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DEPARTMENT OF
WATER RESOURCES

March 17, 2008

Monica P. Van Bussum
Senior Water Resource Agent
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

RE: Peacock Property, LLC
SRBA Claim Nos.: 22-13684 & 22-13685

Dear Ms. Van Bussum:

Enclosed is a copy of the *Federal Farm Mortgage Corporation v. Crandall* decree, dated March 27, 1942. We are providing this to you at your request pursuant to your letter dated February 20, 2008. If you have any additional questions, or need any additional information, please let us know.

Sincerely,

Cheri Vandermeulen
Secretary for Robert L. Harris

Enclosure

c: Peacock Property

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I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of the original thereof, on file in my office.

Dated July 31, 1942

Nolan G. Raul
Ex-Officio Auditor & Recorder
Clerk of the District Court

By: [Signature]
Deputy Clerk

FEDERAL FARM MORTGAGE CORPORATION, a corporation,

-vs-

Plaintiff,

DECEREE

LYNN CRANDALL, as Watermaster of Water District #36 of the state of Idaho; and E. V. BERT, as Commissioner of Reclamation of the state of Idaho,

Defendants.

This cause came on regularly to be heard before the Court in Chambers, at Idaho Falls, Bonneville County, state of Idaho, sitting without a jury, this 27th day of March, A. D., 1942, in accordance with the Stipulation of the respective parties hereto, plaintiff appearing by its attorneys, Ralph L. Albaugh, John L. Bloom, and Albert Olson, and the defendants appearing by their attorneys, Bert H. Miller, Attorney General and Leo Bresnahan, Assistant Attorney General, and it appearing to the Court that the plaintiff has caused a Notice of this Pendency of this Action to be published in the Teton Valley News, in the manner and form, and for the time required by law and heretofore ordered by this Court, and the matter having been presented to the Court, and the Court having seen and heard the evidence offered by the plaintiff in support of the allegations in its complaint, and the Court being fully advised in the premises, and it appearing to the Court that each and all of the allegations in plaintiff's complaint contained are true and correct,

It is ORDERED, ADJUDGED AND DECREED that the plaintiff is entitled to, and is hereby awarded 5.8 cubic feet per second (or 280 miners inches) of the flow of that certain stream known as Teton Creek, through what is known as the Pratt Ditch, with priority dating of April 1, 1894, for the irrigation of its real property, situated in Teton County, Idaho, described in plaintiff's complaint, and more particularly described as follows, to-wit:

West Half of the Northwest Quarter, Northwest Quarter of the Southwest Quarter, East Half of the Southwest Quarter; and Lots 3 and 4, Section 3, Township 5 North, Range 45, East of the Boise Meridian;

Also, that certain tract described as follows: Beginning at the Southeast corner of Lot 2, of Section 3, Township 5 North, Range 45, East of the Boise Meridian, running thence North 21 rods, thence West 146 rods, thence South 21 rods, thence East 146 rods to the place of beginning; and;

It is further ORDERED, ADJUDGED and DECREED, that the foregoing adjudication of water be made subject only to the Decrees in a certain action in the District Court of the Sixth Judicial District of the State of Idaho, in and for the county of Fremont, entitled "Rexburg Irrigation Company, et al., vs. Teton Irrigation Canal Company, et al., defendants", dated and filed December 18, 1910; in a certain action instituted in the District Court of the Fourth Judicial District of the state of Idaho, in and for the county of Twin Falls, entitled "Twin Falls Canal Company, plaintiff, vs. Charles H. Foster, et al., defendants", filed on the 20th day of June, 1913, and the amended decree thereto, dated September 12, 1916 and filed September 21, 1916; in a certain action instituted in the United States District Court of Idaho, Eastern Division, entitled "Woodville Canal Company, a corporation, plaintiff, vs. Clark and Edwards Canal Company, a corporation, et al., defendants", dated June 28, 1929; and in a certain action instituted in the United States District Court of Wyoming, entitled "Romana Canal Company, et al., vs. Charles Daniels, et al.", entered February 4, 1941; and;

It is further ORDERED, ADJUDGED and DECREED, that the defendants, and each and both of them, all persons claiming by, through or under them, or either or any of them, and all persons claiming to have acquired any right or interest in or to or upon the said waters hereinbefore decreed by, through or under any person whatsoever, except the plaintiff herein, be enjoined and restrained from obstructing, or in any way interfering with the flow of said waters, through the ditches of the plaintiff.

DONE IN CHAMBERS at Idaho Falls, Idaho, this 27th day of March, A. D., 1942.

C. J. TAYLOR
JUDGE OF SAID DISTRICT COURT.

STATE OF IDAHO)
County of Fremont) ss.

I DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of the original Decree, on file in my office in the above entitled cause.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Court, this 28th day of March A. D., 1942.

(Auditor & Recorder Seal)

E. J. Rutsey
CLERK OF THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT.

Filed for Record at the Request of Albert Olson at 30 minutes past 11 o'clock A.M. this 18th day of April, 1942.

L. W. Hastings, Recorder
By Afton A. Deuel, Deputy

COPY