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

C. L. "BUTCH" OTTER
Governor
DAVID R. TUTHILL, JR.
Director

November 7, 2008

Crystal Springs Land & Cattle Co
C/O Holden Kidwell Hahn and Crapo
PO Box 50130
Idaho Falls ID 83405

RE: Transfer #73946 for water right(s) 22-164 and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Mickelsen:

On August 27, 2008 the Idaho Department of Water Resources (IDWR) approved Transfer #73946, modifying the above referenced water right. Based on this transfer, 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 the water right(s) as recorded in the SRBA.

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

Respectfully,

Jonie Barg
Technical Records Specialist

cc: Crystal Springs Land & Cattle Co Inc

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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:** 22-164
Case No. 39576	)	**NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding:

[X] Address change

[] Substitution of Party

[X] I.C. § 42-222 transfer 73946

[X]	point of diversion	[]	place of use
[X]	period of use	[X]	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: Nov 6, 2008

Ernest Carlson
Signature of IDWR Representative

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CERTIFICATE OF MAILING

I certify that on November 7, 2008, 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:
   Crystal Springs Land & Cattle Co Inc
   339 E 600 S #1306
   Salt Lake City UT 84111

3. One copy to:
   Claimant/Purchaser for Substitution of Party, or attorney of record:
   Crystal Springs Land & Cattle Co Inc
   C/O Holden Kidwell Hahn Crapo LLC
   PO Box 50130
   Idaho Falls ID 83405

4. One copy to:
   Each party in the subcase, or attorney of record
   Holden Kidwell Hahn Crapo LLC
   PO Box 50130
   Idaho Falls ID 83405

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

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IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-164

NAME AND ADDRESS: CRYSTAL SPRINGS LAND & CATTLE CO INC
339 E 600 S #1306
SALT LAKE CITY UT 84111

SOURCE: SPRINGS — TRIBUTARY: TETON RIVER
UNNAMED STREAM — TRIBUTARY: TETON CREEK

QUANTITY: 1.400 CFS

The 10 ponds established by the storage of water under this right shall not exceed a total capacity of 17.1 acre feet or a total surface area of 3.1 acres.

This right authorizes the diversion of an annual total of 24.1 af to be used for a portion of the initial filling of the 10 ponds and for the replacement of losses caused by seepage and evaporation from the ponds.

PRIORITY DATE: 06/01/1899

POINT OF DIVERSION:

T04N R45E S2 NENWNW Lot 4 Within TETON County
T04N R45E S2 NENWNW Lot 4 Within TETON County
T04N R45E S3 NWNENE Lot 1 Within TETON County
T05N R45E S35 SESWSW Within TETON County
T05N R45E S35 SESWSW Within TETON County
T05N R45E S35 SESWSW Within TETON County
T05N R45E S35 SWSESW Within TETON County
T05N R45E S35 SWSESW Within TETON County
T05N R45E S35 SESESW Within TETON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	1.270 CFS
DIVERSION TO STORAGE	04/15 10/31	0.130 CFS
WILDLIFE STORAGE	01/01 12/31	24.10 AFY
RECREATION STORAGE	01/01 12/31	24.10 AFY

PLACE OF USE:

IRRIGATION in TETON County

T04N R45E S02 Lot	4 NWNW	35.90	T04N R45E S03 Lot	1 NENE	19.00
T05N R45E S35	SWSW	33.20	T05N R45E S35	SESW	21.90

WILDLIFE STORAGE in TETON County

T04N R45E S02 Lot	4 NWNW		T04N R45E S03 Lot	1 NENE	
T05N R45E S35	SWSW		T05N R45E S35	SESW	

RECREATION STORAGE in TETON County

T04N R45E S02 Lot	4 NWNW		T04N R45E S03 Lot	1 NENE	
T05N R45E S35	SWSW		T05N R45E S35	SESW	

110 ACRES TOTAL

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

The approved transfer 73946 redefines all of the elements of this water right, and the new use of water authorized by approved transfer 73946 shall constitute the full extent of the 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.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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.

The diversion and use of water described in transfer 73946 may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

The right holder shall accomplish the change authorized by approved transfer 73946 by 8-27-09.

Failure of the right holder to comply with the conditions of approved transfer 73946 is cause for the Director to rescind approval of the transfer 73946.

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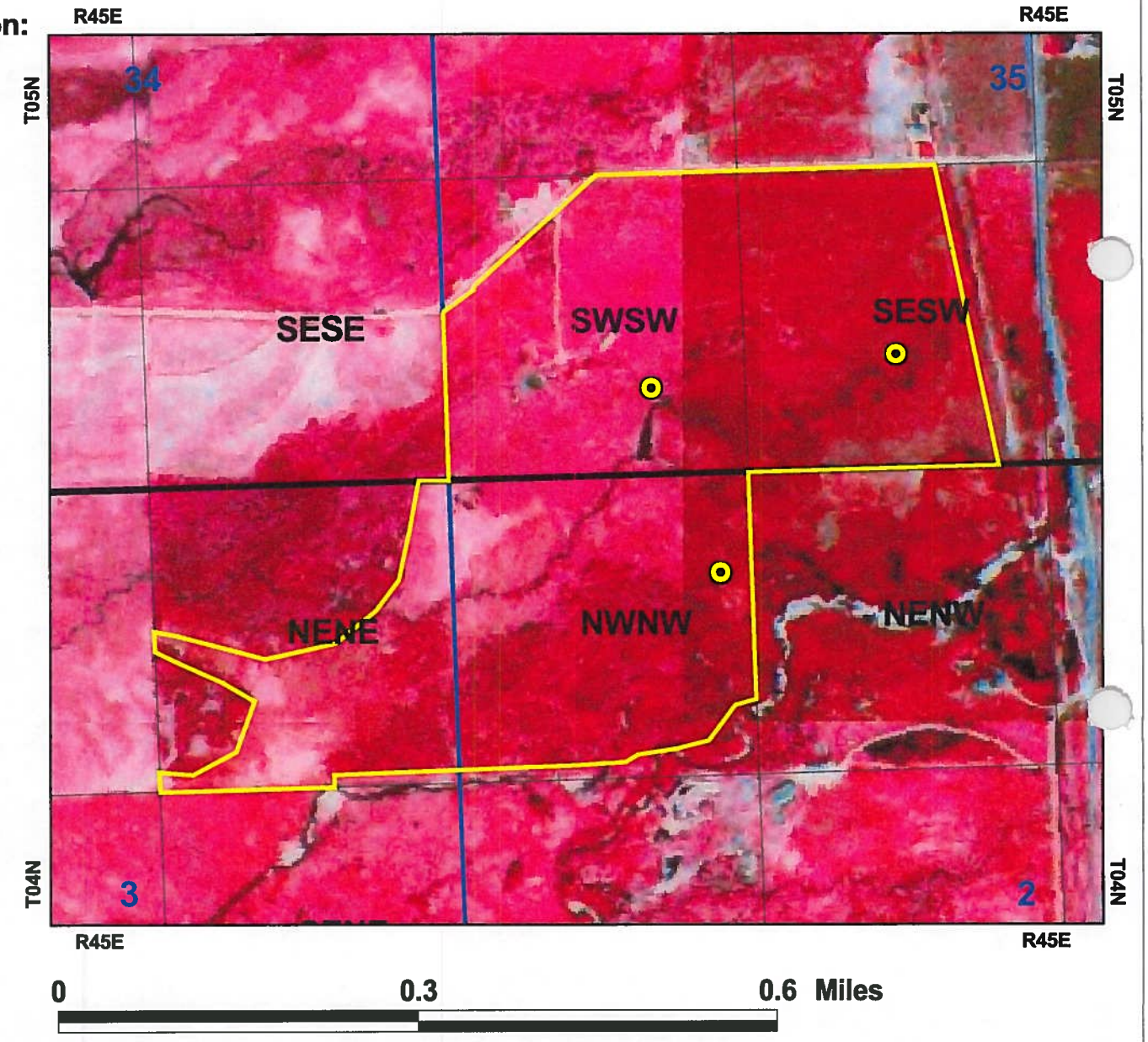
Idaho Department of Water Resources

SRBA Recommendation:

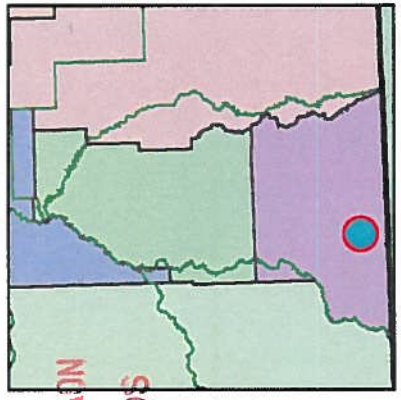
22-164

(Irrigation)



Legend

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



Teton County
IDWR Basin 22

N

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Prepared by T. Galbraith
On Wednesday, November 22, 2006
1987/88 Aerial Photography

11-22-2006

- In reference to Allen ruberry's letter I do not see where he came up with 70 acres.
- The decree lists 14 QQs which are the ones being claimed.
- No enlargement necessary.
- I am recomending full amt to claimants for the acreage they are irrigating

TB

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Neil Grgg and fam
came in 2-15-06
talked to me about enlargement
I told them not to do
enlargement but was
wrong it is in their best
interest to file an enlargement
so is nothing to the amt
of equity it will affect
that land they will always
beable to irrigate the
enlargement as long as
their decreed right is not
shut off.

Niel called some day and I told him.
To

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01 0041 0026 22-0649 Barret, Nathan A.	160 inches.	May 11, 1900.	Driggs Springs, and water from swamp.
01 0042 23-0012 Barrus, John N.	160 inches.	May 20,1889	Palisade Creek.
23-0013 Barrus, John N.	140 inches.	June 30,1890.	Palisade Creek
Barrus, R. N.			Teton Plough Irrigation Company.
22 0162 T.2970 Bates, Thomas	140 inches	May 3, 1889.	Mahogany Creek.
23 0014 Beam, Charles	120 inches.	June 1, 1895.	Rainey Creek.
23 0015 Beam, Frank	40 inches	Junel, 1898.	Rainey Creek.
23 0016 Beam, Herbert L.	150 inches.	June 1, 1891.	Rainey Creek.
23 0017 Beam, Matilda E.	80 inches.	Sept. 19,1897.	Rainey Creek.
23 0018 Beam, Nellie M.	80 inches.	June 1, 1893.	Rainey Creek.
22 0163 Trans #2089 Beard James T.	200 inches.	Apr. 1, 1896.	Teton River.
22 0164 Beasley, Joseph	70 inches.	June 1, 1899.	Teton River. Also, springs on ranch.
Beckstrand, Charley			Enterprise Canal Company.
Bockstrom, Niels,			The Sunny Dell Irrigation Company.
22 0165 Beezley, Ebenezer and J.	80 inches.	June 1, 1869.	Fox Creek.
22 0166 Beezley, Ebenezer and J.	80 inches,	June 1, 1890.	Fox Creek.
21 0022 Bell, Joseph Transfer #2096	260 inches.	Sept.25,1889.	Fall River.
Belnap, A. W.			North Salem Agricultural & Milling Canal Company.
23 0019 Bernard, Alfred Joseph	160 inches.	Apr. 15,1889.	Rainey Creek.
23 0020 Bernard Alfred Joseph	80 inches.	June 20,1889.	Rainey Creek.
23 0021 Bernard, Alfred Joseph	80 inches.	April 9,1889.	Rainey Creek.
22 0167 Bernston, Richard	160 inches.	June 1, 1899.	Badger Creek.
Bess, O. C.			The Farmers' Friend Canal Company.
22 0168 Bettis, Alice and Joseph	80 inches.	May 1, 1893.	Trail Creek.
22 0169 Bevan Maria	80 inches.	Apr.6, 1901.	Swamp Creek.

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Bauman, Herman	SE¼ of Sec. 23, S½ of NW¼ of Sec. 34, T. 3 N., R. 38 E., B. M., containing 240 acres.
Beach, A. W.	S½ of SE¼ of Sec. 34, SW¼ of SW¼ of Sec. 35, T 3 N., R. 38 E., B. M. containing 120 acres.
Beahrensmeyer, Grace P., and H. H. Plank	N½ of Sec. 21, and N½ of S½ of Sec. 21, T./ N. R. 38 B. M., containing 480 acres.
Beam, Charles, A.	SE¼NE¼ and Lots 1, 2, and 3 of Sec. 4, T 1, N. R. 44 E., B. M.
Beam, Frank	Lot 1, Sec. 5 T. 1 N., R. 44 E., B. M.
Beam, Herbert L.	SW¼ of NE¼, SE¼ of NW¼. NE¼ ofSW¼ and NW¼ of SE¼ of Sec. 4, T 1 N. R. 44 E., B. M/, containing 160 acres.
Beam, Matilda E.	SW¼ SE¼ and SE¼ of SW¼ of Sec. 33, T 2 N., R. 44 E., B. M., containing 80 acres.
Beam, Nellie M.	SW¼ of SW¼ of Sec. 33, T 2 N., R. 44 E., B. M., and NW¼ of NW¼ of Sec. 4, T 1 N., R. 44 E., B. M.
Beard, James T.	N½ of NW¼ of Sec. 22, T 7 N.,,R. 41 E., S½ of SW¼ of Sec. 14, E½ of SE¼ of Sec. 15, T 7 N., R. 41 E., B. M. containing 240 acres.
Beasley, Joseph	S½ of SW¼ of Sec. 35, T 5 N., R. 45 E., Lot 1 of Sec. 3, Lot 4 of Sec. 2, T. 4 N., R. 45 E., B. M.
Beasley, S. J.	SW¼ of Sec. 15, T 1 N. R., 38 E., B. M. containing 160 acres.

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IDWR Field Exam Form

02/26/2004

Contacts Data Entry Form

Claim Number: _____

Owner Type | Full Name | Address | City | State | Zip

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

DECREED UNDER ROLBURG VS TETON, 1910. TO: J. BEASLEY, 70" OF SPRING AND TETON RIVER, JUNE 1, 1899.

THERE IS NO WAY FOR THIS RIGHT TO BE DELIVERED FROM TETON RIVER — OBVIOUSLY A DECREE ERROR INTENDING TETON CREEK. (NOT CLAIMED)

CLAIMANT DOES NOT CLAIM TETON CREEK OR RIVER - ONLY SPRINGS ON THE RANCH.

DECREED AT 70" (1.4 cfs) - ROLBURG VS TETON SPECIFICALLY DISCUSSES 1"/AC - ∴ 70" = 70 AC

CLAIMANT CLAIMS 142 AC - SOME OF WHICH IS LOWER SPRINKLER ON HIGHER LANDS - NEEDS TO FILE ENLARGEM CLAIM FOR ± AC (DEPENDING ON GIS CALCS.) → 115 ± - 70 (DECREED) = 45 AC ENLARGEM

C#2 DECREE ERROR

C#5

Reviewer: _____ Date: _____

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Claim A22-164
Lazy 2 Ranch, Inc.

Springs

9/10/05
00

GPS tag on quaken aspen located near springs in SESW of section 35. Springs are dammed to subirrigate

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claim A 22-164 Lazy 2 Ranch Inc

9/10/05

Pond formed by damming springs. Historically water has been pumped from pond to irrigate w/ sprinklers } Since when?

Pond is located in SWSW of Sec 35.

9/10/05 DD Stream from springs that is diverted in NWNW of Section 2, Series of ditches are used to irrigate POU,

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9/18/05 POD for A 22164 located in NWNW of Sec 2.
DD Series of ditches irrigate POU

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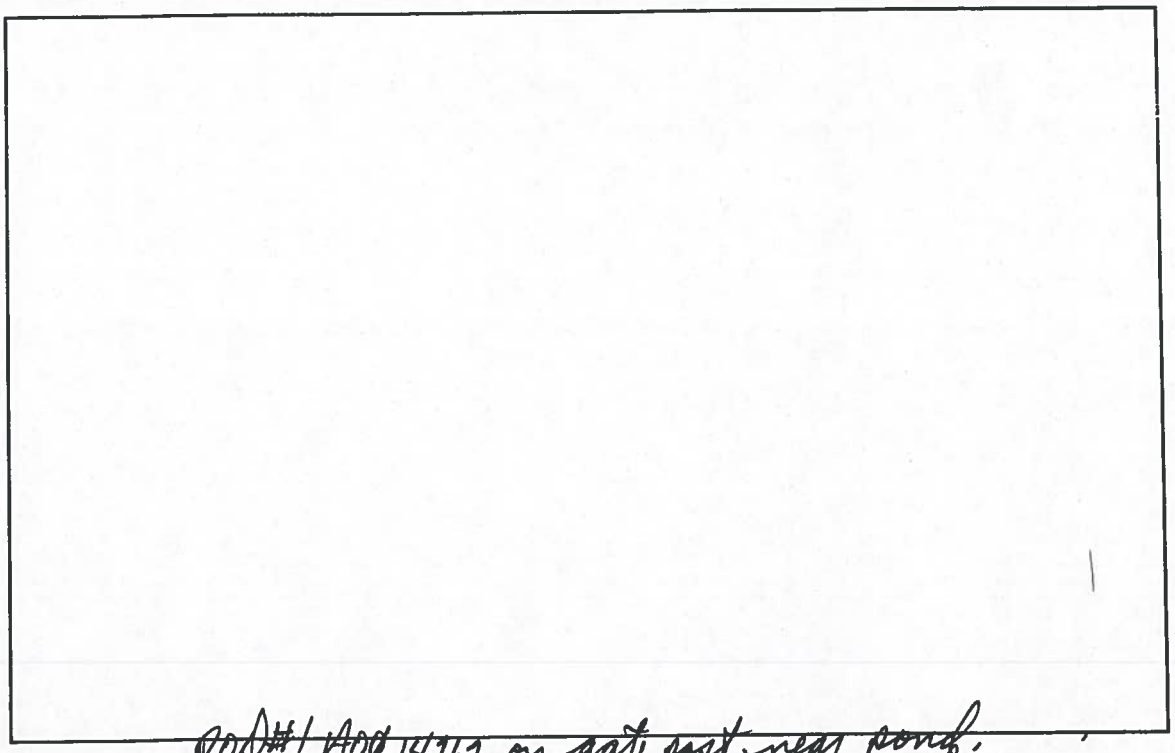
Water Right No(s). _____



GPS DATA: POD#1 ADP 14262 on gate post near pond,
POD#2 ADP 14263 on quaken aspen near head of spring
Tag # POD#3 ADP 14264 Location: Gate post by POD

Diversion Data:

Source: Springs Trib to: Teton River

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

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

NOTES:

_____
_____
_____
_____
_____

Field Exam Date: 8/30/05 Agent: DD
9/10/05 DD

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IDWR Field Exam Form

02/26/2004

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:

8/30/05 DD POD#3 in Sec 2, SWNWNW - Spring can be dammed off to divert water to ditches for irrigation. There is no diversion works here.

9/10/05 POD#2 in Sec 35 SESESW - Springs that can be dammed, to raise subirrigation water. There are no diversion ditches, but at date of inspection ground is well irrigated. Crop of hay has just been sumpted.
POD#1 in Sec 35 SWSWSW - Source is pond formed by damming streams from several springs

Reviewer: _____ Date: _____

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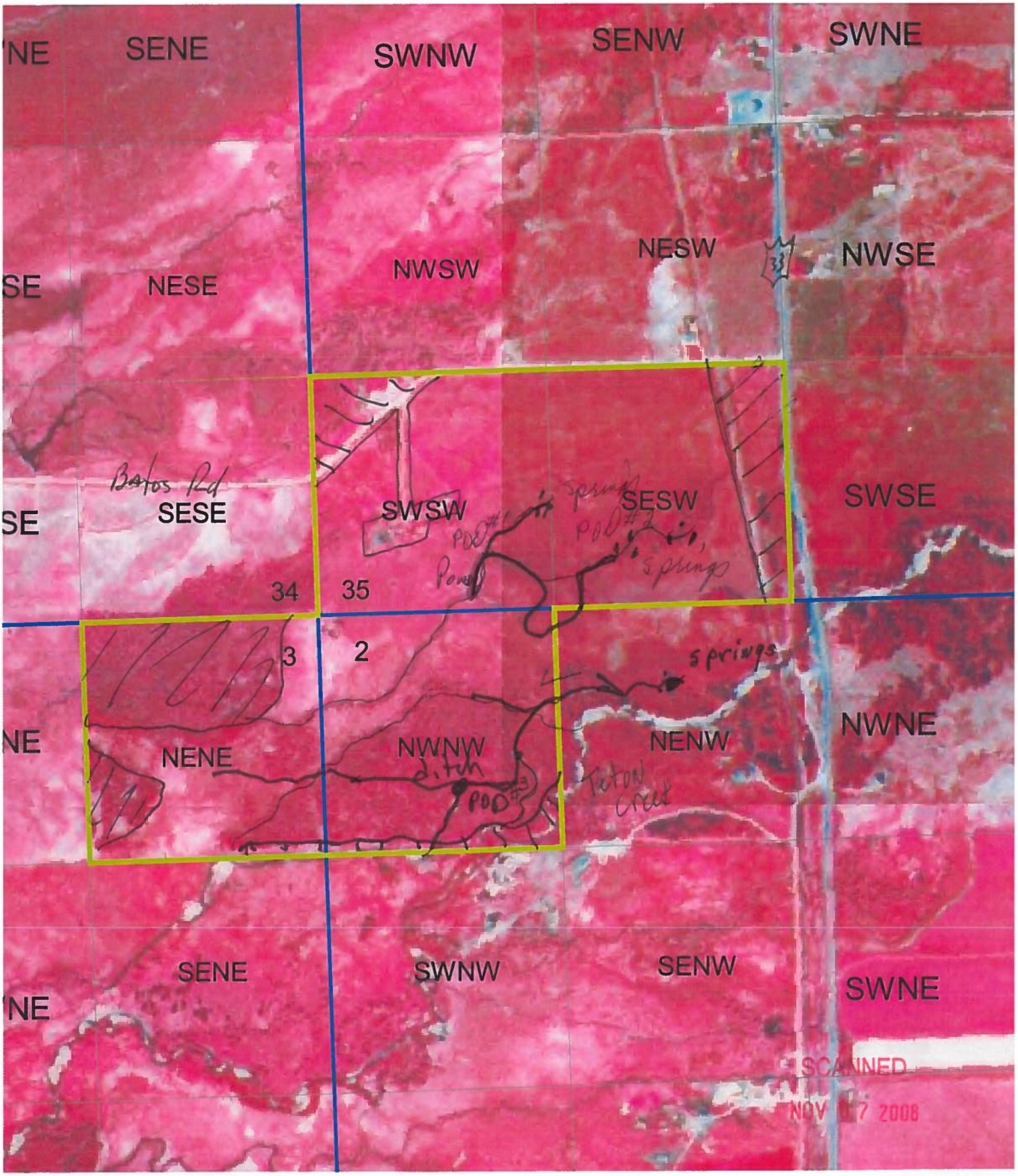
22-164

8/30/05
9/10/05 DD



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IDWR Field Exam Form

02/26/2004

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	Acre s	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

9/10/05
20

POU for POD #3 there is a series of ditches to irrigate ground in NWNW Sec 2 & NENE of Sec 3).

POU for POD #2 - Springs provide irrigation and sub irrigation.

POU for POD #1 - Pond has been used for sprinkler irrigation. Sprinklers have been used on ground in Sec. 35.

Reviewer: _____ Date: _____

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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	Soulcey, C. V.; June 1, 1899; Darby Creek	60
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	Rouche, Jacob; June 1, 1899; North Leigh Creek	35
184	Priestly, W. W.; June 1, 1899; Badger Creek	60
184	Rouche, 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

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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	Ricks, Wallace; June 1, 1900; North Leigh Creek	110
200	Rammell, 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	20
215	Jarman, Arthur; June 1, 1901; South Leigh Creek	20
215	Hill J,oseph S.; June 1, 1901; Pack Saddle Creek	160
218	Hatch, Lamoine; Sept. 1, 1901; Spring Creek	40
218	Phillips, L. A.; Sept. 1, 1901; Spring Creek	20
228	Shirts, Wallace; May 15, 1902; Trail Creek	40
229	Canyon Creek Canal & Irrigation Co.; June 1, 1902; Canyon Creek	2,700
229	Haden Canal Co.; June 1, 1902; Badger Creek	930
229	Rammell, George; June 1, 1902; Badger Creek	
229	Rammell, C. H.; June 1, 1902; Badger Creek	160
229	Phillips, Thomas A.; June 1, 1902; Badger Creek	120
229	Wood, Frank; June 1, 1902; Badger Creek	
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	80
229	Kirsley, Edwin N.; June 1, 1902; Spring Creek	60
229	Jarman, Arthur; June 1, 1902; South Leigh Creek	60
229	Sheser, William; June 1, 1902; seepage water in springs on place	150
229	Gilbert, Albert; June 1, 1902; Horse Shoe Creek	40
231	Eynon, L. L.; June 15, 1902; Spring Creek, a tributary of Pine Creek	120
241	McNally, Gilbert; May 1, 1903; Trail Creek	40
242	Webster, James W., and Charles H. Woodmansee; May 23, 1903; Moody Creek For reservoir purposes between the 15th day of March until the 15th day of June of each year	2,000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-164

WATER RIGHT NUMBER: 22-164

Owner Type	Name and Address
Current Owner	JOSEPH BEASLEY
	, ZZ

Priority Date: **06/01/1899**

Basis: Decreed

Status: Active

Source	Tributary
SPRING(s)	TETON RIVER
TETON RIVER **(Teton Creek- Decree Error)**	HENRYS FORK **(Teton River)**

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	/ to /	**1.400 CFS**	

Total Diversion: 1.400 CFS

Location of Point(s) of Diversion

SPRING

TETON RIVER

Place of Use

IRRIGATION Within TETON County

T04N R45E S02 Lot 2 NWNW **T04N R45E S03 Lot 2 NENE**

T05N R45E S35 SWSW **T05N R45E S35 SESW**

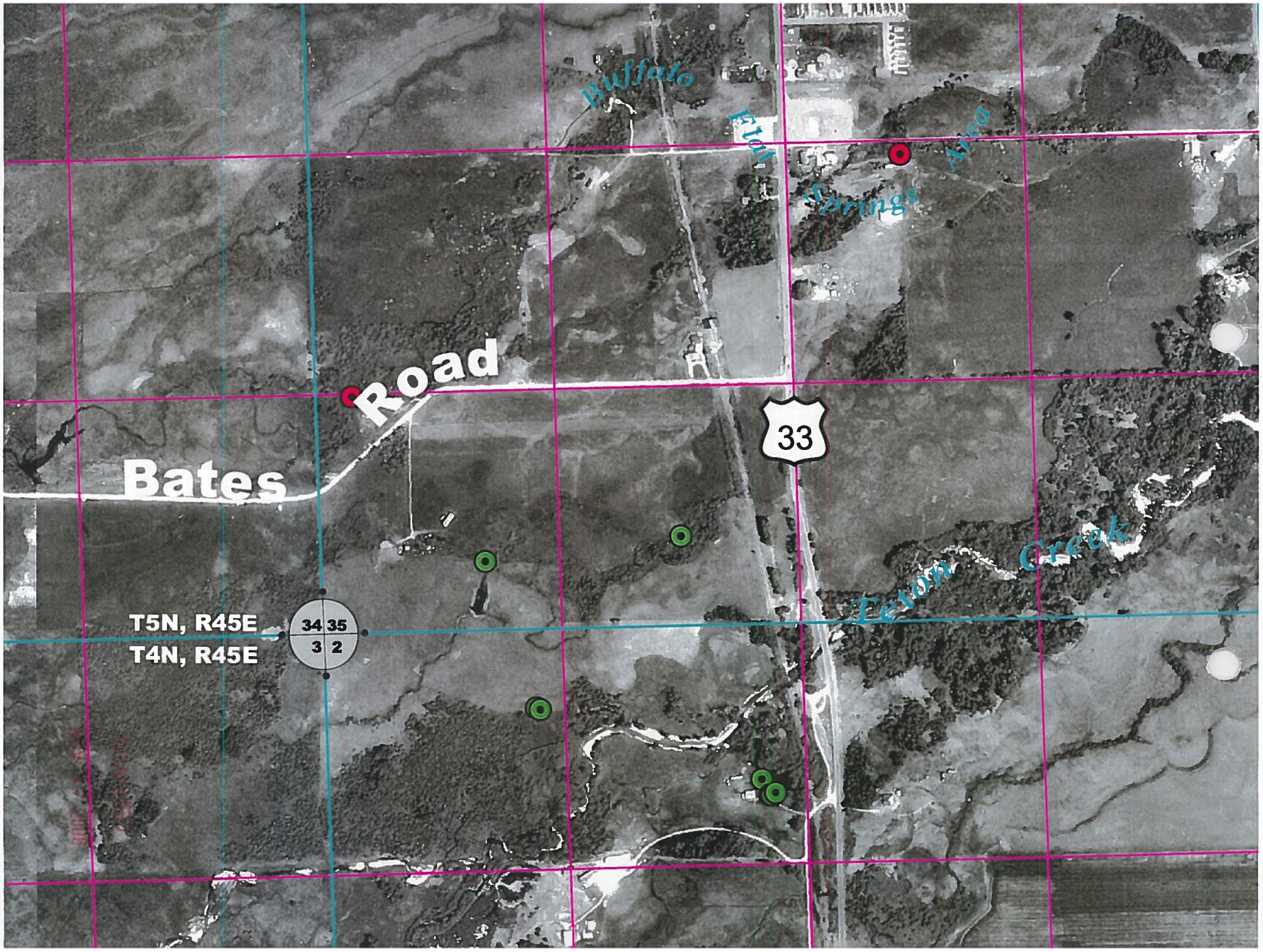
Conditions of Approval:

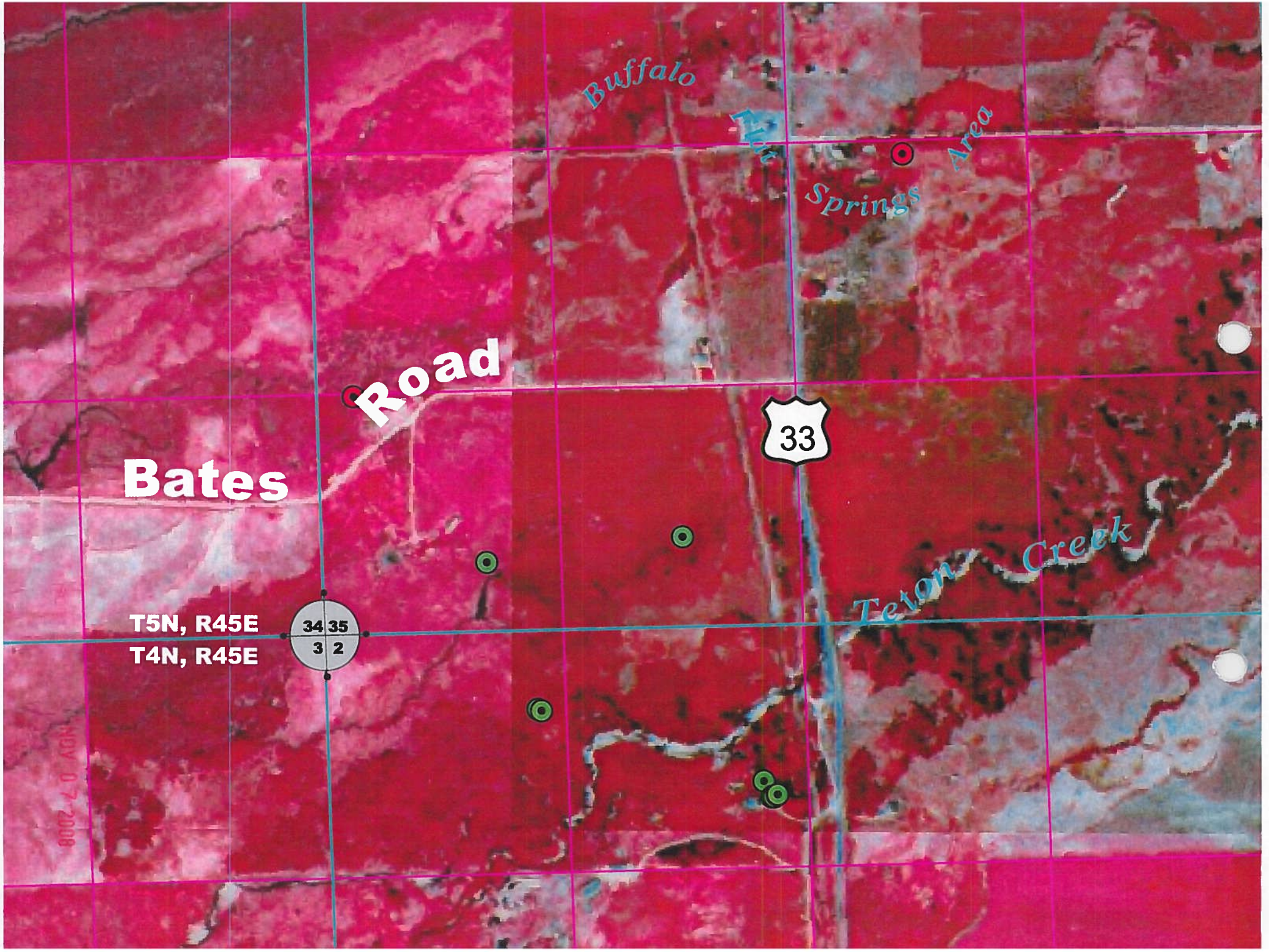
Remarks:

Comments:

SCANNED

NOV 07 2008


Buffalo
Flat
Springs
Area
Road
Bates
33
T5N, R45E
T4N, R45E
34 35
3 2
Texon Creek


Buffalo
Fat Springs Area
Road
Bates
33
Teton Creek
T5N, R45E
T4N, R45E
34 35
3 2

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718
PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us
EASTERN REGION

JAMES E. RISCH
Governor
KARL J. DREHER
Director

October 10, 2006

STEVE CONDIE
CRYSTAL SPRINGS LAND & CATTLE CO INC
339 E 600 S #1306
SALT LAKE CITY UT 84111

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-164

Dear Mr. Condie:

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

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

SCANNED
NOV 07 2008

Form 42-248/42-1409(6) July, 2000

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

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
	22-164				

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 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): LAZY TWO RANCH, INC.
   BOX 314 DRIGGS, ID 83422

4. New Owner/Claimant(s): CRYSTAL SPRINGS LAND & CATTLE CO. INC.
   Name Connector (Check one): [ ] and [ ] or [ ] and or

   New Mailing Address: 339 EAST 600 SOUTH #1306

   City, State and ZIP Code: SALT LAKE CITY, UTAH 84111

   New Telephone Number: (801) 809-5000

5. Date you acquired the property: SEPTEMBER 13, 2006

RECEIVED
OCT 04 2006
Department of Water Resources
Eastern Region

SCANNED
NOV 07 2008

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 N/A

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 N/A

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) Crystal Springs Land & Cattle Co., Inc.
by: [signature], Pres

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 _____

SCANNED
NOV 07 2008

180458

Alliance Title & Escrow Corp

Instrument # 180458
DRIGGS, TETON, IDAHO
2006-09-18 04:17:29 No. of Pages: 3
Recorded for ALLIANCE
NOLAN G. BOYLE
Ex-Officio Recorder Deputy
Fee 8.00
Index to: DEED WARRANTY

RECEIVED
2006
TETON CO., ID
CLERK/RECORDER

WARRANTY DEED

Order No 3050614755TD

FOR VALUE RECEIVED

Lazy Two Ranch, Inc, an Idaho Corporation

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Crystal Springs Land & Cattle Company, Inc., a Utah Corporation

whose current address is

339 E 600 S, #306, Salt Lake City, UT 84111

the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

See attached Exhibit A

Together with all existing water rights

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 9/13/2006

Lazy Two Ranch, Inc. an Idaho Corporation

Ella N. Griggs
Ella N. Griggs, President

James R. Griggs
James R. Griggs, Vice President

Sue G. Gillespie
Sue G. Gillespie, Secretary

State of Idaho }
}ss.
County of Teton }

On this 14th day of September, 2006, before me, a Notary Public in and for said state, personally appeared **Ella N. Griggs** known to me to be the **President** of the Corporation, and acknowledged to me that pursuant to a Resolution of the Board of Directors, she executed the foregoing in said Corporation name.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Clara Lopez
Notary Public for the State of Idaho
Residing at: Driggs
Commission Expires: 11/19/2011

180458

SCANNED

NOV 07 2006

3050614775TD

State of Idaho }
}ss.
County of Teton }

On this 14th day of September, 20 06, before me, a Notary Public in and for said state, personally appeared **Sue G Gillespie** known to me to be the **Secretary** of the Corporation, and acknowledged to me that pursuant to a Resolution of the Board of Directors, she executed the foregoing in said Corporation name.

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

CARLA C. JONES NOTARY PUBLIC STATE OF IDAHO

Carla C Jones
Notary Public for the State of Idaho
Residing at: Driggs
Commission Expires: 11/19/2011

State of Idaho }
}ss.
County of Teton }

On this 14th day of September, 20 06, before me, a Notary Public in and for said state, personally appeared **James R. Griggs** known to me to be the **Vice President** of the Corporation, and acknowledged to me that pursuant to a Resolution of the Board of Directors, he/she executed the foregoing in said Corporation name.

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

CARLA C. JONES NOTARY PUBLIC STATE OF IDAHO

Carla C Jones
Notary Public for the State of Idaho
Residing at: Driggs
Commission Expires: 11/19/2011

180458

SCANNED
NOV 07 2008

Order No.: 3050614755TD

LEGAL DESCRIPTION
EXHIBIT 'A'

Lot 1, Section 3, Township 4 North, Range 45 East, Boise Meridian and Lot 4, Section 2, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Also: Beginning at the Southwest corner of Section 35, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence North 752 feet; thence North 60°58' East 901 feet; thence East 1523 feet more or less to the West boundary line of OSLRR; thence Southeasterly along said right of way 1342.4 feet; thence West 2467 feet more or less to the beginning.

Also: All of that land lying South of the centerline of County road #75 South or South Bates Road and North of Deed #101402 and located in the South half of the Southwest quarter of Section 35, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho. Being further described as:

From the Southwest corner of said Section 35, North 00°03'08" East, 752.0 feet along the Section line to the center of the South Bates County Road. THENCE North 61°01'08" East 62.35 feet to the POINT OF BEGINNING; THENCE North 61°01'08" East, 838.65 feet along the North property line of Deed #101402; THENCE South 89°25'10" East 1,441.94 feet to the old railroad right of way; THENCE North 10°20'44" West 111.18 feet along the West; THENCE West, 291.68 feet to a point; THENCE North 7.40 feet to a point to the center of the South Bates County Road; THENCE North 89°25'10" West, 1,206.50 feet to a point; THENCE South 51°37'06" West, 838.67 feet more or less to the POINT OF BEGINNING.

180458

SCANNED
NOV 07 2008

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718
PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us
EASTERN REGION

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

January 26, 2006

Lazy 2 Ranch Inc
C/O Ella Griggs
Box 314
Driggs ID 83422

Re: Water Right Enlargement Claim

Dear Ms Griggs:

I have been reviewing your claim to decreed water right 22-164, since Mr. Dee O'Brien conducted a field exam of the claim on Sept. 10, 2005. I find the decreed right, at 1.4 cfs, allows the irrigation of 70 acres in accordance with the Rexburg vs Teton Decree of 1910. Your claim indicates some 142 acres are irrigated. However, a computer-generated layout of the irrigated acres, defined by a field exam, indicates irrigation of some 115.5 acres.

Since the Rexburg vs Teton decree is specific in determining the allowable irrigated acres, as 70 acres at one inch per acre, it will be necessary for you to file an enlargement claim pursuant to §42-1425 IC, to continue irrigation of the additional 45.5 acres.

Please contact me at the above telephone number or make an appointment to visit our office. I look forward to your timely response.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

ne.1 Griggs

529-3636

Cc: file

SCANNED
NOV 07 2008

October 2, 2006

IDWR Eastern Region
900 North Skyline Drive
Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

RE: Water Claim A2200164

Attention David,

I spoke with you over the phone on the morning of October 2, 2006 to make sure I had all the complete information to send to you.

Enclosed, please find the Notice of Change in Water Right Ownership Form, the Notice of Claim to A Water Right and the Warranty Deed.

Please call Mr. Steve Condie with any further regards to this claim form.
Thank you.

Sincerely,

Alyssa Anderson
Per Steve Condie

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OCT 04 2006
Department of Water Resources
Eastern Region
SCANNED
NOV 07 2008

RECEIVED
AUG 15 1988
Department of Water Resources
Eastern Region Office

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: A22-00164
Date Received: 8/09/1988
Receipt No: E001385
Received By: ESV

A220164

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: LAZY 2 RANCH, INC. 208-354-2227
   Address: C/O ELLA GRIGGS
   BOX 314
   DRIGGS, ID 83422

2. Date of Priority: JUN 01, 1899

3. Source: SPRINGS Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04N	45E	2	SW NW NW	4	TETON
05N	45E	35	SW SW SW		TETON
			SE SE SW		TETON

5. Description of diverting works:
   SPRINGS FLOW INTO DIVERSION DITCHES/CAN SPRINKLE IRR. SOME OF POU

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/14	10/15	1.400		

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

8. Total consumptive use is 284.0 Acre Feet Per Annum.

9. Non-irrigation uses:
   STOCKWATER FOR 50

SCANNED MICROFILMED
NOV 07 2008 NOV 04 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
04N	45E	2	NW	NW	4	IRR	38.0
					Section Acres		38.0
		3	NE	NE	1	IRR	38.0
					Section Acres		38.0
05N	45E	35	SW	SW		IRR	33.0
			SE	SW		IRR	33.0
					Section Acres		66.0
					Total Acres		142.0

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:
NONE

14. Remarks:
SEVERAL SPRINGS ON PROPERTY CONVERGE INTO IRRGATION DITCHES AND ARE USED TO IRRIGATE OWNERSHIP. GROUND IN PASTURE AND HAY PRODUCTION.

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

REXBURG IRR. CO. ET AL.
Decree Plaintiff

vs

TETON IRR. CANAL CO.
Decree Defendant

SCANNED MICROFILMED NOV 07 2008 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am President of Lazy Two Ranch, Inc., that I have signed the foregoing
Title Organization
document in the space below as President of Lazy Two Ranch, Inc. and that the statements contained in the
Title Organization
foregoing document are true and correct.

Ella N. Gregg
Signature of Authorized Agent

Pres. Lazy Two Ranch Inc.
Title and Organization

9 August 1988
Date

State of Idaho)
) SS.
County of Bonneville)

Subscribed and sworn (or affirmed) before me this 9th day of Aug 19 88

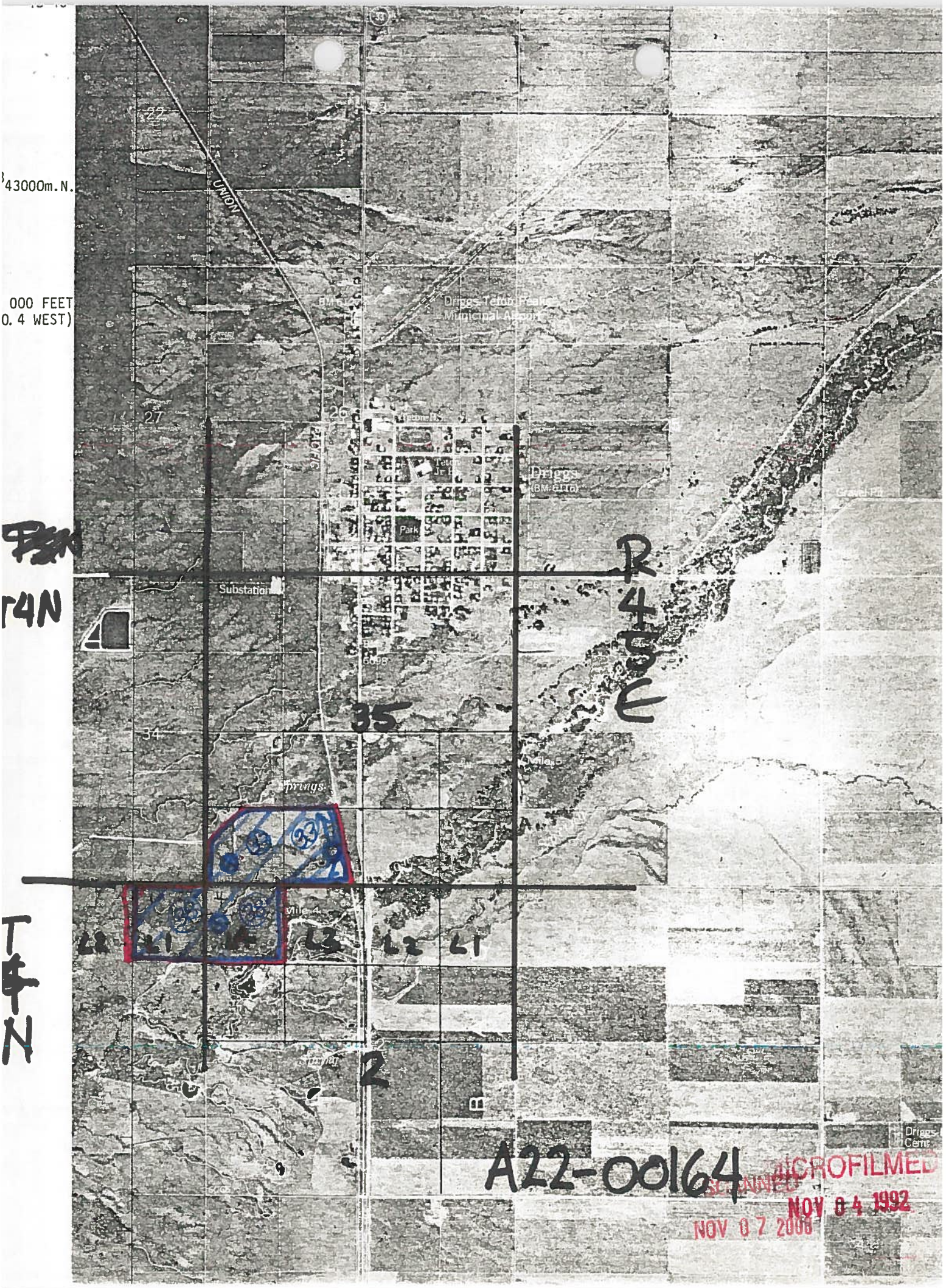
Colleen Wray
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 5/29/1991

MICROFILMED
NOV 04 1992



A22-00164

SCANNED
NOV 07 2008
MICROFILMED
NOV 04 1992

11/22/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-164

NAME AND ADDRESS: CRYSTAL SPRINGS LAND & CATTLE CO INC
339 E 600 S #1306
SALT LAKE CITY UT 84111

SOURCE: SPRINGS TRIBUTARY: TETON RIVER

QUANTITY: 1.400 CFS

PRIORITY DATE: 06/01/1899

POINT OF DIVERSION:
T04N R45E S2 NENWNW Lot 4 Within TETON County
T05N R45E S35 SESWSW Within TETON County
T05N R45E S35 SESW Within TETON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	1.400 CFS

PLACE OF USE: IRRIGATION in TETON County

T04N R45E S02 Lot	4 NWNW	37.00	T04N R45E S03 Lot	1 NENE	19.00
T05N R45E S35	SWSW	35.00	T05N R45E S35	SESW	30.00

121 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-164

WATER RIGHT NUMBER: 22-164

Owner Type	Name and Address
Current Owner	CRYSTAL SPRINGS LAND & CATTLE CO INC 339 E 600 S #1306 SALT LAKE CITY, UT 84111 (801)809-5000

Priority Date: 06/01/1899

Basis: Decreed

Status: Active

Source	Tributary
SPRINGS	TETON RIVER

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	4/14	10/15	1.400 CFS	
		Total Diversion:	1.400 CFS	

Location of Point(s) of Diversion

SPRINGS TETON County	SE1/4SE1/4SW1/4	Sec. 35,	Twp 05N,	Rge 45E, B.M.
SPRINGS TETON County	SW1/4SW1/4SW1/4	Sec. 35,	Twp 05N,	Rge 45E, B.M.
SPRINGS TETON County	L4 (SW1/4NW1/4NW1/4)	Sec. 2,	Twp 04N,	Rge 45E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	2						38.0 L 4											38.0
04N	45E	3	38.0 L 1																38.0
05N	45E	35											33.0	33.0					66.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-164

Total Acres: 142

Conditions of Approval:

1. SEVERAL SPRINGS ON PROPERTY CONVERGE INTO IRRGATION DITCHES AND ARE USED TO IRRIGATE OWNERSHIP. GROUND IN PASTURE AND HAY PRODUCTION.

Remarks:

Comments:

Water Supply Bank: