

Ronald D. Schoen, Trustee  
 Box 216  
 Payette, ID 83661  
 Tel No. (208) 642-9820  
 Fax No. (208) 642-1009

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 DEBORAH J. HARRIS  
 CLERK

UNITED STATES BANKRUPTCY COURT  
 DISTRICT OF IDAHO

In re:	)	Chapter 12
	)	
TERRY HIPWELL	)	Case No. 96-02095
	)	
Debtor.	)	<b>PETITION TO EMPLOY ASSOCIATE BROKER</b>
	)	

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The trustee petitions the Court to approve the employment of the below identified licensed associate broker for the purpose of obtaining a bona fide buyer to purchase certain real property owned by the Debtor.

1. NAME AND ADDRESS OF ASSOCIATE BROKER  
 Rae Anderson  
 AgriLands Real Estate  
 Box 669  
 Weiser, ID 83672  
 Tel No. (208) 549-4900 or  
 Tel No. (208) 377-3765 (Boise)

2. DESCRIPTION OF PROPERTY TO BE SOLD  
 Property located in the County of Payette and the County of Canyon, including water rights and all pump panels, motors and irrigation equipment per pages 1, 2 and 3 of attached Exhibit "A".

3. COMPENSATION  
 Commission of 6.0% (six percent) on the gross amount of money received on the sale of property.

4. DISINTEREST OF ASSOCIATE BROKER

To the best of the trustee's knowledge, the associate broker is a disinterested person who does not hold an interest adverse to the interest of the estate.

5. QUALIFICATIONS OF ASSOCIATE BROKER

YEARS OF EXPERIENCE	13
FOR AGRILANDS REAL ESTATE:	
NO. SALES FOR 1997	12
VALUE OF 1997 SALES	\$15,424,740

Rae Anderson was previously employed by the trustee as the realtor for Notus Hop, Inc., Case No.93-03010. The order authorizing his employment was issued by the Court on January 3, 1995.

6. NECESSITY OF EMPLOYMENT OF ASSOCIATE BROKER

The Modified Stipulation Amending Debtor's Second Amended Plan by and between the Debtor and The Travelers Insurance Company, and filed with the Court on May 13, 1997, provides the property and irrigation equipment will vest with the trustee for sale in the event of default by the Debtor. Funds were not submitted to the trustee by the Debtor that would enable the trustee to make the payment due Travelers on January 10, 1998 in the amount of \$29,405.00.

DATED This 27th day of February, 1998.

  
Ronald D. Schoen, Trustee

EXHIBIT "A"

1. The following real property:

PARCEL 1:

Land situated in the County of Payette, State of Idaho, described as follows:

Township 6 North, Range 5 West, Boise Meridian, Section 26: S $\frac{1}{4}$ NE $\frac{1}{4}$ ; S $\frac{1}{4}$ NW $\frac{1}{4}$ ; SW $\frac{1}{4}$ ; and SE $\frac{1}{4}$ .

PARCEL 2:

Land situated in the County of Canyon, State of Idaho, described as follows:

The N $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 35, T.6N., R.5W., B.M., Canyon County, Idaho, excepting therefrom the following parcel:

Commencing at the West 1/16 corner common to Section 26 and 35 of T.6N., R.5W., B.M., Canyon County, Idaho;

thence N. 90°00'00" E. 323.00 feet along the North line of said Section 35 and the center line of Shelton Lane to a point;

thence S. 0°00'00" E. 250.00 feet at right angles with the center line of said Shelton Lane and the North line of said Section 35 to a point;

thence N. 90°00'00" W. 523.00 feet along a line parallel with the North line of said Section 35 to a point;

thence N. 0°00'00" E. 250.00 feet, more or less, to the center line of said Shelton Lane and the North line of said Section 35;

thence N. 90°00'00" E. 200.00 feet, more or less, along the center line of said Shelton Lane and the North line of said Section 35 to the TRUE POINT OF BEGINNING.

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PARCEL 3:

Land situated in the County of Canyon, State of Idaho, described as follows:

Commencing at the West 1/16 corner common to Sections 26 and 35 of T.6N., R.5W., B.M., Canyon County, Idaho;

thence N. 90°00'00" E. 323.00 feet along the North line of said Section 35 and the center line of Shelton Lane to a point;

thence S. 0°00'00" E. 250.00 feet at right angles with the center line of said Shelton Lane and the North line of said Section 35 to a point;

thence N. 90°00'00" W. 523.00 feet along a line parallel with the North line of said Section 35 to a point;

thence N. 0°00'00" E. 250.00 feet, more or less, to the center line of said Shelton Lane and the North line of said Section 35;

thence N. 90°00'00" E. 200.00 feet, more or less, along the center line of said Shelton Lane and the North line of said Section 35 to the TRUE POINT OF BEGINNING;

containing 3.00 acres, more or less.

PARCEL 4:

Land situated in the County of Canyon, State of Idaho, described as follows:

The NW¼ NE¼ of Section 35, T.6N., R.5W., B.M., Canyon County, Idaho.

2. All water rights of whatever kind or nature, including but not limited to the following:

Water Right	Cubic Feet Per Second	Total Acres
A63-08387	4.46	451
A63-08244	0.65	65
A63-03307	3.73	212

3.. All pumps, pump panels, motors and irrigating equipment now owned or hereafter acquired, whether considered fixtures, personal property or mixed, including but not limited to the following:

- (a) Ten-inch aluminum mainline; 32 pieces 50-foot supply line  
35 pieces 50-foot mainline;
- (b) 8 inch aluminum mainline; 30 pieces 50-foot;
- (c) 6 inch aluminum mainline; 11 pieces 50-foot;
- (d) 4 inch aluminum mainline; 18 pieces 40-foot;
- (e) 3 inch aluminum mainline; miscellaneous pieces;
- (f) Buried mainline approximately 7/8-mile of steel;
- (g) Approximately 1/8 mile of 8-inch PVC supply line;
- (h) 4 pieces, 5-inch x 50-foot PVC mainline;
- (i) 3-inch hand lines - hook and latch  
714 pieces, 3-inch x 40-foot center risers  
21 pieces, 3-inch x 20-foot end riser end pipes  
54 pieces, 3-inch x 40-foot end risers