or her predecessors in interest.

The mortgage lien hereinbefore referred to is based upon that certain Mortgage given to the Grantee which was dated February 26, 1980 and recorded on February 26, 1980 in Lincoln County, Idaho as Instrument No. 138649. Grantee is further secured by a security agreement, financing statements and related

collateral loan documents given to it by the Grantor and her now deceased husband, Wallace S. Bingham.

IN WITNESS WHEREOF, the Grantor has duly executed this instrument effective this 9 day of November, 1995.

Claire S. Bingham
Claire S. Bingham

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 9 day of November, 1995, before me, Janell Royle, a Notary Public in and for said State, personally appeared CLAIRE S. BINGHAM, known or identified to me to be the person whose name is subscribed to the foregoing 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 in this certificate first above written.

Janell Royle
Notary Public for Idaho
Residing at Twin Falls
My commission expires 7/20/2003

JANELL ROYLE NOTARY PUBLIC STATE OF IDAHO

EXHIBIT A

REAL PROPERTY

ALL THAT CERTAIN REAL PROPERTY LOCATED IN LINCOLN COUNTY, IDAHO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TOWNSHIP 6 SOUTH, RANGE 20 EAST, OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 35: SE¼SE¼; SW¼SE¼;

TOWNSHIP 7 SOUTH, RANGE 21 EAST, OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 5: S½;

Section 6: Lot 2; E½ of Lot 3; E½SE¼SW¼; SE¼; S½NE¼; E½SE¼NW¼; E½NE¼SW¼;

Together with all and singular the buildings, structures, fences, pipes, pipelines, tanks, dams, reservoirs, pumps, pumping equipment and all other improvements and fixtures on or in said lands, and any and all water and water rights appurtenant to or to become appurtenant to or pertaining to said lands (including but not limited to that portion of the above-described lands covered by the following listed Water Licenses: Water License No. G-31929, Water License No. G-28687/36-2432, Water License No. 33608/36-2694, Water License No. 36-7053, Water License No. 36-7479, and Water License No. 36-7588), ditches and ditch rights, flumes, aqueducts, canals, appropriations, franchises and all other rights and privileges belonging to or with, leading to, connected with, or usually had or enjoyed in connection with said lands, or any part thereof, whether or not herein expressly mentioned or described, and all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

PERSONAL PROPERTY

Irrigation Equipment

Quantity	Description	Serial No.
250 HP	General Electric Motor Layne & Bowler Pump	EBJ511188 D12460
250 HP	General Electric Motor Layne & Bowler Pump	EBJ504177 D13302

540' X 12" above ground aluminum mainline
2,640' X 10" above ground aluminum mainline
3,640' X 8" above ground aluminum mainline
2,520' X 6" above ground aluminum mainline

3[illegible],840' X 3" & 4" handlines (28 aluminum handlines)

Together with any and all allied equipment, by way of example, but not limited to: Electrical panels, control boxes, wiring, pipes, valves, elbows, couplers, flanges, reducers, plugs, risers, and sprinklers and together also with any and all other irrigating equipment which may hereafter be acquired for or used in connection with or as a part of such irrigation facilities or equipment, including all such items that may be acquired hereafter as replacements or substitutes for any of the items of property hereinabove described or referred to.

EXHIBIT "B"

TITLE ENCUMBRANCES

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession, or claiming to be in possession, thereof.

2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.

3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey of the land would disclose, and which are not shown by the public records.

4. Any lien, or right to a lien, imposed by law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.

5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.

6. Taxes for 1996 and subsequent years, a lien, but not yet due and payable.

7. Power Line Easement given by Fred Stewart and Phyllis S. Stewart, husband and wife, to Idaho Power Company, a corporation, dated April 26, 1966, recorded May 2, 1967 as Instrument Number 119811, Lincoln County records, affecting the East 200 feet of the SE¼ of Section 5, Township 7 South, Range 21, East Boise Meridian.

8. Power Line Easement given by Fred Stewart and Phyllis Stewart, husband and wife, to Idaho Power Company, a corporation, dated July 15, 1966, recorded May 2, 1967 as Instrument Number 119812, Lincoln County records, affecting the West 10 feet of Lot 1, the West 5 feet of the SE¼NE¼ and the East 5 feet of the SW¼NE¼ of Section 6, Township 7 South, Range 21, East Boise Meridian.

161904

L-21578
EC. 744

SPECIAL WARRANTY DEED

KNOW ALL ME BY THESE PRESENTS

THAT CONNECTICUT GENERAL LIFE INSURANCE COMPANY, a corporation, organized under the laws of the State of Connecticut, and having its Home Office in the Town of Bloomfield, County of Hartford, State of Connecticut, and hereinafter called the GRANTOR, in consideration of the sum of Ten Dollars and other valuable consideration in hand paid by **KEN KOSTKA**, of Rupert, Idaho, hereinafter call the GRANTEE, does hereby sell, transfer and convey unto said Grantee, his heirs, executors, administrators, and assigns, the following described premises situated in the the County of **LINCOLN,** State of **IDAHO**, to wit

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments, appurtenances thereunto belonging or in anywise appertaining.

AND THE GRANTOR hereunder hereby covenants with the Grantee, that said premises are free from all encumbrances made by it and it will warrant and defend said premises against the lawful claims of all persons claiming by through or under it, subject to all matters of record or appearing from and examination of the property, all easements, if any, and to the rights of all persons in possession, if any.

IN WITNESS WHEREOF, said CONNECTICUT GENERAL LIFE INSURANCE COMPANY has caused these presents to be executed by its Vice President and its corporate seal to be affixed this 6th day of February, A.D., 1997.

CONNECTICUT GENERAL LIFE INSURANCE COMPANY

By: Alpha O. Nicholson, III, Vice President

STATE OF CONNECTICUT)
ss. Bloomfield
COUNTY OF HARTFORD)

BEFORE ME, the undersigned Notary Public, in and for said County and State, on this day personally appeared Alpha O. Nicholson, III, Vice President of CONNECTICUT GENERAL LIFE INSURANCE COMPANY, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of said CONNECTICUT GENERAL LIFE INSURANCE COMPANY, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

F-02009

MARY E. HANLEY
NOTARY PUBLIC
MY COMMISSION EXPIRES DEC. 31, 1999

EXHIBIT "A"

TOWNSHIP 6 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 35: SE¼SE¼; SW¼SE¼;

TOWNSHIP 7 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 5: S½;

Section 6: Lot 2; E½ of Lot 3; E½SE¼SW¼; SE¼; S½NE¼; E½SE¼NW¼; E½NE¼SW¼;

Together with all and singular the buildings, structures, fences, pipes, pipelines, tanks, dams, reservoirs, pumps, pumping equipment and all other improvements and fixtures on or in said lands, and any and all water and water rights appurtenant to or to become appurtenant to or pertaining to said lands (including but not limited to that portion of the above-described lands covered by the following listed Water Licenses: Water License No. G-31929, Water License No. G-28687/36-2432, Water License No. 33608/36-2694, Water License No. 36-7053, Water License No. 36-7479, and Water License No. 36-7588), ditches and ditch rights, flumes, aqueducts, canals, appropriations, franchises and all other rights and privileges belonging to or with, leading to, connected with, or usually had or enjoyed in connection with said lands, or any part thereof, whether or not herein expressly mentioned or described, and all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

INDEXED

161904

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
Land Title Services

FEB 18 1997

at 59 minutes past 2 P M
recorded by Julia Jackson Dep
Fee 6.00 Return to: Above
By hand.

161906

L. 24578

WARRANTY DEED

EC-744

For Value Received

KENNETH R. KOSTKA and NANETTE KOSTKA, husband and wife
AKA KEN KOSTKA

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

KENNETH R. KOSTKA and NANETTE KOSTKA, husband and wife, LaVel D. STOKER and WENDY STOKER, husband and wife, and BRENT STOKER and MARLA STOKER, husband and wife
Address: 470 South 100 West
Rupert, Idaho 83350

Hereinafter called the Grantee, the following described premises situated in Lincoln County, Idaho, to-wit

TOWNSHIP 6 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 35: SE¼SE¼; SW¼SE¼;

TOWNSHIP 7 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 5: S½;

Section 6: Lot 2; E½ of Lot 3; E½SE¼SW¼; SE¼; S½NE¼; E½SE¼NW¼; E½NE¼SW¼;

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho Water Adjudication Nos. 36-02432A, 36-02432B, 36-02593, 36-02693, 36-02694A, 36-07053, 36-07479, 36-07588, 36-15121, 36-15122.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1997 and subsequent years.

Power Line Easement given by Fred Stewart and Phyllis S. Stewart, husband and wife, to Idaho Power Company, a corporation, dated April 26, 1966, recorded May 2, 1967 as Instrument Number 119811, Lincoln County records.

Power Line Easement given by Fred Stewart and Phyllis Stewart, husband and wife, to Idaho Power Company, a corporation, dated July 15, 1966, recorded May 2, 1967 as Instrument Number 119812, Lincoln County records.

Mineral Lease from Wallace Bingham and Claire S. Bingham, husband and wife, to Rio Vista Oil Ltd., dated December 27, 1973, recorded January 30, 1974 as Instrument Number 128377, Lincoln County records.z

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumberances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: February 14, 1997

Kenneth R. Kostka AKA Ken Kostka

Nanette Kostka

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 14th day of February, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared KENNETH R. KOSTKA and NANETTE KOSTKA, 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.

LARRY ROBERTS
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-30-97

Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-30-97

INDEXED

161906

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
Boise Title & Escrow
FEB 18 1997
at 02 minutes past 3 P M
Recorded by Melissa Jackson Dep.
Fee: 6.00 Return to: Idaho
Big Lost

Bingham dr.

K. Kostka
(D. TAYLOR)

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68.4

NHEL

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22.9

NHEL

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1.0

16

14
15.1

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12
23.5

NHEL

NHEL

NHEL

K. Kostk

13
209.3

NHEL

13
216.2

16
7.1

NHEL

NHEL

18
6.6

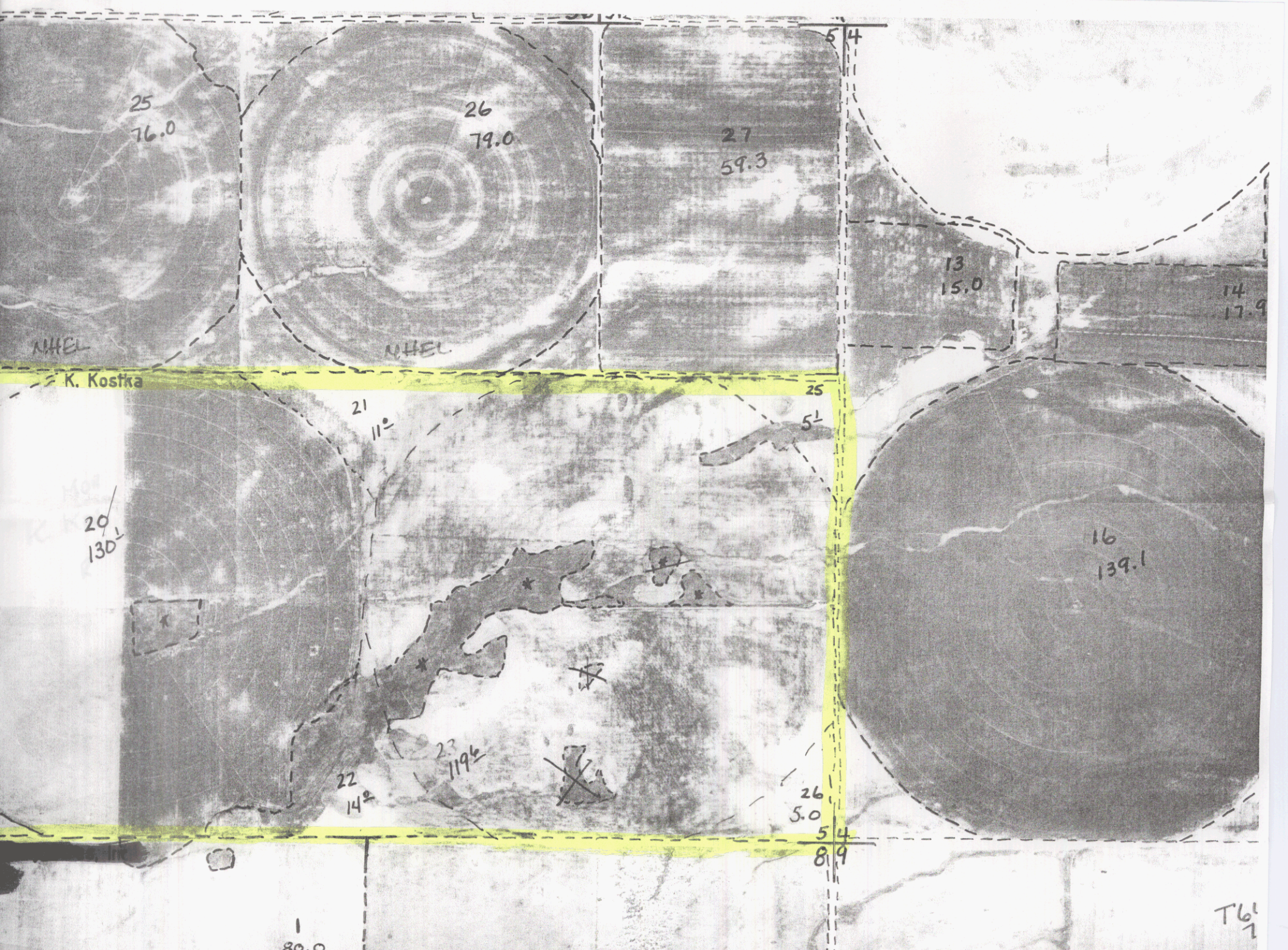
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K. Kostka
21
11±
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5½
20
130½
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139.1
23
119±
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