



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

December 27, 2001

GIOR LP
ATTN: BEN MALAN - OPERATING MANAGER
265 S STATE ST
MORGAN UT 84050

RE: CHANGE IN OWNERSHIP FOR A21-02060, A21-02107, A21-11204, A21-11212 AND A21-11203

Dear Mr. Malan:

The request for Change in Ownership concerning the Notices of Claim numbers A21-02060, A21-02107, A21-11204 and A21-11212 have been processed and the Notices modified to reflect GIOR LP as the new owner.

Water right number A21-11203 has been partially decreed by the Snake River Basin Adjudication Court and requires a \$25 fee.

Please mail the enclosed copy of the Change of Water Right Ownership form with a check for \$25.00 made payable to IDWR to:

Id Dept of Water Resources
Attn: Kari Lynn Townsend
1301 N Orchard St
Boise ID 83706

Enclosed is a copy of the Notices of Claim, with GIOR LP shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

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) *G. B. Smith* GIOR, L.P.
(include title if applicable) Operating Manager

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 _____

OK JC 12/21/01

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OCT 22 2001

Department of Water Resources
Eastern Region

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
21-2107					
21-2060					
21-11204					
21-11212					
\$25 → 21-11203					

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DEC 10 2001

Department of Water Resources
Eastern Region

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)

Claude A. Malan & Astal Malan
1750 29th St. Ogden, Utah 84401

4. New Owner/Claimant(s)

GIOR, L.P.

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

New Mailing Address

265 S. State St.

City, State and ZIP Code

Morgan, Utah 84050

New Telephone Number

(801) 829-6263

5. Date you acquired the property

May 18, 2001

Oct. 18, 2001

Dear Mr. Carlson,

Inclosed please find a copy of deed conveying family trusts properties in Idaho to GIOR, L.P. Said Family trusts became active upon the death of my father (Claude A. Malan) in 1987. The parcel Number for Adjud. Claim No. 21-2107 is RP12N44E10600.

In 1989 there was some water claims work done on parcels RP12N44E102400 and RP13N44E191200. We would like to update these claims also, on the inclosed (change of water rights Form), if possible. If not, could you please mail me the needed information in the inclosed self-addressed envelope.

↓ Your assistance in these matters is greatly appreciated.

21-2060

21 - 11203

21 - 11204

21 - 11212

Sincerely,



Ben. H. Malan GIOR, L.P.
Operating Manager

Note: 12/7/01

Have inclosed exhibit A and USDA Photo. As photo from F/S was not that good I have inclosed a Forestry map being used for easement on ditch. Hope this will meet your needs.

Sincerely,



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OCT 22 2001

Department of Water Resources
Eastern Region

Point of Spit Creek

Irrigated Area

Microfilm No. 408753
At 24 Day May 20 01
At 13:01 O'clock P M
ABRIE MACE
FREMONT CO. RECORDER
Fee \$ 65 Recorded at Request of Ben H. Malan

GRANTEE'S ADDRESS:

GIOR, L.P.
c/o Ben H. Malan, O.M. of
Far-Mar, L.L.C., General Partner
265 South State Street
Morgan, Utah 84050

WARRANTY DEED

Asta J. Malan, Trustee of the Marital Trust Portion of the Claude A. Malan Family Trust dated June 20, 1978, and Ben Herschel Malan, Trustee of the Family Trust Portion of the Claude A. Malan Family Trust dated June 20, 1978, Grantors, hereby WARRANT AND CONVEY to **GIOR, L.P., a Utah limited partnership**, of 265 South State Street in the City of Morgan, County of Morgan, State of Utah, in exchange for good and valuable consideration consisting of limited partnership interests therein, the following described tracts of land (Parcel Nos. RP 12N44E102400, RP 12N44E105100, RP 12N44E106000, RP 12N44E090000 and RP 13N44E191200) located in the County of Fremont, State of Idaho:

See Attached EXHIBIT "A"

WITNESS the hand of said Grantors, this 18th day of May, 2001.

The Claude A. Malan Intervivos Revocable
(Marital) Trust u/a/d 6/20/78, as amended

The Claude A. Malan Intervivos Revocable
(Family) Trust u/a/d 6/20/78, as amended

[Signature]
Asta J. Malan, Trustee by:
Ben H. Malan, Power of Attorney

[Signature]
Ben H. Malan, Trustee

STATE OF UTAH)
: ss.
COUNTY OF Weber)

On the 18 day of May, 2001, Ben H. Malan, personally appeared before me, the undersigned notary, and duly acknowledged that he executed the above document voluntarily and for its stated purpose.

[Signature]
Notary Public, State of Utah



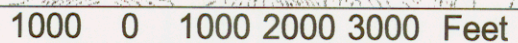
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Department of Water Resources
Eastern Region

Located in
Section 3, T12N, R44E, BM
Fremont County, Idaho

FOREST BOUNDARY

Northerly 550 feet more or less and westerly 100 feet more or less from the SE corner of Section 4; thence, southeasterly approximately 1010 feet along the centerline of said ditch to the point of egress located on the south section line of Section 3; said point bears easterly approximately 700 feet from the SW corner of Section 3.

The ditch right-of-way is 20 feet wide, 10 feet each side of centerline, and contains approximately 0.46 acre.



SOURCE: USGS 7.5 Minute Quadrangle
Latham Spring, Island Park
PROJECTION: UTM Zone 12
DATUM: NAD 27

B.Klarich
8-22-2001

EXHIBIT "A"

Parcel No. RP 12N44E102400

The North $\frac{1}{2}$ of Northwest $\frac{1}{4}$, and the Southeast quarter of the Northwest $\frac{1}{4}$ of Section 10, in Township 12 North of Range 44 East of the Boise Meridian in Idaho.

Parcel No. RP 12N44E105100

A part of the Southwest $\frac{1}{4}$ of Section 10, Township 12 North, Range 44 East, Boise Meridian, U.S. Survey: Beginning at a point on the Section line 1320 feet North of the Southwest corner of said Section 10; and running thence North 412.50 feet; thence East parallel to the South line of said Section 2640 feet; thence South 412.50 feet; thence West parallel to the South line of said Section 2640 feet to the Section line and the point of beginning; containing 25 acres, more or less.

Parcel No. RP 12N44E106000

A part of the Southwest $\frac{1}{4}$ of Section 10, Township 12 North, Range 44 East, Boise Meridian, U.S. Survey: Beginning at a point on the Section line 750 feet North of the Southwest corner of said Section 10; thence East 709.20 feet; thence South $64^{\circ}45'$ East 321.52 feet; thence South 612.84 feet to the Section line; thence East 320 feet to the $\frac{1}{4}$ $\frac{1}{4}$ line; thence North 1320 feet; thence West 1320 feet to Section line; thence South 570 feet to the point of beginning; containing 23.24 acres, more or less.

Parcel No. RP 12N44E090000

The East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 9, Township 12 North, Range 44 East of the Boise Meridian.

Parcel No. RP 13N44E191200

Lot 5, Section 19, Township 13 North, Range 44 East, Boise Meridian, containing 21.5 acres, more or less.