

1 A. Yes, I did.

2 Q. And it indicates here, if you look at the top there, "Description,
3 Location and Legal Description."

4 Do you see that?

5 A. Uh-huh, yes.

6 Q. It says, "Extract survey gravel pit for pistol range."

7 Do you see that?

8 A. Yes.

9 Q. Did you know they were shooting rifles out there?

10 A. I didn't go up there, honestly. I just heard them shooting, and I
11 had given them permission to do it.

12 Q. Did you have any concern -- did you trust them that what they
13 were shooting would be appropriate?

14 A. Yes, sir, I did.

15 Q. Now, if we go to page number 7 of Exhibit 887, and if you will go
16 down to section number (e). Do you see that there?

17 A. Yes.

18 Q. And if you start where it says "The government." Do you see
19 that?

20 A. I see that.

21 Q. It says, "The government, if required by the lessor," which
22 would be you, "shall before the expiration of this lease or renewal
23 thereof, restore the premises to the same condition as that existing at
24 the time of entering upon the same under this lease."

25 Do you see that?

1 A. Yes, I do.

2 Q. Do you understand that as requiring the Border Patrol to
3 remediate and clean up any of the bullets that are on your property?

4 A. Yes, that was the agreement.

5 Q. And that is your understanding why the lease continues to
6 remain in effect as to this day?

7 A. That is correct.

8 Q. Now, a couple of terms changed over the course of your leasing.
9 In 1999 or thereabouts, as reflected in the leasing, you
10 increased the rental rate from \$1 a year -- \$1 to \$100 a month; is that
11 correct?

12 A. Correct.

13 Q. And that was because your property taxes increased?

14 A. That's true.

15 Q. And that was to cover your property taxes?

16 A. Yes, sir.

17 Q. And then a couple of years later, and this is also reflected in the
18 lease, Your Honor, in 2001 the lease rate went up to \$3,100 month?

19 A. Correct.

20 Q. That is a big jump, wouldn't you say?

21 A. Yes, sir.

22 Q. What was the cause -- who asked for that increase?

23 A. I did.

24 Q. Why did you ask for that increased rate?

25 A. I notified them that I was closing my business and I needed to