

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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 22-13915

NAME AND ADDRESS: CRYSTAL SPRINGS LAND &
CATTLE INC
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

RICHARD HOWARD GEBHARD
PO BOX 168
VICTOR, ID 83455

CHERISE DODSON
GARY BLACK
GNJ PROPERTIES LLC
IDAHO INVESTMENT GROUP LLC
IGO INVESTMENTS 1 LLC
KPW HOLDINGS LLC
LANELLE PECK
MICHAEL DODSON
PENSCO TRUST COMPANY
RIF HOLDINGS 1 LLC
ROBERT ELMER
RYMI INVESTMENTS LLC
STILLWATER HOLDINGS LLC
STOLY ASSOCIATES LC
TRAVIS GUNNELL
TREVOR PECK
W STEVEN GUNNELL
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

SOURCE: POLE CREEK TRIBUTARY: SINKS

QUANTITY: 0.33 CFS

The rights listed below are limited to a total combined diversion
rate of 2.00 cfs. Combined Right Nos: 22-683A, 22-683B, and
22-13915.

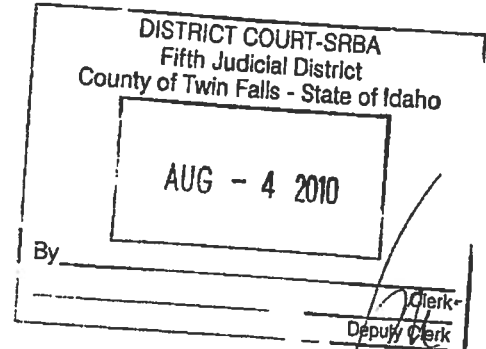
The capacity of the storage reservoir is 1.8 AF. The volume of
water designated for recreation from storage allows the reservoir
to be refilled multiple times up to a total diversion volume of
18 AF during the period of October 10 to May 1.

PRIORITY DATE: 11/02/1989

POINT OF DIVERSION: T03N R45E S26 NENWSW Within Teton County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Recreation Storage	01-01 TO 12-31	1.80 AFY
	Irrigation	07-01 TO 08-31	0.33 CFS
	Recreation from Storage	10-10 TO 05-01	18.00 AFY
	Diversion to Storage	10-01 TO 05-01	0.05 CFS

PLACE OF USE:	Irrigation	Within Teton County
	T03N R45E S22	NESE 29.0 NWSE 13.0
	S23	SESE 1.8 SWSW 4.0
	47.8 Acres Total	



SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

Recreation Storage
T03N R45E S23

SWSW

Within Teton County

The rights listed below are limited to the irrigation of a combined total of 47.8 acres in a single irrigation season. Combined Right Nos.: 22-683A, 22-683B, and 22-13915. The rights listed below are limited to the irrigation of a combined total of 52.8 acres in a single irrigation season. Combined Right Nos.: 22-683A, 22-2279, and 22-13915. Place of use does not include federal public lands.

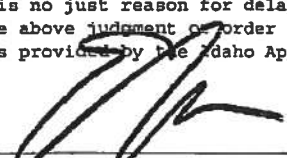
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Property is also known as Homestead Entry Survey No. 253 Tract A and B.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric A. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 22-00683A

NAME AND ADDRESS: CRYSTAL SPRINGS LAND &
CATTLE INC
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

PENSICO TRUST COMPANY
CUSTODIAN FBO RICHARD WHITE
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

CHERISE DODSON
DODSON, MICHAEL
GARY BLACK
GNJ PROPERTIES LLC
GUNNELL, W STEVEN
IDAHO INVESTMENT GROUP LLC
IGO INVESTMENTS 1 LLC
KPW HOLDINGS LLC
PECK, LANELLE
RIF HOLDINGS 1 LLC
ROBERT ELMER
RYMI INVESTMENTS LLC
STILLWATER HOLDINGS LLC
STOLY ASSOCIATES LC
TRAVIS GUNNELL
TREVOR PECK
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

SOURCE: POLE CREEK TRIBUTARY: SINKS

QUANTITY: 1.75 CFS

The rights listed below are limited to a total combined diversion
rate of 2.00 cfs. Combined Right Nos: 22-683A, 22-683B, and
22-13915.

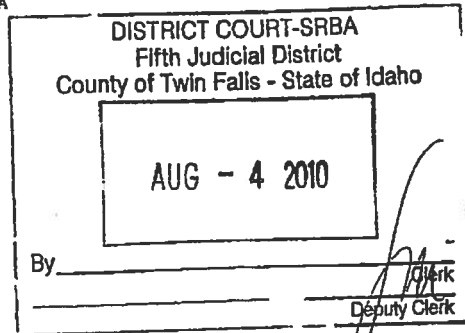
PRIORITY DATE: 10/22/1901

POINT OF DIVERSION: T03N R45E S26 LOT 4 (SWNNWN) Within Teton County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.75 CFS

PLACE OF USE:	Irrigation	Within Teton County
	T03N R45E S22	NESE 29.0 NWSE 13.0 SESE 1.8
	43.8 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 47.8 acres in a single irrigation season.
Combined Right Nos.: 22-683A, 22-683B, and 22-13915.
The rights listed below are limited to the irrigation of a
combined total of 52.8 acres in a single irrigation season.
Combined Right Nos.: 22-683A, 22-2279, and 22-13915.
Place of use does not include federal public lands.

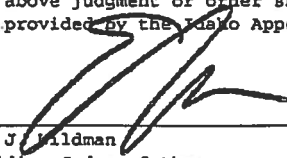


OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Property is also known as Homestead Entry Survey No. 253 Tract A.
— 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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

RIGHT NUMBER: 22-683A

NAME AND ADDRESS:

GARY W GRANDY
1076 S 100 W
VICTOR ID 83455

LA VON G GRANDY
1076 S 100 W
VICTOR ID 83455-5446

SOURCE:

Source:
POLE CREEK

Tributary:

SINKS

QUANTITY:

1.750 CFS

~~1.080 CFS~~

The rights listed below are limited to a total combined diversion rate of 2.00 cfs.
Combined Right Nos.: 22-683A, 22-683B and 22-13915.

PRIORITY DATE:

10/22/1901

POINT OF DIVERSION:

T03N R45E S26 Lot 4 SWNNWN

Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	<u>04/15 10/31</u>	<u>1.750 CFS</u>
	04/01 10/31	1.080 CFS

PLACE OF USE:

IRRIGATION within TETON County

~~T03N R45E S22 46.0~~
~~T03N R45E S22 16.0~~

T03N R45E S22 NESE 29.0
T03N R45E S22 NWSE 13.0
T03N R45E S22 SESE 1.8

43.8 ACRES TOTAL

~~62 ACRES TOTAL~~

The rights listed below are limited to the irrigation of a combined total of 47.8 acres in a single irrigation season. Combined Right Nos.: 22-683A, 22-683B and 22-13915.

The rights listed below are limited to the irrigation of a combined total of 52.8 acres in a single irrigation season. Combined Right Nos.: 22-683A, 22-2279 and 22-13915.

Place of use does not include federal public lands.

~~Right Nos. 22-683A and 22-2279 are limited to the irrigation of a combined total of 62 acres in a single irrigation season.~~
~~This right is limited to the irrigation of 46 acres within the place of use described above in a single irrigation season.~~

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

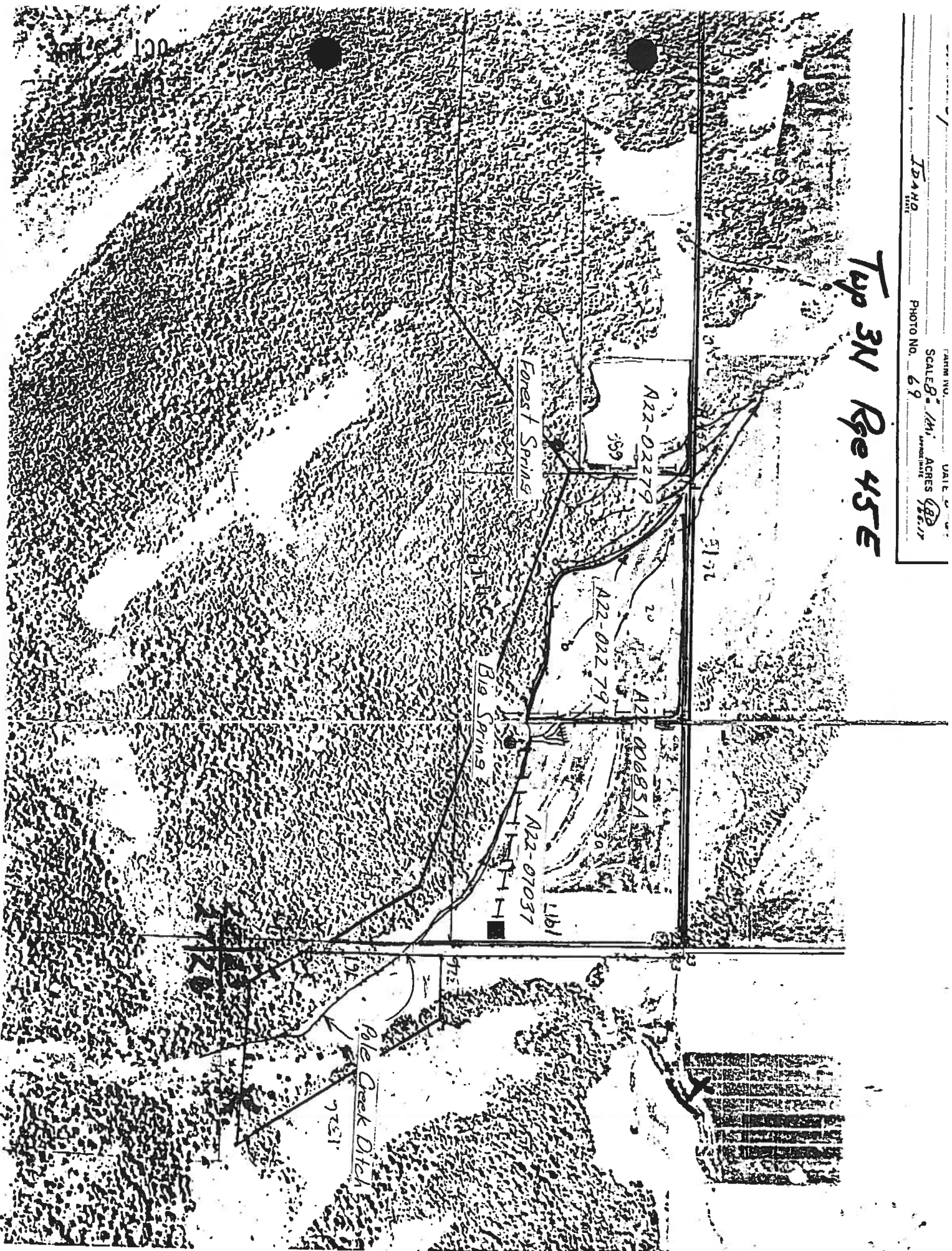
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Property is also known as Homestead Entry Survey No. 253 Tracts A.

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

Top 3N Rge 45E



Memorandum

Date: March 10, 2009

To: 22-683A, 22-683B, 22-2279 and 22-13915

From: Ernie Carlsen

RE: Recommendation of 22-13915 on Transfer 3509
Objection resolution for 22-683A, 22-683B and 22-2279

In August 1965, water right 22-683 was adjudicated in the case of Murdock v Eagle ("Murdock Decree") for the diversion of 2.0 cfs from Pole Creek, with a priority of October 22, 1901, to be used for irrigation in H.E.S. 253, Tracts A & B containing 85.4 acres. Attachment 1 is a copy of this decree.

SRBA CLAIMS

In September 1988 Gary Grandy ("Grandy") and Richard Gebhard ("Gebhard") filed SRBA claims dividing the water right 22-683.

Claim 22-683B filed by Gebhard, claims 0.25 cfs diverted from Pole Creek in the SWSENW, S26, T03N, R45E for the irrigation of 16 acres in Tract B with a public land survey ("pls") description of:

T03N, R45E	Section 23	SWSW 16 acres
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Claim 22-683B also included 0.02 cfs for onstream stock water for a total combined diversion rate of 0.27 cfs.

Claim 22-683A filed by Grandy, claims 1.75 cfs diverted from Pole Creek in the SWSENW, S26, T03N, R45E, for the irrigation of 58 acres in Tract A with a pls description of:

T03N, R45E	Section 22	NESE 35 acres
		NWSE 20 acres
		SESE 3 acres

Grandy filed a second SRBA claim no. 22-2279 for water right license 22-2279. The claim shows a priority date of September 9, 1966, and the diversion of 0.52 cfs for Big Spring and Forest Spring tributaries of Little Warm Creek, for the irrigation of 26 acres. Department records reveal the licensing field inspection conducted in June 1972 includes a map, (see Attachment 2), which determined the place of use ("pou") consisted of 17 acres in the west half of H.E.S. 253 Tract A and 9 acres in the east half of H.E.S. 252 with a pls description of:

T03N, R45E	Section 22	NESW 9 acres
		NWSE 17 acres

TRANSFER

In January 1989, Grandy and Gebhard jointly filed an application for transfer no. 3509 to change the nature of use for a portion of decreed right 22-683 and to establish a new point of diversion ("pod") in the NENWSW S26, T03N, R45E. The application was protested by the U.S. Forest Service ("USFS") because the new diversion is on land administered by the USFS. In November 1990, Keith Higginson signed the Final Memorandum Decision and Order ("the Order"), (see Attachment 3), approving Transfer 3509 with explicit restrictions on the use of the new point of diversion. A letter in the Department's record from Grandy and Gebhard requests the withdrawal of the transfer and consequently the water right and adjudication record were not updated to reflect the transfer.

DIRECTOR'S REPORTS

The Director's Reports for the three claims were submitted to the SRBA court as follows:

Water Right	22-683A (Grandy)
Source	Pole Creek tributary to sinks
Quantity	1.08 cfs
Priority Date	10-22-1901
POD	T03N, R45E, S26, Lot 4, (SWNWNW)
Purpose, Period of Use and Quantity	Irrigation, 04-01 to 10-31, 1.08 cfs
POU	T03N, R45E, S22, 46 acres
Conditions	-Right Nos. 22-683A and 22-2279 are limited to the irrigation of a combined total of 62 acres in a single irrigation season. -This right is limited to the irrigation of 46 acres within the place of use described above in a single irrigation season.

Water Right	22-2279 (Grandy)
Source	Big Springs tributary to Pine Creek Forest Spring tributary to Pine Creek
Quantity	0.52 cfs
Priority Date	09-09-1966
POD	T03N, R45E, S22, SENESW T03N, R45E, S22, NENWSE
Purpose, Period of Use and Quantity	Irrigation 06-01 to 10-31 0.52 cfs
POU	T03N, R45E, S22, NESW - 10.9 acres, NWSW - 5.10 acres, NESE - 29.7 acres, NWSE - 15.1 acres, SESE - 1.2 acres, 62 acres total
Conditions	-Right Nos. 22-683A and 22-2279 are limited to the irrigation of a combined total of 62 acres in a single irrigation season. -This right is limited to the irrigation of 26 acres within the place of use described above in a single irrigation season. -Property is also known as Homestead Entry Survey Nos. 252 and 253.

Water Right	22-683B (Gebhard)
Source	Pole Creek tributary to sinks
Quantity	0.25 cfs
Priority Date	10-22-1901
POD	T03N, R45E, S26, Lot 4, (SWNWNW)
Purpose, Period of Use and Quantity	Irrigation, 04-01 to 10-31, 0.25 cfs Stock water, 01-01 to 12-31, 0.02 cfs
POU	T03N, R45E, S23, SWSW, 4 acres Stock water same as irrigation
Conditions	-The quantity of water under this right for stock water use shall not exceed 13,000 gallons per day. -The quantity of water decreed for this water right for stock water use is not a determination of historical beneficial use.

OBJECTIONS

Crystal Springs Land & Cattle Co. Inc. filed an objection to 22-683A and 22-2279. The objection to 22-683A states: the quantity should be 1.75 cfs; the pod should include a diversion in the T03N, R45E, S26, NENWSW; and the pou should be 75.4 acres. The objection to 22-2279 states: the tributary source should be Little Warm Creek; the pod for Big Springs is T03N, R45E, S22, SWNESE; the season of use should be 04-01 to 10-31; the place of use should be 75.4 acres.

Gary W. Grandy filed an objection to 22-2279 stating: the tributary source should be Little Warm Creek; and the season of use should be 04-01 to 10-31.

The USFS filed an objection to both 22-683A and 22-683B. The objection to 22-683A states the pou needs a pls description, there should be a reference to HES 252 and 253 and the claimant is not authorized to occupy and use USFS land. The objection to 22-683B states the recommendation needs to clarify the pou is within HES 253 Tract B and the pou does not include land administered by the USFS.

At the initial hearing the claimants and protestants expressed consensus that the Transfer 3509 is still in effect and should have been considered in the recommendations for 22-683A and 22-683B. Subsequent examination of the department records reveals there is a memorandum in the file acknowledging a letter from the claimants to withdraw the application but proper administrative action was not taken by department to rescind the Order. In approving the changes requested by the Transfer 3509, the Order specifies a number of new water right elements substantially different from those of water right 22-683. Rather than cluttering the recommendations for 22-683A and 22-683B with conditions that identify new water right elements for the new nature of use which alters administration of these two water rights, it was decided a better alternative is to generate a new water right (22-13915) that clearly states the new elements.

22-13915

The Order approving Transfer 3509 changed the nature of use for a portion of decreed right 22-683 and established a new point of diversion (pod) in the NENWSW S26, T03N, R45E. Condition of approval no. 3, states the new point of diversion can be used for diversion of 0.33 cfs for irrigation with a season of use of July 1 to August 31. Findings of Fact no. 9, states the continuous diversion of 0.05 cfs for recreation storage from October 1 through May 1 will result in the total diversion of 18.0 acre-feet ("af") of water. To prevent enlargement of the water right, Findings of Fact no. 11, requires the retirement from irrigation of 6 acres in T03N, R45E, S23, SWSW, which is Tract B of H.E.S. 253. Transfer 3509 lists the resulting pou for irrigation as:

T03N, R45E	Section 22	NESE 38 acres
		NWSE 28 acres
		SESE 3.4 acres
	Section 23	SWSW 6 acres

Total number of acres irrigated = 79.4

Furthermore, to prevent injury to other water rights, conditions of approval nos. 5 and 6 of the Order stipulate the date of priority for both the diversion for irrigation and recreation at the new point of diversion be advanced to November 2, 1989.

Though the Order established several elements of the new water right it did not capture all of them. For instance the Order did not specify the surface area size and volume of the recreation pond. Aerial photos available to the department reveal the pond remained virtually unchanged in size between 1992 and 2006. Creating a shape file that follows the perimeter of the pond on an aerial photo taken in 2004 reveals the pond is 0.76 acres in size. A search for other water rights on the pond identified license 22-

7710. This license indicates the volume of the pond is 1.8 acre feet. Another concern with the Order is the land list provided for the pou. Lacking confirmation of irrigated acres based on an on-site inspection as part of the transfer approval process or documentation on the actual number of irrigated acres from Grandy and Gebhard, the 79.4 acres appears to be based on the 85.4 acres contained in HES 253 tracts A & B as listed in the Murdock Decree minus the 6 acres that must be retired. However, a portion of H.E.S. 253 is located on the mountain side and obviously was not flood irrigated from Pole Creek. Using a 1992 aerial photograph which is the closest year aerial photos are available to when the Order was signed and drawing a shape file around the cultivated fields reveals a total of 47.8 acres being irrigated. The shape file closely resembles the field boundary drawn on the map prepared as part of the licensing exam for 22-7710, (see Attachment 4), though the shape file has 4.8 acres more than licensed by 22-7710. An explanation for this difference is the field boundary drawn on the map for the licensing exam on 22-7710 includes the rows of trees that extend into the cultivated field but apparently did not account for the acres covered by the trees in the licensed pou even though they are irrigated. Attachment 5 reflects the elements of water right 22-13915, based on the new water right elements in the Order and those identified above along with the combined limit conditions as a result of the overlaps with 22-683A and 22-683B.

22-683A, 22-683B and 22-2279

In approving the requested change in nature of use for a portion of 22-683, the Order, in finds of fact nos. 9, 10 and 11, determined 18 af of water will be diverted to storage for recreation between October 1 and May 1 requiring the applicants to cease irrigating 6 acres in the SWSW Section 23, T03N, R45E. It was never established where the six acres were located, though it is possible Gebhard irrigated more than the four acres identified on the 1992 aerial photo. Presuming Gebhard at one time irrigated a total of 10 acres and subsequently retired 6 from irrigation, then there must also be a commensurate reduction in the diversion rate for irrigation. The quantity of water on Gebhard's claim 22-683B is 0.25 cfs which when applied to 10 acres results in 0.025 cfs/ac or 0.10 cfs for the 4 acres authorized for irrigation. The difference of 0.15 cfs, which went to the 6 acres retired from irrigation, is the quantity converted to recreational storage. Consequently the recommended diversion rate for irrigation on 22-683B should be 0.10 cfs on the 4 acres. Attachment 6 is an updated version of the recommendation for 22-683B incorporating the changes resulting from Transfer 3509, the creation of 22-13915 and resolution of objections by USFS.

To recognize the overlap between 22-13915, 22-2279 and 22-683A a second version of the recommendations for 22-683A and 22-2279 was generated which also addresses the issues raised by objections to the director's reports for 22-683A and 22-2279. Attachment 7 reflects the newer version of 22-683A. The place of use for this newer version is that part of the shape file for 22-13915 which is located in H.E.S. 253 Tract A. The quantity is increased to 1.75 cfs to acknowledge the split agreed to by the claimants. Conditions with combined limits on the rate of diversion and number of irrigated acres were added as a result of the overlap with 22-13915 and 22-2279. Attachment 8 reflects the newer version of 22-2279. The place of use for this version includes the west half of the shape file of 22-683A in H.E.S. 253 Tract A plus 9 acres in H.E.S. 252. A condition with a combined limit on the number of irrigated acres was added to the newer version as a result of the overlap with 22-13915 and 22-683A. The new legal description for one of the points of diversion does not represent a change in the location of the diversion it simply identifies the government lot where the diversion is located.

IN THE DISTRICT COURT OF THE TWELFTH JUDICIAL DISTRICT OF IDAHO

for The County of FREMONT

MARVIS J. MURDOCK and)
ELLEN MURDOCK, husband and)
wife,)
PLAINTIFFS)
vs.)
HENRY EAGLE, WATERMASTER,)
District 36, IDAHO)

RECEIVED
SEP 09 1988

DECREE

Department of Water Resources

THIS CAUSE came on regularly to be heard before the Court, sitting without a jury, in Chambers, in the Courthouse at St. Anthony, Fremont County, Idaho, on this 18th day of August, 1965 at the hour of 10:00 o'clock A. M. of said day; Plaintiffs appearing in person and by their attorney, H. S. Forbush; and the defendant appearing not, either in person or by counsel, and it appearing to the Court, from the records and files in this action; that the defendant was regularly served with process, and that a Notice of Pendency of this action, containing such matter as are required by law, having been published in the Fremont County Chronicle News, a weekly newspaper published at St. Anthony, Fremont County, Idaho; and the Teton Valley News, a weekly newspaper published at Driggs, Teton County, Idaho; in accordance with the Order issued out of this Court on the 23rd day of July, 1965, and as required by law, and the time allowed by law for answering or appearing having expired, and the defendant or anyone for or on behalf of said defendant, having failed to appear or answer plaintiffs' complaint on file herein, and the default of said defendant having been duly and regular entered, and the Court, having heard the evidence introduced by and on behalf of plaintiff and having duly considered the same, and being fully advised in the premises; and it appearing that each and all of the allegations in plaintiffs' complaint contained are true and correct.

NOW, THEREFORE, in consideration of the premises, and on motion of H. S. Forbush, Attorney for plaintiffs,

IT IS ORDERED, that the default of said defendant be, and it is hereby entered against said defendant; and

22-0683 IT IS ORDERED, ADJUDGED AND DECREED, that the plaintiffs, Marvis J. Murdock and Ellen Murdock, husband and wife, are entitled to, and are hereby awarded 100 miner's inches of the waters of Pole Creek with priority date of October 22nd, 1901; for the irrigation of their real property, described in plaintiffs' complaint, and more particularly described as follows, to-wit:

H.E. Survey No. 253, Comprising Tracts "A" and "B", embracing a portion of Sections

ATTACHMENT /

22 and 23 in Township 3 North of Range 45, E. B.M. Idaho, more particularly bounded and described as follows:

Beginning for the description of Tract "A" at corner No. 1, from which the quarter corner to said Sections 22 and 23 bear south 89° 37 min. east 0.50 of a chain distant thence north 89° 37 Min. west 39.63 chains to corner No. 2; thence, South 10.40 chains to corner No. 3; thence south 70 degrees 57 min. east 37.12 chains to corner No. 4; thence South 28° 30 min. east 8.70 chains to corner No. 5; thence North 41 min. east 29.95 chains to corner No. 1, the place of beginning;

Beginning for the description of Tract "B" at corner No. 6; from which corner No. 5 of said Tract "A" bears north 28° 30 min. west 2.10 chains distant; thence, South 28° 30 min. east 5.30 chains to corner No. 7; thence, South 87° 37 min. east 13.64 chains to corner No. 8; thence north 33° 35 Min. west 20.10 chains to corner No. 9; thence north 88° 14 min. west 4.95 chains to corner No. 10; thence South 41 min. west 11.63 chains to corner No. 6; the place of beginning; All located in Teton County, State of Idaho;

Containing 85.39 acres, according to the official plat of the survey of the said land, returned to the General Land Office by the Surveyor General; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the foregoing adjudication of water be made subject only to the Decrees, in a certain action in the District Court of the Ninth Judicial District of the State of Idaho, in and for the County of Fremont, entitled "Hexburg Irrigation Company, et. al., Plaintiffs, vs. Teton Irrigation Canal Company, et. al., Defendants," dated and filed December 16th, 1910; in a certain action instituted in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Twin Falls, entitled "Twin Falls Canal Company, Plaintiff, vs. Charles N. Foster, et. al., Defendants," filed on the 20th day of June, 1913, and the

amended decrees thereto, dated September 12th, 1916, and filed September 21st, 1916, and in a certain action, instituted in the United States District Court of Idaho, Eastern Division, entitled "Woodville Canal Company, a corporation, Plaintiff, vs. Clark and Edwards Canal Company, a corporation, et. al., Defendants," dated the 25th day of June, 1929, and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the defendant and all persons claiming by, through or under him, or either or any of his successors in office, and all persons claiming to have acquired any right or interest in or to or upon the said waters, hereinbefore Decreed, by through, or under any person whatsoever, except the Plaintiffs herein, be hereby enjoined and restrained from obstructing, or in any way interfering with the flow of said waters, through the ditches of the Plaintiffs.

Done in Chambers in the Court House at St. Anthony, Fremont County, Idaho, this 18th day of August, 1965.

STATE OF IDAHO

County of Fremont

I, *Le Morte Dancer*, Clerk of the District Court, and ex-officio Register and Recorder, do hereby certify that the above and foregoing is a true and correct copy of that certain *Decree* of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Twin Falls, in the case of *Twin Falls Canal Company, Plaintiff, vs. Charles N. Foster, et. al., Defendants*, filed on the 20th day of June, 1913, and the amended decrees thereto, dated September 12th, 1916, and filed September 21st, 1916, and in a certain action, instituted in the United States District Court of Idaho, Eastern Division, entitled "Woodville Canal Company, a corporation, Plaintiff, vs. Clark and Edwards Canal Company, a corporation, et. al., Defendants," dated the 25th day of June, 1929, and

Witness my hand and seal of said office this 18th day of August, 1965.

WILLARD C. BURTON

JUDGE OF THE DISTRICT COURT

Le Morte Dancer

R. 45E

BLAZED TREE

+ BRASS CAP

HES 252 +

HES 253

T&N RASE 50x22

Indicated P.O.
for pumping

BRASS CAP
HES 253

out

P.O. DITCH 1161
+ pumping

GRANDY
House
+ BARN

out

6/29/72

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	
	)	
TRANSFER OF DECREE NO. 22-00683	)	
	)	FINAL MEMORANDUM DECISION
Source: Pole Creek	)	AND ORDER
County: Teton	)	
	)	

Following a hearing of protests against application for transfer of decreed right no. 22-00683, and issuance of a Proposed Decision, Gary W. Grandy and Dick Gebhard (applicants) filed exceptions to the Proposed Decision. The applicants took exception to the Department's failure to address a component of the transfer seeking diversion of 0.05 cfs for a recreational pond. After review of the file, I have determined that the exception is legitimate, and the following Findings of Fact and Conclusions of Law address and authorize the recreational use:

FINDINGS OF FACT

1. On January 5, 1989, Gary Grandy and/or Dick Gebhard applied to the Department of Water Resources for transfer of a point of diversion of a decreed water right numbered 22-00683. The application sought to add a diversion on Pole Creek upstream from the original point of diversion at a legal description listed as the NE1/4NW1/4SW1/4, Section 26, Township 3 North, Range 45 East. This proposed point of diversion is located on ground administered by the United States Forest Service (USFS). The original place of use for this decree would remain unchanged. The application was amended after the conference of September 7,

1989, to specify that only 0.33 cubic feet per second of the 2.0 cfs right would be diverted from the new point of diversion during a period of use from July 1, to August 31 of each year. The description of the water source was also amended to include a spring tributary to Pole Creek. The amendment also proposed diversion of 0.05 cfs from October 1 through May 1 for recreational purposes. The water will be used to maintain levels in a recreational pond.

2. A protest against approval of the application for transfer was received from J.S. Tixier, Regional Forester for the USFS.

The protestant raised objections to the addition of a point of diversion by alleging that:

a. The new point of diversion would be a mile inside the boundary of the Targhee National Forest.

b. The new diversion would injure riparian habitat that the Forest Service is responsible to protect under the Multiple-Use Sustained-Yield Act.

3. A conference was held September 7, 1989, in Driggs, Idaho. Both parties agreed to review an amended form of the application for transfer. Both applicant and protestant signed a stipulation for entry of proposed decision without a hearing. The amended application was reviewed by USFS personnel and the protest was left in place.

MEMORANDUM DECISION AND ORDER

4. The stream ceases to flow at the present point of diversion beginning in the latter part of July or early August, and remains dry for the remainder of the irrigation season. The applicant submitted information showing that the stream did not dry up in 1930.

5. The stream at the proposed new point of diversion has been measured in August by USFS personnel to still have a flow of approximately 0.33 cubic feet per second.

6. The applicant does not intend to divert a total of more than the original 2.00 cubic feet per second. The applicant will limit diversion from the upper point of diversion to 0.33 cubic feet per second from July 1 to August 31 of each season.

7. The USFS has not recorded water rights for use in the area of the application but protests on the basis of its management responsibility under the National Environmental Policy Act (NEPA). In addition, the applicants lack an approved Special Use Permit from the Forest Service.

8. Forest Service personnel have not assessed the flow requirements or flows available to maintain riparian vegetation.

9. The applicants must reduce the number of acres irrigated under this right to compensate for an out of season diversion of 0.05 cfs to the recreational pond. A continuous diversion of 0.05 cfs over the period from October 1 through May 1 will result in total storage diversion of 18.0 acre-feet of water.

10. In the Teton Basin, the duty of water is approximately 3.0 acre-feet per acre of irrigated land.

MEMORANDUM DECISION AND ORDER

11. The applicants must reduce their irrigated acreage by 6 acres. The applicants have identified the SW1/4SW1/4 of Section 23, T3N, R45E, B.M. as the place of use which should be reduced.

12. The priority of the recreational use must be advanced to the date the application for transfer was filed.

CONCLUSIONS OF LAW

1. Section 42-222 of the Idaho Code (1989 Supp.) provides that ". . . the director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole or in part, or upon conditions (emphasis added), provided water rights are not injured thereby, the change does not constitute an enlargement in use of the original right and the change is in the local public interest as defined in Section 42-203A, Idaho Code."

2. The change in point of diversion seeks to add a second point to divert a specific amount of water which in conjunction with the original point of diversion will not exceed a diversion rate of 2.00 cubic feet per second.

3. Diversion from the proposed upper point of diversion will result in use of water for an additional one to two months beyond the period when water has traditionally been available. The extension of water availability is an enlargement of use unless the transfer is specifically conditioned to prevent enlargement.

4. The total volume of water diverted must be limited to the volume traditionally diverted from the old point of

MEMORANDUM DECISION AND ORDER

diversion.

5. The date of priority for the new point of diversion and the 0.33 cfs diverted from it must be changed to November 2, 1989, the date the amended transfer was filed, to avoid possible injury to other water rights.

6. The right changed by this transfer must be subject to any recorded, reserved or beneficial use rights with earlier dates of priority.

7. To prevent an enlargement of use, the acreage irrigated must be reduced by 6 acres, and the recreation use priority advanced to November 2, 1989, the date the amended transfer was filed.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Transfer of Decree 22-00683 is APPROVED subject to the following conditions:

1. A special use permit must be obtained from the U.S. Forest Service prior to construction of the new point of diversion.

2. The combined rate of diversion from the old and new points of diversion shall not exceed 2.0 cfs.

3. No more than 0.33 cubic feet per second can be diverted from the new point of diversion between July 1 and August 31 of each year.

MEMORANDUM DECISION AND ORDER

4. The total volume of water diverted from the two points of diversion approved by this transfer shall be limited to the volume traditionally diverted from the old point of diversion.

5. The priority date for that portion of the right diverted from the new point of diversion is November 2, 1989.

6. The priority date for the wintertime recreational use is November 2, 1989.

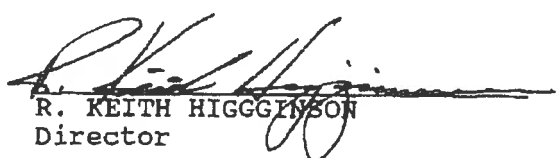
7. The right changed by this transfer shall be subject to any established water rights with earlier dates of priority.

8. Use of water under this permit is subject to control by the watermaster of Water District 01, Snake River.

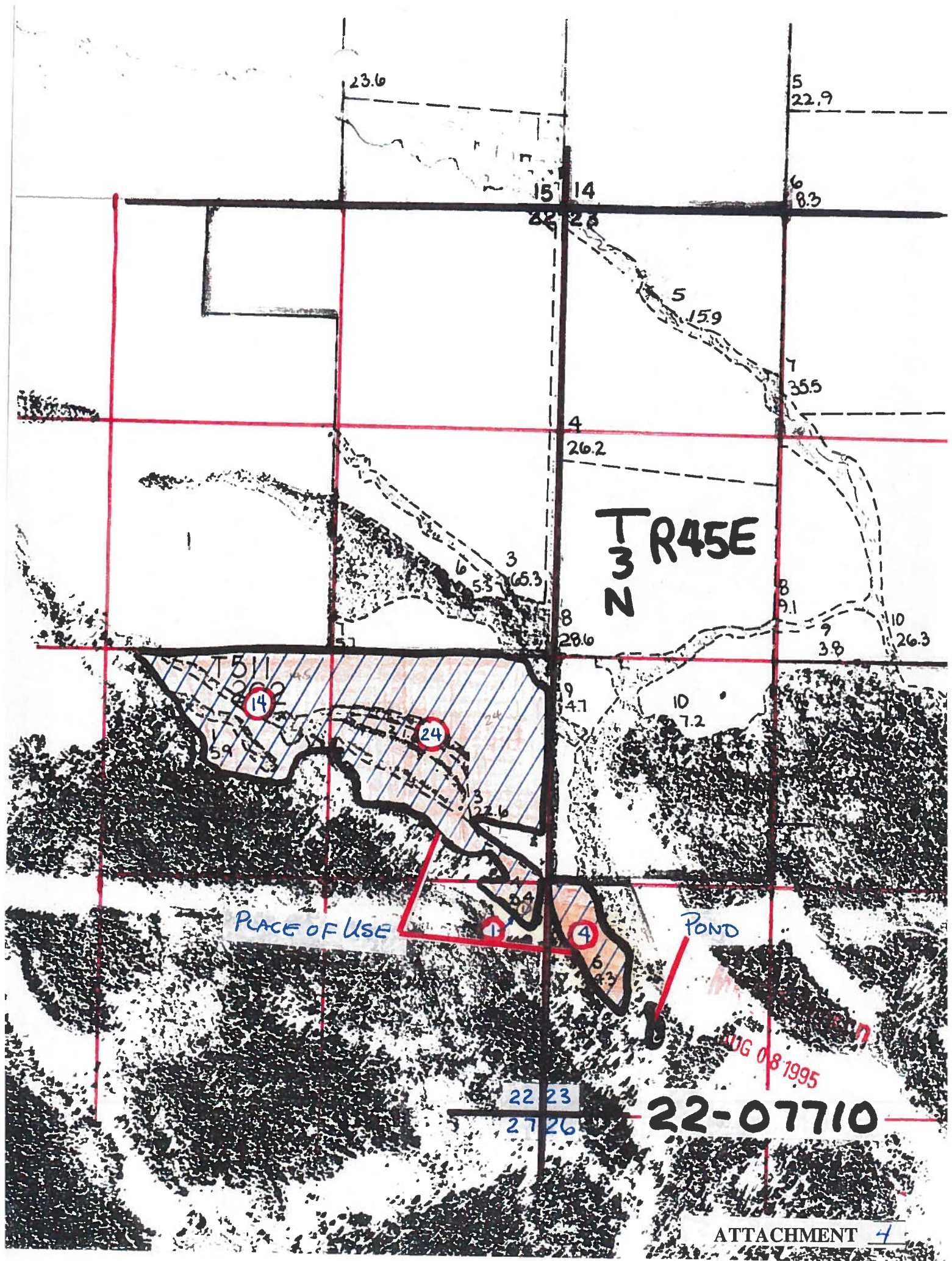
9. The place of use pursuant to this application for transfer is as follows:

T3N, R45E	Section 22	NE1/4SE1/4	38	acres
		NW1/4SE1/4	28	acres
		SE1/4SE1/2	3.4	acres
T3N, R45E	Section 23	SW1/4SW1/4	6	acres
	Total Number of acres irrigated			- 79.4

Dated this 6th day of NOVEMBER, 1990.


R. KEITH HIGGINSON
Director

MEMORANDUM DECISION AND ORDER



TR45E
3
N

PLACE OF USE

POND

22-07710

ATTACHMENT 4

AUG 08 1995

ATTACHMENT 5



Idaho Department of Water Resources

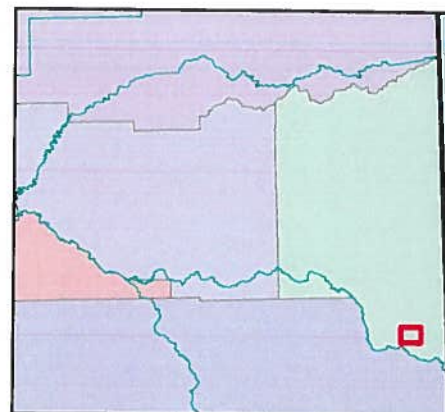
Adjudication Recommendation

22-13915

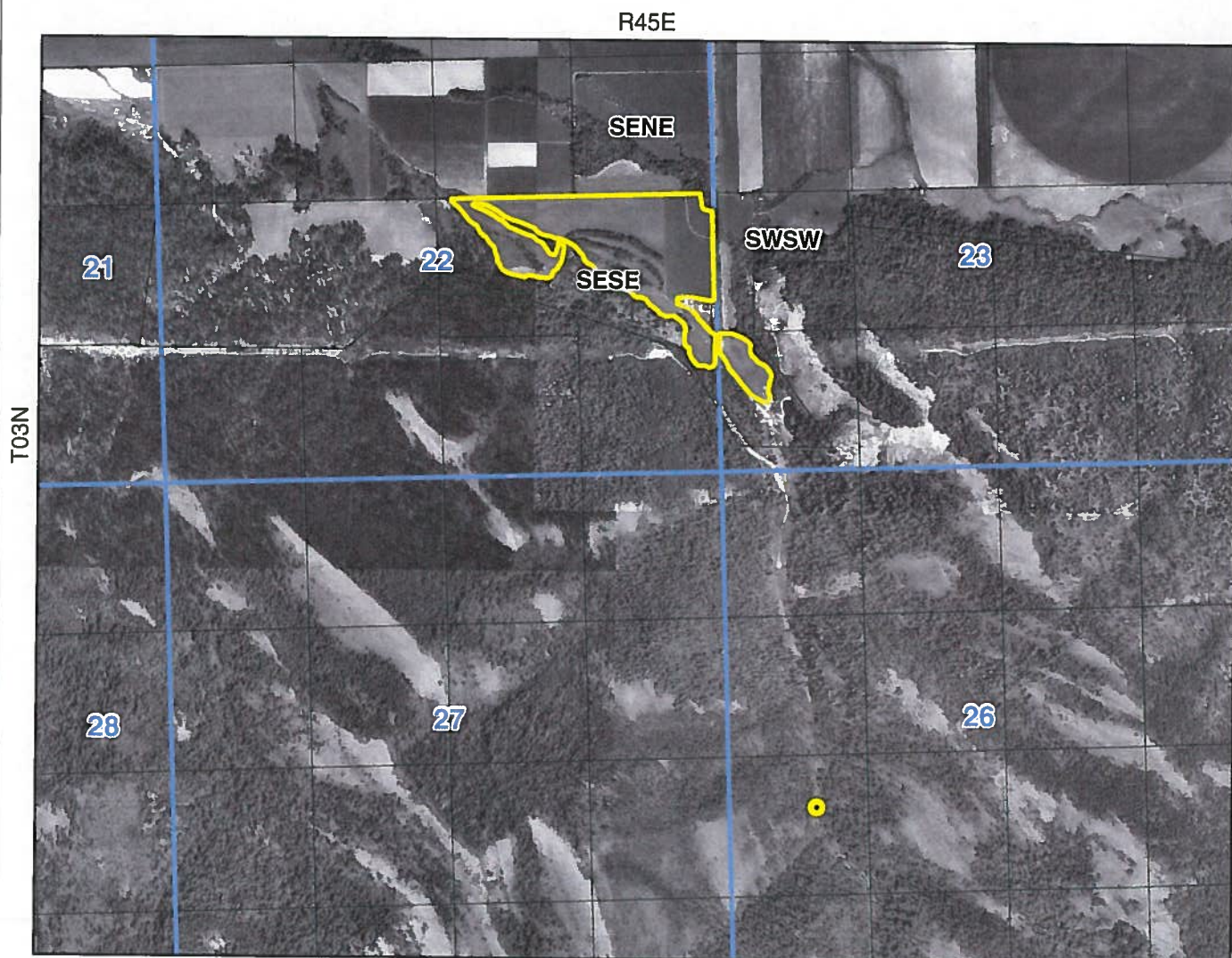
(IRRIGATION)

Legend

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



Teton County
IDWR Basin 22



Prepared by Ernie Carlsen
On March 10, 2009
1992 Aerial Photography

0 0.3 0.6 1.2 Miles

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

RIGHT NUMBER: 22-683B

NAME AND ADDRESS:

RICHARD HOWARD GEBHARD
PO BOX 168
VICTOR ID 83455

SOURCE:

Source:

POLE CREEK

Tributary:

SINKS

QUANTITY:

0.100 CFS

~~0.250 CFS~~

The rights listed below are limited to a total combined diversion rate of 2.00 cfs.
Combined Right Nos.: 22-683A, 22-683B and 22-13915.

The quantity of water under this right for stockwater use shall not exceed 13,000
gallons per day.

~~The quantity of water under this right for stockwater use shall not exceed 13,000
gallons per day.~~

PRIORITY DATE:

10/22/1901

POINT OF DIVERSION:

T03N R45E S26 Lot 4 SWNNWNW

Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/15 10/31	<u>0.100 CFS</u>
		0.250 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

IRRIGATION within TETON County
T03N R45E S23 SWSW 4.0

STOCKWATER within TETON County
T03N R45E S23 SWSW

4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 47.8 acres in a
single irrigation season. Combined Right Nos.: 22-683A, 22-683B and 22-13915.

Place of use does not include federal public lands.

~~The place of use lies within Homestead Entry Survey No. 253, Tract B.~~

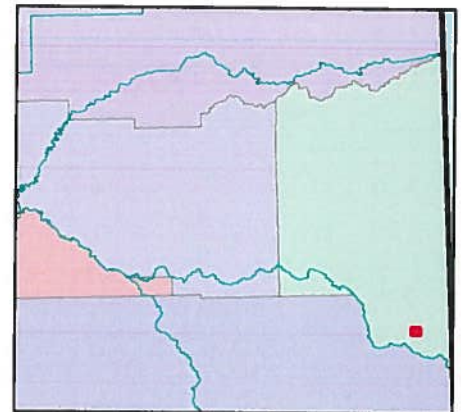


Idaho Department of Water Resources

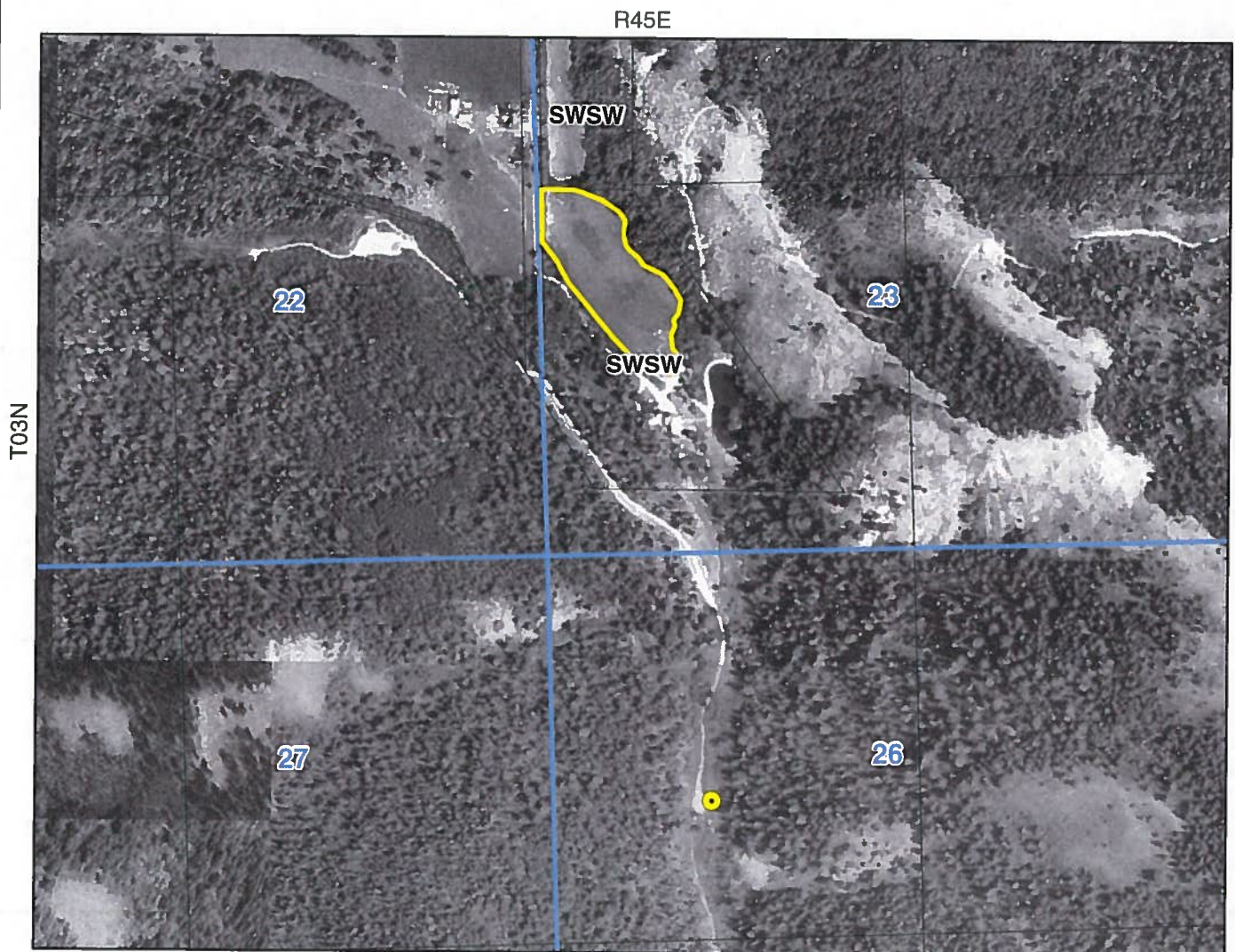
Adjudication Recommendation 22-683B (IRRIGATION)

Legend

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



Teton County
IDWR Basin 22



Prepared by Ernie Carlsen
On March 10, 2009
1992 Aerial Photography

0 0.125 0.25 0.5 Miles

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

RIGHT NUMBER: 22-683A

NAME AND ADDRESS:

GARY W GRANDY
1076 S 100 W
VICTOR ID 83455

LA VON G GRANDY
1076 S 100 W
VICTOR ID 83455-5446

SOURCE:

Source:
POLE CREEK

Tributary:
SINKS

QUANTITY:

1.750 CFS

~~1.080 CFS~~

The rights listed below are limited to a total combined diversion rate of 2.00 cfs.
Combined Right Nos.: 22-683A, 22-683B and 22-13915.

PRIORITY DATE:

10/22/1901

POINT OF DIVERSION:

T03N R45E S26 Lot 4 SWNW

Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/15 10/31

1.750 CFS

~~04/01 10/31~~

~~1.080 CFS~~

PLACE OF USE:

IRRIGATION

within TETON County

~~T03N R45E S22 46.0~~

~~T03N R45E S22 16.0~~

T03N R45E S22 NESE 29.0

T03N R45E S22 NWSE 13.0

T03N R45E S22 SESE 1.8

43.8 ACRES TOTAL

~~62 ACRES TOTAL~~

The rights listed below are limited to the irrigation of a combined total of 47.8 acres in a
single irrigation season. Combined Right Nos.: 22-683A, 22-683B and 22-13915.

The rights listed below are limited to the irrigation of a combined total of 52.8 acres in a
single irrigation season. Combined Right Nos.: 22-683A, 22-2279 and 22-13915.

Place of use does not include federal public lands.

~~Right Nos. 22-683A and 22-2279 are limited to the irrigation of a combined total of 62
acres in a single irrigation season.
This right is limited to the irrigation of 46 acres within the place of use described above in
a single irrigation season.~~



Idaho Department of Water Resources

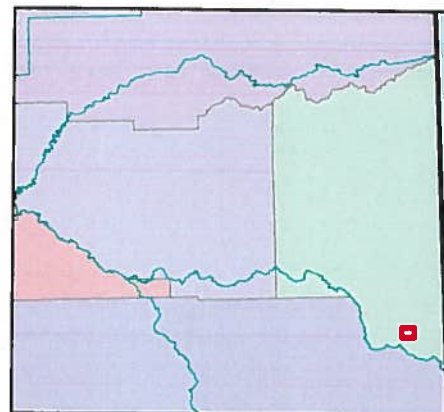
Adjudication Recommendation

22-683A

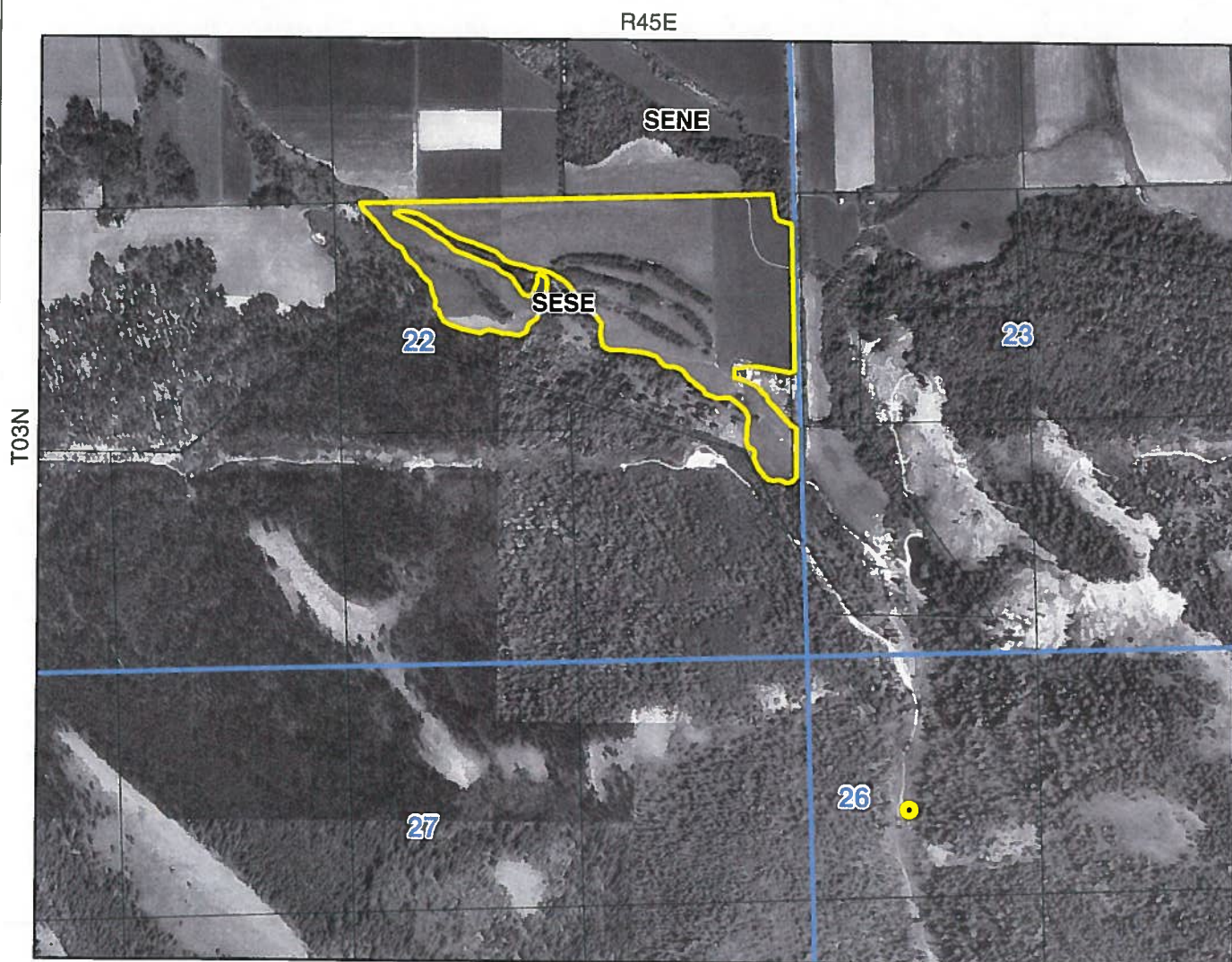
(IRRIGATION)

Legend

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



Teton County
IDWR Basin 22



Prepared by Ernie Carlsen
On March 10, 2009
1992 Aerial Photography

0 0.2 0.4 0.8 Miles

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

RIGHT NUMBER: 22-2279

NAME AND ADDRESS:

GARY W GRANDY
1076 S 100 W
VICTOR ID 83455

LA VON G GRANDY
1076 S 100 W
VICTOR ID 83455-5446

SOURCE:

Source:
BIG SPRINGS

Tributary:

LITTLE WARM CREEK ~~PINE CREEK~~

Source:
FOREST SPRING

Tributary:

LITTLE WARM CREEK ~~PINE CREEK~~

QUANTITY: 0.520 CFS

PRIORITY DATE: 09/09/1966

POINT OF DIVERSION:

~~T03N R45E S22 SESESW~~
~~Within TETON County~~

T03N R45E S22 Lot 4 NESESW Within TETON County

T03N R45E S22 NENWSE Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION 06/01 10/31 0.520 CFS

The use of water for irrigation under this right may begin as early as April 15, provided other elements of the right are not exceeded. The use of water before June 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

IRRIGATION within TETON County

~~T03N R45E S22 NESW 10.9~~
~~T03N R45E S22 NWSW 5.1~~

T03N R45E S22 SESW 9.0

~~T03N R45E S22 NESE 29.7~~
~~T03N R45E S22 NWSE 15.1~~
~~T03N R45E S22 SESE 1.2~~

T03N R45E S22 SESE 13.0

22 ACRES TOTAL

~~62 ACRES TOTAL~~

Place of use does not include federal public lands.

The rights listed below are limited to the irrigation of a combined total of 52.8 acres in a single irrigation season. Combined Right Nos.: 22-683A, 22-2279 and 22-13915.

~~This right is limited to the irrigation of 26 acres within the place of use described above in a single irrigation season.~~



Idaho Department of Water Resources

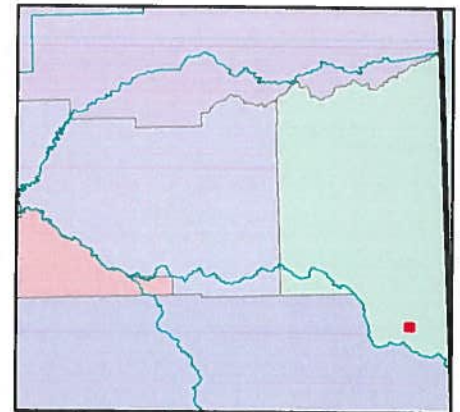
Adjudication Recommendation

22-2279

(IRRIGATION)

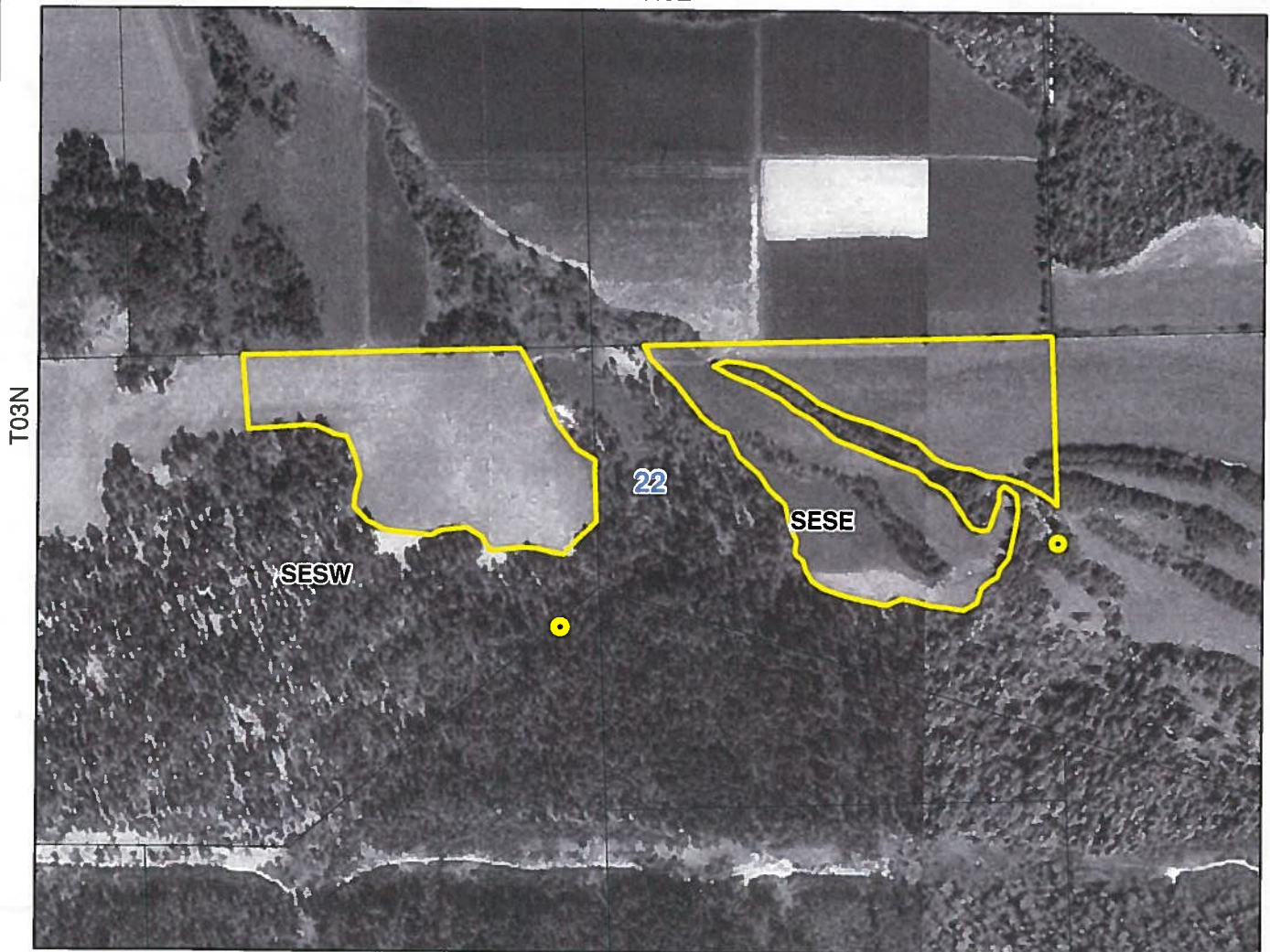
Legend

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



Teton County
IDWR Basin 22

R45E



Prepared by Ernie Carlsen
On March 10, 2009
1992 Aerial Photography

0 0.1 0.2 0.4 Miles

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: 22-683A & 22-2279

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party GRANDY- CRYSTAL SPRINGS LAND & CATTLE INC, KPW HOLDINGS LLC, RYMI INVESTMENTS LLC, RIF HOLDINGS 1 LLC, IGO INVESTMENTS 1 LLC, STILLWATER HOLDINGS LLC, GNJ PROPERTIES LLC, LANELLE PECK, TREVOR PECK, IDAHO INVESTMENT GROUP LLC, MICHAEL DODSON, CHERISE DODSON, PENSCO TRUST COMPANY CUSTODIAN FBO RICHARD WHITE, STOLY ASSOCIATES LC, W STEVEN GUNNELL, TRAVIS GUNNELL, ROBERT ELMER & GARY BLACK

☐ I.C. § 42-222 transfer

☐ point of diversion

☐ place of use

☐ period of use

☐ nature of use

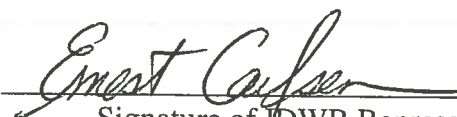
☐ split of water right

☐ 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: 11/17/09



Signature of IDWR Representative

SCANNED

NOV 17 2009

CERTIFICATE OF MAILING

I certify that on November 18, 2009, 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:
GARY GRANDY
LA VON GRANDY
1076 S 100 W
VICTOR ID 83455

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
CRYSTAL SPRINGS LAND & CATTLE INC KPW HOLDINGS LLC
4581 FORTUNA WAY 4581 FORTUNA WAY
SALT LAKE CITY, UT 84124 SALT LAKE, UT 84124

RYMI INVESTMENTS LLC RIF HOLDINGS 1 LLC
4581 FORTUNA WAY 4581 FORTUNA WAY
SALT LAKE CITY, UT 84124 SALT LAKE CITY, UT 84124

IGO INVESTMENTS 1 LLC STILLWATER HOLDINGS LLC
4581 FORTUNA WAY 4581 FORTUNA WAY
SALT LAKE CITY, UT 84124 SALT LAKE CITY, UT 84124

GNJ PROPERTIES LLC LANELLE PECK
4581 FORTUNA WAY 4581 FORTUNA WAY
SALT LAKE CITY, UT 84124 SALT LAKE CITY, UT 84124

IDAHO INVESTMENT GROUP LLC MICHAEL DODSON
4581 FORTUNA WAY 4581 FORTUNA WAY
SALT LAKE CITY, UT 84124 SALT LAKE CITY, UT 84124

PENSCO TRUST COMPANY CHERISE DODSON
CUSTODIAN FBO RICHARD WHITE 4581 FORTUNA WAY
4581 FORTUNA WAY SALT LAKE CITY, UT 84124
SALT LAKE CITY, UT 84124

STOLY ASSOCIATES LC W STEVEN GUNNELL
4581 FORTUNA WAY 4581 FORTUNA WAY
SALT LAKE CITY, UT 84124 SALT LAKE CITY, UT 84124

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record Continued:

ROBERT ELMER
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

TRAVIS GUNNELL
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

TREVOR PECK
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

GARY BLACK
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

4. One copy to:

Each party in the subcase, or attorney of record

CRYSTAL SPRINGS LAND & CATTLE
REPRESENTED BY:
ROBERT HARRIS
1000 RIVERWALK DR STE 200
PO BOX 50130
IDAHO FALLS ID 83405

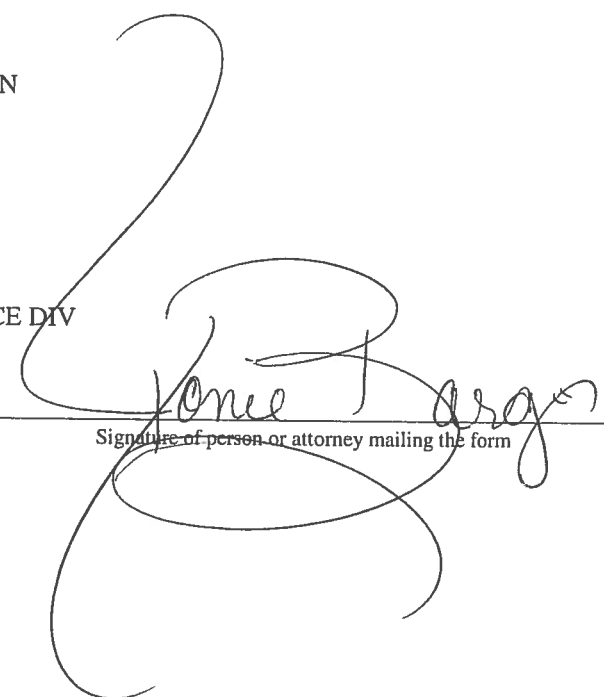
RICHARD HOWARD GEBHARD
REPRESENTED BY:
SEAN MOULTON
PO BOX 631
DRIGGS ID 83422

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

11/16/2009

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

RIGHT NUMBER: 22-683A

NAME AND ADDRESS: CRYSTAL SPRINGS LAND & CATTLE INC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

KPW HOLDINGS LLC
4581 FORTUNA WAY
SALT LAKE UT 84124

RYMI INVESTMENTS LLC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

RIF HOLDINGS 1 LLC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

IGO INVESTMENTS 1 LLC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

STILLWATER HOLDINGS LLC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

GNJ PROPERTIES LLC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

IDAHO INVESTMENT GROUP LLC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

PENSCO TRUST COMPANY
CUSTODIAN FBO RICHARD WHITE
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

STOLY ASSOCIATES LC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

TREVOR PECK
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

LANELLE PECK
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

MICHAEL DODSON
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

W STEVEN GUNNELL
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

SCANNED

NOV 17 2009

SALT LAKE CITY UT 84124

TRAVIS GUNNELL
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

GARY BLACK
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

ROBERT ELMER
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

CHERISE DODSON
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

SOURCE: POLE CREEK

TRIBUTARY: SINKS

QUANTITY: 1.750 CFS

The rights listed below are limited to a total combined diversion rate of 2.00 cfs. Combined Right Nos.: 22-683A, 22-683B and 22-13915.

PRIORITY DATE: 10/22/1901

POINT OF
DIVERSION:

T03N R45E S26 SWNNWN Lot 4 Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	1.750 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T03N R45E S22 NESE	29.00	T03N R45E S22 NWSE 13.00
	T03N R45E S22 SESE	1.80	
	43.8 ACRES TOTAL		

Place of use does not include federal public lands.

47.8

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-683A, 22-683B and 22-13915.

52.8

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-683A, 22-2279 and 22-13915.

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

Property is also known as Homestead Entry Survey No. 253 Tracts A.

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.

SCANNED

NOV 17 2009

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

SCANNED

NOV 17 2009

11/16/2009

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

RIGHT NUMBER: 22-2279

NAME AND ADDRESS: LANELLE PECK
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

MICHAEL DODSON
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

W STEVEN GUNNELL
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

TRAVIS GUNNELL
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

GARY BLACK
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

KPW HOLDINGS LLC
4581 FORTUNA WAY
SALT LAKE UT 84124

TREVOR PECK
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

CHERISE DODSON
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

CRYSTAL SPRINGS LAND & CATTLE INC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

RYMI INVESTMENTS LLC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

RIF HOLDINGS 1 LLC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

IGO INVESTMENTS 1 LLC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

STILLWATER HOLDINGS LLC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

GNJ PROPERTIES LLC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

SCANNED

NOV 17 2009

IDAHO INVESTMENT GROUP LLC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

PENSCO TRUST COMPANY
CUSTODIAN FBO RICHARD WHITE
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

STOLY ASSOCIATES LC
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

ROBERT ELMER
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

SOURCE: BIG SPRINGS
FOREST SPRING

TRIBUTARY: LITTLE WARM CREEK
TRIBUTARY: LITTLE WARM CREEK

QUANTITY: 0.520 CFS

PRIORITY DATE: 09/09/1966

POINT OF
DIVERSION:

T03N R45E S22 SENESW Lot 4 Within TETON County
T03N R45E S22 NENWSE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	06/01 10/31	0.520 CFS
The use of water for irrigation under this right may begin as early as April 15, provided other elements of the right are not exceeded. The use of water before June 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION in TETON County

T03N R45E S22	SESW	9.00	T03N R45E S22	SESE	13.00
22 ACRES TOTAL					

Place of use does not include federal public lands.

52.8

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-683A, 22-2279 and 22-13915.

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

Property is also known as Homestead Entry Survey Nos. 252 and 253 Tract A.

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.

NOV 17 2009



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

November 16, 2009

CRYSTAL SPRINGS LAND & CATTLE INC
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

KPW HOLDINGS LLC
4581 FORTUNA WAY
SALT LAKE, UT 84124

RYMI INVESTMENTS LLC
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

RIF HOLDINGS 1 LLC
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

IGO INVESTMENTS 1 LLC
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

STILLWATER HOLDINGS LLC
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

GNJ PROPERTIES LLC
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

MICHAEL DODSON
CHERISE DODSON
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

IDAHO INVESTMENT GROUP LLC
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

W STEVEN GUNNELL
TRAVIS GUNNELL
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

PENSCO TRUST COMPANY
CUSTODIAN FBO RICHARD WHITE
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

GARY BLACK
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

STOLY ASSOCIATES LC
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

TREVOR PECK
LANELLE PECK
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

ROBERT ELMER
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

RE: Notice of Change of Water Right Ownership (NCO) for 22-683A, 22-13915, 22-2279 and
Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

The Idaho Department of Water Resources (IDWR) acknowledges receipt of 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.

SCANNED

NOV 17 2009

MEMORANDUM

DATE: 11/17/09

TO:

FROM: Jonie Barg

RE: Change of Ownership 22-7658, 22-7037, 22-7710, 22-683A, 22-13915 & 22-2279

The department received an ownership change for the above listed water rights changing the ownership to add approximately 18 owners to the above listed water rights. During this change it was discovered that the address for all fifteen owners had been listed as the same. In order to update the department's records correctly, on November 9, 2009, I contacted Rob Harris's office to make sure that was the intention. Cheri took a message. On November 16, 2009 I received a phone call from Rob Harris. Mr. Harris asked that the department list the address for all the separate entities as the address on the most current deed which is:

4581 Fortuna Way
Salt Lake City UT 84124

SCANNED

NOV 17 2009



Holden Kidwell
Hahn & Crapo P.L.L.C.
L A W O F F I C E S

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

E-mail: rharris@holdenlegal.com

September 30, 2009

Ernie Carlsen
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

RECEIVED

OCT 01 2009

Department of Water Resources
Eastern Region

Re: Notice of Change of Water Right Ownership for Crystal Springs Land & Cattle, et al.

Dear Ernie:

Enclosed please find a completed Notice of Change of Water Right Ownership and its associated documents. Because the water rights are still in the name of Gary & LaVon Grandy, we have obtained a chain of title back to when they owned the property previous to them conveying it to the Triangle G Trust. The Triangle G Trust then conveyed the property in various percentages to approximately 18 entities and individuals. That deed is dated October 12, 2007. Then, on June 4, 2008, there was a reallocation of percentages among the entities. I have enclosed a spreadsheet that shows the current ownership percentages. This does not appear to be necessary for your purposes, but I wanted to ensure that we were clear on the transaction that occurred. I therefore anticipate that there will be 18 owners of the water rights listed.

Additionally, we note that three of the water rights were either licensed or have already received a Partial Decree. Therefore, we have enclosed \$25.00 per water right, for a total of \$75.00. The other three water rights remain pending before the SRBA Court, and therefore, are exempt from the filing fee.

I am forwarding this to you because of your involvement with these water rights, and in particular, Water Right No. 22-13915. Given your involvement, I have not provided a map, as you surely have a map depicting the place of use. None of the water rights will be split, as they were all entirely a part of the original Grandy property.

If you have any questions or concerns, please let me know. With the Notice of Change of Ownership filed, I anticipate an NCAP will be filed with the SRBA Court.

SCANNED

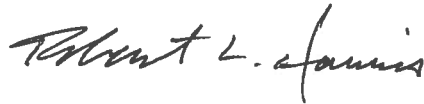
Established in 1896

NOV 17 2009

Ernie Carlsen
Idaho Department of Water Resources
September 30, 2009
Page 2 of 2

Thereafter, I would anticipate SF5s to be circulated amongst the parties. I appreciate your assistance with this matter.

Best Regards,



Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

G:\WPDATA\RLH\13812 Crystal Springs\01 Triangle G Ranch\Ernie Carlsen ltr 093009 wpd cdv

SCANNED

NOV 17 2009

Δ EV

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

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

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
WR 22-7658 OK	22-683A OK				
WR 22-7037 OK	22-1391 OK				
WR 22-7710 OK	22-2279 OK				

RECEIVED
OCT 01 2009
Department of Water Resources
Eastern Region

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 rights(s) or claims(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 your water rights(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 Gary & LaVon Grandy
1076 S. 100 W., Victor, ID 83455
4. New Owner/Claimant(s) Crystal Springs Land & Cattle Co.; KPW Holdings, LLC; RYMI Investments, LLC; RIF Holdings 1, LLC; IGO Investments 1, LLC; Stillwater Holdings, LLC; GNJ Properties, LLC; Idaho Investment Group, LLC; PENSICO Trust Company Custodian FBO Richard A. White IRA AH1AK; Stoyl Associates, L.C.; Robert B. Elmer; Trevor D. & Lanelle A. Peck; Michael & Cherise Dodson; W. Steven & Travis Gunnell; Gary Black
 Name connector (check one): [☒] and [☐] or, [☐] and/or
- New Mailing Address 343 E. 500 S.
- City, State and ZIP Code Salt Lake City, UT 84111

SCANNED

NOV 17 2009

New Telephone Number 801-578-55115. Date you acquired the property June 4, 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 Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock,
Water right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attached a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

7. Signature of New Owner(s) Or Claimant(s) Robert L. Harris
(include title if applicable)

ATTORNEY FOR CRYSTAL SPRINGS LAND & CATTLE

For IDWR Office Use Only

Received by BML Date 10/1/09 Fee \$175
 Receipted by BML Date 10/1/09 Receipt No. E035 380
 Processed by _____ Date _____ WR _____ Date _____

SCANNED

NOV 17 2009

RECORDING REQUESTED BY
First American Title Company

198286 JUN 17 08 PM 4 02

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 198286
TETON COUNTY, IDAHO
6-17-2008 04:02:00 No. of Pages: 15
Recorded for: FIRST AMERICAN TITLE
MARY LOU HANSEN Fee: 45.00
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 252747-T (tm)

Date: June 04, 2008

For Value Received, **KPW Holdings, LLC**, a Washington limited liability company, as to an undivided 8.41% interest, **Robert B. Elmer**, a married man, as to an undivided 1.42% interest, **Trevor D. Peck and Lanelle A. Peck**, husband and wife, as to an undivided .96% interest, **RYMI Investments, LLC**, an Arizona limited liability company, as to an undivided 1.18% interest, **IGO Investments I, LLC**, an Arizona limited liability company, as to an undivided .44% interest, **Michael Dodson and Cherise Dodson**, husband and wife, as to an undivided 2.24% interest, **Stillwater Holdings, LLC**, an Arizona limited liability company, as to an undivided 7.95% interest, **GNJ Properties, LLC**, an Arizona limited liability company, as to an undivided 4.18% interest and **Idaho Investment Group, LLC**, an Arizona limited liability company, as to an undivided 1.27% interest, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Crystal Springs Land & Cattle Co., Inc.**, a Utah corporation, as to an undivided 6.94% interest and **Stoly Associates, L.C.**, a Utah limited liability company, as to an undivided 21.11% interest, hereinafter called the Grantee, whose current address is **4581 Fortuna Way, Salt Lake City, UT 84124**, the following described premises, situated in **Teton County, Idaho**, to-wit:

TRACT 1:

Beginning at the quarter corner between section 21 and 22, Township 3 North, Range 45 East Boise Meridian as corner No. 1. Thence South 89 degrees 37 minutes East 720.0 feet, thence South 1355.79 feet, thence North 87 degrees 44 minutes West 920.41 feet, thence North 8 degrees 41 minutes East 20.54 chains to the point of beginning. EXCLUDED THEREFROM a tract in the Northwest quarter of the Southwest quarter of section 22, beginning at a point 532 feet East of the West quarter corner of section 22, thence 50 feet South, Thence 50 feet East, Thence 50 Feet North, Thence 50 Feet West to the point of beginning.

TRACT 2:

Beginning at a point 1040.0 feet South 89°37' east from the quarter corner between section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1, thence South 89°37' East 320.00 feet, thence South 1,380.95 feet, thence North 87°44' West 320.25 feet, thence North 1,360.37 feet to the point of beginning.

Together with an access road easement of 20 feet width, beginning at a point from which the quarter corner between Section 22 and 23, Township 3 North, Range 45 East, B.M. bears South 89°37' West 0.50 chain, thence North 89°37' West 39.63 chains.

TRACT 3:

SCANNED

NOV 17 2009

Date: 06/04/2008

Warranty Deed
- continued

File No.: 252747-T (tm)

Beginning at a point 720.0 feet South 89°37' East from the quarter corner between Section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1, thence South 89°37' East 320.0 feet, thence South 1368.37 feet, thence North 87°44' West 320.25 feet, thence North 1355.79 feet to the point of beginning.

Subject to a Right of Way on North boundary and 20.0 feet wide beginning at a point 720.0 feet South 89°37' East from the quarter corner between Section 21 and 22, Township 3N, Range 45 East B.M., thence South 89°37' East 320.0 feet.

TRACT 4:

Beginning at a point 2,138.58 feet South 89°37' East from the quarter corner between Section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1, thence South 89°37' East 510.00 feet, thence South 10.40 chains, thence South 52°West 647.2 feet, thence North 1,084.88 feet to the point of beginning.

Together with an access road easement of 20 feet width, beginning at a point from which the quarter corner between Section 22 and 23, Township 3 North, Range 45 East, B.M. bears South 89°37' West 0.50 chain, thence North 89°37' West 39.63 chains.

Subject to a right of way for use by all described property owners. Right of way on North boundary line and 20.0 feet wide with the center line described as follows: Beginning at a point 10.0 feet South from the quarter corner between Section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1 and running thence South 89°37' East 40.13 chains.

TRACT 5:

H.E. Survey #253, comprising Tract "A" embracing a portion of Section 22 in Township 3 North of Range 45 East of the Boise Meridian, Idaho, more particularly bounded and described as follows: Beginning for the description of Tract "A" at corner No. 1, from which the quarter corner to said Sections 22 and 23 bears South 89°37' East 0.50 of a chain distant thence North 89°37' West 39.63 chains to corner No. 2; thence South 10.40 chains to corner No. 3; thence, South 70°57' East 37.12 chains to Corner No. 4; thence South 28°30' East 8.70 chains to corner No. 5; thence North 41° East 29.95 chains to corner No. 1, the place of beginning; in Section 22, and is designated by U.S. Land Offices a Tract A.

Also subject to an access road easement of 20 feet width beginning at a point from which the quarter corner between Section 22 and 23, Township 3 North Range 45 East, B.M., bears South 89°37' West 0.50 chains; thence North 89°37' West 39.63 chains.

TRACT 6:

Beginning at a point 1360.0 feet South 89°37' East from the quarter corner between Section 21 and 22 Township 3 North, Range 45 East B.M. as corner No. 1, thence South 89°37' East

SCANNED

NOV 17 2009

Date: 06/04/2008

Warranty Deed
- continued

File No.: 252747-T (tm)

778.58 feet, thence South 1084.88 feet, thence South 52°West 505.16 feet, thence North 87°44' West 380.81 feet, thence North 1380.95 feet to the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

SCANNED

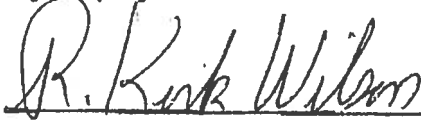
NOV 17 2009

Date: 06/04/2008

Warranty Deed
- continued

File No.: 282747-T (tm)

KPW Holdings, LLC, a Washington limited
liability company



By: R. Kirk Wilson, Managing Member



By: Paula G. Wilson, Managing Member

Trevor D. Peck

RYMI Investments, LLC, an Arizona limited
liability company

By: Keith Wilson, Member

Michael Dodson

Stillwater Holdings, LLC, an Arizona limited
liability company

By: Robert B. Elmer, Member

By: Gregory D. Barlow, Member

Idaho Investment Group, LLC, an Arizona
limited liability company

Robert B. Elmer

Lanette A. Peck

IGO Investments I, LLC, an Arizona limited
liability company

By: Robert B. Elmer, Manager

Cherise Dodson

GNJ Properties, LLC, an Arizona limited
liability company

By: Jeff D. Jenson, Member

SCANNED

NOV 17 2009

Date: 06/04/2008

Warranty Deed
- continued

File No.: 252747-T (tm)

KPW Holdings, LLC, a Washington limited liability company

By: R. Kirk Wilson, Managing Member

By: Paula G. Wilson, Managing Member

Trevor D. Peck

RYMI Investments, LLC, an Arizona limited liability company

By: Keith Wilson, Member

Michael Dodson

Stillwater Holdings, LLC, an Arizona limited liability company

By: Robert B. Elmer, Member

By: Gregory D. Barlow, Member

Idaho Investment Group, LLC, an Arizona limited liability company

Robert B. Elmer

Lanelle A. Peck

IGO Investments I, LLC, an Arizona limited liability company

By: Robert B. Elmer, Manager

Cherise Dodson

GNJ Properties, LLC, an Arizona limited liability company

By: Jeff D. Jenson, Member

Date: 06/04/2008

Warranty Deed
- continued

File No.: 252747-T (tm)

KPW Holdings, LLC, a Washington limited liability company

Robert B. Elmer

Lanelle A. Peck

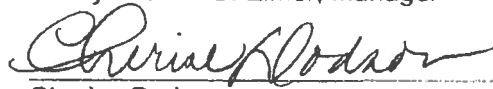
By: R. Kirk Wilson, Managing Member

IGO Investments I, LLC, an Arizona limited liability company

By: Paula G. Wilson, Managing Member

By: Robert B. Elmer, Manager

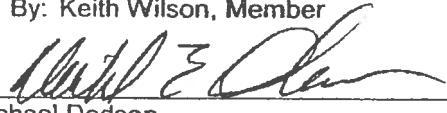
Trevor D. Peck


Cherise Dodson

RYMI Investments, LLC, an Arizona limited liability company

GNJ Properties, LLC, an Arizona limited liability company

By: Keith Wilson, Member


Michael Dodson

By: Jeff D. Jenson, Member

Stillwater Holdings, LLC, an Arizona limited liability company

By: Robert B. Elmer, Member

By: Gregory D. Barlow, Member

Idaho Investment Group, LLC, an Arizona limited liability company

Date: 06/04/2008

Warranty Deed
- continued

File No.: 282747-T (bm)

By: Jeff D. Jenson, Member

STATE OF Washington
COUNTY OF Snohomish)
ss.
)

On this 10th day of June, 2008, before me, a Notary Public in and for said State, personally appeared R. Kirk Wilson and Paula G. Wilson, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the KPW Holdings, LLC, a Washington limited liability company, which is known or identified to me to be the entity whose name is subscribed to the within Instrument and acknowledged to me that they executed the same in said Limited Liability Company's name.

Notary Public
State of Washington
KARA V SIEMAS
My Appointment Expires Dec 10, 2011

[Signature]
Notary Public of
Residing at: Bellingham WA
Commission Expires: 12/10/2011

STATE OF

)
ss.
)

COUNTY OF

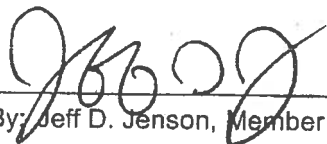
On this _____ day of June, 2008, before me, a Notary Public in and for said State, personally appeared Keith Wilson, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the RYMI Investments, LLC, an Arizona limited liability company, which is known or identified to me to be the entity whose name is subscribed to the within Instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.

Notary Public of
Residing at:
Commission Expires:

Date: 06/04/2008

Warranty Deed
- continued

File No.: 252747-T (tm)


By: Jeff D. Jenson, Member

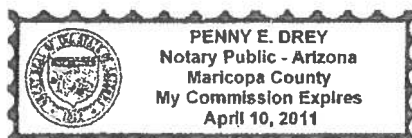
STATE OF)
SS.
COUNTY OF)

On this ____ day of June, 2008, before me, a Notary Public in and for said State, personally appeared **R. Kirk Wilson and Paula G. Wilson**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **KPW Holdings, LLC, a Washington limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that they executed the same in said Limited Liability Company's name.

Notary Public of
Residing at:
Commission Expires:

STATE OF Arizona)
SS.
COUNTY OF Maricopa)

On this 9th day of June, 2008, before me, a Notary Public in and for said State, personally appeared **Keith Wilson**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **RYMI Investments, LLC, an Arizona limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.




Notary Public of Maricopa County
Residing at: State of Arizona
Commission Expires: April 10 2011

SCANNED

NOV 17 2009

STATE OF Arizona)
)
COUNTY OF Maricopa)
)
SS.

On this 9th day of June, 2008, before me, a Notary Public in and for said State, personally appeared **Robert B. Elmer and Gregory D. Barlow**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Stillwater Holdings, LLC**, an **Arizona limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within Instrument and acknowledged to me that they executed the same in said Limited Liability Company's name.

Gregory D. Barlow
Notary Public of Maricopa County
Residing at: Arizona
Commission Expires: April 10, 2011

Page 6 of 9

Page 10 of 10

SCANNED

NOV 17 2009

Date: 06/04/2008

Warranty Deed
- continued

File No.: 252747-T (tm)

STATE OF

)
ss.

COUNTY OF

)

On this ___ day of June, 2008, before me, a Notary Public in and for said State, personally appeared Robert B. Elmer, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the IGO Investments I, LLC, an Arizona limited liability company, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.

Notary Public of
Residing at:
Commission Expires:

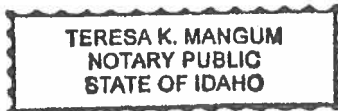
STATE OF Idaho

)
ss.

COUNTY OF Teton

)

On this 13 day of June, 2008, before me, a Notary Public in and for said State, personally appeared Robert B. Elmer and Gregory D. Bellow, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the Stillwater Holdings, LLC, an Arizona limited liability company, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that they executed the same in said Limited Liability Company's name.



Teresa K. Mangum

Notary Public of Idaho
Residing at: Duggs
Commission Expires: 07-24-09

SCANNED

NOV 17 2009

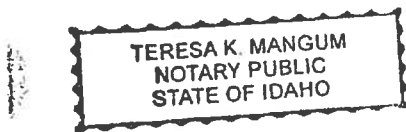
Date: 06/04/2008

Warranty Deed
- continued

File No.: 252747-T (tm)

STATE OF Idaho)
)
) SS.
COUNTY OF Teton)

On this 13 day of **June, 2008**, before me, a Notary Public in and for said State, personally appeared **Robert B. Elmer**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **IGO Investments I, LLC, an Arizona limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.



Teresa K. Mangum
Notary Public of Idaho
Residing at: Duggs
Commission Expires: 07-24-09

STATE OF)
) SS.
COUNTY OF)

On this ____ day of **June, 2008**, before me, a Notary Public in and for said State, personally appeared **Robert B. Elmer and Gregory D. Barlow**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Stillwater Holdings, LLC, an Arizona limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that they executed the same in said Limited Liability Company's name.

Notary Public of
Residing at:
Commission Expires:

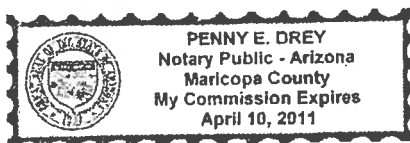
Date: 06/04/2008

Warranty Deed
- continued

File No.: 252747-T (tm)

STATE OF Arizona)
)
) SS.
COUNTY OF Maricopa)

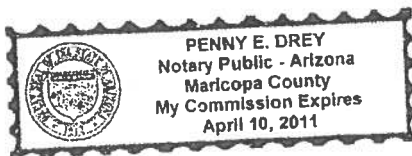
On this 9th day of June, 2008, before me, a Notary Public in and for said State, personally appeared **Jeff D. Jenson**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **GNJ Properties, LLC, an Arizona limited liability**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.



Penny E Drey
Notary Public of Maricopa County
Residing at: Arizona
Commission Expires: April 10, 2011

STATE OF Arizona)
)
) SS.
COUNTY OF Maricopa)

On this 9th day of June, 2008, before me, a Notary Public in and for said State, personally appeared **Jeff D. Jenson**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Idaho Investment Group, LLC, an Arizona limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.



Penny E Drey
Notary Public of Maricopa County
Residing at: Arizona
Commission Expires: April 10, 2011

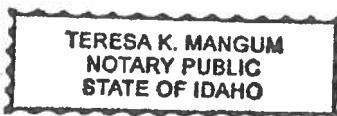
Date: 06/04/2008

Warranty Deed
- continued

File No.: 252747-T (tm)

STATE OF Idaho)
COUNTY OF Teton)
SS.

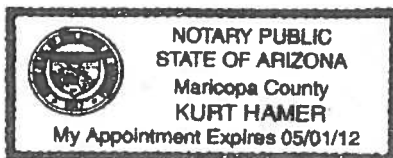
On this 13 day of June, 2008, before me, a Notary Public in and for said State, personally appeared **Robert B. Elmer**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Jessie K. Mangum
Notary Public for the State of Idaho
Residing at: Duggs
My Commission Expires: 07-24-09

STATE OF ARIZONA)
COUNTY OF MARICOPA)
SS.)

On this 10th day of June, 2008, before me, a Notary Public in and for said State, personally appeared **Trevor D. Peck and Lanelle A. Peck**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.




Notary Public for the State of ARIZONA
Residing at: GLENDALE, AZ
My Commission Expires: 5/1/12

STATE OF)
)
) SS.
COUNTY OF)

On this day of **June, 2008**, before me, a Notary Public in and for said State, personally appeared **Michael Dodson & Cherise Dodson**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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

SCANNED

NOV 17 2009

Date: 06/04/2008

Warranty Deed
- continued

File No.: 252747-T (tm)

STATE OF)
SS.
COUNTY OF)

On this ____ day of June, 2008, before me, a Notary Public in and for said State, personally appeared **Robert B. Elmer**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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

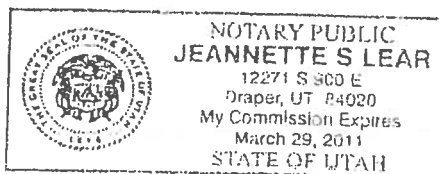
STATE OF)
SS.
COUNTY OF)

On this ____ day of June, 2008, before me, a Notary Public in and for said State, personally appeared **Trevor D. Peck and Lanelle A. Peck**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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

STATE OF *Utah*)
COUNTY OF *Salt Lake*)
SS.

On this 10 day of June, 2008, before me, a Notary Public in and for said State, personally appeared **Michael Dodson & Cherise Dodson**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Jeannette S Lear

Notary Public for the State of *Utah*
Residing at: *Draper Utah*
My Commission Expires: *03-29-2011*

Date: 06/04/2008

Warranty Deed
- continued

File No.: 252747-T (tm)

SCANNED

NOV 17 2009

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 193082

TETON COUNTY, IDAHO
2007-11-02 02:12:00 No. of Pages: 9
Recorded for: FIRST AMERICAN TITLE
MARY LOU HANSEN Fee: 27.00
Ex-Officio Recorder Deputy m. webster
Index to: DEED, WARRANTY

192839

1939 OCT 26 '07 PM 1 55

Instrument # 192839

TETON COUNTY, IDAHO
2007-10-26 01:55:00 No. of Pages: 7
Recorded for: FIRST AMERICAN TITLE
MARY LOU HANSEN Fee: 21.00
Ex-Officio Recorder Deputy [Signature]
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

BEING RERECORDED TO CORRECT LEGAL DESCRIPTION OF INSTRUMENT # 192839 SEE ATTACHED

File No.: **218356-T (tm)** CORRECTED LEGAL

Date: **October 12, 2007**

For Value Received, **Trenton G. Grandy, Shawna Marie Dayton NKA Shawna Marie Harper and Regan G. Grandy, Trustees of the Triangle G Trust**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Crystal Springs Land & Cattle Company, a Utah Corporation**, as to an undivided 26.39% interest, **KPW Holdings, LLC**, as to an undivided 16.69% interest, **RYMI Investments, LLC**, as to an undivided 2.34% interest, **RIF Holdings 1, LLC**, as to an undivided 2.88% interest, **IGO Investments 1, LLC**, as to an undivided 0.89% interest, **Stillwater Holdings, LLC**, as to an undivided 14.94% interest, **GNJ Properties, LLC**, as to an undivided 8.10% interest, **Idaho Investment Group, LLC**, as to an undivided 3.31% interest, **PENSCO Trust Company Custodian FBO Richard A. White IRA AH1AK**, as to an undivided 1.32% interest, **Stoyl Associates, L.C.**, a Utah Limited Liability Company, as to an undivided 12.22% interest, **Robert B. Elmer, a married man**, as to an undivided 2.67% interest, **Trevor D. Peck and Lanelle A. Peck, husband and wife**, as to an undivided 1.80% interest, **Michael Dodson, a married man**, as to an undivided 3.46% interest, **W. Steven and Travis Gunnell, husband and wife**, as to an undivided 1.83% interest and **Gary Black, a married man**, as to an undivided 1.16% interest, hereinafter called the Grantee, whose current address is **343 E 500 S., Salt Lake City, UT 84111**, the following described premises, situated in **Teton County, Idaho**, to-wit:

TRACT 1:

Beginning at the quarter corner between section 21 and 22, Township 3 North, Range 45 East Boise Meridian as corner No. 1. Thence South 89 degrees 37 minutes East 720.0 feet, thence South 1355.79 feet, thence North 87 degrees 44 minutes West 920.41 feet, thence North 8 degrees 41 minutes East 20.54 chains to the point of beginning. EXCLUDED THEREFROM a tract in the Northwest quarter of the Southwest quarter of section 22, beginning at a point 532 feet East of the West quarter corner of section 22, thence 50 feet South, Thence 50 feet North, Thence 50 Feet East to the point of beginning.

TRACT 2:

Beginning at a point 1040.0 feet South 89°37' east from the quarter corner between section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1, thence South 89°37' East 320.25 feet, thence North 1,380.95 feet, thence North 87°44' West 320.25 feet, thence North 1,360.37 feet to the point of beginning.

Together with an access road easement of 20 feet width, beginning at a point from which the quarter corner between Section 22 and 23, Township 3 North, Range 45 East, B.M. bears South 89°37' West 0.50 chain, thence North 89°37' West 39.63 chains.

SCANNED

NOV 17 2009

TRACT 3:

Beginning at a point 720.0 feet South 89°37' East from the quarter corner between Section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1, thence South 89°37' East 320.0 feet, thence South 1368.37 feet, thence North 87°44' West 320.25 feet, thence North 1355.79 feet to the point of beginning.

Subject to a Right of Way on North boundary and 20.0 feet wide beginning at a point 720.0 feet South 89°37' East from the quarter corner between Section 21 and 22, Township 3N, Range 45 East B.M., thence South 89°37' East 320.0 feet.

TRACT 4:

Beginning at a point 2,138.58 feet South 89°37' East from the quarter corner between Section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1, thence South 89°37' East 510.00 feet, thence South 10.40 chains, thence South 52° West 647.2 feet, thence North 1,084.88 feet to the point of beginning.

Together with an access road easement of 20 feet width, beginning at a point from which the quarter corner between Section 22 and 23, Township 3 North, Range 45 East, B.M. bears South 89°37' West 0.50 chain, thence North 89°37' West 39.63 chains.

Subject to a right of way for use by all described property owners. Right of way on North boundary line and 20.0 feet wide with the center line described as follows: Beginning at a point 10.0 feet South from the quarter corner between Section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1 and running thence South 89°37' East 40.13 chains.

TRACT 5:

H.E. Survey #253, comprising Tract "A" embracing a portion of Section 22 in Township 3 North of Range 45 East of the Boise Meridian, Idaho, more particularly bounded and described as follows: Beginning for the description of Tract "A" at corner No. 1, from which the quarter corner to said Sections 22 and 23 bears South 89°37' East 0.50 of a chain distant thence North 89°37' West 39.63 chains to corner No. 2; thence South 10.40 chains to corner No. 3; thence, South 70°57' East 37.12 chains to Corner No. 4; thence South 28°30' East 8.70 chains to corner No. 5; thence North 41' East 29.95 chains to corner No. 1, the place of beginning; in Section 22, and is designated by U.S. Land Offices a Tract A.

Also subject to an access road easement of 20 feet width beginning at a point from which the quarter corner between Section 22 and 23, Township 3 North Range 45 East, B.M., bears South 89°37' West 0.50 chains; thence North 89°37' West 39.63 chains.

TRACT 6:

Beginning at a point 1360.0 feet South 89°37' East from the quarter corner between Section

Date: 10/12/2007

Warranty Deed
- continued

File No.: 218356-T (tm)

21 and 22 Township 3 North, Range 45 East B.M. as corner No. 1, thence South 89°37' East 778.58 feet, thence South 1084.88 feet, thence South 52°West 505.16 feet, thence North 87°44' West 380.81 feet, thence North 1380.95 feet to the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 10/12/2007

Warranty Deed
- continued

File No.: 218356-T (tm)

By: Trenton G. Grandy
Trenton G. Grandy, Trustee

By: _____
Shawna Marie Harper, Trustee

Regan G. Grandy, Trustee

STATE OF Idaho)
SS.)
COUNTY OF Teton)

On this 11 day of **October, 2007**, before me, a Notary Public in and for said State, personally appeared **Trenton G. Grandy, Trustee**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of the **Triangle G. Trust** Trust, and acknowledged to me that he executed the same as such Trustee.



Teresa K. Mangum
Notary Public of Idaho
Residing at: Driggs
Commission Expires: 07-24-09

STATE OF _____)
SS.)
COUNTY OF _____)

On this _____ day of **October, 2007**, before me, a Notary Public in and for said State, personally appeared **Shawna Marie Harper**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of the **Triangle G. Trust** Trust, and acknowledged to me that she executed the same as such Trustee.

Notary Public of
Residing at:
Commission Expires:

Date: 10/12/2007

Warranty Deed
- continued

File No.: 218356-T (tm)

By: _____
Trenton G. Grandy, Trustee

By: Shawna Marie Harper/Arpel
Shawna Marie Harper, Trustee

Regan G. Grandy, Trustee

STATE OF _____)
SS.
COUNTY OF _____)

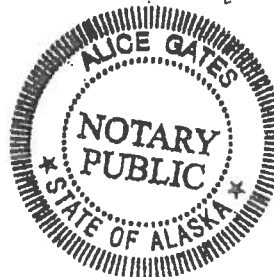
On this ____ day of October, 2007, before me, a Notary Public in and for said State, personally appeared Trenton G. Grandy, Trustee, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument as Trustee of the Triangle G. Trust Trust, and acknowledged to me that he executed the same as such Trustee.

Notary Public of
Residing at:
Commission Expires:

STATE OF Alaska)
SS.
COUNTY OF Juneau)

On this 16 day of October, 2007, before me, a Notary Public in and for said State, personally appeared Shawna Marie Harper, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument as Trustee of the Triangle G. Trust Trust, and acknowledged to me that she executed the same as such Trustee.

Alice Gates
Notary Public of State of Alaska
Residing at: Juneau Alaska
Commission Expires: May 17, 2011



Warranty Deed
- continued

NOV 17 2003

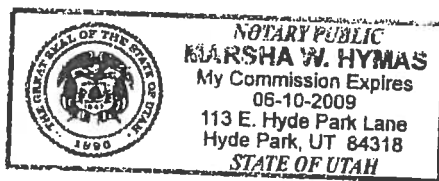
Date: 10/12/2007

Warranty Deed
- continued

File No.: 218356-T (tm)

STATE OF Utah)
COUNTY OF Cache)
SS.

On this 22nd day of October, 2007, before me, a Notary Public in and for said State, personally appeared **Regan G. Grandy**, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument as Trustee of the **Triangle G. Trust** Trust, and acknowledged to me that he executed the same as such Trustee.



Marsha W. Hymas
Notary Public of
Residing at:
Commission Expires:

Date: October 25, 2007

File No.: 218356-T (tm)

EXHIBIT 'A'

LEGAL DESCRIPTION:

TRACT 1:

Beginning at the quarter corner between section 21 and 22, Township 3 North, Range 45 East Boise Meridian as corner No. 1. Thence South 89 degrees 37 minutes East 720.0 feet, thence South 1355.79 feet, thence North 87 degrees 44 minutes West 920.41 feet, thence North 8 degrees 41 minutes East 20.54 chains to the point of beginning. EXCLUDED THEREFROM a tract in the Northwest quarter of the Southwest quarter of section 22, beginning at a point 532 feet East of the West quarter corner of section 22, thence 50 feet South, Thence 50 feet North, Thence 50 Feet East to the point of beginning.

TRACT 2:

Beginning at a point 1040.0 feet South 89°37' east from the quarter corner between section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1, thence South 89°37' East 320.00 feet, thence South 1,380.95 feet, thence North 87°44' West 320.25 feet, thence North 1,360.37 feet to the point of beginning.

Together with an access road easement of 20 feet width, beginning at a point from which the quarter corner between Section 22 and 23, Township 3 North, Range 45 East, B.M. bears South 89°37' West 0.50 chain, thence North 89°37' West 39.63 chains.

TRACT 3:

Beginning at a point 720.0 feet South 89°37' East from the quarter corner between Section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1, thence South 89°37' East 320.0 feet, thence South 1368.37 feet, thence North 87°44' West 320.25 feet, thence North 1355.79 feet to the point of beginning.

Subject to a Right of Way on North boundary and 20.0 feet wide beginning at a point 720.0 feet South 89°37' East from the quarter corner between Section 21 and 22, Township 3N, Range 45 East B.M., thence South 89°37' East 320.0 feet.

TRACT 4:

Beginning at a point 2,138.58 feet South 89°37' East from the quarter corner between Section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1, thence South 89°37' East 510.00 feet, thence South 10.40 chains, thence South 52°West 647.2 feet, thence North 1,084.88 feet to the point of beginning.

Together with an access road easement of 20 feet width, beginning at a point from which the quarter corner between Section 22 and 23, Township 3 North, Range 45 East, B.M. bears South 89°37' West 0.50 chain, thence North 89°37' West 39.63 chains.

Subject to a right of way for use by all described property owners. Right of way on North boundary line and 20.0 feet wide with the center line described as follows: Beginning at a point 10.0 feet South from the quarter corner between Section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1 and running thence South 89°37' East 40.13 chains.

TRACT 5:

H.E. Survey #253, comprising Tract "A" embracing a portion of Section 22 in Township 3 North of Range 45 East of the Boise Meridian, Idaho, more particularly bounded and described as follows: Beginning for the description of Tract "A" at corner No. 1, from which the quarter corner to said Sections 22 and 23 bears South 89°37' East 0.50 of a chain distant thence North 89°37' West 39.63 chains to corner No. 2; thence South 10.40 chains to corner No. 3; thence, South 70°57' East 37.12 chains to Corner No. 4; thence South 28°30' East 8.70 chains to corner No. 5; thence North 41' East 29.95 chains to corner No. 1, the place of beginning; in Section 22, and is designated by U.S. Land Offices a Tract A.

Also subject to an access road easement of 20 feet width beginning at a point from which the quarter corner between Section 22 and 23, Township 3 North Range 45 East, B.M., bears South 89°37' West 0.50 chains; thence North 89°37' West 39.63 chains.

TRACT 6:

Beginning at a point 1360.0 feet South 89°37' East from the quarter corner between Section 21 and 22 Township 3 North, Range 45 East B.M. as corner No. 1, thence South 89°37' East 778.58 feet, thence South 1084.88 feet, thence South 52°West 505.16 feet, thence North 87°44' West 380.81 feet, thence North 1380.95 feet to the point of beginning.

MAR 01 1993

TETON Co. Id.
Clerk Recorder

112307
WARRANTY DEED

* Vesting
FOR VALUE RECEIVED: GARY W. GRANDY AND LAVON G. GRANDY
husband and wife, GRANTORS, of P. O. Box 111, Petersburg, Alaska, hereby
CONVEY, GRANT, and WARRANT TO TRENTON G. GRANDY, SHAWNNA MARIE
DAYTON, and REGAN G. GRANDY, Trustees of the TRIANGLE C TRUST,
GRANTEES, whose present address is P. O. Box 107, Victor, Idaho 83455 the
following described real estate in Teton County, Idaho:

Arbit
SW 1/4
Beginning at the quarter corner between section 21 and 22, Township 3
North, Range 45 East Boise Meridian as corner No. 1, thence South 89
degrees 37 minutes East 720.0 feet, thence South 1355.79 feet, thence
North 87 degrees 44 minutes West 920.41 feet, thence North 8 degrees
41 minutes East 20.54 chains to the point of beginning, containing 25.67
acres, more or less. Excluded therefrom a tract in the Northwest
quarter of the Southwest quarter of section 22, beginning at a point
532 feet East of the West quarter corner of section 22, thence 50 feet
South, thence 50 feet West, thence 50 feet North, thence 50 feet East
to the point of beginning, containing .0574 acres more or less.

TO HAVE AND TO HOLD the said premises, with their appurtenance unto
the said grantees and heirs and assigns forever.

IN WITNESS WHEREOF the said grantors have executed this Warranty

Deed this 1st day of March 1993.

Gary W. Grandy
GARY W. GRANDY
Lavon G. Grandy
LAVON G. GRANDY

STATE OF IDAHO
OF Teton
County

On this 1st day of March 1993, GARY W. GRANDY and LAVON G.
GRANDY, known to me to be the persons whose names are subscribed to the
within instrument, personally appeared before me and acknowledged that
they executed the same.

112307

FILED

AT THE REQUEST OF

Gary Grandy
50 MINUTES PAST 11 a.m.
DATE March 1, 1993
Asa J. Drake
CLERK OF RECORDER
BY Nora Risher

Donnie Reese
NOTARY PUBLIC FOR IDAHO
residing at Letonia
commission expires 2/10/98



SCANNED

NOV 17 2003

MAR 01 1993

TETON Co. Id.
Clerk Recorder

112307
WARRANTY DEED

* Vesting
Arbit SW 1/4
FOR VALUE RECEIVED, GARY W. GRANDY AND LAVON G. GRANDY
husband and wife, GRANTORS, of P. O. Box 111, Petersburg, Alaska, hereby
CONVEY, GRANT, and WARRANT TO TRENTON G. GRANDY, SHAWNA MARIE
DAYTON, and REGAN G. GRANDY, Trustees of the TRIANGLE C. TRUST,
GRANTEES, whose present address is P. O. Box 107, Victor, Idaho 83455 the
following described real estate in Teton County, Idaho:

Beginning at the quarter corner between section 21 and 22, Township 3
North, Range 45 East Boise Meridian as corner No. 1, thence South 89
degrees 37 minutes East 720.0 feet, thence South 1355.79 feet, thence
North 87 degrees 44 minutes West 920.41 feet, thence North 8 degrees
41 minutes East 20.54 chains to the point of beginning, containing 25.17
acres, more or less. Excluded therefrom a tract in the Northwest
quarter of the Southwest quarter of section 22, beginning at a point
532 feet East of the West quarter corner of section 22, thence 50 feet
South, thence 50 feet West, thence 50 feet North, thence 50 feet East
to the point of beginning, containing .0574 acres more or less.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto
the said grantees and heirs and assigns forever.

IN WITNESS WHEREOF the said grantors have executed this Warranty

Deed this 1st day of March 1993.

Gary W. Grandy
GARY W. GRANDY
Lavon G. Grandy
LAVON G. GRANDY

STATE OF IDAHO
County of Teton

On this 1st day of March, 1993, GARY W. GRANDY and LAVON G.

GRANDY, known to me to be the persons whose names are subscribed to the
within instrument, personally appeared before me and acknowledged that
they executed the same.

112307

FILED

AT THE REQUEST OF

Gary Grandy
AT MINUTES PAST 11 a M
DATE March 1 1993
Anna J. Drake
CLERK OF RECORDER
Anna Drake

Donnie Reese
NOTARY PUBLIC FOR IDAHO
residing at Letonia
commission expires 2/10/98



SCANNED

NOV 17 2003

110758

** Vesting **

203--WARRANTY DEED

Printed and for sale by Elyse-York Company, Boise, Idaho

(Optional)					
Recorded	☐	Platted	☐	Key Punched	☐
Microfilmed	☐	Deed Card	☐	Master File	☐
Indexed	☐	Compared	☐	Abstracted	☐
				To Treasurer	☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

GARY W. GRANDY and LAVON G. GRANDY, husband and wife,
 of POB 1111, Petersburg, County of
 hereby CONVEYS, GRANTS and WARRANTS TO TRENTON G. GRANDY, SHAWNA MARIE
 DAYTON, and REGAN G. GRANDY, Trustees of the TRIANGLE G TRUST,
 whose current address is Box 107, Victor, Idaho 83455,
 for the sum of Ten Dollars and Other Valuable Consideration ----- Dollars (\$ **10.00**)
 the following described tract(s) of land in Teton County, State of Idaho:

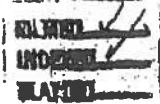
SEE SCHEDULE "A" ATTACHED HERETO.

RECEIVED

AUG 17 1992

TETON Co. Id.
Clerk Recorder

110758



FILED

AT THE REQUEST OF

Wendell Billette

AT THE REQUEST OF

DATE *August 17, 1992**Asa J. Drake*BY *Donnie Steele*

Location of above described property

House No.

Street

SCANNED

NOV 17 2009

110758

WITNESS the hand of said Grantors this

24th

day of June

A.D. 1992

Gary W. Grandy
Lavon G. Grandy

NOTARY SEAL

State of ~~Idaho~~ ALASKA
County of

On the 24th day of June A.D. 1992



personally appeared before me

GARY W. GRANDY and LAVON G. GRANDY, husband and wife,
the signer(s) of the within instrument, who duly acknowledged to me that they
executed the same.

Residing at: PETERSBURG

Joyce A. Cummings
(NOTARY PUBLIC)
My Commission expires: 6/2/95

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name

Address

City & State

Zip

No.

WARRANTY DEED

-TO-

Dated, 19

STATE OF IDAHO

County of

I hereby certify that this instrument was
filed for record at request of

at minutes past

o'clock M. this day

of, A.D. 19

in my office, and duly recorded in Book

of at page

Ex-Officio Recorder.

By Deputy.

Fees \$

SCANNED

NOV 17 2009

SCHEDULE "A"

Parcel A:

Beginning at a point 1040.0 feet South 89°37' East from the quarter corner between Section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1, thence South 89°37' East 320.0 feet, thence South 1,380.95 feet, thence North 87°44' West 320.25 feet, thence North 1,360.37 feet to the point of beginning. Area 10.10 acres.

Together with an access road easement of 20 feet width, beginning at a point from which the quarter corner between Section 22 and 23, Township 3 North, Range 45 East, B.M. bears South 89°37' West 0.50 chain, thence North 89°37' West 39.63 chains.

EXCEPTIONS AND RIGHT OF WAY: Excepting all mineral rights previously reserved by the State of Idaho.

Parcel B:

Beginning at a point 720.0 feet South 89°37' East from the quarter corner between Section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1, thence South 89°37' East 320.0 feet, thence South 1368.37 feet, thence North 87°44' West 320.25 feet, thence North 1355.79 feet to the point of beginning. Area, 10.01 acres.

Subject to a Right of Way on North boundary and 20.0 feet wide beginning at a point 720.0 feet South 89°37' East from the quarter corner between Section 21 and 22, Township 3N, Range 45 East B.M., thence South 89°37' East 320.0 feet.

Parcel C:

Beginning at a point 2,138.58 feet South 89°37' East from the quarter corner between Section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1, thence South 89°37' East 510.0 feet, thence South 10.40 chains, thence South 52° West 647.2 feet, thence North 1,084.88 feet to the point of beginning. Area 10.37 acres.

Together with decreed water right of 0.18 C.F.S. of Forest Spring as recorded on License of water right No. 33169/22-7279 priority Sept. 9, 1966.

Together with an access Road easement of 20 feet width, beginning at a point from which the quarter corner between Section 22 and 23, Township 3 North, Range 45 East, B.M. bears South 89°37' West 0.50 chain; thence North 89°37' West 39.63 chains.

EXCEPTIONS AND RIGHT OF WAY: Excepting all mineral rights previously reserved by the State of Idaho. Subject to a right of way for use by all described property owners. Right of way on North boundary line and 20.0 feet wide with the center line described as follows: Beginning at a point 10.0 feet South from the quarter corner between Section 21 and 22, Township 3 North, Range 45 East, B.M. as corner No. 1 and running thence South 89°37' East 40.13 chains.

Parcel D:

H. E. Survey #253, comprising Tract "A" embracing a portion of Section twenty-two in Township three north of Range forty-five East of the Boise Meridian, Idaho, more particularly bounded and described as follows:

SCANNED

NOV 17 2009

A-618

Beginning for the description of Tract "A" at corner No. 1, from which the quarter corner to said Sections twenty-two and twenty-three bears South 89 deg. 37 min. east 0.50 of a chain distant thence north 89 deg. 37 min. west 39.63 chains to corner No. 2; thence South 10.49 chains to corner No. 3; thence, South 70 degrees 57 min. east 37.12 chains to corner No. 4; thence South 28 degrees 30 min. east 8.70 chains to corner No. 5; thence North 41 min. east 29.95 chains to corner No. 1, the place of beginning; containing 68.82 acres in Section 22, and is designated by U. S. Land offices as Tract A.

Including all buildings and improvements existing on above described property.

Together with decreed water rights of 1.75 cubic feet of Pole Creek.

Together with decreed water right of 0.34 cfs of Big Spring as recorded on license of water right No. 33169/22-2279 priority Sept. 9, 1966.

Together with decreed water right of 0.05 cfs of Big Spring as recorded on license of water right No. 22-7037 priority August 24, 1970.

Excepting all mineral rights previously reserved by the State of Idaho.

Also subject to the existing transmission line easements of UNITED STATES OF AMERICA.

Also subject to an access road easement of 20 feet width beginning at a point from which the quarter corner between Section 22 and 23, Township 3 North Range 45, EBM bears South 89 deg. 37 min. West 0.50 chains; thence North 89 deg. 37 min. West 39.63 chains.

Parcel E:

Beginning at a point 32 rods north of the East quarter corner of Section ten, Township three North, Range 45, E.B.M., and running thence north 19 rods, to the State of Idaho highway right-of-way; thence Southwesterly along said right-of-way 28 rods; thence east 19 rods and 12 feet to the place of beginning; including the water rights.

Parcel F:

Beginning at a point 1360.0 feet South 89 degrees 37 minutes East from the quarter corner between section 21 and 22 Township 3 North, Range 45 East Boise Meridian as corner No. 1, thence South 89 degrees 37 minutes East 778.58 feet, thence South 1084.88 feet, thence South 52 degrees West 505.16 feet, thence North 87 degrees 44 minutes West 380.81 feet, thence North 1380.95 feet to the point of beginning, containing 23.66 acres, more or less.

SCANNED

1107558

110758

RECEIVED

AUG 17 1992

TETON Co. Id.
Clark Recorder

STATEMENT OF TRUST REGISTRATION

Pursuant to Idaho Code, Sections 15-7-101 and 102, the undersigned hereby files the following statement.

1. The names and addresses of the Co-Trustees of the Triangle G Trust are Trenton G. Grandy, of 3510 South 300 East, Apartment P., Salt Lake City, UT 84115; Shawna M. Dayton, of Box 33252, Juneau, Alaska 99803; and Regan G. Grandy, of P. O. Box 1111, 608 Vesta Avenue, Petersburg, Alaska 99833.

2. This Trust has not been registered elsewhere. The Triangle G Trust is a written Trust created by Gary W. Grandy and LaVon G. Grandy, husband and wife, on the 24th day of June, 1992.

3. The primary beneficiaries of the trust are Gary W. and LaVon G. Grandy; and the secondary beneficiaries of the trust are Trenton G. Grandy, Shawna Marie Dayton, Lance J. Grandy and Regan G. Grandy.

4. The grantors and beneficiaries of the Trust are residents of Alaska and Utah. The property is located in Teton County, Idaho.

5. An original copy of the Trust Agreement is on file at the law offices of SMITH & HANCOCK in Rexburg, Idaho.

DATED this 24 day of June, 1992.

110759

FILED

AT THE REQUEST OF

Wendell Silotte

DATE August 17, 1992

Asa D. Bishop

Bonnie Seese

FILED
INDEXED
SERIALIZED

Trenton G. Grandy
Co-Trustee

Co-Trustee

Co-Trustee

SCANNED

NOV 17 2009

TRIANGLE G RANCH OWNERSHIP PERCENTAGE

OWNER	October 12, 2007 Deed Percentage (%)	June 4, 2008 Deed Additional Percentage (%)	June 4, 2008 Deed Reduced Percentage (%)	Current Ownership Percentage (%)
Crystal Springs Land & Cattle Co.	26.39	6.94		33.33
KPW Holdings, LLC	16.69		8.41	8.28
RYMI Investments, LLC	2.34		1.18	1.16
RIF Holdings 1, LLC	2.88			2.88
IGO Investments 1, LLC	0.89		0.44	0.45
Stillwater Holdings, LLC	14.94		7.95	6.99
GNJ Properties, LLC	8.1		4.18	3.92
Idaho Investment Group, LLC	3.31		1.27	2.04
PENSCO Trust Company (Richard White IRA AH1AK)	1.32			1.32
Stoly Associates, L.C.	12.22	21.11		33.33
Robert B. Elmer	2.67		1.42	1.25
Trevor D. and Lanelle A. Peck	1.8		0.96	0.84
Michael and Cherise Dodson	3.46		2.24	1.22
W. Steven and Travis Gunnell	1.83			1.83
Gary Black	1.16			1.16
TOTAL	100			100

SCANNED

NOV 17 2009

December 8, 2006

GARY W GRANDY
C/O REGAN GRANDY
383 S 100 W
HYDE PARK UT 84318

RE: CHANGE OF ADDRESS FOR 22-2279, 22-683A, 22-7037

Dear Claimant:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

GARY W GRANDY
C/O REGAN GRANDY
391 VISTA DR
POCATELLO ID 83201

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Katy Jackson
Office Specialist 1

Enclosure(s)

SCANNED
JUL 31 2007

DEPARTMENT OF WATER RESOURCES
EASTERN FIELD OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

ADDRESS SERVICE
REQUESTED



GARY W GRANDY
C/O REGAN GRANDY
391 VISTA DR

GRAN391* 832012009 1803 12 11/30/28
FORWARD TIME EXP RIN TO SEND
GRANDY
383 S 100 W
HYDE PARK UT 84318-3331

RETURN TO SENDER



SCANNED
JUL 31 2007

RECEIVED

DEC 15 2006

Department of Water Resources
Eastern Region

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

IDAHO DEPT OF WATER RESOURCES
EASTERN REGION
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.

(Please print or type)

[] Water Right Number(s): *22-2279 22-7658
*22-683A 22-7710
22-7037

Big Spring, Forest Spring

Meadow

Permit OK

Pole Creek

Pipe Line

Permit OK

Domestic Use OK

[] Name(s): Gary W. Grandy
LaVon G. Grandy

[] Old Mailing Address: 391 Vista Drive
Pocatello, Idaho 83201

[✓] New Mailing Address: Gary Grandy
1076 South 100 West
Victor, Idaho 83455

Telephone Number: (208) 787-4110

[] Signature(s) of Owner(s) Gary W. Grandy
LaVon G. Grandy
(Include your title if on behalf of company or organization)

Date: November 3, 2006

SCANNED

JUL 31 2007

02/09/2006

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: 22-683A

GARY W GRANDY

~~G/O REGAN GRANDY~~

~~391 VISTA DR~~

~~POCAHELLO ID 83201~~

Telephone Number:

1076 S. 100W.

VICTOR, ID 83455-5446

(208) 478-4474 208 787 4110

LA VON G GRANDY

1076 S 100 W

VICTOR ID 83455-5446

Telephone Number: (208) 787-4110

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

The address of the claimant is incorrect and has been changed. Also the telephone number has been corrected.

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

Please change the address and telephone number.

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

We were in Europe for 18 months. but are now home and the adjudication should reflect our correct address and phone.

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

DATE: 10/30/06

SIGNATURE:

Gary W Grandy

Please print your name:

Gary W. Grandy

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

address already
changed - KMT
12/06

SCANNED

JUL 31 2007

RECEIVED

DEC 05 2006

Department of Water Resources
Eastern Region

KMT
12/06

IN THE DISTRICT COURT OF THE TWELFTH JUDICIAL DISTRICT OF IDAHO in and
for The County of FREMONT

MARVIS J. MURDOCK and)
ELLEN MURDOCK, husband and)
wife,)
PLAINTIFFS)
vs.)
HENRY EAGLE, WATERMASTER,)
District 36, IDAHO)

D E C R E E

RECEIVED

JUL 01 2005

Department of Water Resources
Eastern Region

THIS CAUSE came on regularly to be heard before the Court, sitting without a jury, in Chambers, in the Courthouse at St. Anthony, Fremont County, Idaho, on this 18th day of August, 1965 at the hour of 10:00 o'clock A. M. of said day; Plaintiffs appearing in person and by their attorney, H. S. Forbush; and the defendant appearing not, either in person or by counsel, and it appearing to the Court, from the records and files in this action, that the defendant was regularly served with process, and that a Notice of Pendency of this action, containing such matter as are required by law, having been published in the Fremont County Chronicle News, a weekly newspaper published at St. Anthony, Fremont County, Idaho; and the Teton Valley News, a weekly newspaper published at Driggs, Teton County, Idaho; in accordance with the Order issued out of this Court on the 23rd day of July, 1965, and as required by law, and the time allowed by law for answering or appearing having expired, and the defendant or anyone for or on behalf of said defendant, having failed to appear or answer plaintiffs' complaint on file herein, and the default of said defendant having been duly and regularly entered, and the Court, having heard the evidence introduced by and on behalf of plaintiffs, and having duly considered the same, and being fully advised in the premises; and it appearing that each and all of the allegations in plaintiffs' complaint contained are true and correct.

NOW, THEREFORE, in consideration of the premises, and on motion of H. S. Forbush, Attorney for plaintiffs,

IT IS ORDERED, that the default of said defendant be, and it is hereby entered against said defendant; and

22-0683 IT IS ORDERED, ADJUDGED AND DECREED, that the plaintiffs, Marvis J. Murdock and Ellen Murdock, husband and wife, are entitled to, and are hereby awarded 100 miner's inches of the waters of Pole Creek with priority date of October 22nd, 1901; for the irrigation of their real property, described in plaintiffs' complaint, and more particularly described as follows, to-wit:

H.E. Survey No. 253, Comprising Tracts "A" and "B", embracing a portion of Sections

SCANNED

JUL 31 2007

22 and 23 in Township 3 North of Range 45, E. B.M. Idaho, more particularly bounded and described as follows:

Beginning for the description of Tract "A" at corner No. 1, from which the quarter corner to said sections 22 and 23 bear south 89° 37 min, east 0.50 of a chain distant thence north 89° 37 Min. west 39.63 chains to corner No. 2; thence, South 10.40 chains to corner No. 3; thence south 70 degrees 57 min. east 37.12 chains to corner No. 4; thence South 28° 30 min. east 8.70 chains to corner No. 5; thence North 41 min. east 29.95 chains to corner No. 1, the place of beginning; 68.82

Beginning for the description of Tract "B" at corner No. 6; from which corner No. 5 of said Tract "A" bears north 28° 30 min. west 2.10 chains distant; thence, South 28° 30 min. east 5.30 chains to corner No. 7; thence, South 87° 37 min. east 13.64 chains to corner No. 8; thence north 33° 35 Min. west 20.10 chains to corner No. 9; thence north 88° 14 min. west 4.95 chains to corner No. 10; thence South 41 min. west 11.63 chains to corner No. 6; the place of beginning; All located in Teton County, State of Idaho; 16.57

Containing 85.39 acres, according to the official plat of the survey of the said land, returned to the General Land Office by the Surveyor General; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the foregoing adjudication of water be made subject only to the Decrees, in a certain action in the District Court of the Ninth Judicial District of the State of Idaho, in and for the County of Fremont, entitled "Hexburg Irrigation Company, et. al., Plaintiffs, vs. Teton Irrigation Canal Company, et. al., Defendants," dated and filed December 16th, 1910; in a certain action instituted in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Twin Falls, entitled "Twin Falls Canal Company, Plaintiff, vs. Charles M. Foster, et. al., Defendants," filed on the 20th day of June, 1913, and the

amended decrees thereto, dated September 12th, 1916, and filed September 21st, 1916, and in a certain action, instituted in the United States District Court of Idaho, Eastern Division, entitled "Woodville Canal Company, a corporation, Plaintiff, vs. Clark and Edwards Canal Company, a corporation, et. al., Defendants," dated the 25th day of June, 1929, and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the defendant and all persons claiming by, through or under him, or either or any of his successors in office, and all persons claiming to have acquired any right or interest in or to or upon the said waters, hereinbefore Decreed, by through, or under any person whatsoever, except the Plaintiffs herein, be hereby enjoined and restrained from obstructing, or in any way interfering with the flow of said waters, through the ditches of the Plaintiffs.

Done in Chambers in the Court House at St. Anthony, Fremont County, Idaho, this 18th day of August, 1965.

STATE OF IDAHO

County of Fremont

I, Willard C. Burton, Clerk of the District Court, do hereby certify that the above and foregoing Decrees are true and correct copies of the same as the same appear on the records of the Court in the case of Hexburg Irrigation Company, et al. vs. Teton Irrigation Canal Company, et al. and Twin Falls Canal Company, Plaintiff, vs. Charles M. Foster, et al. and that the same are true and correct copies of the same as the same appear on the records of the Court in the case of Woodville Canal Company, a corporation, Plaintiff, vs. Clark and Edwards Canal Company, a corporation, et al.

Witness my hand and seal of said office this 18th day of August, 1965.

WILLARD C. BURTON

JUDGE OF THE DISTRICT COURT

La Monte Davis

SCANNED

JUL 31 2007



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

February 8, 2006

Triangle G Trust
383 S 100 W
Pocatello Id 83201

RE: CHANGE IN OWNERSHIP FOR: **22-683A, 22-2279**

Dear **Claimant**:

It has come to our attention that you may have purchased a tract of land previously owned by Gary W. and LaVon G. Grandy. The property to which I am referring is reflected in the enclosed water right Claim.

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you questions regarding this matter, please call 525-7161.

Respectfully submitted,

Trent Galbraith
GIS Specialist
Adjudication Bureau

Enclosure(s): Change of Ownership form
Copy of Water right Claim

SCANNED

JUL 31 2007



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

February 8, 2006

Triangle G Trust
383 S 100 W
Pocatello Id 83201

RE: CHANGE IN OWNERSHIP FOR: **22-683A, 22-2279**

Dear **Claimant**:

It has come to our attention that you may have purchased a tract of land previously owned by **Gary W. and LaVon G. Grandy**. The property to which I am referring is reflected in the enclosed water right Claim.

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you questions regarding this matter, please call 525-7161.

Respectfully submitted,

Trent Galbraith
GIS Specialist
Adjudication Bureau

Enclosure(s): Change of Ownership form
Copy of Water right Claim

SCANNED

JUL 31 2007

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-683

WATER RIGHT NUMBER: 22-683

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARVIS J MURDOCK
	, ID
Current Owner	ELLEN MURDOCK
	, ID

Priority Date: 10/22/1901

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
POLE CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

POLE CREEK	Sec. 23, Twp 03N, Rge 45E, B.M.	TETON County
POLE CREEK	Sec. 22, Twp 03N, Rge 45E, B.M.	TETON County

Place of Use

IRRIGATION Within TETON County

T03N R45E S22	T03N R45E S23
---------------	---------------

Conditions of Approval:

Remarks:

- General H.E.S. NO. 253. P/D & P/U INCOMPLETE. SEE FILE AC. IRR. = 85.39.

Comments:

22-683A G. GRANDY
1.75 cfs POLE CK 10/22/1901
CLAIMS 58⁰ AC w/1 SEC. 22 N²SE, SESE

22-683B R. GERHARD
0.25 cfs IRRIG POLE CK 10/22/1901
0.02 cfs stock — DISALLOWED
CLAIMS 16⁰ AC SEC. 23 SWSW

22-683

SPLIT BY
SRBA

SCANNED
JUL 31 2007

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-683A

WATER RIGHT NUMBER: 22-683A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GARY W GRANDY 1076 S 100 W VICTOR, ID 83455-5446 (208)787-4110
Current Owner	LA VON G GRANDY 1076 S 100 W VICTOR, ID 83455-5446 (208)787-4110

Priority Date: 10/22/1901

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
POLE CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	1.750 CFS	
	<u>Total Diversion:</u>	1.750 CFS	

Location of Point(s) of Diversion

POLE CREEK	SW1/4SE1/4NW1/4	Sec. 26, Twp 03N, Rge 45E, B.M.
TETON County		

Place of Use

IRRIGATION Within TETON County

T03N R45E S22	NESE	35.0	T03N R45E S22	NWSE	20.0
T03N R45E S22	SESE	3.0			
Total Acres: 58					

Conditions of Approval:

Remarks:

1. General MOST YEARS POLE CREEK WATERS DROP BEFORE THE IRRIG. SEASON IS COMPLETE LEAVING NO WATER FOR IRRIGATION. THIS OCCURS BETWEEN JULY 1ST AND AUGUST 15TH.

Comments:

SCANNED
JUL 31 2007

IN THE DISTRICT COURT OF THE TWELFTH JUDICIAL DISTRICT OF IDAHO

for The County of FREMONT

MARVIS J. MURDOCK and
ELLEN MURDOCK, husband and
wife,

PLAINTIFFS

vs.

HENRY EAGLE, WATERMASTER,
District 36, IDAHO

D E C R E E

Department of Water Resources

RECEIVED
SEP 09 1988

THIS CAUSE came on regularly to be heard before the Court, sitting without a jury, in Chambers, in the Courthouse at St. Anthony, Fremont County, Idaho, on this 18th day of August, 1965 at the hour of 10:00 o'clock A. M. of said day; Plaintiffs appearing in person and by their attorney, H. S. Forbush; and the defendant appearing not, either in person or by counsel, and it appearing to the Court, from the records and files in this action; that the defendant was regularly served with process, and that a Notice of Pendency of this action, containing such matter as are required by law, having been published in the Fremont County Chronicle News, a weekly newspaper published at St. Anthony, Fremont County, Idaho; and the Teton Valley News, a weekly newspaper published at Driggs, Teton County, Idaho; in accordance with the Order issued out of this Court on the 23rd day of July, 1965, and as required by law, and the time allowed by law for answering or appearing having expired, and the defendant or anyone for or on behalf of said defendant, having failed to appear or answer plaintiffs' complaint on file herein, and the default of said defendant having been duly and regularly entered, and the Court, having heard the evidence introduced by and on behalf of plaintiffs

22 and 23 in Township 3 North of Range 45, E. B.M. Idaho, more particularly bounded and described as follows:

Beginning for the description of Tract "A" at corner No. 1, from which the quarter corner to said Sections 22 and 23 bear south $89^{\circ}37'$ min, east 0.50 of a chain distant thence north $89^{\circ}37'$ Min. west 39.63 chains to corner No. 2; thence, South 10.40 chains to corner No. 3; thence south 70 degrees 57 min. east 37.12 chains to corner No. 4; thence South $28^{\circ}30'$ min. east 8.70 chains to corner No. 5; thence North 41 min. east 29.95 chains to corner No. 1, the place of beginning;

Beginning for the description of Tract "B" at corner No. 6; from which corner No. 5 of said Tract "A" bears north $28^{\circ}30'$ min. west 2.10 chains distant; thence, South $28^{\circ}30'$ min. east 5.30 chains to corner No. 7; thence, South $87^{\circ}37'$ min. east 13.64 chains to corner No. 8; thence north $33^{\circ}35'$ Min. west 20.10 chains to corner No. 9; thence north $88^{\circ}14'$ min. west 4.95 chains to corner No. 10; thence South 41 min. west 11.63 chains to corner No. 6; the place of beginning; All located in Teton County, State of Idaho;

Containing 85.39 acres, according to the official plat of the survey of the said land, returned to the General Land Office by the Surveyor General; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the foregoing adjudication of water be made subject only to the Decrees, in a certain action in the District Court of the Ninth Judicial District of the State of Idaho, in and for the County of Fremont, entitled "Hexburg Irrigation Company, et. al., Plaintiffs, vs. Teton Irrigation Canal Company, et. al., Defendants," dated and filed December 16th, 1910; in a certain action instituted in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Twin Falls, entitled "Twin Falls Canal Company, Plaintiff, vs. Charles N. Foster, et. al., Defendants," filed on the 20th day of June, 1913, and the amended decree thereto, dated September 12th, 1916, and filed September 21st, 1916, and in a certain action, instituted in the United States District Court of Idaho, Eastern Division, entitled "Woodville Canal Company, a corporation, Plaintiff, vs. Clark and Edwards Canal Company, a corporation, et. al., Defendants," dated the 25th day of June,



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED
OCT 28 1998
Department of Water Resources

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 21, 1998

GARY W AND LA VON G GRANDY
1076 S 100 W
VICTOR ID 83455-5446

Re: Snake River Basin Adjudication (SRBA)
Notices of Claim #22-07037 & 22-00683A & 22-02279 & 22-07658 & 22-07710
Change of Address

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by October 30, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right(s) referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely

S. Sherman

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Gary W Grandy
Claimant Signature

208 787 4110
Telephone No.

SCANNED
JUL 31 2007

August 24, 1988

Mac Murdock
District Forest Ranger
U.S. Forest Service
Driggs, Ida.
83422

Dear Mr. Murdock;

Dick Gebhard and I request approval for a 6 inch buried pipe to be extended 2000 feet from the present terminus of a 6 inch buried pipe in Pole Canyon. This request is necessary to provide irrigation water on our property at the mouth of Pole Canyon.

We presently have 1.75 CSF of water right on Pole Creek, but are unable to adequately utilize it. During this dry year the water at our present point of diversion was dry by July 10, 1988. As the owner of the largest tract of this property for 23 Years, I can verify that at least 10 of those years have been abnormally dry years and the water did not reach our property after July 10th. During normal years, the water at the point of diversion is depleted between August 1st and the 15th.

However, in my 23 years of experience with the waters of Pole Creek, I have always seen an adequate supply of water at the Forks of Pole Canyon. My finances have always restricted my applying for this change of diversion at an earlier date.

The amount of water loss in the 2800 feet of rocky stream bed between our present point of diversion and the proposed alternate point of diversion at the Forks of Pole Creek is astounding and a total waste of a very precious natural resource-water.

We propose to use the alternate diversion point at the Forks only when the waters at our present point of diversion are depleted. We also propose that the construction of the pipe line will be done with the least affect on the ecology of the canyon. The present buried pipe cannot be found nor can one find the line the pipe follows. We give you our assurance that this remaining 2000 feet will be done likewise.

Lastly, may we reiterate our need for this change. Our pastures are dry, the grass and brush are a fire hazard, and our grain and hay crops are extremely short. The 180 foot well at Dick's house is pumping mud.

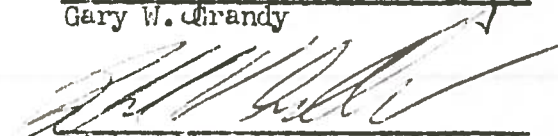
The approval of this alternate point of diversion will permanently solve an age old continuous problem of inability to properly utilize our water rights, and always running out of water before the growing season is done.

Our situation is critical and we solicit prompt attention and approval to this request so that the work can still be completed in the next 80 days. Please give us a reply to this request within 15 days. Please call us if additional information is needed. We appreciated your courteous discussion of this problem at your office today.

Sincerely,


Gary W. Grandy

Gary W. Grandy
Box 107
Victor, Idaho
83455


Dick Gebhard

MICROFILMED

SCANNED

OCT 29 1992

JUL 31 2007

Contacts Data Entry Form

Water Right No. 22-683A

Owner Type _____ Full Name Gary Grandy Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner _____

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

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

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

DECREED UNDER MURDOCK vs EAGLE (WM), 18 Aug 1965.

RIGHT APPARENTLY SPLIT AT SRBA AS:

22-683A, 1.75 cfs / 58° AC, G. GRANDY 0.0302 cfs/ac - OVERCLAIMED

22-683B, 0.27 cfs / 16° AC, R. GUBHARD 0.01563 cfs/ac - UNDERCLAIMED

OVERCLAIMED BY 0.02 cfs, WHICH IS A STOCKWATER

PORTION, WHICH WILL BE DISALLOWED. RECOMMEND

0.25 cfs.

ORIGINAL DECREE ALLOWS 100" OR 2° cfs ON 85³⁹ AC

SEVERAL OTHER PRIOR DECREES - SEE MURDOCK vs EAGLE, 1965 P.5.

$$\frac{20 \text{ cfs}}{85^{39} \text{ ac}} = 0.02342$$

FE: ROD/PEU, PHOTO/GPS, CONVEYANCE/SYSTEM

Reviewer: _____

Date: _____

SCANNED

JUL 31 2007

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: Oct. 22, 1901 Claimed Basis: DECREESRecommended Priority Date: 10/22/1901 Recommended Basis: DECREES☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

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

MATCHES DECREES

Reviewer: _____

Date: _____

SCANNED
JUL 31 2007

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
3N	45E	26		SWSGNW	TETON	POW CREEK	Sinks

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? 22-2279 DOES WHAT?

Transfers Pending or approved: _____

Document how the POD and Source were verified:

POD NOT ADDRESSED BY DECREE. SOURCE BY USGS IS POW CANYON.
SOURCE BY DECREE IS POW CK; IDWR WR DATA BASE RECOGNIZES POW CK. ^{SO BE}

Reviewer: _____ Date: _____

SCANNED

JUL 31 2007

Claim Number: _____

[illegible]

Total acres 58⁰

[illegible]

Total acres _____

Document how the POU was verified:

Poll is part of HBS #253.

Remark

BY DISCRETE PPM IS DEFINED BY MOTOS & BOUNDS AS TRACTS "A" AND "B" OF HRS.

① Which is tract A? B?

Reviewer: _____ Date: _____

SCANNED
JUL 31 2007

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Tring</i>	<i>4/1</i>	<i>10/31</i>	<i>1.25</i>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Tring</i>	<i>4/15</i>	<i>10/31</i>	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

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

SOLD NOT DEFINED BY DEEDS - IDWR STAYS 4/15 TO 10/31.

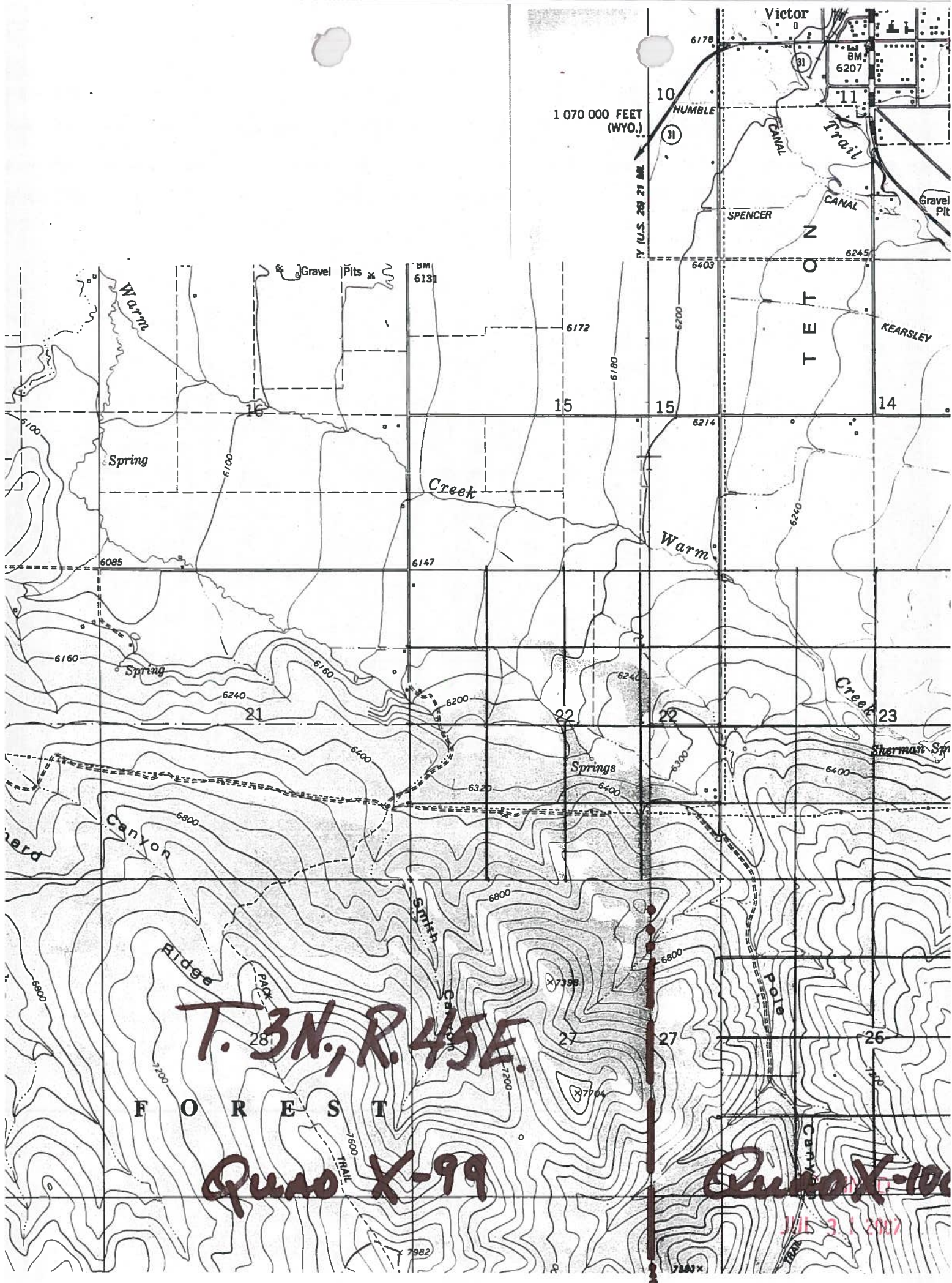
** Q_{at} = 0.02342 cfs/ac X 58[±] = 1.35 cfs*
THIS RT IS OVERCLAIMED BY 0.40 cfs

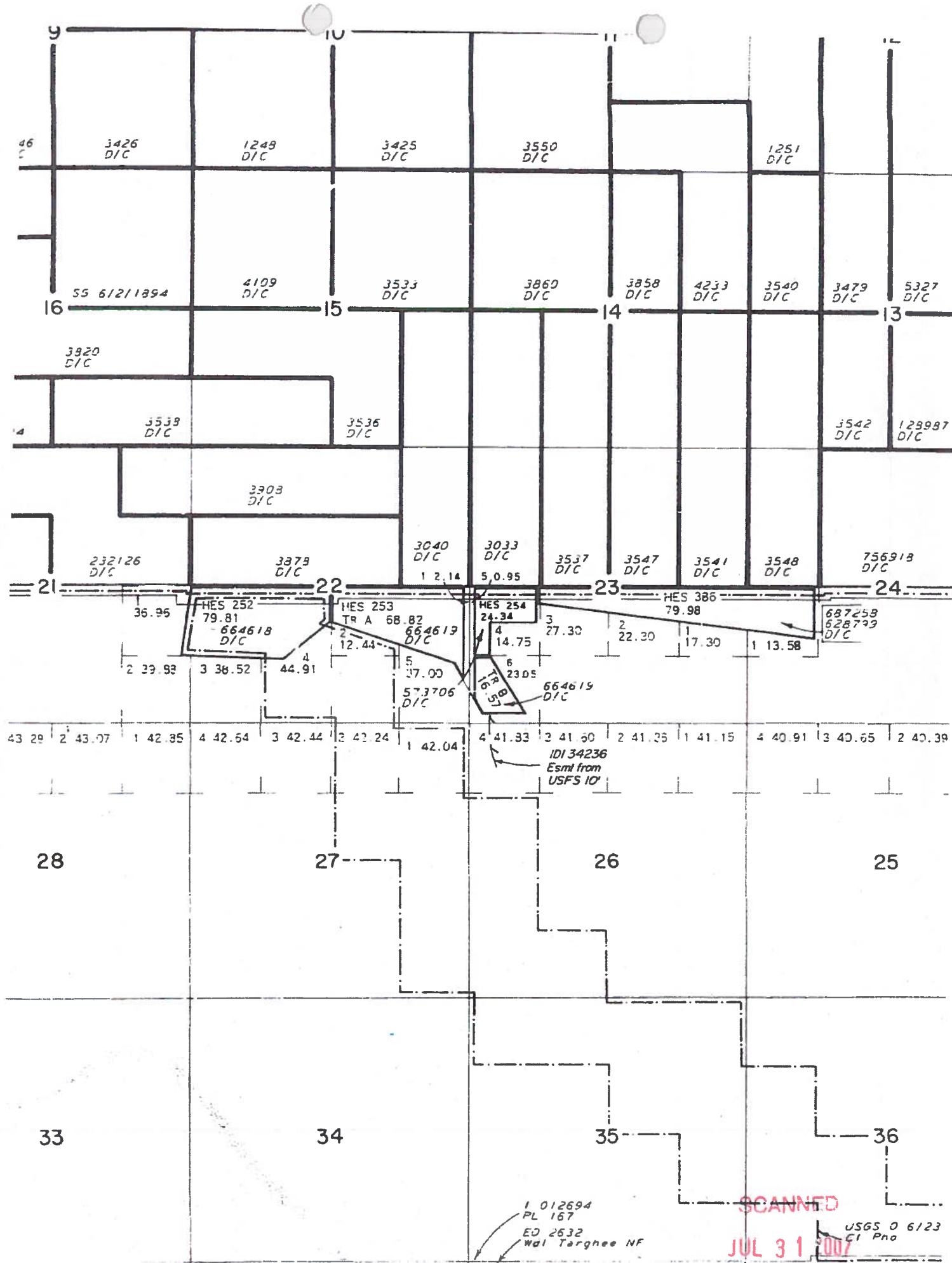
Reviewer: _____

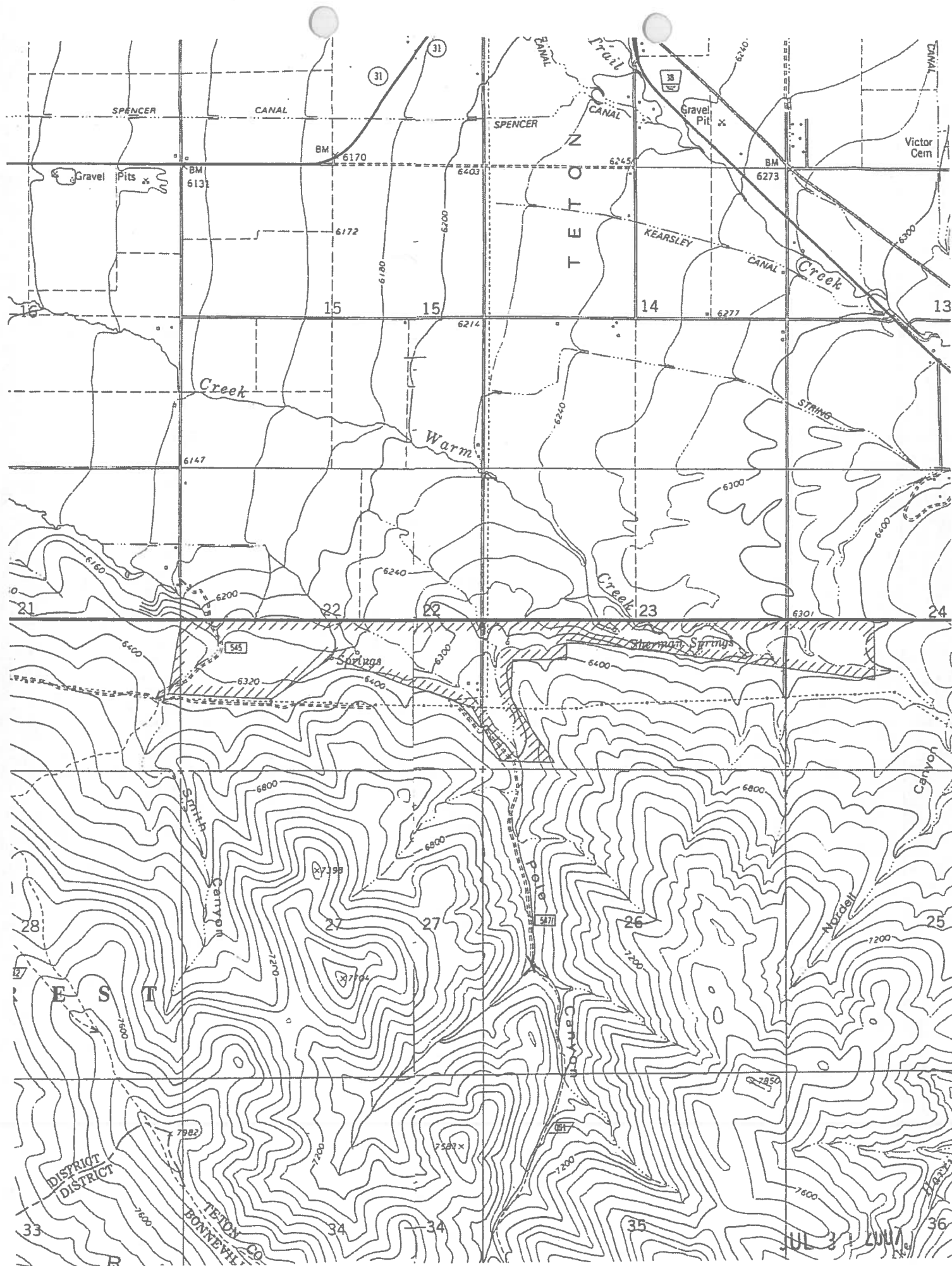
Date: _____

SCANNED

JUL 31 2007







DATE: 10/28/98

NC

DIVERSION
VOLUME

1
3
6
8
9
10
11
12

175.00 AFA

Stage: **DECREED**

TETON County

2

TRACT	ACRES	TOTAL ACRES
1	20.0	58.0
2	20.0	
3	18.0	
4	0.0	
5	0.0	
6	0.0	
7	0.0	
8	0.0	
9	0.0	
10	0.0	
11	0.0	
12	0.0	
13	0.0	
14	0.0	
15	0.0	
16	0.0	
17	0.0	
18	0.0	
19	0.0	
20	0.0	
21	0.0	
22	0.0	
23	0.0	
24	0.0	
25	0.0	
26	0.0	
27	0.0	
28	0.0	
29	0.0	
30	0.0	
31	0.0	
32	0.0	
33	0.0	
34	0.0	
35	0.0	
36	0.0	
37	0.0	
38	0.0	
39	0.0	
40	0.0	
41	0.0	
42	0.0	
43	0.0	
44	0.0	
45	0.0	
46	0.0	
47	0.0	
48	0.0	
49	0.0	
50	0.0	
51	0.0	
52	0.0	
53	0.0	
54	0.0	
55	0.0	
56	0.0	
57	0.0	
58	0.0	
59	0.0	
60	0.0	
61	0.0	
62	0.0	
63	0.0	
64	0.0	
65	0.0	
66	0.0	
67	0.0	
68	0.0	
69	0.0	
70	0.0	
71	0.0	
72	0.0	
73	0.0	
74	0.0	
75	0.0	
76	0.0	
77	0.0	
78	0.0	
79	0.0	
80	0.0	
81	0.0	
82	0.0	
83	0.0	
84	0.0	
85	0.0	
86	0.0	
87	0.0	
88	0.0	
89	0.0	
90	0.0	
91	0.0	
92	0.0	
93	0.0	
94	0.0	
95	0.0	
96	0.0	
97	0.0	
98	0.0	
99	0.0	
100	0.0	
TOTAL	58.0	58.0

Objection Filed Date:

SCANNED
JUL 31 2007

02/09/2006

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

RIGHT NUMBER: 22-683A
NAME AND ADDRESS: GARY W GRANDY
C/O REGAN GRANDY
391 VISTA DR
POCATELLO ID 83201
LA VON G GRANDY
1076 S 100 W
VICTOR ID 83455-5446

SOURCE: POLE CREEK TRIBUTARY: SINKS
QUANTITY: 1.080 CFS
PRIORITY DATE: 10/22/1901
POINT OF DIVERSION: T03N R45E S26 SWNNW Lot 4 Within TETON County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	1.080 CFS
PLACE OF USE:	<u>IRRIGATION Within TETON County</u>		
	T03N R45E S22 46.00	T03N R45E S22	16.00
	62 ACRES TOTAL		

Right Nos. 22-683A and 22-2279 are limited to the irrigation of a combined total of 62 acres in a single irrigation season.

This right is limited to the irrigation of 46 acres within the place of use described above in a single irrigation season.

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

Claimant receives
1.08 cfs per
decree ~~per acre~~
~~claimant receives~~
~~1.08 cfs per acre~~

46 acres x .023 cfs/acre
= 1.08 cfs

SCANNED

JUL 31 2007

T3N, R45E

Pole Canyon

22 23
27 26

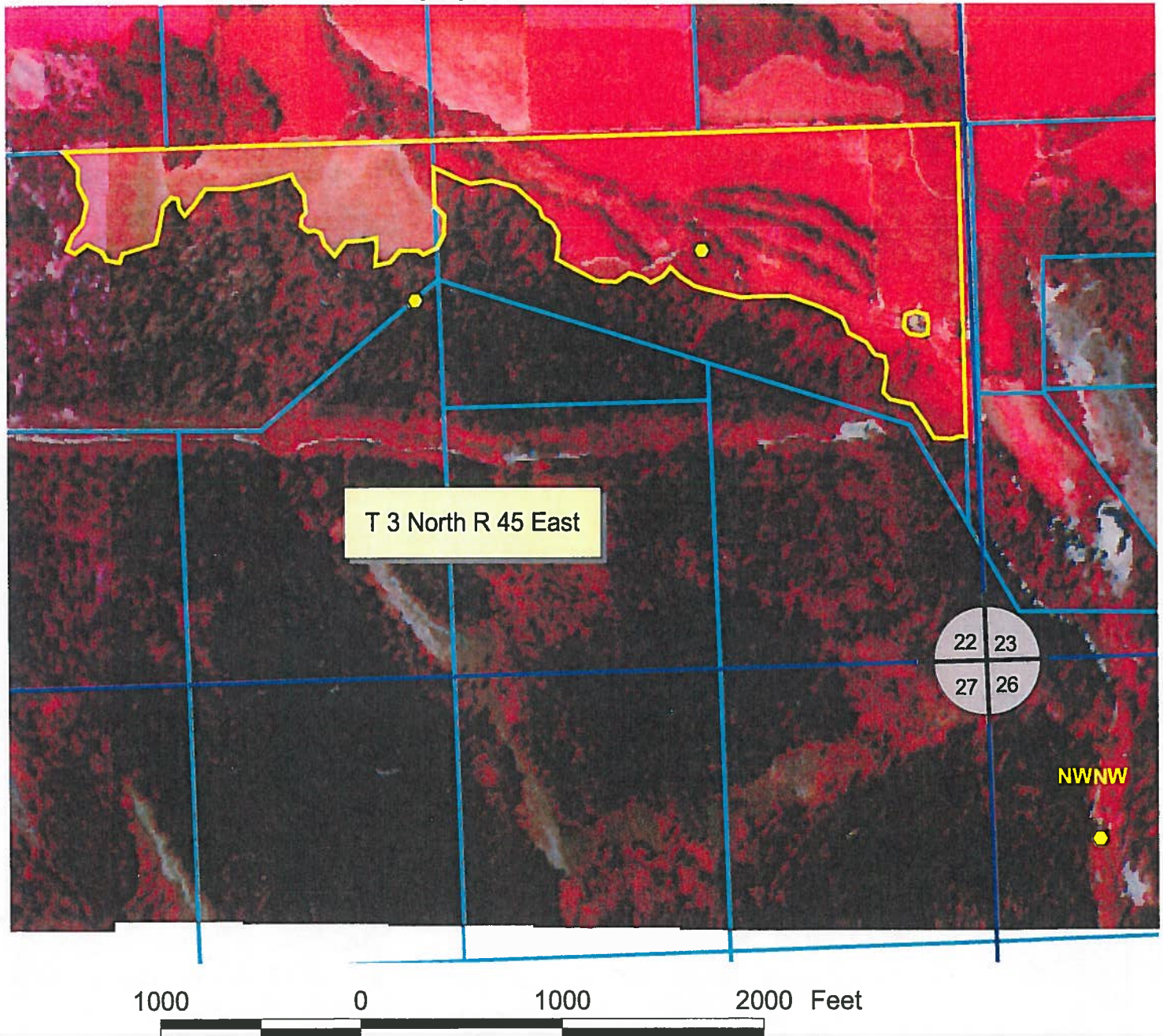
SCANNED
JUL 31 2007



State of Idaho
Department of Water Resources
Eastern Region



Claim No.(s): 22-683A, 22-2279



- Place of Use
- Points Of Diversion
- Sections
- Quarter Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by T. Galbraith
Date: Feb. 2006

SCANNED
JUL 31 2007

Pole Canyon

22 23
27 26

To Victor, ~1.5 mi. ←

POU 22-683A

22-683A

22-2279

POU 22-2279

T3N, R45E

MAIN LINE
SPRINKLER

FLOOD SPRINKLER

Flood

Ground Subs

NNED



Idaho Department of Water Resources

SRBA Recommendation:

22-683A
(Irrigation)

R45E

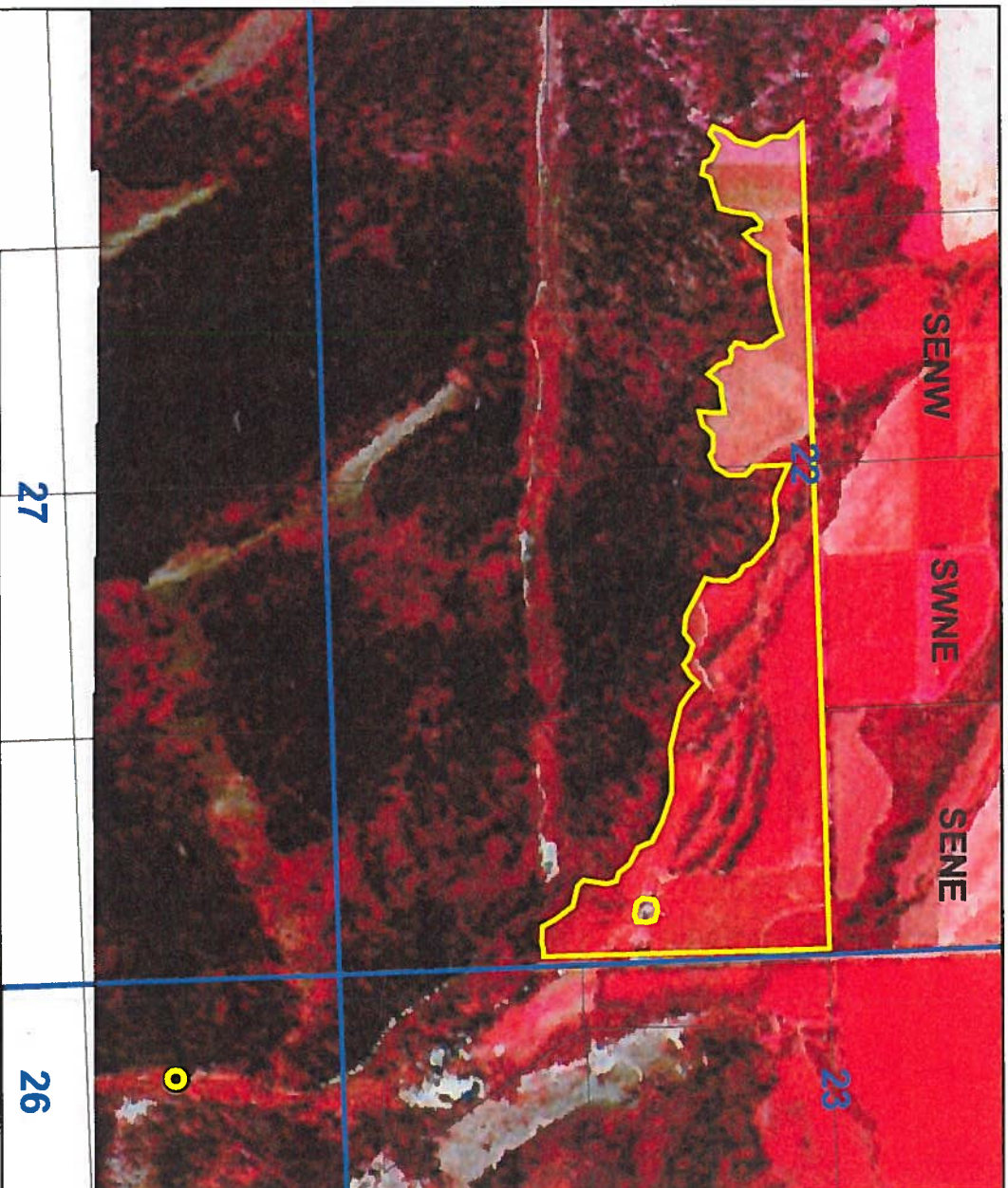
T03N

Legend

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



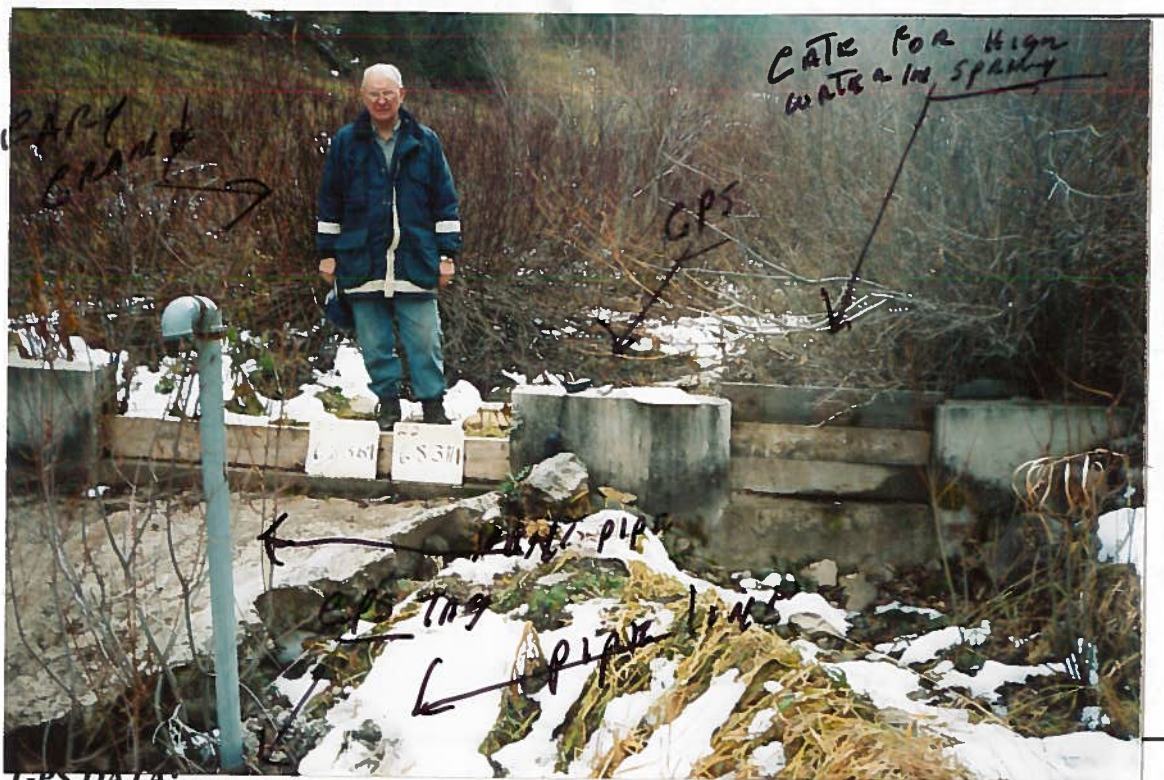
Teton County
IDWR Basin 22



Prepared by T. Galbraith
On Thursday, July 19, 2007
1987/88 Aerial Photography

SCANNED
JUL 31 2007

Water Right No(s). A 2200 683 A



GPS DATA:

Tag # A000 165 Location: ON MAIN LINE OUT OF CREEK

Diversion Data:

Source: POLE CREEK Trib to: SINKS

MOTOR

Make: gravity flow Model: _____ Hp: _____
SN: _____

PUMP

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

NOTES:

pod Had Already Been Taged. & The water
is piped in 6" line & is sprinkled when
gets to pod. This is lower pod.

Field Exam Date: 11-11-04 Agent: NICK OLSON

SCANNED
JUL 31 2007

Water Right No(s). A 2200 683 A



GPS DATA:

Tag # A000 165 Location: ON MAIN LINE OUT OF CREEK

Diversion Data:

Source: POLE CREEK Trib to: SINKS

MOTOR

Make: gravity flow Model: _____ Hp: _____
SN: _____

PUMP

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

NOTES:

pod Had Already BEEN TAYED. + THE WATER
IS piped in 6" LINE + IS sprinkled when
gets TO P.O.U. THIS IS LOWER pod

Field Exam Date: 11. 11- 04 Agent: NICK OLSON

COPY



UPPER P.O.D.

~~AI~~ table
trent

IDAHO DEPT OF WATER RESOURCES
EASTERN REGION
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402

RECEIVED

JUL 01 2005

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

[] Water Right Number(s): 33169/22-2279 22-7037
A 22-00683-A ✓
22-07658

[] Name(s): Gary W Grandy

[] Address: 1076 South 100 West
Victor, Idaho 83455

[] New Mailing Address: c/o Regan Grandy
391 Vista Drive
Pocatello, Idaho 83201

Telephone Number: (208) 478-4474

[] Signature(s) of Owner(s) Gary W Grandy

(Include your title if on behalf of company or organization)

PROFILE
SCANNED

JUL 13 2005

Date: July 1, 2005

11 table

please add
these docs
to file
A 22-683 A

Change of Address
Complete 7/1/05 RMT

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-683A

WATER RIGHT NUMBER: 22-683A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GARY W GRANDY C/O REGAN GRANDY 391 VISTA DRIVE POCATELLO, ID 83201 (208)478-4474
Current Owner	LA VON G GRANDY 1076 S 100 W VICTOR, ID 83455-5446 (208)787-4110

Priority Date: 10/22/1901

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
POLE CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	1.750 CFS	
	<u>Total Diversion:</u>	1.750 CFS	

Location of Point(s) of Diversion

POLE CREEK	SW1/4SE1/4NW1/4	Sec. 26, Twp 03N, Rge 45E, B.M.
TETON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE					
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
03N	45E	22													35.0	20.0		3.0	58.0	

Total Acres: 58

Conditions of Approval:

1. MOST YEARS POLE CREEK WATERS DROP BEFORE THE IRRIG. SEASON IS COMPLETE LEAVING NO WATER FOR IRRIGATION. THIS OCCURS BETWEEN JULY 1ST AND AUGUST 15TH.

Remarks:Comments:

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: A22-00683A
Date Received: 8/29/1988
Receipt No: E001880
Received By: *JK*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY W. GRANDY 907-772-3059
Address: BOX 1111
PETERSBURG, AL 99833
OR
Name: LA VON G. GRANDY 907-772-3059
Address: BOX 1111
PETERSBURG, AL 99833

A2200683A

2. Date of Priority: OCT 22, 1901

3. Source: POLE CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	45E	26	SW	SE	NW		TETON

5. Description of diverting works:
10' WOOD & EARTH DAM ACROSS POLE CREEK. DITCH IS 3' WIDE, 1' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.750		

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

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A22-00683A

Page 1

Date: 01/18/89

SCANNED
JUL 31 2007

MICROFILMED
OCT 29 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	45E	22	NE	SE	IRR	35.0
			NW	SE	IRR	20.0
			SE	SE	IRR	3.0
Section Acres						58.0
Total Acres						58.0

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:
LICENSE OF WATER RIGHT 33169/22-2279

14. Remarks:
MOST YEARS POLE CREEK WATERS DROP BEFORE THE IRRIG. SEASON IS COMPLETE LEAVING NO WATER FOR IRRIGATION. THIS OCCURS BETWEEN JULY 1ST AND AUGUST 15TH.

15. Basis of Claim: DECREED
Case Number:
Court : 12TH
Decree date: 8/18/1965

MARVIS J. MURDOCK & ELLEN MURD
Decree Plaintiff

vs

HENRY EAGLE, DIST. 36
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: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number

A22-00683A

Date Received

29 Aug 1988

Receipt Number

E001880

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Gary W. or LaVon G. Grandy Phone (907) 772 3059Mailing Address Box 1111, Petersburg, Alaska Zip 998332. Date of Priority (Only one (1) per claim) October 22, 19013. Source of water supply (a) Pole Creek
which is tributary to (b) sinks4. a. Location of existing point of diversion is: Township 3 N Range 45 E Section 26,
SW 1/4 of SE 1/4 of NW 1/4, Govt. Lot, B.M., County of TetonAdditional points of diversion if any: At the confluence of the West and South Forks of
Pole Canyon

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

Township 3 N Range 45 E Section 35, SW 1/4 of SW 1/4 of SW 1/4,Govt. Lot B.M., County of Tetonending point is: Township 3 N Range 45 E Section 22, NE 1/4 of NE 1/4 ofSE 1/4, Govt. Lot B.M., County of Teton5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Ten foot ~~xxx~~ wood and earth dam
across Pole Creek which places water in a ditch. Ditch is 3 feet wide and
1 foot deep.

SCANNED

JUL 31 2007

MICROFILMED

Copies: White-State, Yellow-Claimant

OCT 29 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from Apr. 1 to Oct. 31 amount 1.75 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.75 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 175 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	45E	22													35	20		3	58

Total number of acres irrigated 58

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
License of Water Right 33167/22-2279 or None ()

14. Remarks: Most years Pole Creek waters drop before the irrigation season
is complete leaving no water for irrigation. This occurs between
July 1st and August 15th.

Last Name Grandy Ident No. A22-00683A

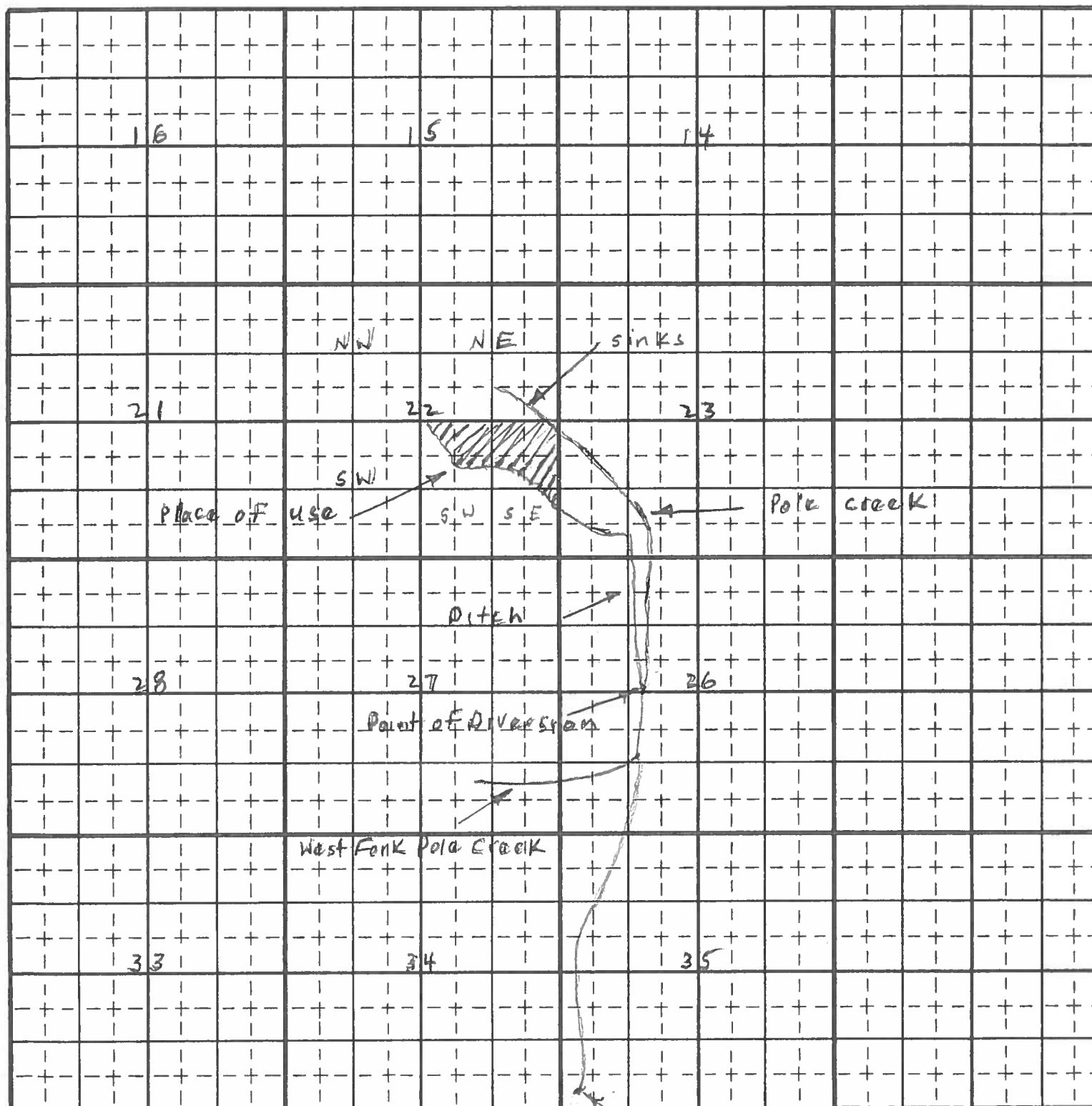
SCANNED Copies: White Stamp, Yellow Claim and MICROFILMED

III 2 1 2007

OCT 29 1992

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Grandy

Ident No. A22-00683A

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Copies: White-State, Yellow-Claimant

JUL 31 2007 OCT 29 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number _____
Court 12th District Case Number _____ Decree Date August 18, 19
Plaintiff vs Defendant Marvis J Murdock & Ellen Murdock vs. Henry Eagle, Dist. 36

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 _____

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

Signature of Claimant (s) Mary W Grandy Date _____
_____ Date _____

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

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 26 day of August 19 88

SEAL

Notary Public Myrna B Fredrickson

Residing at Driggs, Idaho

My Commission Expires Life

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name Grandy Ident. Number A22-00683A

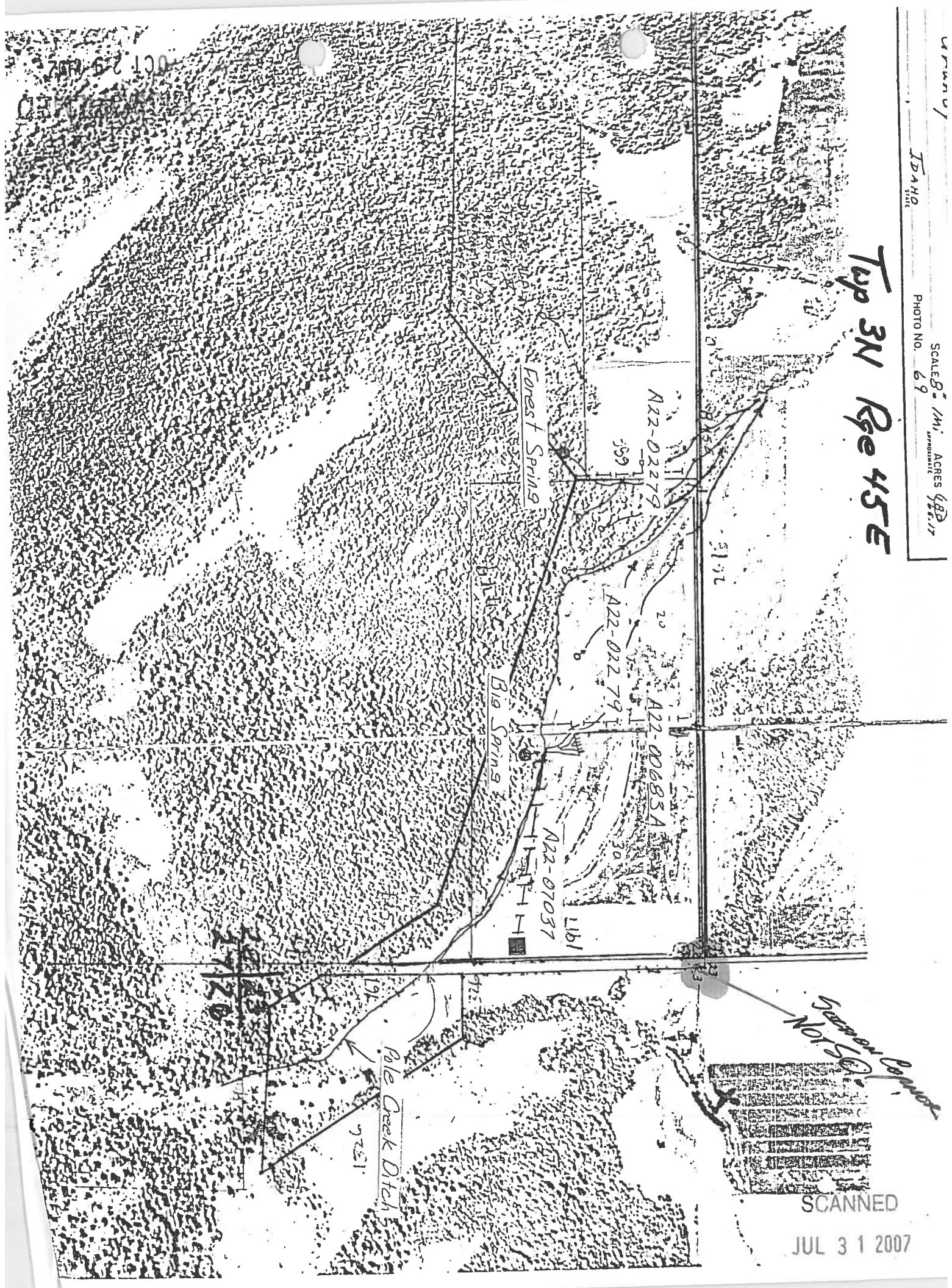
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Top 3N Rge 45E



North Arrow

0/19/1988

SRBA CLAIMS RECEIVING CHECKLIST

LAIMANT'S NAME

GARY GRAD

CLAIM I

T. NO.

A22-00683A

ATE RECEIVED

8-29-88

CK #

AMOUNT \$

YES

NO

Is the name and address complete with zip code?

☒

☐

Is a priority date entered?

☒

☐

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

☒

☐

(a) Is a source entered?

☒

☐

(b) Is a tributary to entered? (if required)

N/A

☒

☐

Is the legal description of the p.d. sufficient?

☒

☐

Is there a description of the diverting works?

☒

☐

Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

☒

☐

Is the period of use included?

☒

☐

Is a quantity claimed for each use?

☒

☐

Is a total quantity claimed entered?

☒

☐

If required is a consumptive use entered?

N/A

☒

☐

Is the consumptive use correct?

N/A

☒

☐

Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4.

☒

☐

0. Is (are) the place(s) of use entered?

☒

☐

1. Is (are) the county(ies) entered?

☒

☐

2. Is the ownership of p.u. checked?

☒

☐

3. Are other water rights listed or "none" indicated?

☒

☐

4. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

☒

☐

5. Is the basis of the claim checked?

☒

☐

6. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

☒

☐

Is the claim been signed, sealed, and dated by a notary?

☒

☐

Is this claim filed on time, or was an extension granted?

☒

☐

Is the fee enclosed correct?

☒

☐

If this claim is based on an existing water right, has the identification number been entered?

N/A

☒

☐

Could this claim be receipted and data entered?

☒

☐

Claim checked by:

ECV

Comments:

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