

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
 DEC 18 2007
 Department of Water Resources
 Boise, Idaho

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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

NCAP

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
22-7264	22-13808 22-13809	<i>yes</i>			

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

Per Ernie Carlsew: Both children should be in name of Teton Ventures. JC 1-17-08

- 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 on file with the county Planning and Zoning or Recorder's Office).
OR
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **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)

Paris Penfold

4. New Owner/Claimant(s)

driggs, Id

Teton Ventures LLC

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

New Mailing Address

153 N. 4663 E.

City, State and ZIP Code

Rigby, ID

83442

New Telephone Number

(208) 390-4676

Email:

dt@ridgelineproperties.com

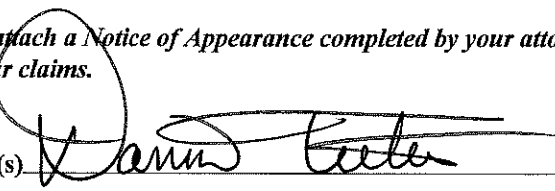
5. Date you acquired the property

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

 Owner
(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt. _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ Date _____

176111

RECEIVED

APR 14 2006

TETON CL. IL.
CLERK/RECORD

56753

WHEN RECORDED, RETURN TO:
 Ronald G. Moffitt, Esq.
 Stoel Rives, LLP
 201 South Main Street, Suite 1100
 Salt Lake City, Utah 84111

Instrument # 176111

DRIGGS, TETON, IDAHO

2006-04-14

02:23:50 No. of Pages: 1

Recorded for: FIRST AMERICAN TITLE CO

NOLAN G. BOYLE

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

WARRANTY DEED

For good and valuable consideration, PARIS PENFOLD and JANET PENFOLD, husband and wife, (together, the "Grantor"), hereby conveys and warrants to TETON VENTURES LLC, an Idaho limited liability company (the "Grantee"), located and having a mailing address at c/o George McDaniel, 2425 North 60th East, Idaho Falls, Idaho 83406 that certain property, together with any and all interests, rights and appurtenances thereto, as well as any and all improvements thereon (if any), situated in Teton County, Idaho, as more particularly described as:

TOWNSHIP 4 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY,
 IDAHO

SECTION 12: NW1/4

176111

LESS AND EXCEPTING the existing County Road right of way along the North boundary on the above described property

(the "Subject Property"). TO HAVE AND TO HOLD the Subject Property, together with all tenements, hereditaments, and appurtenances thereunto belonging, (collectively, the "Property"), unto the Grantee, and its successors and assigns, forever. The Grantor does hereby covenant to and with the Grantee that the Grantee is owner in fee simple of the Property and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED as of the 14th day of April, 2006.

By:

Paris Penfold

By:

Janet Penfold

STATE OF IDAHO

: ss.

COUNTY OF TETON

On this 14th day of April, 2006, before me, a Notary Public in and for said State, personally appeared Paris Penfold and Janet Penfold, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed same.

TERESA K. MANGUM
 NOTARY PUBLIC
 STATE OF IDAHO

NOTARY PUBLIC

Residing at: Driggs

Commission: 07-24-09

176111

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:

First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 179474

DRIGGS, TETON, IDAHO
2006-08-15 02:35:58 No. of Pages: 5

Recorded for : FIRST AMERICAN

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

179392

179474

Instrument # 179392

DRIGGS, TETON, IDAHO

2006-08-11 03:50:17 No. of Pages: 3

Recorded for : FIRST AMERICAN TITLE

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 167387-T (lm)

Date: August 10, 2006

For Value Received, **Teton Ventures, LLC, an Idaho Limited Liability Company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **George McDaniel and Wendy McDaniel, husband and wife as to an undivided 72% interest, Colby Hackbarth a married man as his sole and separate property as to an undivided 10% interest, Darrin Teeter, a married man as his sole and separate property as to an undivided 10% interest and Warren Kirk, a married man as his sole and separate property as to an undivided 8% interest**, hereinafter called the Grantee, whose current address is **155 N. Woodruff, Idaho Falls, ID 83401**, the following described premises, situated in **Teton County, Idaho**, to-wit:

TOWNSHIP 4 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

SECTION 12: NW1/4

LESS AND EXCEPTING THEREFROM THE EXISTING COUNTY ROAD RIGHT-OF-WAY ALONG THE NORTH BOUNDARY OF THE ABOVE DESCRIBED PROPERTY.

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 its 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.

Water right 22-7264.

86 acres of water is being retained by Grantor. Grantor shall have the right to transfer, change the point of diversion and the place of use on the retained 86 acres of water, 1.72 CFS.

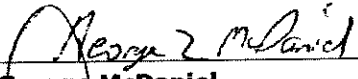
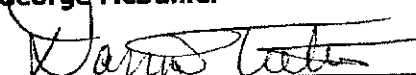
179392

179474

Date: 08/10/2006

Warranty Deed
- continued

File No.: 167387-T (lm)

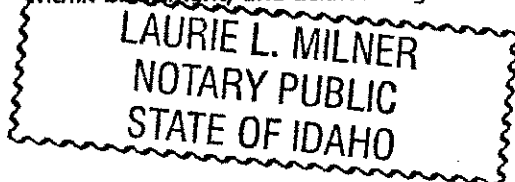

George McDaniel

Darrin Teeter

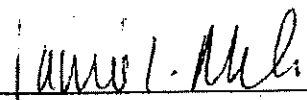
Warren Kirk

Colby Hackbarth

STATE OF Idaho)
SS.
COUNTY OF Teton)

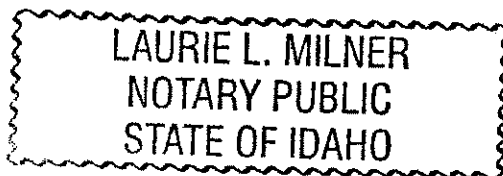
On this **Tenth day of August, 2006**, before me, a Notary Public in and for said State, personally appeared **George McDaniel**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

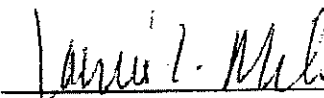



Notary Public for the State of Idaho
Residing at: *Tetonia*
My Commission Expires: *8/19/2011*

STATE OF Idaho)
SS.
COUNTY OF Teton)

On this **Tenth day of August, 2006**, before me, a Notary Public in and for said State, personally appeared **Darrin Teeter**, known or identified to me 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.



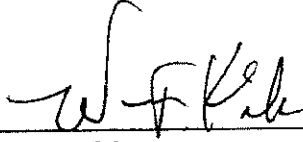

Notary Public for the State of Idaho
Residing at: *Tetonia*
My Commission Expires: *8/19/2011*

Date: 08/10/2006

Warranty Deed
- continued

File No.: 167387-T (1m)

George McDaniel



Warren Kirk

Darrin Teeter

Colby Hackbarth

STATE OF Idaho)
SS.
COUNTY OF Teton)

On this **Tenth day of August, 2006**, before me, a Notary Public in and for said State, personally appeared **George McDaniel**, known or identified to me 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.

Notary Public for the State of Idaho
Residing at:
My Commission Expires:

STATE OF Idaho)
SS.
COUNTY OF Teton)

On this **Tenth day of August, 2006**, before me, a Notary Public in and for said State, personally appeared **Darrin Teeter**, known or identified to me 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.

Notary Public for the State of Idaho
Residing at:
My Commission Expires:

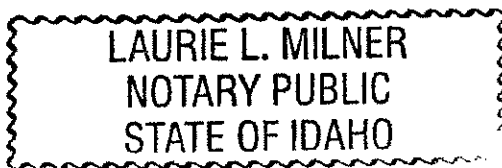
Date: 08/10/2006

Warranty Deed
- continued

File No.: 167387-T (lm)

STATE OF Idaho)
SS.
COUNTY OF Teton)

On this **Tenth day of August, 2006**, before me, a Notary Public in and for said State, personally appeared **Colby Hackbarth**, known or identified to me 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.



Laurie L. Milner
Notary Public for the State of Idaho
Residing at: Teton, ID
My Commission Expires: 8/19/2011

STATE OF Idaho)
SS.
COUNTY OF Teton)

On this **Tenth day of August, 2006**, before me, a Notary Public in and for said State, personally appeared **Warren Kirk**, known or identified to me 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.

Notary Public for the State of Idaho
Residing at:
My Commission Expires:

179474

179392

Date: 08/10/2006

Warranty Deed
- continued

File No.: 167387-T (lm)

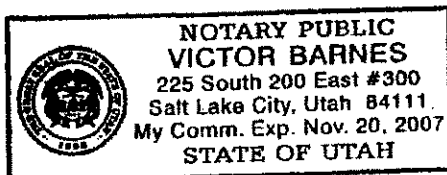
STATE OF Idaho)
SS.
COUNTY OF Teton)

On this **Tenth day of August, 2006**, before me, a Notary Public in and for said State, personally appeared **Colby Hackbarth**, known or identified to me 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.

Notary Public for the State of Idaho
Residing at:
My Commission Expires:

STATE OF ~~Idaho~~ *Utah*)
SS.
COUNTY OF ~~Teton~~ *Salt Lake*)

On this **Tenth day of August, 2006**, before me, a Notary Public in and for said State, personally appeared **Warren Kirk**, known or identified to me 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.



Victor Barnes

Notary Public for the State of Idaho ~~Idaho~~ *Utah*
Residing at: *Centerville*
My Commission Expires: *11-20-07*

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-7264 V1

WATER RIGHT NUMBER: 22-7264 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FARM CREDIT BANK OF SPOKANE 2225 W BROADWAY STE A IDAHO FALLS, ID 83402 (208)552-2300
Current Owner	PARIS PENFOLD 207 S 175 E DRIGGS, ID 83422 (208) 709-5411

Priority Date: 10/31/1977

Basis: License

Status: **Parent**

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	2.920 CFS	438.00 AF
	<u>Total Diversion:</u>	2.920 CFS	438.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4NW1/4	Sec. 12, Twp 04N, Rge 45E, B.M.
TETON County		

Place of Use

IRRIGATION

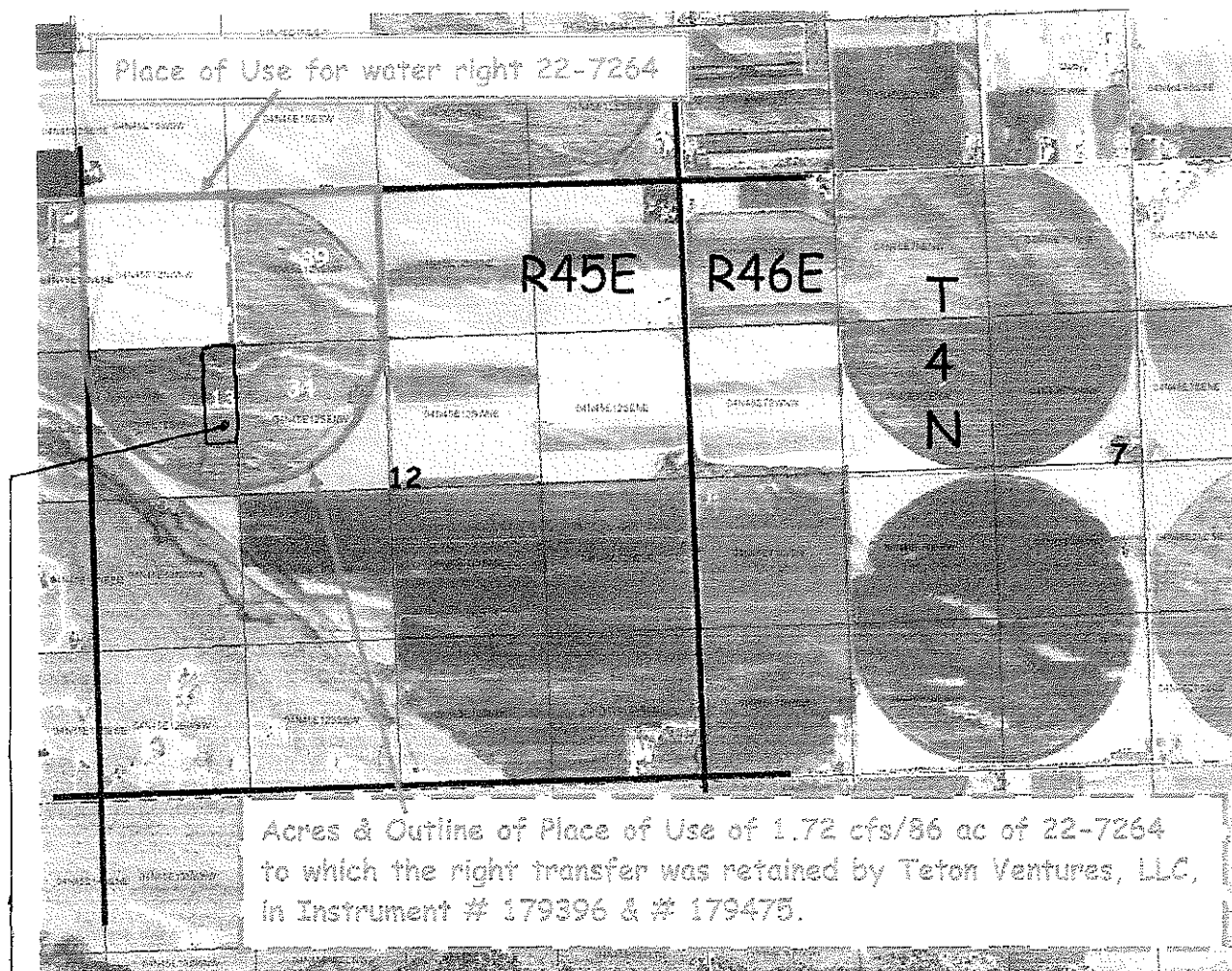
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 45E 12					39.0	39.0	34.0	34.0									146.0

Total Acres: 146

Conditions of Approval:

1. SPLIT RIGHT: SEE RIGHT NOS. 22-13808 and 22-13809.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. E11 USE OF THIS RIGHT IS COMBINED WITH WATER FROM GARDEN WATER COMPANY.

Remarks:



When the land in the NW $\frac{1}{4}$ of Section 12, T4N, R46E, was sold to Ironwood Land, LLC., a Utah Corp (Instruments #179396 & # 179475) only a portion of water from water right 22-7264 (1.20 cfs on 60 acres) went with the sale. Teton Ventures, LLC retained the right to transfer 1.72 cfs for 86 acres, the remaining portion of water from water right 22-7264.

I/we agree that the acres of water of water right 22-7264 (1.72 cfs for 86 acres) illustrated above were retained by Teton Ventures, LLC. I/we have also identified the 8 acres that were sold to Idaho Water Company, LLC, Del Kohtz, on August 18, 2007.

Location of 8 acres of water.

Colby Hackbarth

Date

Darrin Teeter

Darrin Teeter

10-10-07

Date