

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-4032
Date Received: 8/3/1988
Receipt No: E001040
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

TETON VALLEY HOLDINGS LLC Phone: (617) 367-3924
C/O CRAIG KNIGHT
2 PRIMUS AVENUE
BOSTON MA USA 02114

2. Date of Priority: 07/15/1910

3. Source: LEWIS-MURDOCK SPRING , LEWIS-MURDOCK SPRING Trib. to: TETON RIVER ,
TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	45E	10	SE SW	TETON	
04N	45E	10	SW SE	TETON	

5. Description of diverting works:

DITCHES FROM SRRINGS TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	2	
STOCKWATER	1/01	12/31	0.96	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
3 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	45E	10	SW	SW	STOCKWATER	
			NW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	30
			SW	SW	IRRIGATION	20
					Section Acres	90
					Total Acres	90

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Statutory Claim

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IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-04032
Date Received: 8/03/1988
Receipt No: E001037
Received By: SM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KEITH CLEMENTS 208-356-0559
Address: 10977 SOUTH SNAKE RIVER ROAD
REXBURG, ID 83440

AND/OR

Name: OPAL W. CLEMENTS 208-356-0559
Address: 10977 SOUTH SNAKE RIVER ROAD
REXBURG, ID 83440

2. Date of Priority: JUL 15, 1910

3. Source: LEWIS-MURDOCK SPRING Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	45E	10	SE	SW			TETON
			SW	SE			TETON

5. Description of diverting works:
DITCHES FROM SRRINGS TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		
STOCKWATER	01/01	12/31	0.960		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
3.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 MIXED CATTLE.

A22-04032

Page 1

Date: 08/03/88

MICROFILMED

OCT 29 1992

A2204032

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	45E	10	NW		SW		IRR	40.0
			SW		SW		STOCK	
			SW		SW		IRR	20.0
			SE		SW		IRR	30.0
							Section Acres	90.0
							Total Acres	90.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Keith Clements Date: 8-3-88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 3 day
of August 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6/2/1994

H-10
South

I-10

1-741
215-A

A 199
213-A

514
A17

14-A

4
910

A 120
212-A

10
101

0 321

T. 4 NORTH
R. 40 EAST

PLANE OF USE

125

264

40

39

122

30

124

20

124

20

124

20

124

20

124

20

124

POINTS OF DIVERSION

OCT 29 1982

MICROFILMED

A22-04032

90ac

H-10
SOUTH

A-141
215-A

A-147
213-A

A-142
214-A

A-126
212-A

T. 4 NORTH
R. 40 EAST

PLATE OF USC

POINTS OF DIVERSION

A22-04032

90ac



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 21, 2003

TETON VALLEY HOLDINGS LLC
C/O CRAIG KNIGHT
2 PRIMUS AVENUE
BOSTON MA 02114

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-4032

Dear Mr. Knight:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Kristen Forsgren
Office Specialist 1

Enclosure

OK
JC
8/21/03

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.

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, 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
	<u>A22-4032</u>				

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) are 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)

KEITH and OPAL CLEMENTS
10977 SOUTH SNAKE RIVER Road

4. New Owner/Claimant(s)

REXBURG, ID 83440

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

CRAIG KNIGHT, Manager Teton Valley Holdings LLC

City, State and ZIP Code

2 PRIMUS ~~Place~~ Avenue
Boston, MA 02114

New Telephone Number

(617) 367-3924

5. Date you acquired the property

August 1, 2002

RECEIVED

OCT 29 2002

Department of Water Resources
Eastern Region

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) C. L. L. manager Teton Valley Holdings LLC
(include title if applicable)

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 _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

149437

WARRANTY DEED

RECEIVED

AUG 01 2002

TETON CO., ID
CLERK RECORDERFor Value Received **Gordon J. Allen and Cherrie P. Allen**

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

Teton Valley Holdings, LLC, an Idaho limited liability company

whose address is:

Hereinafter called the Grantee, the following described premises situated in Teton County, , to-wit:

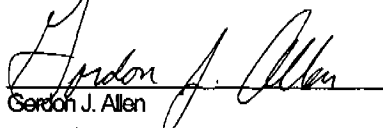
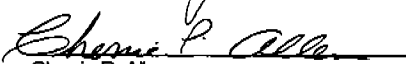
SEE ATTACHED LEGAL DESCRIPTION

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

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

Dated:

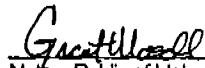
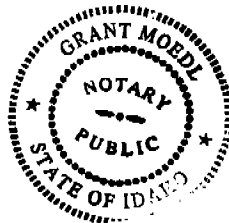
7-30-02


Gordon J. Allen
Cherrie P. Allen

STATE OF IDAHO

COUNTY OF Teton

On this 30th day of July, 2002, before me a Notary Public, personally appeared Gordon J. Allen and Cherrie P. Allen, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public of Idaho
Residing at: Ketchikan, ID
Commission Expires: 8-2-2004

Instrument # 149437

DRIGGS, TETON, IDAHO

2002-08-01 11:42:20 No. of Pages: 3

Recorded for: FIRST AMERICAN TITLE

NOLAN G. BOYLE Fee: 9.00

Ex-Officio Recorder Deputy 

Index to: DEED, WARRANTY

ATTACHED LEGAL DESCRIPTION

Order No.: T9769

A parcel of land within Section 9 and Section 10, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho, more particularly described as follows:

The SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 9, the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 10;
AND TOGETHER WITH the following described portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 10, more particularly described as follows;

BEGINNING at the South 1/16 corner common to said Section 9 and said Section 10 where is found a 5/8 inch diameter steel rebar;

THENCE along the west line of said Section 10, S 00°43'00"W, 215.54 feet more or less to an intersection with the centerline of an existing gravel road;

THENCE following the centerline of said gravel road through the following courses,

S 85°22'33"E, 50.82 feet;

N 89°44'58"E, 155.54 feet;

S 88°59'46"E, 110.50 feet;

THENCE continuing along said centerline along a curve to the right with a radius of 250.00 feet and an arc length of 140.81 feet, through a central angle of 32°16'14", being subtended by a chord of S 72°51'39"E, 138.95 feet;

THENCE following said centerline through the following courses,

S 56°43'31"E, 64.02 feet;

S 67°13'28"E, 10.07 feet;

THENCE continuing along said centerline along a curve to the left with a radius of 300.00 feet and an arc length of 152.22 feet, through a central angle of 29°04'18", being subtended by a chord of

S 81°45'37"E, 150.59 feet;

THENCE following said centerline through the following courses,

N 83°42'14"E, 65.60 feet;

N 79°53'02"E, 90.91 feet;

N 74°31'00"E, 137.94 feet;

N 78°39'10"E, 50.35 feet;

THENCE continuing along said centerline along a curve to the right with a radius of 150.00 feet and an arc length of 232.71 feet, through a central angle of 88°53'17", being subtended by a chord of

S 56°54'11"E, 210.06 feet;

THENCE following said centerline through the following courses,

S 12°27'32"E, 39.74 feet;

S 11°55'29"E, 60.62 feet;

THENCE continuing along said centerline along a curve to the left with a radius of 175.00 feet and an arc length of 124.07 feet, through a central angle of 40°37'11", being subtended by a chord of

S 32°14'04"E, 121.48 feet;

THENCE following said centerline through the following courses,

S 52°32'40"E, 63.21 feet;

S 55°42'24"E, 129.21 feet;

THENCE continuing along said centerline along a curve to the left with a radius of 300.00 feet and an arc length of 106.63 feet, through a central angle of 20°21'54", being subtended by a chord of

S 65°53'21"E, 106.07 feet;

ALTA Plain Language Commitment Legal Description
(T9769.PFD/T9769/29)

149437

LEGAL DESCRIPTION

(Continued)

Order No.: T9769

THENCE following said centerline, S 76°04'18"E, 44.80 feet;

THENCE continuing along said centerline along a curve to the right with a radius of 200.00 feet and an arc length of 86.60 feet, through a central angle of 24°48'33", being subtended by a chord of S 63°40'01"E, 85.93 feet;

THENCE following said centerline through the following courses,

S 51°15'45"E, 35.34 feet;

S 57°32'20"E, 48.05 feet;

THENCE continuing along said centerline along a curve to the left with a radius of 200.00 feet and an arc length of 122.63 feet, through a central angle of 35°07'47", being subtended by a chord of S 75°06'13"E, 120.71 feet;

THENCE following said centerline through the following courses,

N 87°19'53"E, 175.88 feet;

S 85°34'22"E, 70.10 feet;

THENCE continuing along said centerline along a curve to the left with a radius of 300.00 feet and an arc length of 71.08 feet, through a central angle of 13°34'31" being subtended by a chord of N 87°38'22"E, 70.91 feet;

THENCE following said centerline, N 80°51'07"E, 106.27 feet;

THENCE continuing along said centerline along a curve to the right with a radius of 600.00 feet and an arc length of 202.45 feet, through a central angle of 19°19'56", being subtended by a chord of S 89°28'55"E, 201.49 feet;

THENCE following said centerline through the following courses,

S 79°48'57"E, 94.27 feet;

S 83°11'46"E, 43.25 feet;

S 87°40'52"E, 56.51 feet more or less to an intersection with the east line of the said S½SW¼;

THENCE departing said centerline and followig said east line, N 00°32'14"E, 855.47 feet to the center-south 1/16 corner of said Section 10;

THENCE along the north line of said S½SW¼, S 89°57'56"W, 2639.54 feet to the POINT OF BEGINNING;

TOGETHER WITH and SUBJECT TO any other easements, rights-of-way, covenants, conditions, restrictions, agreements, reservations or encumbrances of sight and/or record.

ALTA Plain Language Commitment Legal Description
(T9769.PFD/T9769/29)

119437