

09/05/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-33

NAME AND ADDRESS: PHILLIP PLUMB
90 S 400 W #360
SALT LAKE CITY UT 84101

ELIZABETH PLUMB
90 S 400 W #360
SALT LAKE CITY UT 84101

JOHN C TERRY
90 S 400 W #360
SALT LAKE CITY UT 84101

PLUMB LAND INVESTMENT LLC
90 S 400 W #360
SALT LAKE CITY UT 84101

THE KEM C GARDNER FAMILY PARTNERSHIP
90 S 400 W #360
SALT LAKE CITY UT 84101

SOURCE: HORSESHOE CREEK TRIBUTARY: TETON RIVER

QUANTITY: 3.200 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T05N R44E S27 SENENW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	3.200 CFS

PLACE OF USE: IRRIGATION Within TETON County

T05N R44E S26	NESW	40.00	T05N R44E S26	NWSW	38.00
T05N R44E S26	SWSW	38.00	T05N R44E S26	SESW	39.00

155 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 155 acres in a single irrigation season. Combined Right Nos.: 22-00033, 22-00298B, and 22-00299B.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

SRBA Recommendation:

22-33, 22-298B,

22-299B

(Irrigation)

Point of Diversion

Place of Use

Townships

PLS Sections

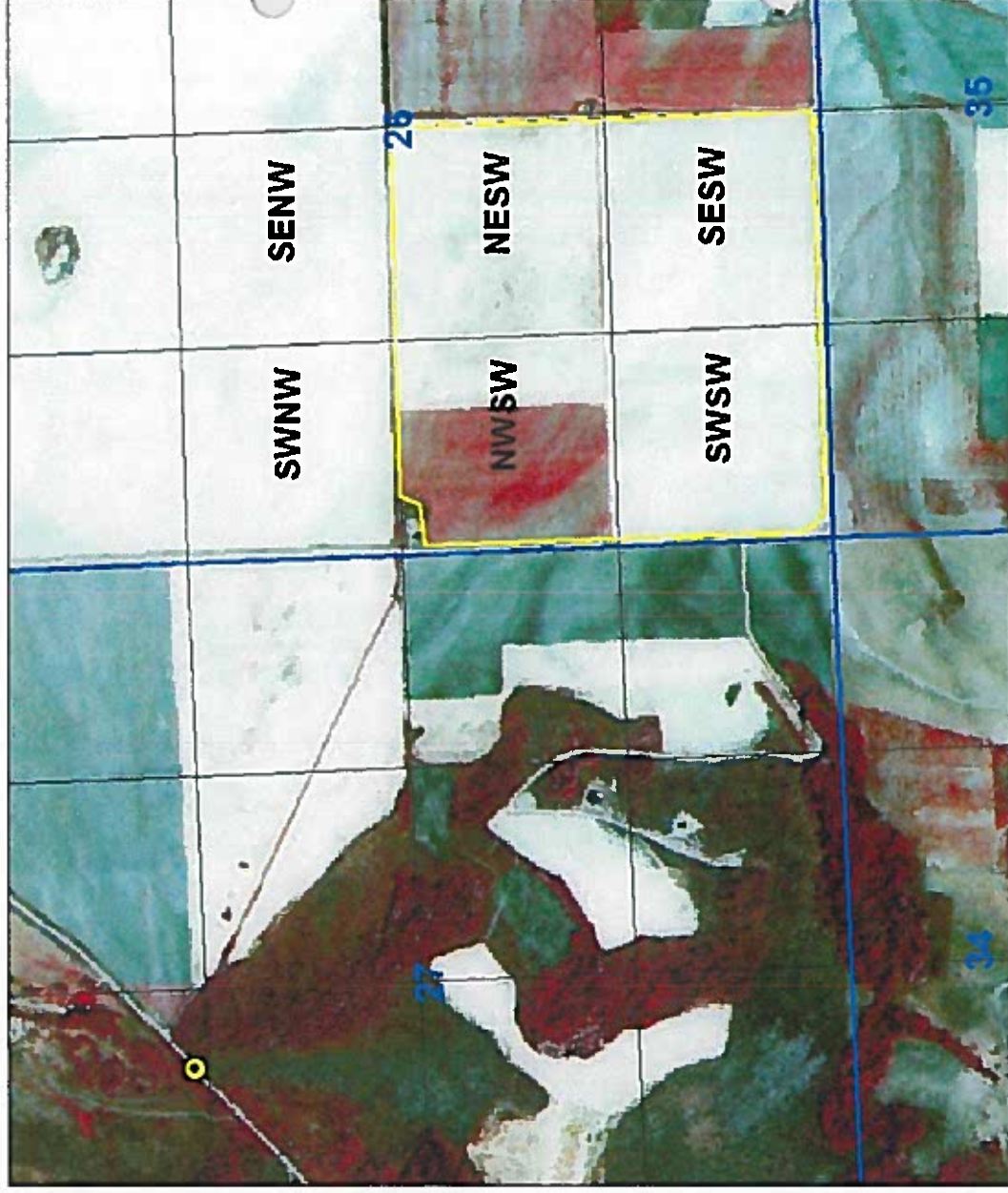
Quarter Quarters



Teton County
IDWR Basin 22



R44E



T05N



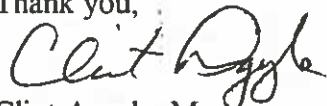
Prepared by C. Moore
On Tuesday, September 5, 2006
1987/88 Aerial Photography

March 7, 2005

Dear Mr. Ruberry,

I've attached this letter in request to have you change this Enlargement Claim to A.P. Group instead of Sherry R & Clint B Argyle Revocable Family Trust. This is in accordance to the other decreed rights on this property.

Thank you,


Clint Argyle, Manager
A.P. Group

22-13356

22-298B

22-299B

22-00033

RECEIVED

MAR - 9 2005

Department of Water Resources
Eastern Region

PROFILED

SCANNED

APR 27 2005

Contacts Data Entry Form

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____
Current Owner J-J Ranch Partnership % Neal MERMALL
Name connector: and _____, or _____, and/or _____
Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

DECREED FC G 116 TT v. Cramdal 7 DEC 1938
DECREED To Louis Puxton 160" (3.2 CFS) F

FLD PDD/ Poll CONVEYANCE SYSTEM

Reviewer: _____

Date: _____

PROFILED

SCANNED
APR 27 2005

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: JAN 22 1916 Claimed Basis: DECREEDRecommended Priority Date: JAN 22 1916 Recommended Basis: DECREED

____ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

MATCHES DECREED

Reviewer: _____

Date: _____

PROFILED

SCANNED
APR 27 2005

Point of Diversion and Source Data Entry Form

Claim Number: 2200033

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 5N, R 44E, Sec. 27, SE, NE, NW, County: TETONSource: HORSE SHOE CREEK Tributary: TETON RIVER

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

☐ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? GPS TAG #

Document how the POD and Source were verified and/or Pump and Motor data:

DECEMBER HORSE SHOE CREEK

Transfers Changing POD _____

Reviewer: _____

Date: _____

SCANNED

APR 27 2005

PROFILED

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
5N	44E	26	NE	SW	Teton		40	IRRIGATION
			11	SW	"		40	
			SW	SW	"		40	
			SE	SW	"		40	

Total Acres 160

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

Transfers Changing POU _____

Reviewer: _____

Date: _____

SCANNED

APR 27 2005

PROFILED

Purpose of Use Data Entry Form

Claim Number: _____

_____ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Document how the Purpose of Use was verified:

Transfers Changing Purpose of Use _____

Reviewer: _____

Date: _____

PROFILE**SCANNED**
APR 27 2005

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	11/15	3.2 CFS	

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/31		

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

SOU WAS NOT DETERM. STATE REQUIREMENTS
FOR THIS AREA 4/15 TO 10/31

Reviewer: _____

Date: _____

SCANNED

APR 27 2005

PROFILED

Claim No.: _____

This image shows a single sheet of white paper with horizontal black ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. A small dark speck is located near the center of the page, and some faint smudges are present near the top right corner.

SCANNED

Reviewer _____ Date _____

PRINTED

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

SCANNED
APR 27 2005

That the plaintiff, Louie Buxton, is the owner of or has an estate in the following described lands, to-wit:

Lots 3 & 4 of section 6, in township 4 north, range 45 E.B.M.; S $\frac{1}{4}$ SW $\frac{1}{4}$ of section 31, township 5 north, range 45 E.B.M.,

and is the owner of a ditch through which he conveys water from Mahogany Creek, with the point of diversion located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 12, in township 4 north, range 44 E.B.M., and the plaintiff, or his predecessors in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 3.2 cubic feet per second or 160 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or his predecessors in interest, and,-

Also, the above named plaintiff is the owner of or has an estate in the following described lands, to-wit:

RECEIVED

SCANNED
APR 27 2005

SCANNED

APR 27 2005

220033
SW¹/₄ of section 26 in township 5 north, range
44 E.B.N.,

and is the owner of a ditch through which he conveys water from Horseshoe Creek, with the point of diversion located in the NW¹/₄ of section 27 in township 5 north, range 44 E.B.N., and the plaintiff, or his predecessors in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 3.2 cubic feet per second or 160 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has been in addition to any other rights filed, decreed, or granted to the said plaintiff, or his predecessors in interest.

YYVTTT.

1916, with point of diversion and for the irrigation of the lands described in Paragraph XXVII of the Findings of Fact.

22. 1034 24. That the plaintiff, Louie Luxton, is awarded the right to the use of 3.2 cubic feet per second or 160 miners in Horseshoe Creek, with a priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in Paragraph XXVII of the Findings of Fact.

22. 1034 25. That the plaintiff, William Purace, is awarded the right to the use of 6.4 cubic feet per second or 320 miners inches of the waters of Lahogany Creek, with priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in Paragraph XXVIII of the Findings of Fact.

PROFILED

SCANNED

APR 7 1985



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 1, 1999

SHERRY R & CLINT B ARGYLE REVOCABLE FAMILY TRUST
1172 S 1180 E
SPANISH FORK UT 84660

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A22-00033,
A22-00298B, A22-00299B

Dear Mr. & Mrs. Argyle:

The request for Change of Water Right Ownership concerning the above-referenced Notice 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 the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure

PROFILED

SCANNED
APR 27 2005

DELOG DC 5/26/99
DC OK 6/29

IDWR EASTERN

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Water Right Number(s) _____

Adjudication Claim number(s) A2200033 A2200298B A2200299B

The following REQUIRED information must be submitted with this form.

A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights claims in question, WITH AN ATTACHED LEGAL DESCRIPTION.

AND

PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

For water rights and adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly) ASCS) Aerial Photo with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and address of former Owner/Claimant. J&J RANCH PARTNERSHIP, an Illinois Partnership

4. New Owner/Claimant. SHERRY R. ARGYLE AND CLINT B. ARGYLE REVOCABLE FAMILY TRUST

New mailing Address 1172 SOUTH 1180 EAST, SPANISH FORK, UT 84660
Address City State Zip Code

New Telephone Number (801) 798-8943

5. Date you acquired the property MARCH 26, 1999

If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 160 Number and type of stock _____

Diversion rate in CFS _____ Number of Homes _____ Other Uses _____
cubic ft. per second

If water right or adjudication claim is being split and you are not sure how to identify your portion of the original water right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimants Sherry R. Argyle Date May 20 99

Clint Argyle Date May 20, 99

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

SCANNED

APR 27 2005

PROFILED

RECEIVED

MAY 26 1999

Department of Water Resources
Eastern Region



133440

T-7231

WARRANTY DEED

For Value Received J-J RANCH PARTNERSHIP, an Illinois partnership

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
SHERRY R. ARGYLE and CLINT B. ARGYLE, Trustees of the SHERRY R.
ARGYLE REVOCABLE FAMILY TRUST, dated August 4, 1995
whose address is: 1172 SOUTH 1180 EAST, SPANISH FORK, UT, 84660

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

SW 1/4 SECTION 26, TOWNSHIP 5 NORTH, RANGE 44 EAST, BOISE MERIDIAN,
TETON COUNTY, IDAHO

Subject to the Life Estate of Nona H. Ripplinger to the following
described premises: Commencing at the NW corner of the SW 1/4 of
Section 26-5-44, and running thence East 312 feet; thence South 312
feet; thence West 312 feet; thence North 312 feet to the point of
beginning, as described in Warranty Deed recorded July 7, 1981,
Recorder's No. 87964, records of Teton County, Idaho

TOGETHER WITH all water, mineral, gas, oil and geotherma rights now
owned by the grantor.

Subject to reservations in United States and State Patents; existing
and recorded Right-of-ways, Easements, Zoning, Building and
Subdivision ordinances; Taxes and Assessments as prorated between the
parties hereto.

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: March 24, 1999

J-J RANCH PARTNERSHIP, an Illinois partnership

Judith Schramm, Partner
JUDITH SCHRAMM, PARTNER

David Schramm, Partner, by Judith Schramm as Independent Executor
DAVID SCHRAMM, PARTNER, BY
JUDITH SCHRAMM AS INDEPENDENT
EXECUTOR

STATE OF Colorado, COUNTY OF Pitkin

On this 24th day of March, in the year 1999, before me, a Notary Public in
and for said State, personally appeared JUDITH SCHRAMM, known or identified to me to
be one of the partners in the partnership of J-J RANCH PARTNERSHIP, an Illinois
partnership, and the partner who subscribed said partnership name to the foregoing
instrument, and acknowledged to me that she executed the same in said partnership
name.



Jane A. Kelly
Notary Public of State of Colorado
Residing at PO Box 760, Aspen, Colorado
Commission Expires: 10/25/01

STATE OF Colorado COUNTY OF Pitkin

On this 24th day of March, in the year 1999, before me, a Notary Public
in and for said State, personally appeared JUDITH SCHRAMM, known or identified to me
to be the person whose name is subscribed to the within Instrument as the Independent
Executor for DAVID SCHRAMM, and acknowledged to me that she subscribed the name of
DAVID SCHRAMM thereto as provided and her own name as Independent Executor.

AT THE REQUEST OF **133440**

First American
AT 19 MINUTES PAST 20 M
DATE March 26, 1999
Nolan J. Boyle
CLERK OF RECORD
BY Sharon Smith

Jane A. Kelly
Notary Public of State of Colorado
Residing at PO Box 760, Aspen, Colorado
Commission Expires: 10/25/01

RECEIVED
MAY 26 1999

First American Title Company

133440

Department of Water Resources
Eastern Region

NE

443
T397

SEE F-10H1

553
T742

27.2
3

13.3
4

HEL

34
HEL

33.8

27.92

HEL

27

34

0379
T390

NHEL

NHEL

HEL

22.7

12

15.2

339.2

HEL

HEL

SW 26

1275

HEL

30.7

3 16.2

HEL

4

HEL

14.5

21GNHEL

RECEIVED

MAY 26 1995

Department of Water Resources
Eastern Region

May 25, 1999

**Dept. of Water Resources
900 North Skyline Dr.
Idaho Falls, ID 83402**

Dear Sirs,

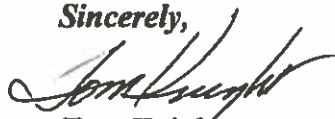
Enclosed find:

- 1. Notice of change of water right form.**
- 2. Warranty Deed transferring the property.**
- 3. Copies of Adjudication Claim Profile Report.**
- 4. An aerial showing property in yellow highlight.**
- 5. Also shown on aerial map in orange, the point of diversion.**

This paperwork transfers water rights from J&J Partnership to Argyle Family Trust.

If additional paperwork or information is needed, do not hesitate to call me.

Sincerely,


Tom Knight

RECEIVED

**SCANNED
APR 27 2005**

**RECEIVED
MAY 26 1999**

**Department of Water Resources
Eastern Region**



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MAY 4, 1995

J-J RANCH PARTNERSHIP
C/O NEAL MERMALL
8310 KENTON
SKOKIE IL 60076

RE: CHANGE IN OWNERSHIP FOR A22-00298B, -00299B, -00033

Dear Mr. Mermall:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name 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 these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

PROFILED

SCANNED
APR 27 2005

MICROFILMED
NOV 06 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

APR 24 1995

Department of Water Resources

DATE OF CLOSING: May 1, 1990

LEGAL DESCRIPTION OF PROPERTY: Township 5 North Range 44 East
Section 26, SW 1/4 of 1/4 of 1/4 Govt. Lot 1

Lot 1, Block 1, Subdivision/Townsite 1

If you have additional legal descriptions, please attach separate sheet.

RECEIVED

MAY 03 1995

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) Department of Water Resources Eastern District Office

☐ Water Right Number(s)
Assigned by IDWR:

A2200298B/299B

A2200033

No - R - records

☐ Name and Address of Former Owner/Claimant(s)(Seller):

CLEON B. KUNZ

1808 24th Avenue

San Francisco, CA

☐ New Owner/Claimant (Purchaser):

J-J RANCH PARTNERSHIP, an Illinois Partnership

☐ New Mailing Address:

c/o Neal Mermall

8310 Kenton

Skokie, IL 60076

☐ New Telephone Number:

(708) 673 - 3776

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached:

Copy of recorded Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s)

J-J RANCH PARTNERSHIP

Date

By: Neal Mermall

Partner

Date 18 APR 95

☐ Signature of Former Owner/Claimant(s):

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date

By:

Further Action Needed:

Further Action Taken

Date

By:

Final Review and Data-Entry

Date

By:

Claim Numbers of Split, if any:

PROFILE

SCANNED

APR 27 2005

MICROFILMED

NOV 06 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



133440

T-7231

WARRANTY DEED

For Value Received J-J RANCH PARTNERSHIP, an Illinois partnership

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
SHERRY R. ARGYLE and CLINT B. ARGYLE, Trustees of the SHERRY R.
ARGYLE REVOCABLE FAMILY TRUST, dated August 4, 1995
whose address is: 1172 SOUTH 1180 EAST, SPANISH FORK, UT, 84660

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

SW 1/4 SECTION 26, TOWNSHIP 5 NORTH, RANGE 44 EAST, BOISE MERIDIAN,
TETON COUNTY, IDAHO

Subject to the Life Estate of Nona H. Ripplinger to the following
described premises: Commencing at the NW corner of the SW 1/4 of
Section 26-5-44, and running thence East 312 feet; thence South 312
feet; thence West 312 feet; thence North 312 feet to the point of
beginning, as described in Warranty Deed recorded July 7, 1981,
Recorder's No. 87964, records of Teton County, Idaho

TOGETHER WITH all water, mineral, gas, oil and geotherma rights now
owned by the grantor.

Subject to reservations in United States and State Patents; existing
and recorded Right-of-ways, Easements, Zoning, Building and
Subdivision ordinances; Taxes and Assessments as prorated between the
parties hereto.

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: March 24, 1999

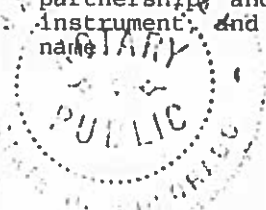
J-J RANCH PARTNERSHIP, an Illinois partnership

Judith Schramm, Partner
JUDITH SCHRAMM, PARTNER

David Schramm, Partner, by Judith Schramm as Independent Executor
DAVID SCHRAMM, PARTNER, BY
JUDITH SCHRAMM AS INDEPENDENT
EXECUTOR

STATE OF Colorado, COUNTY OF Pitkin

On this 24th day of March, in the year 1999, before me, a Notary Public in
and for said State, personally appeared JUDITH SCHRAMM, known or identified to me to
be one of the partners in the partnership of J-J RANCH PARTNERSHIP, an Illinois
partnership, and the partner who subscribed said partnership name to the foregoing
instrument, and acknowledged to me that she executed the same in said partnership
name.



Jane A. Kelly
Notary Public of State of Colorado
Residing at PO Box 760, Aspen, Colorado
Commission Expires: 10/25/01

STATE OF Colorado COUNTY OF Pitkin

On this 24th day of March, in the year 1999, before me, a Notary Public
in and for said State, personally appeared JUDITH SCHRAMM, known or identified to me
to be the person whose name is subscribed to the within Instrument as the Independent
Executor for DAVID SCHRAMM, and acknowledged to me that she subscribed the name of
DAVID SCHRAMM thereto as provided and her own name as Independent Executor.

AT THE REQUEST OF

133440

AT 19 MINUTES PAST 2 M

DATE March 26, 1999

CLERK OF RECORD

BY Chandra Smith

First American Title Company

133440

Jane A. Kelly RECEIVED
Notary Public of State of Colorado
Residing at PO Box 760, Aspen, Colorado
Commission Expires: 10/25/01
MAY 26 1999
Department of Water Resources
Eastern Region

WARRANTY DEED

RECEIVED

APR 24 1995

Department of Public Resources

For Value Received

CLEON B. KUNZ

the grantor, does hereby grant, bargain, sell, and convey unto

J-J RANCH PARTNERSHIP, an Illinois Partnership
c/o Neil Mermall
9239 Gross Point Road
Skokie, Illinois 60077

the grantee, the following described premises, to-wit:

TOWNSHIP 5 NORTH, RANGE 44 EAST, BOISE MERIDIAN,
TETON COUNTY, IDAHO

Section 26: SW1/4

TOGETHER WITH all water, mineral, gas, oil and
geothermal rights now owned by the grantor.

Subject to reservations in United States and State
Patents; existing and recorded Right-of-ways,
Easements, Zoning, Building and Subdivision
ordinances; Taxes and Assessments as prorated
between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto
the said Grantee, its heirs and assigns forever. And the said Grantor
does hereby covenant to and with the said Grantee, that he the owner in
fee simple of said premises; that said premises are free from all
incumbrances except as hereinabove set forth and that he will warrant
and defend the same from all lawful claims whatsoever.

Dated: May 1, 1990

Cleon B. Kunz
Cleon B. Kunz

STATE OF ~~California~~
COUNTY OF ~~San Francisco~~
On this 30th day of April,
1990 before me, a notary public in
and for said State, personally
appeared

Cleon B. Kunz

known to me to be the person whose
name is subscribed to the within
instrument, and acknowledged to me
that he executed the same.

Jane C. Singer
Notary Public

Residing at 1000 Taraval, S.F. CA.
Comm. Expires. 6-14-93

FILED

AT THE REQUEST OF

First American

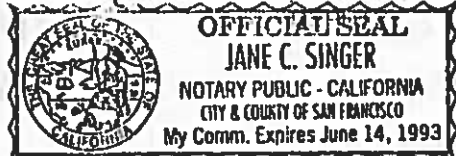
AT 30 MINUTES PAST 9 a.m.

DATE May 2, 1990

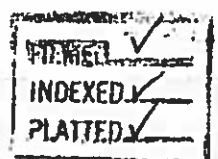
E. Wayne Schiess

GENERAL RECORDER

BY Mrs. Hill



105896



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: A22-00033
Date Received: 8/12/1988
Receipt No: E001262
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: J-J RANCH PARTNERSHIP
Address: C/O NEAL MERMALL
8310 KENTON
SKOKIE IL

708-673-3776

60076

2. Date of Priority: JAN 22, 1916

3. Source: HORSE SHOE CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	44E	27	SE	NE	NW		TETON

5. Description of diverting works:
DITCH TO HOLDING POND. PUMP FROM POND TO MAINLINE/SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	11/15	3.200		

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

8. Total consumptive use is 320.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	44E	26	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0

APR 27 2005

PROFILED
NOV 06 1990

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	44E	26	SE	SW	IRR	40.0

Section Acres 160.0

Total Acres 160.0

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:
A2200298B/00299B

14. Remarks:
CHANGED OWNERSHIP 5/4/95/JT/GT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

F. C. GILLETTE

Decree Plaintiff

LYNN CRANDALL, W. M.

vs Decree Defendant

SCANNED
APR 27 2005

PROFILED

MICROFILMED
NOV 06 1990

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: A22-00033
Date Received: 8/12/1988
Receipt No: 8001262
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

*Coded 8/12
for
page
415-661-1550*

1. Name: CLEON B. KUNZ
Address: 1808 24th AVE.
SAN FRANCISCO, CA 94122

2. Date of Priority: JAN 22, 1916

3. Source: HORSE SHOE CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	44E	27	SE	NE	NW		TETON

5. Description of diverting works:
DITCH TO HOLDING POND. PUMP FROM POND TO MAINLINE/SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	11/15	3.200		

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

8. Total consumptive use is 320.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	44E	26	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0

A22-00033

Page 1

Date: 08/12/88

PROFILE

SCANNED
APR 27 2005

MICROFILMED
NOV 04 1992

A2200033

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	44E	26	SE	SW		IRR	40.0
Section Acres							160.0
Total Acres							160.0

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:
A2200298B/00299B

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

F. C. GILLETTE
Decree Plaintiff

vs

LYNN CRANDALL, W. M.
Decree Defendant

PRO-11

SCANNED
APR 27 2005

MICROFILMED
NOV 04 1992

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: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

PROFILED

SCANNED
APR 27 2005

MICROFILMED
NOV 04 1992

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: 39356
Ident. Number A22-60299-B-00033
Date Received 8/12/88
Receipt Number E001262
ES

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) CLEON J. KUMZ Phone (415) 661-1550
Mailing Address 1808-24TH AVE SAN FRANCISCO CA, Zip 94122

2. Date of Priority (Only one (1) per claim) 1/22 1916

3. Source of water supply (a) HORSE SHOE CREEK
which is tributary to (b) TETON RIVER

4. a. Location of existing point of diversion is: Township 5N Range 44E Section 26,
SE 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of TETON

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. DITCH TO HOLDING POND. PUMP
TO SPRINKLER LINE.

MICROFILMED

NOV 04 1982

PROFILED

SCANNED

APR 27 2005

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/15 to 10/15 amount ~~1.10~~ 3.20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) ~~1.10~~ 3.20 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 320 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
SN	44E	26									40	40	40	40					160

Total number of acres irrigated 160

11. In which county (ies) are lands listed above as place of use located? TETON

12. Do you own the property listed above as place of use? Yes 0 No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
22-00298B / 00033 0029B or None ()

14. Remarks:

MICROFILMED

NOV 04 1992

PROFIT

SCANNED

Last Name KENZ

Ident No.

A22-00033

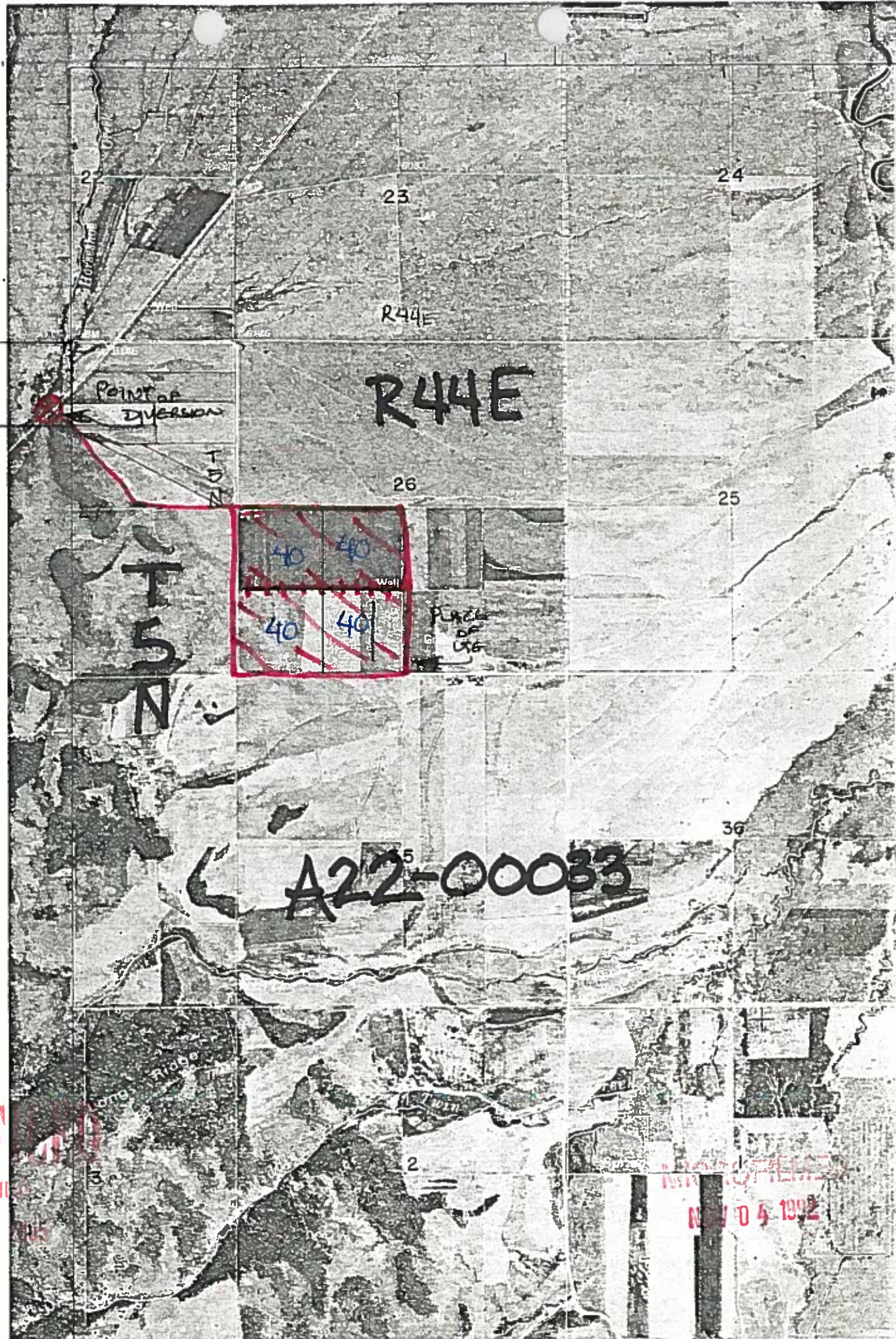
Copies: White-State, Yellow-Claimant
APR 2 2005

111°15'

81000m.E.

43°45'

48 43000m.N.



PROF

SCANNED
APR 27 2015

NOTIFIED
MAY 04 1992

15: Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree X

If applicable provide IDWR Water Right Number 22-0033

Court _____ Case Number _____ Decree Date 12/7/1938

Plaintiff vs Defendant F.C. GILLETTE vs. LYNN GRANDALL, W.M.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date 8/12/88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 12th day of August 1988

SEAL

Notary Public Betty J. Thompson

Residing at Idaho Falls

My Commission Expires 6-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

NOV 04 1992

SCANNED

APR 27 2005

PROFILE

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant