

DELOG
AR 5/18/04

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
MAY 17 2004

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

Department of Water Resources
Eastern Region

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
	22-2214C				

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

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

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)

Winifred K. Griggs

4. New Owner/Claimant(s)

The Alfred Ray Griggs Trust dated 1-31-03

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

New Mailing Address

825 Los Alamos Ave

City, State and ZIP Code

Livermore, CA 94550

New Telephone Number

(925) 449-0142

5. Date you acquired the property

12-11-02 due to death

6.

If the change in ownership affects the entire water right for each water right or adjudication claim number 1 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)

Alfred Ray Jorgensen

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

WILL
of
WINIFRED K. GRIGGS

I, WINIFRED K. GRIGGS, declare that this is my will. I reside at 875 Los Alamos, Livermore, California. I am married to ALFRED R. GRIGGS. My husband and I have four children, namely, MAVANEE GRIGGS SMALLWOOD (DOB: 5/19/63), NEWEL RAY GRIGGS (DOB: 6/1/63), NATACHA GRIGGS LIDDLE (DOB: 3/10/66), and NEYSHA GRIGGS (DOB: 9/8/68).

ARTICLE FIRST: Revocation of Prior Instruments

I revoke all previous Wills and Codicils made by me.

ARTICLE SECOND: Disposition of Estate

It is my intention to dispose of all property which I am entitled to dispose of by this Will, including all my separate property, my half of community property, and the whole of any quasi-community property acquired by me. I renounce and do not exercise any power of appointment which I may now have or hereafter acquire. It is not my intention to dispose of any property or interests in property, whether community property interests or otherwise, owned by my husband.

I give and devise all of my estate, both real and personal and wherever situate, to THE ALFRED R. and WINIFRED K. GRIGGS TRUST, a revocable living trust created by my

husband and me under a Declaration of Trust dated November 25, 1991, and to the trustee then in office under said trust, and I direct that my estate be added to said trust and administered and distributed as part of said trust according to the terms of said trust and any amendment made to it before my death, and including any powers of appointment or other powers of amendment that may be exercised after my death.

To the extent permitted by law it is not my intent to create a separate trust by this Will or to subject the said trust or the property added to it by this Will to the jurisdiction of the probate court.

If the aforesaid trust fails or is revoked, or if the disposition in this Article Second is inoperative, invalid, or for any other reason cannot be given effect, I incorporate herein by this reference, as a testamentary trust, all of the provisions of the aforesaid trust in effect at the date of this Will, but without giving effect to any amendments made subsequently, and I give and devise my estate to the trustee appointed pursuant thereto, to be held, administered and distributed by said trustee as a testamentary trust.

ARTICLE THIRD: Nomination of Executor

I nominate and appoint my husband, ALFRED R. GRIGGS, as the Executor of this Will. If for any reason my husband is unable to serve or ceases to act as Executor, then he shall have the power to designate an alternative Executor, which power may be exercised in favor of another individual or a qualifying bank or trust company. If my husband is unable to serve as Executor and fails to appoint an alternate Executor, then NEYSHA GRIGGS shall act as alternate Executor. If for any reason NEYSHA GRIGGS is unable to serve or ceases

to act as Executor, then I nominate and appoint MAVANEE GRIGGS SMALLWOOD as the second alternate Executor. If for any reason MAVANEE GRIGGS SMALLWOOD is unable to serve or ceases to act as Executor, then I nominate and appoint as the third alternate Executor. I request that any of the foregoing be allowed to serve without bond.

My Executor shall have the following powers and discretions in addition to those powers now or hereafter conferred by law:

- a) To manage, mortgage, sell, lease, invest, reinvest or retain under such conditions as he deems advisable, all real and personal property in my estate. He may do any of the above without notice, leave of Court or Order of Court. My Executor shall also have the power to do all things necessary to continue any business enterprise, in whatever form or however owned or controlled by me upon my death, for such period as he shall deem to be in the best interests of my estate;
- b) To administer my estate under the California Independent Administration of Estates Act; provided, however, that nothing in that Act, nor my Executor's utilization of any power or authority conferred by that Act, shall in any way be deemed to limit any other, albeit potentially broader, power or authority granted to my Executor in this Will;
- c) To transfer property for adequate consideration to or from any trustee of any trust created by me, to borrow, to borrow from or lend money to the trustee of any trust created by me.
- d) To exercise any and all elections available under State and Federal tax laws or other laws. The decision of my Executor as to the date which should be selected for the

valuation of property in my gross estate for federal estate tax purposes shall be conclusive on all concerned. When a choice is available as to whether certain deductions shall be taken as income tax deductions or estate tax deductions, the decision of my Executor in this regard shall be conclusive on all concerned and no adjustment of income and principal accounts need be made as a result of such decision. If my Executor in good faith decides that there is uncertainty as to the inclusion of particular property in my gross estate for federal transfer tax purposes, he shall exclude such property from my gross estate in the estate/generation-skipping transfer tax return. My Executor shall not be liable for any loss to my estate or to any beneficiary, which loss results from his decision made in good faith that there is uncertainty as to the inclusion of particular property in my gross estate;

e) To disclaim all or any portion of any devise or trust interest provided for me under any will or trust instrument. In particular, I authorize my Executor to exercise this authority in order to obtain advantageous results considering, in the aggregate, the taxes to be imposed on my husband's estate and mine, even though this may cause some beneficiaries of my estate to receive less than they would otherwise have received.

f) To make any adjustment in the rights of any beneficiaries, or among the principal and income accounts so as to compensate for the consequences of any election, investment or administrative decision which my Executor, in my Executor's sole discretion, believes has had the effect of preferring one beneficiary or a group of beneficiaries over others.

g) Upon any division or distribution of the property in my estate, to partition,

allot, and distribute my estate pro rata or otherwise, in kind, including undivided interests in my estate or any part of it, or partly in cash, and partly in kind, or entirely in cash, in my Executor's absolute discretion.

ARTICLE FOURTH: Interpretive and Administrative Provisions

The following general provisions shall govern the operation and administration of my estate:

a) Interpretation of Will

1) The masculine, feminine, or neuter gender, and the singular or plural number, shall each be deemed to include the others whenever the context so indicates.

2) The construction of this Will shall be in accordance with California statutory and decisional law in effect on the date of execution of this Will; any Codicils to this Will shall be construed under California statutory and decisional laws in effect on the date such Codicil is executed, unless otherwise stated in such Codicil.

3) Captions and paragraph headings used herein are for convenience only and are not a part of this Will and shall not be used in construing it.

b) Disinheritance Provision

Except as otherwise provided in this will, I have intentionally omitted to provide for my heirs. This includes any person deemed a pretermitted heir.

c) Severability Provision

If any provision of this Will is invalid or unenforceable, the remaining provisions shall nevertheless remain in full force and effect.

ARTICLE FIFTH: Funeral Arrangements

I direct that I be buried at the Driggs Cemetary in Driggs, Idaho, in the previously acquired Plot Not. 47A, and that a graveside memorial be given. Shipping arrangements are to be made by a mortuary selected by my husband or executor. Any funeral service arranged in connection with my death shall not include an open caskett or any other viewing of my body. I further direct that any additional funeral arrangements be modest according to the desires of my husband or executor.

ATTESTATION and WITNESSING

I subscribe my name to this Will on November 25, 1991, in Walnut Creek, California.

Winifred K. Griggs
WINIFRED K. GRIGGS

On the date written below, WINIFRED K. GRIGGS declared to us, the undersigned, that this instrument, consisting of 7 pages, including this page signed by us as witnesses, was her will and she requested us to act as witnesses to it. She thereupon signed this will in our presence, all of us being present at the same time. We now, at her request, and in her presence and in the presence of each other, subscribe our names as witnesses. We are acquainted with WINIFRED K. GRIGGS. At this time she is over the age of 18 years and, to the best of our knowledge, is currently of sound mind and memory and is not acting under any duress, fraud, misrepresentation or undue influence whatsoever.

We declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and further that this declaration was signed on November 25, 1991 in Walnut Creek, California.

Witness:

Address:

[Signature]

4868 STARFLOWER DR

MARTINEZ CA 94553

Alfred R. Griggs

875 Las Alamos

Livermore, CA - 94550

158983

RECEIVED

DEC 15 2003

TETON CO., ID
CLERK RECORDER

RECORDING REQUESTED BY

Jennifer Thaete, Atty., 1789 4th St.,
Livermore, CA 94550-4347
AND WHEN RECORDED MAIL THIS DEED AND,
UNLESS OTHERWISE SHOWN BELOW, MAIL TAX
STATEMENT TO:

Instrument # 158983

DRIGGS, TETON, IDAHO
2003-12-15 01:57:22 No. of Pages: 2
Recorded for: JENNIFER THAETE ATTY.
NOLAN G. BOYLE Fee: 6.00
Ex-Officio Recorder Deputy *[Signature]*
Index to: DEED, QUIT-CLAIM

Name: Alfred R. Griggs
Address: 875 Los Alamos Ave.
City & State: Livermore, CA
Zip: 94550
Title Order No. Escrow No.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUITCLAIM DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX IS \$ none, not pursuant to a sale.
☒ unincorporated area ☐ City of

Parcel No.

- ☐ computed on full value of property conveyed, or
☐ computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

ALFRED R. GRIGGS, as his sole and separate property,

hereby REMISE, RELEASE AND FOREVER QUITCLAIM to

ALFRED R. GRIGGS, Trustee of

The Alfred R. Griggs Trust dated January 31, 2003

the following described real property in the
county of Teton

, state of ~~CALIFORNIA~~ Idaho

see Exhibit A, attached hereto and incorporated by reference.

Dated December 11, 2003

STATE OF CALIFORNIA
COUNTY OF ALAMEDA

} ss.

On December 11, 2003

before me,

CATHY M. BRABEC,

a Notary Public in and for said County and State, personally appeared
ALFRED R. GRIGGS

Alfred R. Griggs
ALFRED R. GRIGGS

~~personally known to me~~ (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) is/~~are~~ subscribed to the
within instrument, and acknowledged to me that he/~~she~~/they executed
the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/
their signature(s) on the instrument the person(s), or the entity upon
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Cathy M. Brabec
SIGNATURE



(THIS AREA FOR OFFICIAL NOTARIAL SEAL)

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

Alfred R. Griggs, Trustee
NAME

875 Los Alamos Avenue
STREET ADDRESS

Livermore, CA 94550
CITY & STATE

EXHIBIT A

The following described real property, located in Teton County, Idaho, to-wit:

The East Half Northeast Quarter of Section 15 and the West Half Southwest Quarter Northwest Quarter of Section 14, Township 5 North, Range 45 East, Boise Meridian.

Together with a 59.25/194 interest in the State of Idaho Department of Water Administration "Water Right License" No. 30160/22-2214, with a priority date of September 1 1961; and a 59.25/194 interest in an irrigation well, pump, motor, panel, and other appurtenances thereto, located approximately 525 feet North of the Southeast corner of the Southeast Quarter Northwest Quarter of Section 14, Township 5 North, Range 45 East, Boise Meridian.

Together with 119 shares of the capital stock of the Grand Teton Canal Company, Limited.

SUBJECT TO easements of record or in existence for roads, ditches and utilities, and particularly a right to an easement to be used jointly by the said Winifred Griggs and Whitney K. Little for an irrigation ditch to convey water from the above-described irrigation well which runs South from said well site to a headgate, and then runs West in an existing ditch 1,980 feet, to the West borderline of property conveyed to Arlene Nickell (the true point of beginning of this easement), and continues on through the West half of the Southwest Quarter Northwest Quarter of said Section 14, Township 5 North, Range 45 East, Boise Meridian, to the Westerly boundary line thereof, and thence South to the South boundary line thereof.

ALSO SUBJECT TO the express condition that the heirs of Winifred Griggs cannot and shall not sell, trade, convey or encumber the property in any way during the lifetime of the heirs of said Winifred Griggs, now living, except a conveyance or encumbrance may be made to or in favor of Arlene Nickell and Whitney Little or their heirs.

TOGETHER WITH all water rights thereto, and all and singular the other tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainders and rents, issues and profits thereof.

Ray W. Rigby (I.S.B. No. 613)
of RIGBY, THATCHER, ANDRUS,
RIGBY, KAM & MOELLER, Chartered
Attorneys at Law
25 North Second East
Rexburg, Idaho 83340
Telephone: (208) 356-3633
Facsimile: (208) 356-0768

Attorneys for Applicant

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON
MAGISTRATE'S DIVISION

IN THE MATTER OF THE ESTATE OF)	Case No. CV 03 - 256
)	
WINIFRED K. GRIGGS,)	INVENTORY
)	
Deceased.)	
)	

The undersigned, as Personal Representative of the above named Decedent, states and represents that:

The following constitutes a full and complete inventory of the property owned, in Idaho, by the Decedent as far as the same has come to the possession or knowledge of the undersigned.

The values set forth in such schedules are the fair market values of the Decedent's property as determined as of December 11, 2002, the date of the Decedent's death, by the undersigned.

ITEM

VALUE

A. Real Estate

Real Property located in Teton County, State of Idaho, to-wit:

The East Half Northeast Quarter of Section 15 and the West Half Southwest Quarter Northwest Quarter of Section 14, Township 5 North, Range 45 East, Boise Meridian.

Together with a 59.25/194 interest in State of Idaho Department of Water Administration "Water Right License" No. 30160/22-2214, with a priority date of September 1, 1961; and a 59.25/194 interest in an irrigation well, pump, motor, panel, and other appurtenances thereto, located approximately 525 feet

North of the Southeast corner of the Southeast Quarter Northwest Quarter of Section 14, Township 5 North, Range 45 East, Boise Meridian.

Together with 119 shares of the capital stock of the Grand Teton Canal Company, Limited.

Subject to easements of record or in existence for roads, ditches and utilities, and particularly a right to an easement to be used jointly by the said Winifred Griggs and Whitney K. Little for an irrigation ditch to convey water from the above-described irrigation well which runs South from said well site to a headgate, and then runs West in an existing ditch 1,980 feet, to the West borderline of property conveyed to Arlene Nickell, (the true point of beginning of this easement) and continues on through the West half of the Southwest Quarter Northwest Quarter of said Section 14, Township 5 North, Range 45 East, Boise Meridian, to the Westerly boundary line thereof, and thence South to the South boundary line thereof.

And together with all and singular the other tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

SUBJECT to the express condition that the heirs of Winifred Griggs cannot and shall not sell, trade, convey or encumber the property in any way during the lifetime of the heirs of said Winifred Griggs, now living, except a conveyance or encumbrance may be made to or in favor of Arlene Nickell and Whitney Little or their heirs.

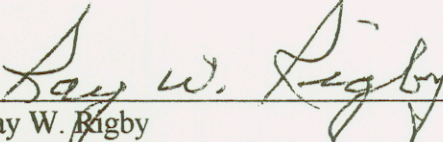
TOGETHER With any and all improvements and appurtenances thereto; rents, issues and profits thereof; and reversions and remainders.

\$ 600,000.00

TOTAL

\$ 600,000.00

DATED This 26 day of August, 2003.


Ray W. Rigby
of RIGBY, THATCHER, ANDRUS,
RIGBY, KAM & MOELLER, Chtd.


ALFRED R. GRIGGS
Personal Representative