

11/07/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-153

NAME AND ADDRESS: HUNTSMAN SPRINGS INC
97 N HWY 93
DRIGGS ID 83422

SOURCE: TETON CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/01/1899

POINT OF
DIVERSION:

T05N R46E S19 NESESE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.800 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S27

NESE 40.00

40 ACRES TOTAL

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.

To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right will be changed to show that diversion and use of water is not authorized because the rights, or portion thereof, are being dedicated to mitigation purposes.

Mitigation	Use Changed	Mitigation	Mitigation	
Right No.	to Mitigation	Rate (cfs)	Volume (AF)	Acres
22-00153	Irrigation	0.57	28.1	

The land that will no longer be irrigated under this right is located within the NENE, Section 27, Township 5N, Range 46E, B.M.

If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this permit approval shall be reduced by the same proportion as the reduction to the mitigation rights.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

November 5, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

HUNTSMAN SPRING INC
97 N HWY 33
DRIGGS ID 83422

RE: Notice of Change of Water Right Ownership (NCO) for 22-153, 22-10649, 22-11981, 22-13611, 22-13613 and Notice of Completed Administrative Proceeding (NCAP)

Dear Claimant:

On September 7, 2007, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Blackfoot Farms LLC.

SCANNED
NOV 29 2007

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

)

Water Rights: 22-153, 22-10649, 22-
11981, 22-13611, 22-13613

Case No. 39576

)

)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party BLACKFOOT FARMS – HUNTSMAN SPRINGS INC
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 13 November 2007

Ernest Carver

Signature of IDWR Representative

SCANNED

NOV 29 2007

CERTIFICATE OF MAILING

I certify that on Nov 16, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
BLACKFOOT FARMS LLC
500 HUNTSMAN WAY
SALT LAKE CITY UT 84108

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
HUNTSMAN SPRINGS INC
97 N HWY 33
DRIGGS ID 83422

4. One copy to:

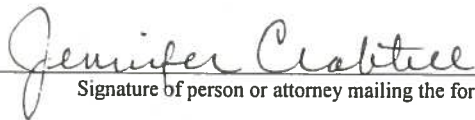
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

RECEIVED

SEP 07 2007

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

Department of Water Resources
 Eastern Region

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).

all ADJ
Needs NCAR

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
22-153		N	22-11973A		Y
22-10649		N			
22-11981		N			
22-13611		N			
22-13613		N			

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 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)

BLACKFOOT FARMS, L.C.
500 Huntsman Way, SLC, UTAH 84108

4. New Owner/Claimant(s)

HUNTSMAN SPRING, INC.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

97 N. Highway 33

City, State and ZIP Code

DRIGGS, ID 83422

New Telephone Number

(208) 354-9660

PROFILED

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NOV 29 2007

5. Date you acquired the property

March 22, 2007

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 <u>22-11973A</u>		
Irrigation	<u>8.36 cfs</u>	<u>413 acres</u>
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)

Gary H. Walker PoA

(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 _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

SCANNED**NOV 29 2007**

188340 JUN 8 '07 AM 9:19

WHEN RECORDED, MAIL TO:

Richard H. Johnson, Esq.
Stoel Rives LLP
201 South Main Street, Suite 1100
Salt Lake City, UT 84111

First American Title Company

213623

Instrument # 188340

TETON COUNTY, IDAHO

2007-06-08

09:19:00 No. of Pages: 9

Recorded for : FIRST AMERICAN TITLE

MARY LOU HANSEN

Ex-Officio Recorder Deputy

Fee: 27.00

Index to: DEED, GRANT

GRANT DEED

FOR VALUE RECEIVED, BLACKFOOT FARMS, L.C., a Utah limited liability company, Grantor, does hereby grant to HUNTSMAN SPRING, INC., an Idaho corporation, Grantee(s), whose address is 97 N Highway 33, Driggs ID 83422, the following described property situated in Teton County, Idaho:

See Attached Legal Description

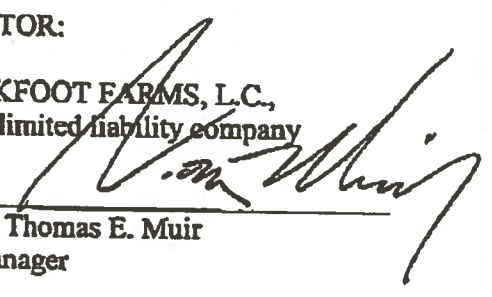
TOGETHER WITH all and singular the tenements, hereditament, and appurtenances thereunto belonging, or otherwise appertaining, including water rights, and all estate, right, title and interest in and to the said property.

SUBJECT TO: Taxes and assessments for the current year and future years, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions and other matters as may appear of record or on the land.

IN WITNESS WHEREOF, Grantor has executed this Grant Deed this 22 day of March, 2007.

GRANTOR:

BLACKFOOT FARMS, L.C.,
a Utah limited liability company

By: 

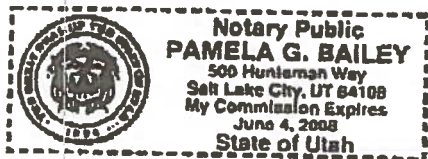
Name: Thomas E. Muir

Its: Manager

STATE OF Utah)
) ss.
County of Salt Lake)

On this 22nd day of March, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared Thomas E. Muir, known or identified to me to be the Manager of BLACKFOOT FARMS, L.C., the limited liability company that executed the within and foregoing instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Pamela G. Bailey
Notary Public
Residing at Salt Lake City, UT
My commission expires: June 4, 2008

GRANT DEED LEGAL DESCRIPTION**The Guy Hillman Family Credit Shelter Trust Property:**

Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Section 23: Beginning 330 feet North of the SE corner of the NE1/4NW1/4, thence North 330 feet; thence West 2640 feet; thence South 660 feet; thence East 1320 feet; thence North 330 feet; thence East 1320 feet to the point of beginning.

LESS AND EXCEPTING THEREFROM: Beginning 660 feet North of the Southwest corner of the NW1/4NW1/4 of Section 23, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho; and running thence East 330 feet; thence South 330 feet; thence West 330 feet; thence North 330 feet to the point of beginning.

ALSO LESS AND EXCEPTING THEREFROM the existing county road right-of-way along the West boundary of the above described property.

ALSO LESS AND EXCEPTING THEREFROM the existing State Hwy right-of-way along the East boundary of the above described property.

The James W. and Marlene T. Price Charitable Remainder Trust Property:

Township 5 North, Range 45 East, Boise Meridian, Teton County Idaho,
Section 26: SW 1/4 NW 1/4, NW1/4SW1/4

22-13613
22-13611
Also Tax No. 841 being described as follows: Beginning at the Northwest Corner of the SE1/4NW1/4 of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 80 rods; thence East 581.4 feet to the Railroad Right-of-Way; thence North 80 rods along the Railroad Right-of-Way; thence West 560 feet to the point of beginning.

Also Tax No. 146 being described as follows: Beginning at the Southwest Corner of the NE1/4SW1/4 of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence East 578 feet; thence North 1320 feet; thence West 581 feet, thence South 1320 feet to the point of the beginning.

The Verle C. Jardine and Nancy B. Jardine Property:

Parcel 1: South 1/2 Southwest 1/4 of Section 22, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.

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NOV 29 2007

Parcel 2: Northwest $\frac{1}{4}$ Northwest $\frac{1}{4}$ of Section 27, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.

The Steve J. Harrop Property:

Parcel 1: Southwest $\frac{1}{4}$ Southwest $\frac{1}{4}$ of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Parcel 2: Tax # 147, in Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as:

Beginning at the Southwest corner of the Southeast $\frac{1}{4}$ Southwest $\frac{1}{4}$ of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence East 576 feet; thence North 1320 feet; thence West 576 feet; thence South 1320 feet to the point of beginning.

Parcel 3: South $\frac{1}{2}$ Southeast $\frac{1}{4}$ of Section 27, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.

The Bryan LeRoy Schultz and Fauneil A. Schultz Property:

Beginning 660 feet North of the SW corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, of Section 23, T5N, R45E, Boise Meridian, Teton County, Idaho, and running thence East 330 feet; thence South 330 feet; thence West 330 feet; thence North 330 feet to the point of beginning.

LESS AND EXCEPTING THEREFROM the existing county road along the West boundary of the above described property.

The Lowell B. Curtis and Julina L. Curtis Properties:

22-11973A PARCEL A:

✓ Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.
Section 23: SW $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$

Beginning at the Northwest corner of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 40 rods; thence East 80 rods; thence North 12 rods; thence East 80 rods; thence North 28 rods; thence West 160 rods to the point of beginning. Excepting therefrom the rail road right of way.

Beginning at the Southwest corner of the Northeast Quarter of the Northwest Quarter of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence North 52 rods; thence East 115 feet; thence Southeasterly along the railroad right of way to a point that is 560 feet East of the Southwest corner of the Northeast Quarter of the Northwest Quarter; thence West 560 feet to the point of beginning.

The South Half of the Northwest Quarter of the Northwest Quarter, Section 26, Township 5

North, Range 45 East, Boise Meridian, Teton County, Idaho.

22-153
22-11981
22-11973A

The North Half of the Southeast Quarter; the Southwest Quarter; the East Half of the Northeast Quarter; and the Southwest Quarter of the Northeast Quarter of Section 27, Township 5 North, Range 45 East Boise Meridian, Teton County, Idaho.

Less and Excepting therefrom: All of that certain strip of land heretofore acquired by Yellowstone Park Railroad Company (predecessor to Oregon Short Line Railroad Company) from John D. Killpack, Jr., et ux, by Warranty Deed dated May 11, 1910, filed for record December 3, 1912, in Book 10 of Deeds at Page 561 of the Records of Fremont County, Idaho, being described in said deed as follows:

A strip of land 100 feet wide, being 50 feet in width on each side of the centerline of main track of the Teton Basin Branch of the Yellowstone Park Railroad as located across the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 5 North, Range 45 East, Boise Meridian. The course of said centerline of main track being more particularly described as follows, to-wit: Beginning at a point in the North line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 23 and 372.2 feet Easterly from the Northwest corner thereof; thence South 31°01' East, 1562 feet to a point in the South line of said Section 23 and 1198 feet Easterly from the Southwest corner thereof.

Also excepting therefrom: All of that certain strip of land heretofore acquired by Yellowstone Park Railroad Company (predecessor to Oregon Short Line Railroad Company) from Pratt Ranch Company, et al, by Warranty Deed dated May 12, 1910 filed for record December 3, 1912 in Book 10 of Deeds at page 569 of the records of Fremont County, Idaho, being described in said deed as follows: "A strip of land 100 feet wide being 50 feet in width on each side of the centerline of main track of the Teton Basin Branch of the Yellowstone Park Railroad as located across the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 26, Township 5 North, Range 45 East of the Boise Meridian.

The course of said centerline of main track being more particularly described as follows, to wit: Beginning at a point in the North line of said NW $\frac{1}{4}$ of Section 26 and 1198 feet easterly from the Northwest corner thereof; thence South 32°1' East 868.4 feet; thence Southerly along a spiraled curve to the right with a radius of 1910.1 feet for a distance of 678.3 feet, more or less, to a point in the South line of NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 26 and 1953.2 feet, more or less, Easterly from the Southwest corner of the N $\frac{1}{2}$ NW $\frac{1}{4}$ thereof."

22-11981 ✓ **PARCEL B:** S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 27, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.

22-11973A ✓ **PARCEL C:** The NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 27, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.

22-11973A ✓ **PARCEL D:** The S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 22, Township 5 North, Range 45 East, Boise meridian, Teton County, Idaho.

22-11973A ✓ **PARCEL E:** The W $\frac{1}{2}$ NE $\frac{1}{4}$, the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Less: All of that certain strip of land hereinafter acquired by Yellowstone Park Railroad

Company, (predecessor to Oregon Short Line Railroad Company) from Emery M. Seymour et ux, by Warranty Deed dated May 17, 1910 filed for record December 3, 1912, in Book 10 of Deeds, page 567 Fremont County, Idaho, being described in said deed as follows: "A strip of land 100 feet wide, being 60 feet in width on each side of the centerline of main track of the Teton Basin Branch of the Yellowstone Park railroad as located across the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 22, Township 5 North, Range 45 East, Boise Meridian.

The course of said centerline of main track being more particularly described as follows to wit: Beginning at a point on the North line of said Section 22 and 2105 feet, more or less, Westerly from the Northeast corner thereof; thence South 32°1' East 1464.4 feet to a point in the East line of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 22 and 1242.7 feet Southerly from the North line of said Section 22."

Also less: All of that certain strip of land heretofore acquired by Yellowstone Park Railroad Company (predecessor to Oregon Short Line Railroad Company) from E. E. Seymour, et ux. By Warranty Deed dated May 6, 1910, filed for record December 3, 1912, in Book 8 of Deeds at part 285 of the records of Fremont County, Idaho, being described in said deed as follows: "A strip of land 100 feet wide being 50 feet in width on each side of the centerline of main track of the Teton Basin Branch of the Yellowstone Park Railroad as located across the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 5 North, Range 45 East of the Boise Meridian.

The course of said centerline of main track being more particularly described as follows, to-wit: Beginning at a point in the North line of said 40- acre tract and 453.1 feet Westerly from the Northeast corner thereof; thence South 32°1' East 857 feet to a point on the East line of Section 22 and 3377 feet South of the Northeast corner thereof.

PARCELE: Beginning 28 rods South and 250 feet West of the Northeast corner of the NW $\frac{1}{4}$ of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and thence running South 200 feet, thence West to the Union Pacific Railroad right of way thence Northwesterly along right of way to a point that is 773 feet more or less West of the point of beginning, thence East 773 feet more or less to point of beginning.

Less: All of that certain strip of land heretofore acquired by Yellowstone Park Railroad Company (predecessor to Oregon Short Line Railroad Company) from Pratt Ranch Company, et al, by Warranty Deed dated May 12, 1910 filed for record December 3, 1912 in Block 10 of Deeds at page 569 of the records of Fremont County, Idaho, being described in said deed as follows: "A strip of land 100 feet wide being 50 feet in width on each side of the center-line of main track of the Teton Basin Branch of the Yellowstone Park Railroad as located across the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 25, Township 5 North, Range 45 East of the Boise Meridian.

PARCEL G: Beginning at the N $\frac{1}{4}$ corner of Section 26, Township 5 North, Range 45 East, Boise Meridian, and running thence West 200 feet; thence South 165 feet, thence East 200 feet, thence North 165 feet to the place of beginning.

22-10649 PARCEL I: Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho. Section 27: NE $\frac{1}{4}$ NW $\frac{1}{4}$

PARCEL K: All of that certain strip of land hereinafter acquired by Yellowstone Park Railroad Company, (predecessor to Oregon Short Line Railroad Company) from Emery M. Seymour et ux, by Warranty Deed dated May 17, 1910 filed for record December 3, 1912, in Book 10 of Deeds, page 567 Fremont County, Idaho, being described in said deed as follows: "A strip of land 100 feet wide, being 50 feet in width on each side of the centerline of main track of the Teton Basin Branch of the Yellowstone Park railroad as located across the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 22, Township 5 North, Range 45 East, Boise Meridian.

The course of said centerline of main track being more particularly described as follows to wit: Beginning at a point on the North line of said Section 22 and 2105 feet, more or less, Westerly from the Northeast corner thereof; thence South 32°1' East 1464.4 feet to a point in the East line of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 22 and 1242.7 feet Southerly from the North line of said Section 22."

PARCEL L: All of that certain strip of land heretofore acquired by Yellowstone Park Railroad Company (predecessor to Oregon Short Line Railroad Company) from E. E. Seymour, et ux. By Warranty Deed dated May 6, 1910, filed for record December 3, 1912, in Book 8 of Deeds at page 285 of the records of Fremont County, Idaho, being described in said deed as follows: "A strip of land 100 feet wide being 50 feet in width on each side of the centerline of main track of the Teton Basin Branch of the Yellowstone Park Railroad as located across the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 5 North, Range 45 East of the Boise Meridian.

The course of said centerline of main track being more particularly described as follows, to-wit: Beginning at a point in the North line of said 40- acre tract and 453.1 feet Westerly from the Northeast corner thereof; thence South 32°1' East 857 feet to a point on the East line of Section 22 and 3377 feet South of the Northeast corner thereof.

PARCEL M: All of that certain strip of land heretofore acquired by Yellowstone Park Railroad Company (predecessor to Oregon Short Line Railroad Company) from John D. Killpack, Jr., et ux, by Warranty Deed dated May 11, 1910, filed for record December 3, 1912, in Book 10 of Deeds at Page 561 of the Records of Fremont County, Idaho, being described in said deed as follows:

A strip of land 100 feet wide, being 50 feet in width on each side of the centerline of main track of the Teton Basin Branch of the Yellowstone Park Railroad as located across the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 5 North, Range 45 East, Boise Meridian. The course of said centerline of main track being more particularly described as follows, to-wit: Beginning at a point in the North line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 23 and 3722 feet Easterly from the Northwest corner thereof; thence South 32°01' East, 1562 feet to a point in the South line of said Section 23 and 1198 feet Easterly from the Southwest corner thereof.

PARCEL N: All of that certain strip of land heretofore acquired by Yellowstone Park Railroad Company (predecessor to Oregon Short Line Railroad Company) from Pratt Ranch Company, et al, by Warranty Deed dated May 12, 1910 filed for record December 3, 1912 in Book 10 of Deeds at page 569 of the records of Fremont County, Idaho, being described in said deed as follows: "A strip of land 100 feet wide being 50 feet in width on each side of the center-line of main track of the Teton Basin Branch of the Yellowstone Park Railroad as located across the N $\frac{1}{2}$ NW $\frac{1}{4}$ of

Section 26, Township 5 North, Range 45 East of the Boise Meridian.

The course of said centerline of main track being more particularly described as follows, to wit: Beginning at a point in the North line of said NW $\frac{1}{4}$ of Section 26 and 1198 feet easterly from the Northwest corner thereof; thence South $32^{\circ}1'$ East 868.4 feet; thence Southerly along a spiraled curve to the right with a radius of 1910.1 feet for a distance of 678.3 feet, more or less, to a point in the South line of NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 26 and 1953.2 feet, more or less, Easterly from the Southwest corner of the N $\frac{1}{2}$ NW $\frac{1}{4}$ thereof."

22-11973A
✓

PARCEL O: The NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Burnside Property:

A PARCEL OF LAND within the Southwest $\frac{1}{4}$ of Section 26, Township 5 North, Range 45 East of the Boise Meridian, Teton County, Idaho; said parcels being a portion of that property described in Instrument #179945 as recorded in the miscellaneous records of the Teton County, Idaho Clerks Office:

Said PARCEL IS MORE PARTICULARLY DESCRIBED as follows:

COMMENCING at the South $\frac{1}{4}$ Corner of Section 26 as recorded in Corner Perpetuation and Filing Record, Instrument #120195;

thence N $89^{\circ}40'47''$ W, a distance of 742.69 feet along the south line of Section 26 to a rebar with aluminum cap stamped "AW Engineering 2860" recovered on the westerly right of way line of the Old Oregon Shortline Railroad;

thence N $00^{\circ}22'58''$ E, a distance of 581.10 feet along the westerly right of way line of the Old Oregon Shortline Railroad to a $\frac{5}{8}$ " diameter rebar with aluminum cap stamped "JORGENSEN ASSOCIATES PLS 10897" and the TRUE POINT OF BEGINNING of this description;

thence, N $00^{\circ}22'58''$ E, a distance of 734.59 feet along the westerly right of way line of the Old Oregon Shortline Railroad to a rebar with plastic cap stamped "AW ENGINEERING 2860" recovered at the Southwest Corner of that parcel described in Instrument #139716, said point being coincident with the Northwest Corner of the parcel being described herein;

thence, S $89^{\circ}51'12''$ E, a distance of 140.00 feet along the south boundary of that parcel described in Instrument #139716 to a rebar with aluminum cap stamped "JORGENSEN ASSOCIATES PLS 10897" recovered on the westerly boundary of a parcel described in Instrument #149619, said point being situated on the north and easterly boundaries of the parcel being described herein;

thence, S $7^{\circ}28'40''$ E, a distance of 87.77 feet to a rebar with aluminum cap stamped

"JORGENSEN ASSOCIATES PLS 10897" recovered at an angle point in the westerly boundary of that parcel described in Instrument #149619, said point being situated on the easterly boundary of the parcel being described herein;

thence, S 0°22'58" W, a distance of 647.75 feet to a rebar with aluminum cap stamped "JORGENSEN ASSOCIATES PLS 10897" recovered at an angle point in the westerly boundary of that parcel described in Instrument #149619, said point being situated on the south and easterly boundaries of the parcel being described herein;

thence N 89°47'52" W, 152.00 feet along the boundary of that parcel described in Instrument #149619 to the TRUE POINT OF BEGINNING;

LIMITED POWER OF ATTORNEY

HUNTSMAN SPRINGS, LLC, WILLIAM E. REID, CEO, of 97 North Highway 33, Driggs, Idaho 83422, designate and appoint HARVEY WALKER of 2338 North 2930 West, Arco, ID 83213, as our attorney in fact and agent (subsequently called "agent") to act in our name and for our benefit. We grant to our agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as we might or could do if personally present and fully competent, hereby ratifying and confirming all that our agent shall lawfully do or cause to be done by virtue of this power of attorney and the powers herein granted.

Specific Powers

Our agent shall have and may exercise the following specific power:

- a. To handle all affairs and do all that needs done, including signing of documents, pertaining to water rights, wells and all water issues.

Revocability

This power of attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by us or our agent and delivered to such person or institution.

Interpretation

This instrument is to be construed and interpreted as a limited power of attorney.

Disability of Principal

This Limited Power of Attorney shall not be affected by disability of the principal.

Third-Party Reliance

Third parties may rely upon the representations of our agent as to all matters relating to any power granted to our agent, and no person who may act in reliance upon the representations of our agent or the authority granted to our agent shall incur any liability to us or our estate as a result of permitting our agent to exercise any power.

Expiration

Unless sooner revoked in the manner above provided, this Limited Power of Attorney shall expire at midnight on April 30, 2008.

Governing Law

This Limited Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

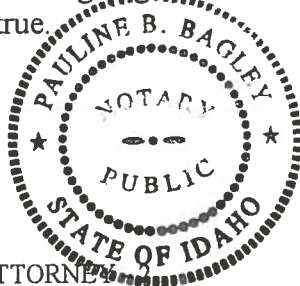
IN WITNESS WHEREOF, we have executed this Limited Power of Attorney this 26 day of October, 2006.

HUNTSMAN SPRINGS, LLC, Principal

By William E. Reid
WILLIAM E. REID, CEO

STATE OF IDAHO)
) ss.
County of Teton)

On this 26 day of October, 2006, personally appeared before me WILLIAM E. REID, who, being by me first duly sworn, declared that he is the CEO of HUNTSMAN SPRINGS, LLC, that he signed the foregoing document as CEO of the corporation, and that the statements therein contained are true.



Pauline Bagley
Notary Public for Idaho
My Commission Expires: 8/2011



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

November 5, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

HUNTSMAN SPRING INC
97 N HWY 33
DRIGGS ID 83422

RE: Notice of Change of Water Right Ownership (NCO) for 22-153, 22-10649, 22-11981, 22-13611, 22-13613 and Notice of Completed Administrative Proceeding (NCAP)

Dear Claimant:

On September 7, 2007, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Blackfoot Farms LLC.

SCANNED

NOV 29 2007

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

)

Water Rights: 22-153, 22-10649, 22-
11981, 22-13611, 22-13613

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party BLACKFOOT FARMS – HUNTSMAN SPRINGS INC
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 13 November 2007

Ernest Cohen

Signature of IDWR Representative

SCANNED

NOV 29 2007

CERTIFICATE OF MAILING

I certify that on Nov 16, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
BLACKFOOT FARMS LLC
500 HUNTSMAN WAY
SALT LAKE CITY UT 84108

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
HUNTSMAN SPRINGS INC
97 N HWY 33
DRIGGS ID 83422

4. One copy to:

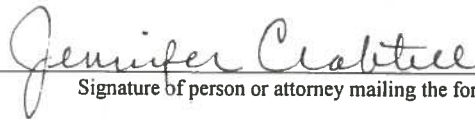
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

SCANNED

NOV 29 2007

11/07/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-153

BLACKFOOT FARMS LLC
500 HUNTSMAN WAY
SALT LAKE CITY UT 84108
Telephone Number: (801)589-5864

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-01-06

SIGNATURE: Young H. Walker

Please print your name: Young H. Walker

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

SCANNED

APR 26 2007

LIMITED POWER OF ATTORNEY

BLACKFOOT FARMS, LLC, WILLIAM E. REID, CEO, of 97 North Highway 33, Driggs, Idaho 83422, designate and appoint HARVEY WALKER of 2338 North 2930 West, Arco, ID 83213, as our attorney in fact and agent (subsequently called "agent") to act in our name and for our benefit. We grant to our agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as we might or could do if personally present and fully competent, hereby ratifying and confirming all that our agent shall lawfully do or cause to be done by virtue of this power of attorney and the powers herein granted.

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Interpretation

This instrument is to be construed and interpreted as a limited power of attorney.

Disability of Principal

This Limited Power of Attorney shall not be affected by disability of the principal.

SCANNED

APR 26 2007

PROFILED

Third-Party Reliance

Third parties may rely upon the representations of our agent as to all matters relating to any power granted to our agent, and no person who may act in reliance upon the representations of our agent or the authority granted to our agent shall incur any liability to us or our estate as a result of permitting our agent to exercise any power.

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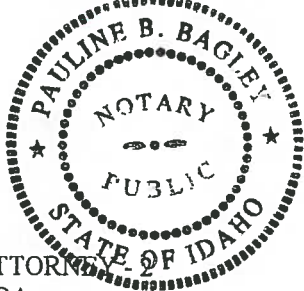
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day of October, 2006.

BLACKFOOT FARMS, LLC, Principal

By William E. Reid
WILLIAM E. REID, CEO

[illegible]

On this 26 day of October, 2006, personally appeared before me WILLIAM E. REID, who, being by me first duly sworn, declared that he is the CEO of BLACKFOOT FARMS, LLC, that he signed the foregoing document as CEO of the corporation, and that the statements therein contained are true.



Paulene Bagley
Notary Public for Idaho
My Commission Expires: 8/2011

LIMITED POWER OF ATTORNEY
1006 Blackfoot-Walker-POA

PROFILE

SCANNED
APR 26 2007

22-153
22-4096
22-7043
22-13611
22-13613

LIMITED POWER OF ATTORNEY

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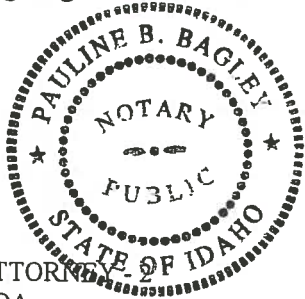
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WILLIAM E. REID, CEO

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) ss.
County of Teton)

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Pauline Bagley
Notary Public for Idaho
My Commission Expires: 8/2011

LIMITED POWER OF ATTORNEY
1006 Blackfoot-Walker-POA

PROFILED

SCANNED

JAN 10 2006



Idaho Department of Water Resources

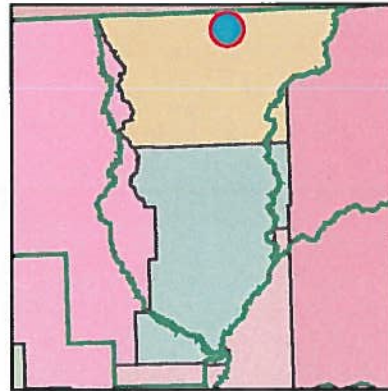
SRBA Recommendation:

22-153

(Irrigation)

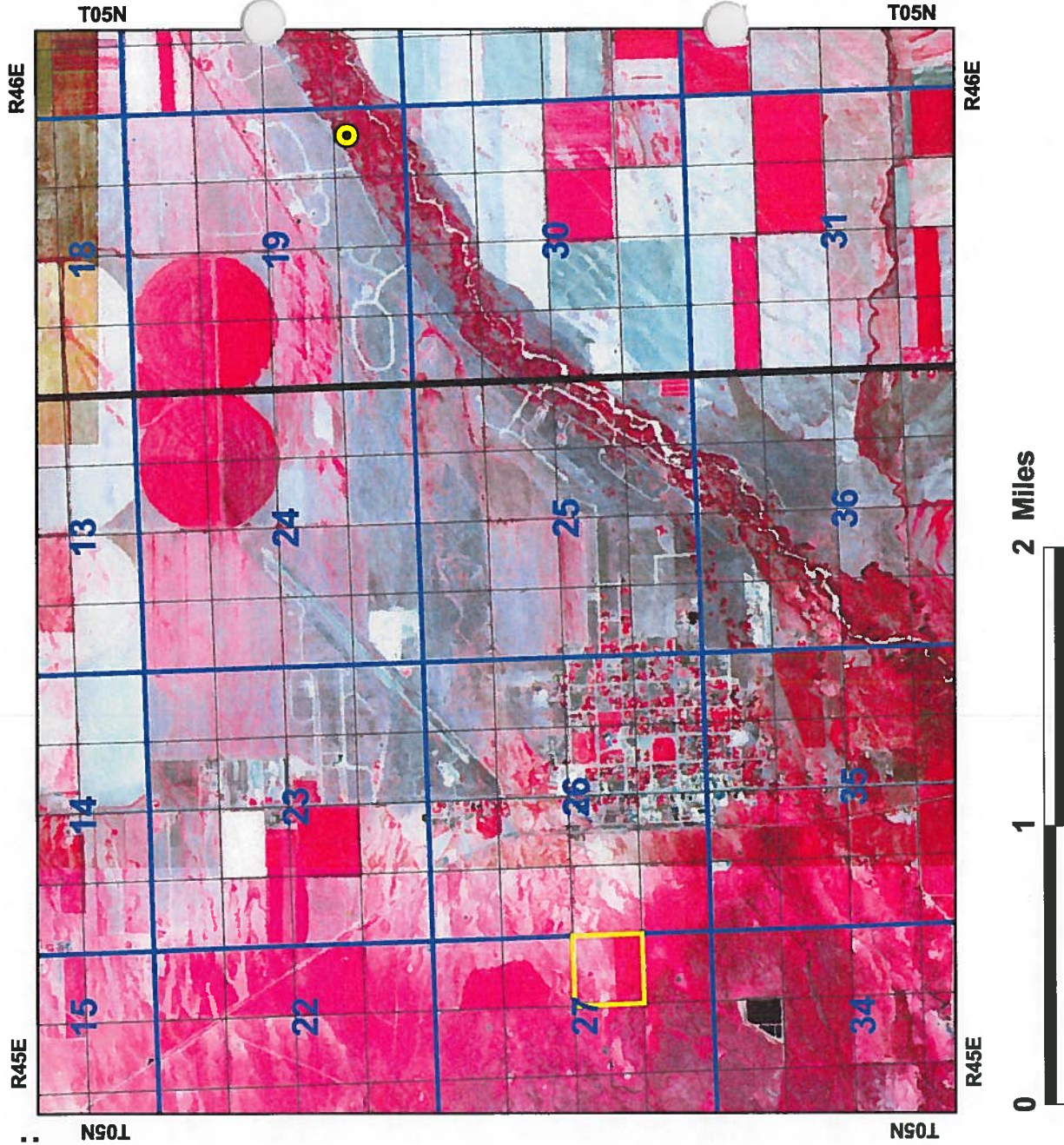
Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters

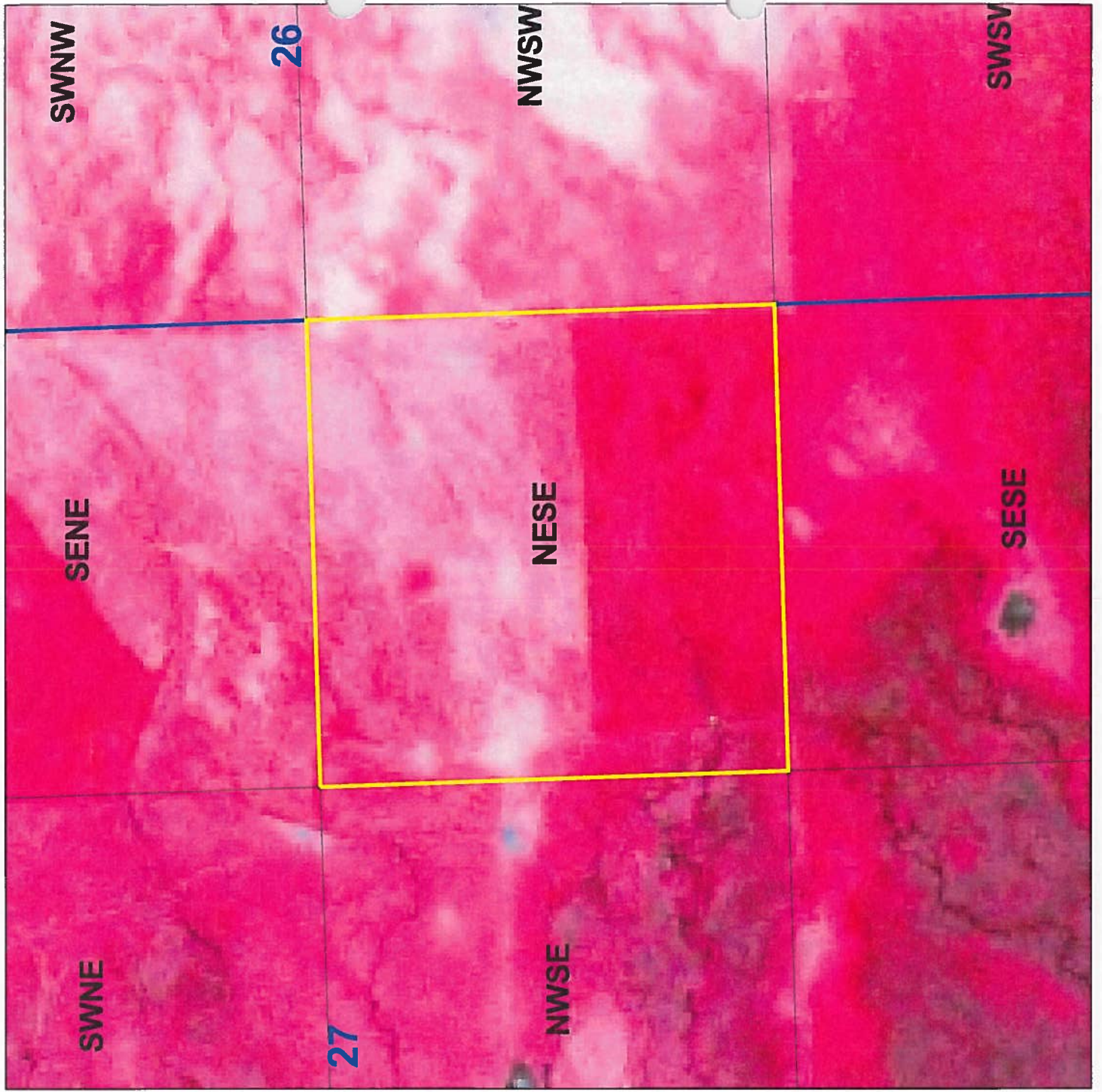


Teton County
IDWR Basin 22

Prepared by T. Galbraith
On Tuesday, November 7, 2006
1987/88 Aerial Photography



22-153



A.

Acuff, J. H.

Watson Slough
Irrigation Company.

1 022

~~901~~ Adams, E. G.

150 inches

June 1, 1895

22 0149
Adams, Lot

Tearyrick Ditch Company,
and Trego Ditch Company.

Alton Amos

50 inches.

June 1, 1898.

Fox Creek

22 0150
Allen, Charles A.

150 inches

June 1, 1896.

Trail Creek

22 0151
Allen, George W.

220 inches.

May 26, 1900.

Mahogany Creek.

22 0152
Allen, Isaac T.

50 inches

June 1, 1897. Cherry Creek. All of the
water of Cherry Creek
Springs.

21 0019 TRANS 1141

Almy, C. J.

150 inches.

Sept. 24, 1900

Fall River

Allred, I. H.

Watson Slough Irrigation
Company

0023

American Falls Power & Canal Company 1250 ft
62,500 inches.

Feb. -6, 1895.

Snake River

Anderson, A. S.

Anderson Canal Company.

Anderson Canal
Company

600 inches.

Nov. 31. 1898 Spring Creek, near Men

Anderson, Celia

North Salem Agriculture
& Milling Canal Company

22 0153
Anderson, Charles

40 inches

June 1, 1899.

Teton Creek.

Anderson, Johanna
and Nephi

Roxanna Canal Company.

Anderson, John A.

120 inches

Sept. 1, 1900

Seepage waters from in-
pendent Canal in field
of J. L. Rice, estimated
at 120 inches; joint appropri-
ation with Carl F. Lund and J. F. Smith
to have all of the water for 5
after same reaches his ranch
in sufficient quantity for
irrigation and the same to be
used thereafter by John A.
Anderson, Carl F. Lund and J. F.
Smith alternately, each having
the use of the same every 3 days

(21-0155?)

Anderson, Lena, Adm.
of Estate of Oscar H.
Anderson, deceased.

North Salem Agricultural &
Milling Canal Company.

Anderson, Mons H.

(See William Walters.)

Goodwin, Hannah M. NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 36, T. 5 N., R. 37 E. B. M., containing 40 acres.

Hart, J. W. NE $\frac{1}{4}$ of Sec. 31, T. 5 N. R., 38 E., and Lot 2 of Sec. 6, T. 4 N., R. 38 E., B. M., containing 240 acres.

Hay, J. D. Lots 1, 2, 3 and 4, of Sec. 1, T. 4 N., R. 37 E., B. M., containing 160 acres.

Raymond, V. S. and S. V. NW $\frac{1}{4}$ of Sec. 31, SE $\frac{1}{4}$ of Sec. 30, T. 5 N., R. 38 E., B. M., containing 200 acres.

Anderson, Gelia SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 31, T. 7 N., R. 40 E., B. M., containing 40 acres.

Anderson, Charles NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 22, T. 5 N., R. 45 E., B. M., containing 160 acres.

Anderson, John A. SW $\frac{1}{4}$ of Sec. 18, T. 7 N., R. 40 E., B. M., containing 160 acres.

Anderson, Mona H. Commencing at NW corner of NW $\frac{1}{4}$ of Sec. 20, T. 6 N., R. 40 E., thence E. 60 rods, thence S 80 rods, thence W 60 rods, thence N 80 rods, to beginning, containing 30 acres.

Anderson, Mrs Hogan NW $\frac{1}{4}$ of Sec. 31, T. 7 N., R. 40 E., B. M., containing 160 acres.

Anderson, O. H. E $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 31, T. 7 N., R. 40 E., containing 80 acres.

Anderson, Oscar H. SE $\frac{1}{4}$ of Sec. 31, T. 7 N., R. 40 E., B. M., containing 160 acres.

Anderson, Otto Lots 3, 4, 5 and 6 and NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 20, T. 5 N., R. 39 E., B. M., containing 160 acres;

Andrews, L. W. S $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, and Lot 2, Sec. 6, T. 3 N., R. 45 E., B. M.

BLACKFOOT FARMS, L.C.

22-153
22-11973A
22-11981

August 25, 2005

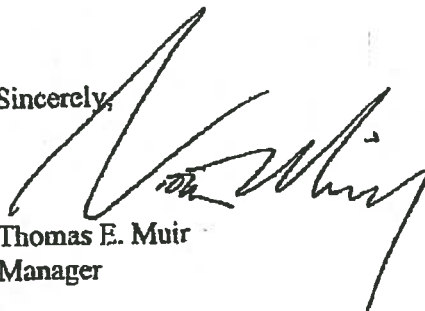
To Whom It May Concern:

On behalf of Blackfoot Farms, L.C., Mr. Harvey Walker has been provided signatory authority to sign various Application for Permit with State of Idaho, Department of Water Resources, for the appropriation of public waters of the State of Idaho as indicated on the respective permits.

Should you have any questions, please feel free to contact me directly at 801/584-5864.

Thank you.

Sincerely,



Thomas E. Muir
Manager

PROFILED

SCANNED
DEC 14 2005

BLACKFOOT FARMS, L.C.

500 Huntsman Way • Salt Lake City, Utah 84108 • 801-584-5700 • Fax 801-584-5788

Harvey Walker RI 1 Box 200, Arco 83213
208-527-3254

added
12-12-05
QC

MEMORANDUM

Date: December 14, 2005
To: Allen Ruberry *WR*
Cc: Shelley Keen, Ernie Carlsen
From: Erin Retelle
Re: Blackfoot Farms mitigation right 22-00153

RECEIVED

DEC 19 2005

Department of Water Resources
Eastern Region

In association with Applications for Permit nos. 22-13424, 22-13418, 22-13417, 22-13427, 22-13428, 22-13422, 22-13420, 22-13421, 22-13419, 22-13423, 22-13425, 22-13426 and 22-13416 for wildlife storage, recreation storage and stock water uses, the applicant submitted a mitigation plan to make up for evaporative losses from the ponds.

The applicant proposed to cease diversion and dry up acres under irrigation right 22-00153 to mitigate. An analysis conducted by Sarah Sams and Harvey Walker shows losses from the ponds of 57.7 AF per year. This translates to 0.57 cfs and 28 acres of 22-00153 to be changed to mitigation use.

In order to accomplish this change, the Department used condition 170 on all of the above applications. The Department has used this method on several occasions to change the record of the "mitigating" right or rights. For examples, see Permits 35-13521, 37-21177, 37-21352, 45-13969, 63-32052, 72-16624 and 74-15608. The Department believes a transfer is not necessary for two reasons. First, the Permit is a preliminary order, which allows the applicant to petition for reconsideration if he or she does not concur with the change to the "mitigating" right. Second, the change does not violate Idaho Code Section 42-222 because IDWR is not authorizing a new use of the right; the agency is merely recognizing that the right will no longer be diverted. Condition 170 follows.

*Remark Added
to Recommendation*

To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right will be changed to show that diversion and use of water is not authorized because the rights, or portion thereof, are being dedicated to mitigation purposes.

Right No.	Use Changed to Mitigation	Mitigation Rate (cfs)	Mitigation Acres
22-00153	Irrigation	0.57	28.1

The land that will no longer be irrigated under this right is located within the NENE, Section 27, Township 5N, Range 46E, B.M.

If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this permit approval shall be reduced by the same proportion as the reduction to the mitigation rights.

As with a transfer, we believe the easiest way to accomplish this change is to change the Claim and Recommendation records rather than the old Water Right record.

The text of this memo should be included in the comments of file 22-00153 in order to track changes.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 22-13416

Priority: August 25, 2005

Maximum Diversion Volume: 2.9 AF

This is to certify, that BLACKFOOT FARMS LLC
500 HUNTSMAN WAY
SALT LAKE CITY UT 84108

has applied for a permit to appropriate water from:

Source: SPRING

Tributary: SINKS

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31	2.9 AF

LOCATION OF POINT OF DIVERSION:

SPRING SW¼ SW¼ NW¼ Sec. 27, Twp 05N, Rge 45E, B.M. TETON County

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec		NE		NW		SW		SE		
		NE	NW	SW	SE	NE	NW	SW	SE	NE
05N 45E 27		X								Totals

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2010**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.

Also SEE: 22-13416- 22-13428

*This Permit is NON-SRBA but serves to illustrate
the use of Mitigation Language.*

SCANNED
NOV 30 2005

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 22-13416

5. To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right will be changed to show that diversion and use of water is not authorized because the rights, or portion thereof, are being dedicated to mitigation purposes.

Right No.	Use Changed to Mitigation	Mitigation Rate (cfs)	Mitigation Acres
22-00153	Irrigation	0.02	1

The land that will no longer be irrigated under this right is located within the NENE, Section 27, Township 5N, Range 46E, B.M.

If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this permit approval shall be reduced by the same proportion as the reduction to the mitigation rights.

6. If the right holder cannot continue to implement this mitigation plan each year for any reason, the right holder shall cease diverting water under this right or the right holder shall implement an alternative mitigation plan that has been reviewed and approved by the department.
7. Wildlife storage use is for a pond.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 28th day of November, 2005.


FOR KARL J DREHER, Director

SCANNED
NOV 30 2005

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

DELOG
AR 1-28-05
RECEIVED

OK
JC
9-2-05
JAN 26 2005
Department of Water Resources
Eastern Region

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 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
A22-00153					
A22-11981					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *0*
- 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) is 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)

Lowell B. Curtis or Juliana Curtis

- 4.

New Owner/Claimant(s)

BlockFoot Farms, L.C.

Mike R. Stearns and/or Assigns

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

414 W 525 S

500 Handelman Way

City, State and ZIP Code

Wilder, ID 83456

Salt Lake City, UT 84108

New Telephone Number

(801) 584-5564

5. Date you acquired the property

12/17/04

done. 9/16/05

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) _____
(include title if applicable) Don & Mar
Blackfoot Farms, L.C.

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 _____

RECEIVED

DEC 17 2004

TETON CO., ID
CLERK RECORDER**GRANT DEED
(A)****Instrument # 165240**

DRIGGS, TETON, IDAHO

2004-12-17

01:58:55 No. of Pages: 3

Recorded for : ALLIANCE TITLE & ESCROW

NOLAN G. BOYLE

Fee: 9.00

Ex-Officio Recorder Deputy *M. J. [Signature]*

Index to: DEED, GRANT

THIS INDENTURE is made this 15 day of December, 2004, between Lowell B. Curtis and Julina L. Curtis, husband and wife, the "Grantor", and Blackfoot Farms, L.C., whose mailing address is Attn: Tom Muir, 500 Huntsman Way, Salt Lake City, Utah, 84108, the "Grantee".

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, and by these presents does grant and confirm unto the Grantee, and to Grantee's heirs and assigns forever, all of the following described property in the County of Teton, State of Idaho, to-wit:

See Attached Legal Description

SUBJECT to all patent reservations, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and rights of way, easements and encumbrances of record, including but not limited to the following:

1. Each of the special exceptions on Schedule B-Section 2, Section C. Special Exceptions contained in Title Commitment No. 3040412909-G issued by Alliance Title & Escrow Corp, as updated December 9, 2004.
2. Any discrepancies between the described boundary and the fence lines as described on the record of survey performed by A W Engineering, as surveyed August 10, 2004, drawn August 17, 2004, and revised December 8, 2004, and the record of survey as surveyed July 27, 2004, drawn August 8, 2004, and revised December 1, 2004.
3. Subject to ditch easement that conveys water to adjoining property in the S½NW¼ of Section 26.

TOGETHER with all water rights appurtenant thereto, and all improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom; and all estate, right, title and interest in and to said property, as well in law as in equity, of the Grantor.

165240

DEED A

**Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.
Section 23: SW $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$**

Beginning at the Northwest corner of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 40 rods; thence East 80 rods; thence North 12 rods; thence East 80 rods; thence North 28 rods; thence West 160 rods to the point of beginning. Excepting therefrom the rail road right of way.

Beginning at the Southwest corner of the Northeast Quarter of the Northwest Quarter of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence North 52 rods; thence East 115 feet; thence Southeasterly along the railroad right of way to a point that is 560 feet East of the Southwest corner of the Northeast Quarter of the Northwest Quarter; thence West 560 feet to the point of beginning.

The South Half of the Northwest Quarter of the Northwest Quarter, Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.

The North Half of the Southeast Quarter; the Southwest Quarter; the East Half of the Northeast Quarter; and the Southwest Quarter of the Northeast Quarter of Section 27, Township 5 North, Range 45 East Boise Meridian, Teton County, Idaho.

Less and Excepting therefrom: All of that certain strip of land heretofore acquired by Yellowstone Park Railroad Company (predecessor to Oregon Short Line Railroad Company) from John D. Killpack, Jr., et ux, by Warranty Deed dated May 11, 1910, filed for record December 3, 1912, in Book 10 of Deeds at Page 361 of the Records of Fremont County, Idaho, being described in said deed as follows:

A strip of land 100 feet wide, being 50 feet in width on each side of the centerline of main track of the Teton Basin Branch of the Yellowstone Park Railroad as located across the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 5 North, Range 45 East, Boise Meridian. The course of said centerline of main track being more particularly described as follows, to-wit: Beginning at a point in the North line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 23 and 372.2 feet Easterly from the Northwest corner thereof; thence South 31°01' East, 1562 feet to a point in the South line of said Section 23 and 1198 feet Easterly from the Southwest corner thereof.

Also excepting therefrom: All of that certain strip of land heretofore acquired by Yellowstone Park Railroad Company (predecessor to Oregon Short Line Railroad Company) from Pratt Ranch Company, et al, by Warranty Deed dated May 12, 1920 filed for record December 3, 1912 in Block 10 of Deeds at page 569 of the records of Fremont County, Idaho, being described in said deed as follows: "A strip of land 100 feet wide being 50 feet in width on each side of the center-line of main track of the Teton Basin Branch of the Yellowstone Park Railroad as located across the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 25, Township 5 North, Range 45 East of the Boise Meridian.

The course of said centerline of main track being more particularly described as follows, to wit: Beginning at a point in the North line of said NW $\frac{1}{4}$ of Section 26 and 1198 feet easterly from the Northwest corner thereof; thence South 32°1' East 868.4 feet; thence Southerly along a spiraled curve to the right with a radius of 1910.1 feet for a distance of 678.3 feet, more or less, to a point in the South line of NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 26 and 1953.2 feet, more or less, Easterly from the Southwest corner of the N $\frac{1}{2}$ NW $\frac{1}{4}$ thereof."

RECEIVED**165241**

DEC 17 2004

TETON CO., ID
CLERK RECORDER**GRANT DEED
(B)****Instrument # 165241**

DRIGGS, TETON, IDAHO

2004-12-17

01:58:55 No. of Pages: 3

Recorded for: ALLIANCE TITLE & ESCROW

NOLAN G. BOYLE

Fee: 9.00

Ex-Officio Recorder Deputy *[Signature]*

Index to: DEED, GRANT

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WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, and by these presents does grant and confirm unto the Grantee, and to Grantee's heirs and assigns forever, all of the following described property in the County of Teton, State of Idaho, to-wit:

See Attached Legal Description

SUBJECT to all patent reservations, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and rights of way, easements and encumbrances of record, including but not limited to the following:

1. Each of the special exceptions on Schedule B-Section 2, Section C. Special Exceptions contained in Title Commitment No. 3040412909-G issued by Alliance Title & Escrow Corp, as updated December 9, 2004.
2. Any discrepancies between the described boundary and the fence lines as described on the record of survey performed by A W Engineering, as surveyed August 10, 2004, drawn August 17, 2004, and revised December 8, 2004, and the record of survey as surveyed July 27, 2004, drawn August 8, 2004, and revised December 1, 2004.

TOGETHER with all water rights appurtenant thereto, and all improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom; and all estate, right, title and interest in and to said property, as well in law as in equity, of the Grantor.

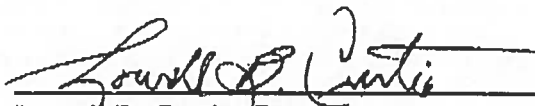
TO HAVE AND TO HOLD, the premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

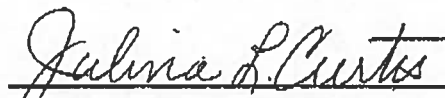
165241

TO HAVE AND TO HOLD, the premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

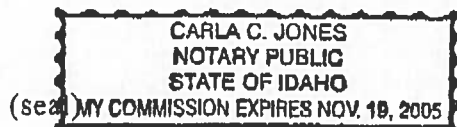

Lowell B. Curtis, Grantor

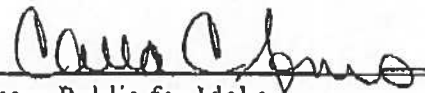

Julina L. Curtis, Grantor

STATE OF IDAHO)
)ss.
County of Teton)

On the 15 day of December, 2004, before me, the undersigned, a notary public, in and for said State, personally appeared Lowell B. Curtis and Julina L. Curtis, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.




Notary Public for Idaho
Residing at: Briggs
My Commission Expires: 11/19/05

G:\WPDATA\QLM\142-001\finel docs\deed.A.wpd:

Claim No. 02-153

Document Checklist

☒ Copy License/Decree

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

Refer to Claim 22-11981 for field exam and notes, also.

Claim no. _____

Claimant Contact Log

Date

Remarks

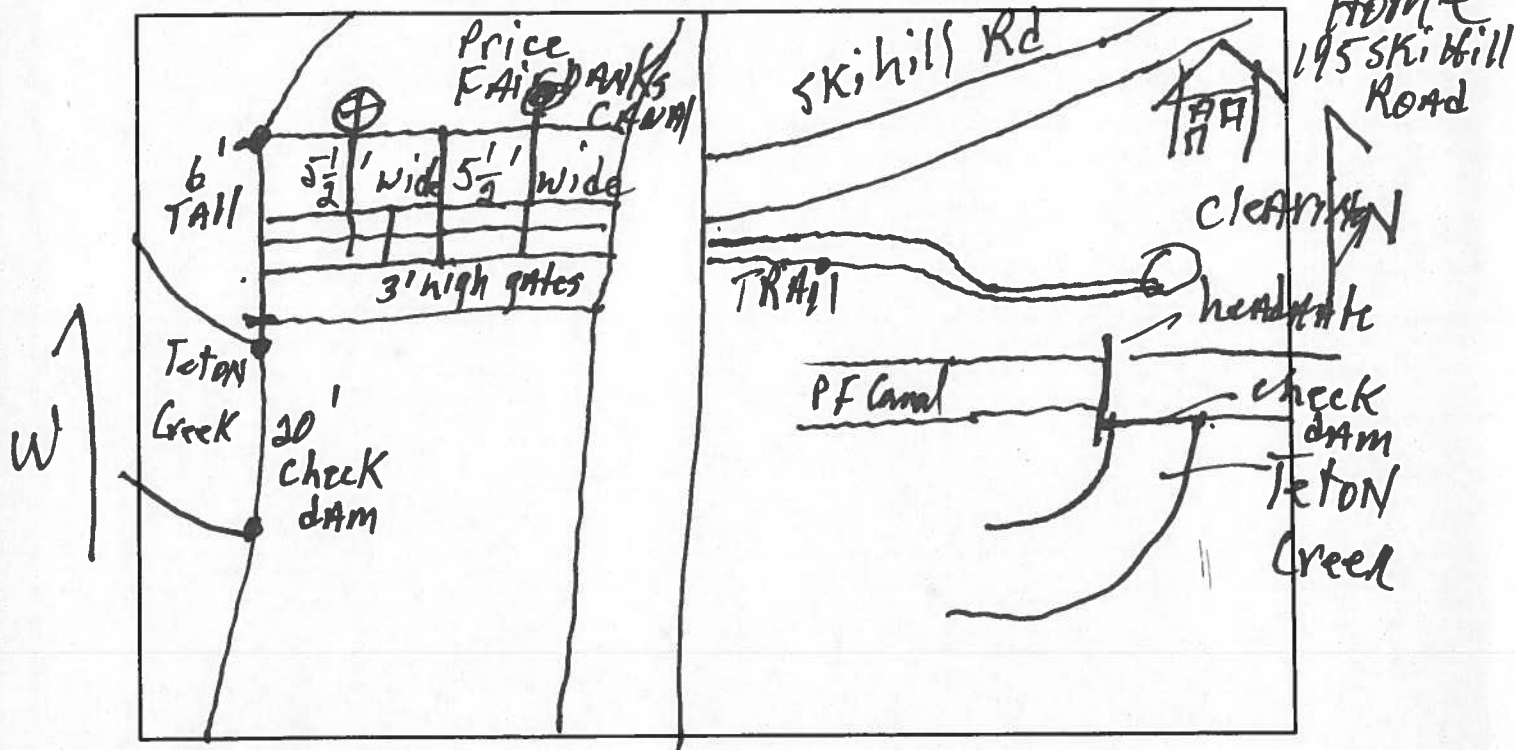
Agent initials

6/22/04

Visited with Lowell Curtis
about this claim and high
water claim on River Fairbanks
I wrote him a letter to send
with claim verifying his use of
high water.

DO AR

Water Right No(s). ~~22-11973B~~, A 2200153



GPS DATA:

Tag # A0013831 Location: On North Side of headgate

Diversion Data:

Source: _____ Trib to: _____

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Headgate for Price Fairbanks - 2 screw-type gates

* The #1 file in the photograph will not be correct. It should be this file but it will be #22-11973B. My error

Field Exam Date: 6/19/04 Agent: DD

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

0/02/04
DD

POD is Rice - Fairbanks Canal out of Teton Creek

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

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

Total acres _____

Recommended Place of Use

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

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

10/02/04
DD

Field exam shows series of ditches are used to collect flood water from above. There is only one ditch that connects directly from the east and that is in the northeast corner of this 40 acres. With those ditches and dams this 40 can be irrigated.

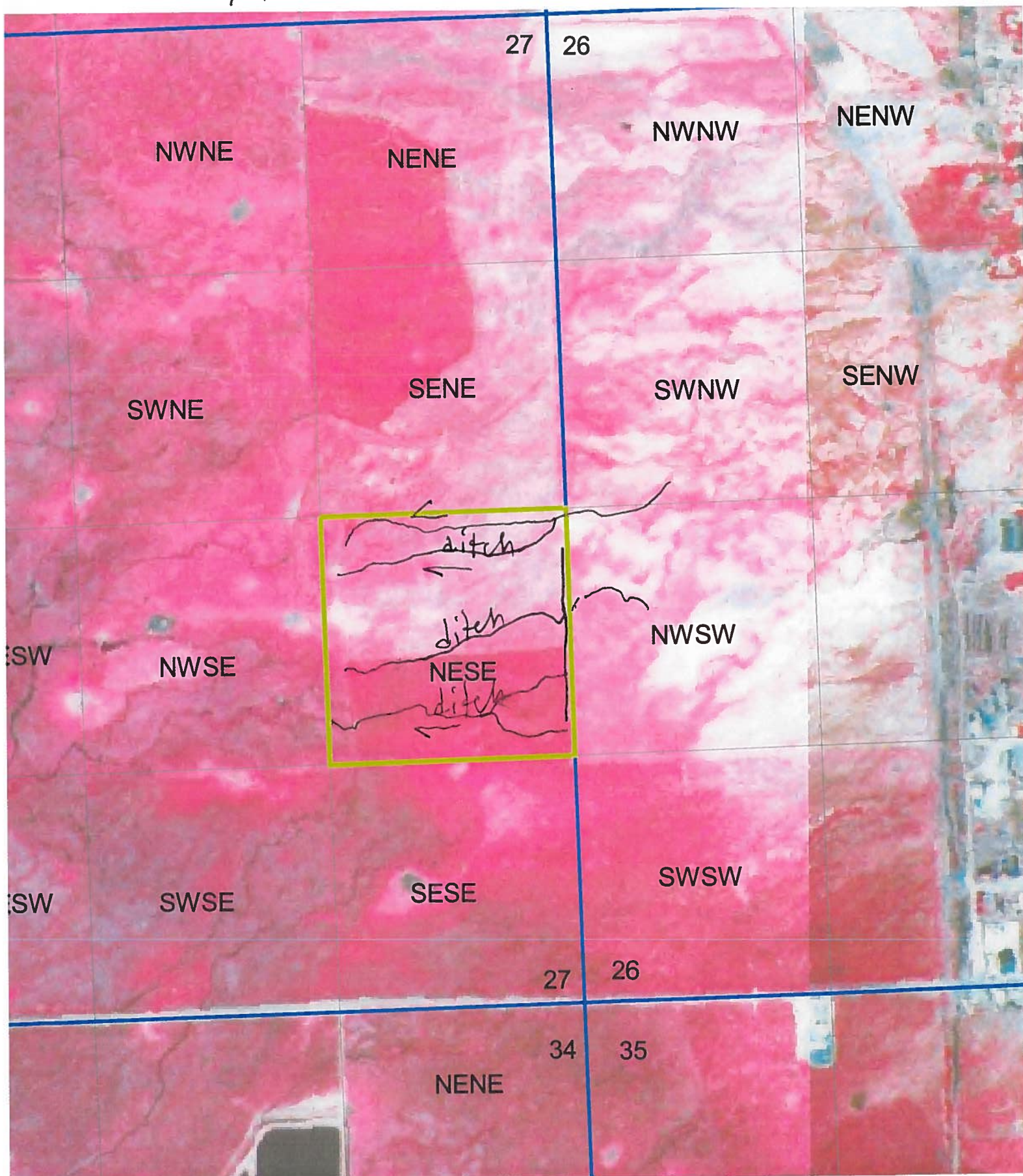
Reviewer: _____ Date: _____

169 Wilson, William; June 1, 1898; Trail Creek	160
169 Larsen, A. C.; June 1, 1898; Darby Creek	40
169 Leigh Creek Canal Co.; June 1, 1898; South Leigh Creek	400
169 Jones, Edward L.; June 1, 1898; Canyon Creek	140
169 Johnson, Joseph A.; June 1, 1898; Trail Creek	135
170 Hill, Hyrum S.; June 2, 1898; North Leigh Creek	100
170 Hill, D. B.; June 2, 1898; Wyoming & Darby Bench Canal Co.	160
170 Hill, Joseph Y.; June 2, 1898; North Leigh Creek	160
171 Dakin, G. A.; June 15, 1898; Badger Creek	150
172 Hendrickson, Cornelius; June 30, 1898; Badger Creek	130
173 Tarbet, Albert; July 7, 1898; Darby Creek	160
173 Tarbet, Willard; July 7, 1898; Darby Creek	160
174 Kirsley, Edwin N.; July 15, 1898; Pine Creek	60
175 Hanson, Alfred; Sept. 1, 1898; North Leigh Creek	120
180 Lamoreaux, Francis A., and Ann; May 1, 1898; South Leigh Creek	75
182 Hendrickson, G. W.; May 15, 1899; South Leigh Creek	100
183 Nordval, C.; May 26, 1899; Darby Creek	110
184 Pherson, Neils; June 1, 1899; South Leigh Creek	30
184 Borrowman, John; June 1, 1899; Wood Creek and Springs	80
184 Parker, B. F.; June 1, 1899; Fox Creek	75
184 Pendleton, Abraham; June 1, 1899; North Leigh Creek	80
184 Simmons, John; June 1, 1899; North Leigh Creek	60
184 Soule, C. V.; June 1, 1899; Darby Creek	80
184 Smith, Ellington; June 1, 1899; Spring Creek, Darby Creek and Crandall Springs	80
184 Sheser, William; June 1, 1899; Badger Creek	10
184 Stewart, Thompson; June 1, 1899; Badger Creek	50
184 Williams, Charles; June 1, 1899; South Leigh Creek	100
184 Hochstrasser, N. W.; June 1, 1899; Badger Creek	110
184 Price, J. W.; June 1, 1899; Teton Creek	80
184 Roush, Jacob; June 1, 1899; North Leigh Creek	35
184 Priestly, W. W.; June 1, 1899; Badger Creek	60
184 Roush, Jacob; June 1, 1899; North Leigh Creek	160
184 Hendrickson, Milton; June 1, 1899; Badger Creek	100
184 Fullmer, Buckley; June 1, 1899; North Leigh or Spring Creek	75
184 Beasley, Joseph; June 1, 1899; Teton River; also Springs on Ranch	70
184 Bernston, Richard; June 1, 1899; Badger Creek	160
184 Anderson, Charles; June 1, 1899; Teton Creek	40
184 Fairbanks, D. M.; June 1, 1899; Teton Creek	160
185 Hendrickson, William; June 15, 1899; Badger Creek	120
187 Letham, P. D.; July 15, 1899; Swamp	140
191 Randolph, Frantz; Mar. 15, 1900; Pack Saddle Creek; also a sufficient amount of the high water of said creek to fill reservoir	160
192 Eynon, Rufus; Apr. 1, 1900; Trail Creek	80
195 Barrett, Nathan A.; May 11, 1900; Driggs Springs and water from swamps	160
199 Allen, George W.; May 26, 1900; Mahogany Creek	220
199 Carrington, Enock; May 26, 1900; Mahogany Creek	160
200 Bush, George W.; June 1, 1900; Fox Creek	120
200 Hegsted, Victor; June 1, 1900; Horse Shoe Creek	160
200 Canyon Creek Canal & Irrigation Co.; June 1, 1900; Canyon Creek	800

200 Herendeen, W. K.; June 1, 1900; Darby Creek	80
200 Henrie, Joseph O.; June 1, 1900; North Leigh Creek	40
200 Henrie, John; June 1, 1900; North Leigh Creek	10
200 Hicks, Wallace; June 1, 1900; North Leigh Creek	110
200 Hamnell, George; June 1, 1900; Badger Creek	40
200 Hubbard, Susan; June 1, 1900; North Leigh Creek and Middle Leigh Creek	60
200 Homer, Benjamin P.; June 1, 1900; Mahogany Creek	200
200 Hochstrasser, R. H.; June 1, 1900; Badger Creek	20
200 Sautter, John G.; June 1, 1900; North Leigh Creek	50
200 Simmons, John; June 1, 1900; North Leigh Creek	40
200 Morris, William L.; June 1, 1900; Garner Creek and Trail Creek	110
201 Leighs Creek Canal Co.; June 16, 1900; South Leigh Creek	2,900
203 Hendrickson, Adolphus; July 5, 1900; Badger Creek	100
204 Letham, P. D.; July 15, 1900; Swamp	120
206 Bagshaw, Ellen; Aug. 15, 1900; Pine Creek	30
208 Hill, John W.; Oct. 1, 1900; Pack Saddle Creek	160
211 Island Ward Canal Co., Ltd.; Jan. 23, 1901; North Fork of Teton River	5,000
212 Hague, William A.; Mar. 25, 1901; Teton River	100
213 Bevan, Maria; Apr. 6, 1901; Swamp Creek	80
215 Hendrickson, G. W.; June 1, 1901; North Leigh Creek	60
215 Priestly, W. W.; June 1, 1901; Little Badger Creek	160
215 Mickelson, Peter; June 1, 1901; South Leigh Creek	140
215 Smith, D. G. S.; June 1, 1901; Spring	20
215 Waterman, L. C.; June 1, 1901; Little Dry Creek	40
215 Simmons, John; June 1, 1901; North Leigh Creek	60
215 Johnson, James W.; June 1, 1901; Moody Creek	40
To be reduced to 20 inches after June 20th of each year	40
215 Jarman, Arthur; June 1, 1901; South Leigh Creek	20
215 Hill, Joseph S.; June 1, 1901; Pack Saddle Creek	20
218 Hatch, Lamoine; Sept. 1, 1901; Spring Creek	160
218 Phillips, L. A.; Sept. 1, 1901; Spring Creek	40
228 Shirts, Wallace; May 15, 1902; Trail Creek	20
229 Canyon Creek Canal & Irrigation Co.; June 1, 1902; Canyon Creek	40
229 Haden Canal Co.; June 1, 1902; Badger Creek	2,700
229 Rammell, George; June 1, 1902; Badger Creek	90
229 Rammell, C. H.; June 1, 1902; Badger Creek	80
229 Phillips, Thomas A.; June 1, 1902; Badger Creek	160
229 Wood, Frank; June 1, 1902; Badger Creek	120
229 Hubbard, Susan; June 1, 1902; North Leigh Creek and Middle Leigh Creek	60
229 Morris, Samuel; June 1, 1902; Trail Creek	30
229 Larsen, A. C.; June 1, 1902; Darby Creek	30
229 Kirsley, Edwin N.; June 1, 1902; Spring Creek	80
229 Jarman, Arthur; June 1, 1902; South Leigh Creek	60
229 Sheser, William; June 1, 1902; seepage water in springs on place	60
229 Gilbert, Albert; June 1, 1902; Horse Shoe Creek	150
231 Eynon, L. L.; June 15, 1902; Spring Creek, a tributary of Pine Creek	40
241 McNally, Gilbert; May 1, 1903; Trail Creek	120
242 Webster, James W., and Charles H. Woodmansee; May 23, 1903; Moody Creek	40
For reservoir purposes between the 15th day of March until the 15th day of June of each year	2,000

10/02/04 DD

22-153



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: A22-00153
Date Received: 9/28/1988
Receipt No: MO01457
Received By: DM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOWELL B. CURTIS 208-354-2534
Address: 97 N HIWAY 33
DRIGGS, ID 83422
OR
Name: JULINE CURTIS 208-354-2534
Address: 97 N HIWAY 33
DRIGGS, ID 83422

A2200153



2. Date of Priority: JUN 01, 1899

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	45E	19	NE	SE	SE		TETON

5. Description of diverting works:
HEADGATE TO DITCHES TO P/U FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.800		

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

8. Total consumptive use is 80.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-00153

Page 1

Date: 09/28/88

MICROFILMED
NOV 04 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	45E	27	NE SE		IRR	40.0
Section Acres						40.0
Total Acres						40.0

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:
A22-11981

14. Remarks:

AC. IRR. = 160 FROM DECREE, APPARENT ERROR.
Original decree stated P/U as T5N R45E SEC22 NE1/4 SE1/4. P/U
was changed approx. 1945 when Driggs Airport was built. P/D is
headgate of Price-Fairbanks Ditch.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL.

Decree Plaintiff

vs

TETON IRR. CANAL CO.

Decree Defendant

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: 2

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): [Signature] Date: 9-28-88
Date: _____

State of Idaho)
County of Bannerville) SS.

Subscribed and sworn (or affirmed) before me this 28 day
of Sept 19 88

[Signature]
Notary Public



Residing at Idaho Falls
My Commission Expires 9-12-91

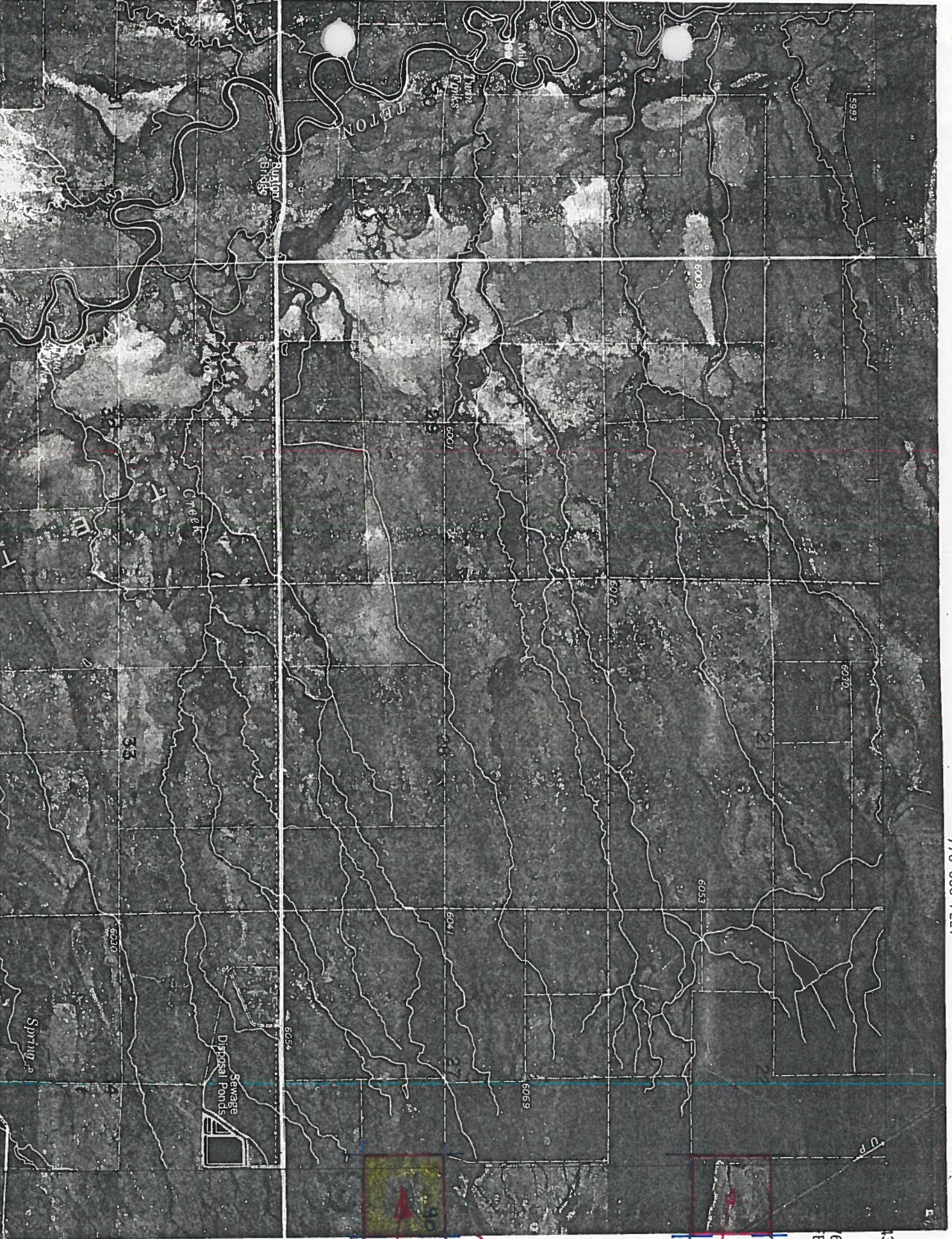
N40E

A22-00153

TSN 24SE

770 000 FEET

111°07'30"



3°45'
60 000
FEET

MICROFILMED
NOV 04 1992

RES BY
P/O

Original
P/O

117°07'30"

491000m.E.

230 000 FEET (WYO. 4 WEST)

A22-00153

175N
R46E

MICROFILMED
NOV 04 1992

