

06/19/2007

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

RIGHT NUMBER: 22-2048D

NAME AND ADDRESS: AMANDA FERGUSSON
PO BOX 9534
JACKSON WY 83002

TOM FERGUSSON
PO BOX 9534
JACKSON WY 83002

SOURCE: MAHOGANY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.370 CFS

PRIORITY DATE: 03/18/1910

POINT OF
DIVERSION: T04N R44E S1 NESWSE 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	0.370 CFS

PLACE OF USE: IRRIGATION in TETON County

T04N R45E S06 SESW 18.50

18.5 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SCANNED
JUN 27 2007



Idaho Department of Water Resources

SRBA Recommendation:

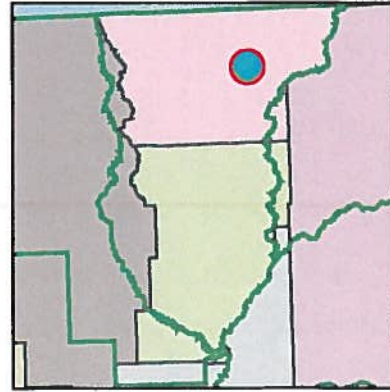
22-2048D

(Irrigation)

SCANNED
JUN 27 2007

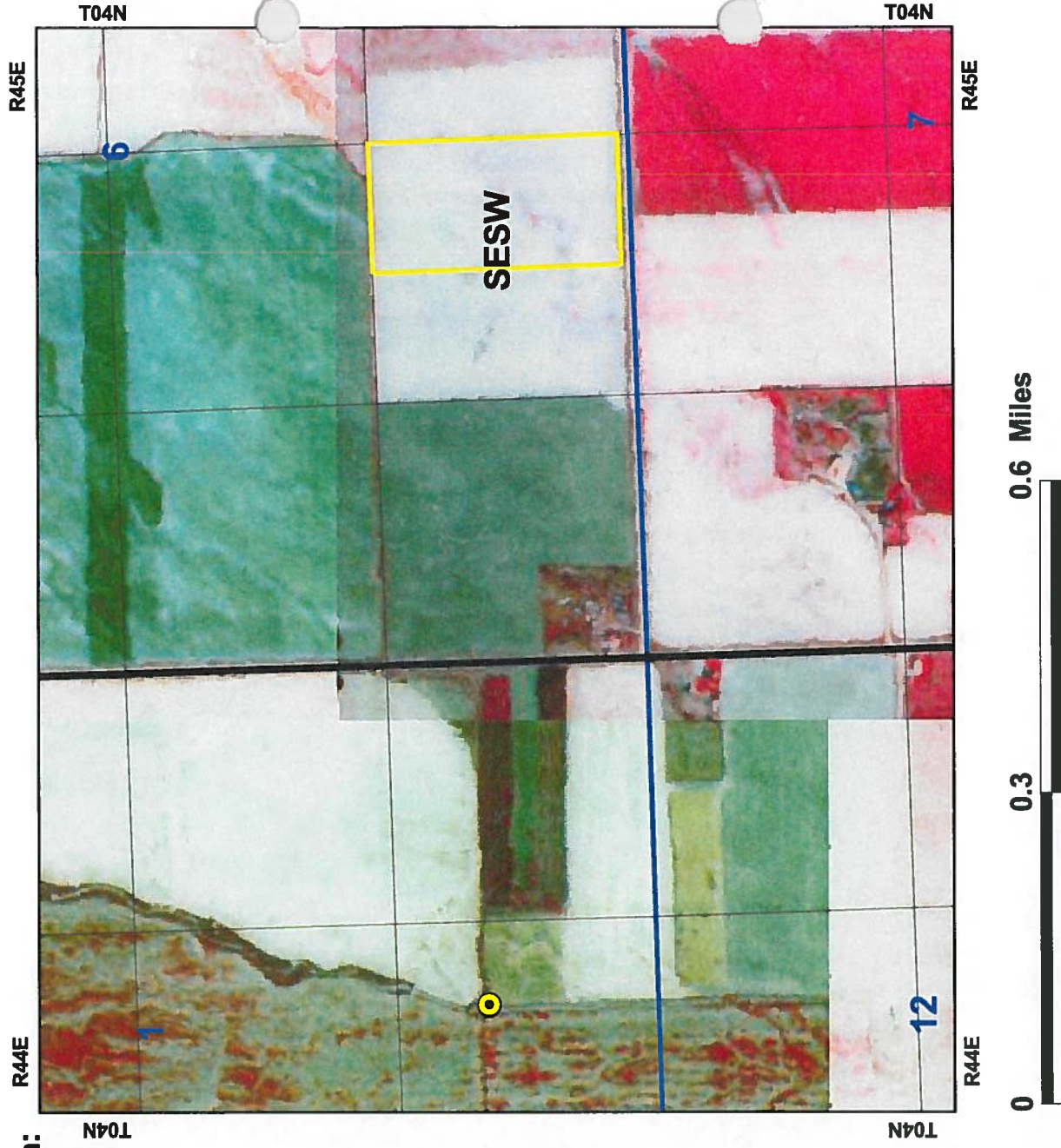
Legend

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



Teton County
IDWR Basin 22

Prepared by T. Galbraith
On Monday, August 7, 2006
1987/88 Aerial Photography





U.S. POSTAGE

1041

p83523907

8913501.300 JUN 25 2007

8028 MAILED FROM ZIP CODE 83408

22-2048D

IDAHO DEPT. OF WATER RESOURCES

Eastern Region

900 N. Skyline Dr., Ste. A

Idaho Falls, ID 83402-1718

(208) 525-7181

to

TERRILL J & JEAN BOLES

~~PO BOX 1336~~

~~CARRABELLO~~ FL 32322

- 3322
-  ☐ Not Deliverable As
Inable To Forward
☐ Insufficient Address
☐ Moved, Left No Address
☐ Unclaimed ☐ Refused
☐ Attempted-Not Known
☐ No Such Street ☐ Number
☐ Vacant ☐ Illegible
☐ Box Closed
☐ Receipt Not
Returned No Order
Postage Due

RECEIVED

JUL 02 2007

Department of Water Resources
Eastern Region

SCANNED

JUL 02 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 19, 2007

TOM & AMANDA FERGUSON
PO BOX 9534
JACKSON WY 83002

RE: Notice of Change of Water Right Ownership (NCO) for 22-2048D and Notice of Completed Administrative Proceeding (NCAP)

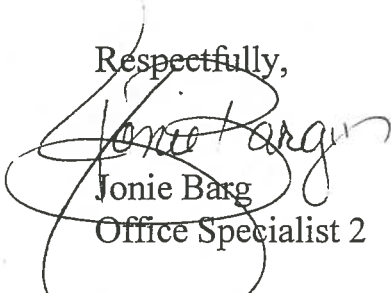
Dear Sir/Madam:

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

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

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

Respectfully,


Jonie Barg
Office Specialist 2

Enclosure
cc: Boles

SCANNED

JUN 27 2007

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

In Re SRBA

)

Water Rights: 22-2048D

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

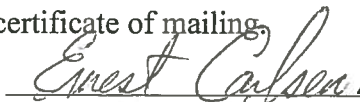
- ☐ Address change
- ☒ Substitution of Party BOLES-FERGUSSON
- ☐ I.C. § 42-222 transfer

- | | |
|---|--|
| ☐ 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: 21 June 2007



Signature of IDWR Representative

SCANNED

JUN 27 2007

CERTIFICATE OF MAILING

I certify that on June 25, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

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

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
TERRELL J & JEAN BOLES
PO BOX 1336
CARRABELLO FL 32322

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
TOM & AMANDA FERGUSSON
PO BOX 9534
JACKSON WY 83002

4. One copy to:

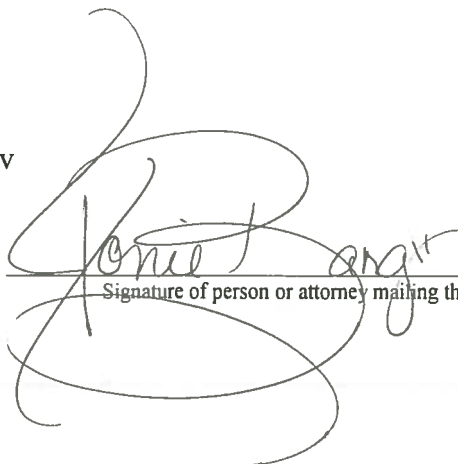
Each party in the subcase, or attorney of record

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

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

RECEIVED
MAY 07 2007
 Department of Water Resources
 Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
	22-2048D				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Boles (Terrell J Boles / Jean Boles)
P O Box 1336 Carrabelle FL 32522

4. New Owner/Claimant(s)

Tom + Amanda Fergusson
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

P O Box 9534

City, State and ZIP Code

Jackson WY 83002

New Telephone Number

(307) 739-9034

5. Date you acquired the property

June 10 2004

SCANNED

JUN 27 2007

WARRANTY DEED

For Value Received **Glen Thomas Fergusson, III and Amanda Sage Fergusson, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Amanda Sage Fergusson, a married women as her sole and separate property

X whose address is: **PO Box 9534, Jackson, WY 83002**

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

The E1/2SE1/4SW1/4 Section 6, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as follows:

From the SW corner of said Section 6, thence North 89 degrees 54'30"E, 2012.08 feet along the Southern section line to the true point of beginning; thence North 00 degrees 27'13"W, 1323.32 feet to a point on the North line of the SE1/4SW1/4 of said Section 6; thence North 89 degrees 50'49"E, 668.12 feet along the North line of the SE1/4SW1/4 to the NE corner of the SE1/4SW1/4 of said Section 6; thence South 00 degrees 33'54"E, 1324.05 feet along the East line of the SE1/4SW1/4 to the S1/4 corner of said Section 6; thence South 89 degrees 54'30"W, 670.70 feet along the Southern section line to the point of beginning.

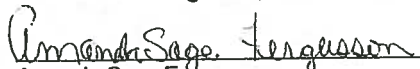
LESS AND EXCEPTING THEREFROM the existing County Road and Utility easement right-of-way along the South boundary of the above described property.

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.

Dated:


Glen Thomas Fergusson, III

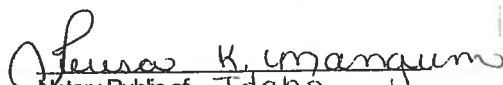

Amanda Sage Fergusson

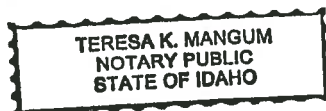
STATE OF

)ss.

COUNTY OF

On this 10 day of June, 2004, before me, a Notary Public, personally appeared Glen Thomas Fergusson, III and Amanda Sage Fergusson known or identified to me (or proved to me on the oath of), to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


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



SCANNED
JUN 27 2007

WARRANTY DEED

For Value Received **Terrell J. Boles and Jean Boles, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Amanda Sage Fergusson, a married women as her sole and separate property

whose address is: **PO Box 9534, Jackson, WY 83002**

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

The E1/2SE1/4SW1/4 Section 6, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as follows:

From the SW corner of said Section 6, thence North 89 degrees 54'30"E, 2012.08 feet along the Southern section line to the true point of beginning; thence North 00 degrees 27'13"W, 1323.32 feet to a point on the North line of the SE1/4SW1/4 of said Section 6; thence North 89 degrees 50'49"E, 668.12 feet along the North line of the SE1/4SW1/4 to the NE corner of the SE1/4SW1/4 of said Section 6; thence South 00 degrees 33'54"E, 1324.05 feet along the East line of the SE1/4SW1/4 to the S1/4 corner of said Section 6; thence South 89 degrees 54'30"W, 670.70 feet along the Southern section line to the point of beginning.

LESS AND EXCEPTING THEREFROM the existing County Road and Utility easement right-of-way along the South boundary of the above described property.

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.

Dated: 6/08/04


Terrell J. Boles

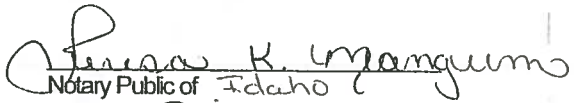

Jean Boles

STATE OF

)ss.

COUNTY OF

On this 8th day of June, 2004, before me, a Notary Public, personally appeared Terrell J. Boles and Jean Boles, known or identified to me (or proved to me on the oath of), to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public of Idaho

Residing at Diggs

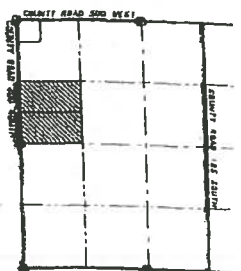
Commission Expires: 07-24-09

TERESA K. MANGUM
NOTARY PUBLIC
STATE OF IDAHO

SCANNED

JUN 27 2007

FOLLOWS & I JO ALMOST DEAD:
WITH CAP INCEPRED:
AW END 2480
AT FORCE CORNER



RECORDED'S CERTIFICATE
STATE OF IDAHO)
COUNTY OF TETON) SS
I, DEPUTY CLERK, THAT THIS PLAT WAS FILED THIS
18th day of December, 1946, at 9:18 a.m.
AT THE REQUEST OF Paul Bergman
INSTRUMENT NUMBER 154278
Doc 2 Nival
CLERK RECORDER

SRBA SUBCASE SUMMARY REPORT 22-02048D

[Return to SRBA Home Page](#)

SRBA
06-19-2007

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 22-02048D FILE#: 00000
CLAIMANT: BOLES, JEAN
1060 SALEM WALK DR

GREENSBORO GA 30642
STATUS: UNOBJECTED TO W/R SPECIAL MASTER:
WATER SOURCE: MAHOGANY CREEK TRIBUTARY: TETON RIVER

****** PARTIES INVOLVED ******

JEAN BOLES	C PRO SE
TERRELL J BOLES	C PRO SE

****** ROA ENTRIES ******

[Return to SRBA Home Page](#)



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

December 15, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

AMANDA SAGE FERGUSON
PO BOX 9534
JACKSON WY 83002

RE: CHANGE IN WATER RIGHT OWNERSHIP FOR 22-2048D

Dear Ms. Fergusson:

It has come to our attention that you may have recently purchased a tract of land in Teton County, Idaho. The property to which I am referring was most recently owned by Terrell and Jean Boles. The legal description is as follows:

T04N, R45E, S6, SESW

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

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist
Enclosure(s)

SCANNED

JUN 27 2007

AGENT OF WATER PROTECTION
TERRA DISTRICT OFFICE
200 N. STATE ST.
S. FALLS, ILL. 62401

ADDRESS SERVICE
REQUESTED

Change of owner

TERRILL J. BOLES

TEAM BOLLES

SECRET

RECEIVED
JAN 14 1964
U.S. DEPARTMENT OF
COMMERCE
BUREAU OF ECONOMIC
ANALYSIS

CTF

Not told -
Don't know him

U.S. POSTAGE PB3523907
1721
8992 \$00.870 NOV 28 2006
5794 MAILED FROM ZIP CODE 83402

SCANNED
JUN 27 2007

Claim No. 22-2048D

Document Checklist

- ☒ Copy License/Decree
- ☐ Copy Transfer N/A
- ☒ Copy Licensing Field Exam
- ☒ Check if Ownership/Address Change is Required yes required
- ☐ Generate, mail and file "Evidence of Priority" letter N/A
- ☒ Generate Arcview Map

SCANNED
JUN 27 2007

Fremont County,
Lahogany Creek
2.1 cu. ft. per second
irrigation and domestic
Priority 3/18/1910

B. I. A. 1002 42
WHEREAS, On the 18th day of March, A. D. 1910, EZRA G. BATE, of Fremont County, State of Idaho, duly made application for a permit to use 2.1 cubic feet per second of the waters of Lahogany Creek, County of Fremont, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 18th day of March, A. D. 1910, Permit No. 5834 was issued to said applicant for the diversion of said waters, and providing for the completion of the works of diversion therein described on or before the 18th day of March, A. D. 1911, and for the application to beneficial use of said waters on or before the 18th day of March, A. D. 1913.

WHEREAS, On the 18th day of March, A. D. 1911, EZRA G. BATE, the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.1 cubic feet per second of said waters, as evidenced by my Certificate No. 5834, dated June 26, A. D. 1911, confirming the completion of works of sufficient capacity for diverting and conveying the same to place of intended use 3.22 cubic feet per second of water, with date of priority of March 18, 1910, and

WHEREAS, On the 26th day of June, A. D. 1911, EZRA G. BATE, the holder of said permit duly made proof of the application to beneficial use of 2.1 cubic feet per second of said waters;

NOW, THEREFORE, by virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to EZRA G. BATE, of Fremont County, State of Idaho, the holder and owner of said Permit No. 5834, a perpetual right, dating from March 18, A. D. 1910, to the use of 2.1 cubic feet per second of the waters of Lahogany Creek, in the County of Fremont, State of Idaho, or so much thereof as may be necessary for the purposes of which it is mentioned, to be diverted to a point about 90 rods S., and 2 rods E. of center of Sec. 11, T. 4 N., R. 4 E., S. 4 E., East of Boise Meridian, and connected to and by a lot of acres, divided as follows: (55 acres in Lot 7, 35 acres in S. 4 E., and 35 acres in S. 4 E., Section 11, T. 4 N., R. 4 E., S. 4 E., East of Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or a majority of the waters for a certain purpose have been or may be adopted from time to time by a majority of the waters for a certain purpose of supply, canal or lateral from which such water may be taken, upon such rules and regulations have for their object the economical use of such water.

Witness, My hand and the seal of my office at Boise, Idaho, this 26th day of June, A. D. Nineteen hundred and eleven.

A. E. Robinson,
State Engineer

(SEAL)

112 2048

Report of Engineer

1. State name of applicant and number of permit: *State of Idaho, Permit No. 5834*
2. State name of water right: *Integrant right*
3. Location of point of diversion: *about 20 rods S. 1/2 S. 1/2 E. 1/2 of corner of Sec. 12, T. 1 N., R. 10 E., S. 1/2*
4. State whether or not the work of diversion was fully completed and in accordance with terms of permit: *Yes*

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: *2'*
- (b) Width at water line: *24"*
- (c) Depth of water: *6"*
- (d) Grade per mile: *20'*

6. State whether or not water has been turned into works of diversion and if so to what extent:

Was used for pasture, about 1000 acres

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *Lot 7, under irrigation 30 acres*

S. 1/2 S. 1/2 E. 1/2

S. 1/2 S. 1/2 E. 1/2

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: *None*

STATE OF IDAHO.

County of *Idaho*

I, being first duly sworn, depose and say that the statements contained in the within report are correct to the best of my knowledge and belief.

Subscribed and sworn to before me this *19* day of *June*, 19*11*

My Commission Expires

Notary Public

5834

Т.А.М.Р.А.Е.В.М.

Т.А.М.Р.А.Е.В.М.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

583



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FEBRUARY 17, 1997

TERRELL J BOLES
1060 SALEM WALK DR
GREENSBORO GA 30642

RE: CHANGE IN OWNERSHIP FOR A22-02048

Dear Mr. Boles:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A22-02048^D, BOLES, 0.370 CFS, 18.5 ACRES
A22-02048^B, EDWARDS, 0.370 CFS, 18.5 ACRES

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Jo Thompson
Adjudications Secretary

Enclosure:

CC: HARVEY EDWARDS/COPY CLAIM/LETTER

FEBRUARY 25, 1997

DEAR MR. BOLES:

I APOLOGIZE FOR MY ERROR, BUT WHEN I ASSIGNED THE WATER RIGHT NUMBER TO YOUR NAME, I GAVE IT A "C". IT SHOULD HAVE BEEN A "D". PLEASE CHANGE YOUR "COPY" TO A "D". ALL OTHER INFORMATION SPECIFIED IS CORRECT AS SHOWN.

THANKS, JO THOMPSON

SCANNED

JUN 27 2007

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

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

FEB 10 1997

DATE OF CLOSING 12-26-96

Department of Water Resources
Eastern Region

[] Water Right Number(s) /
SRBA Claim No(s): A2202048 (SEE SPLIT ANALYSIS - ATTACHED)

[] Name and Address of Former
Owner/Claimant(s) (Seller) Eric E. & Sandra A. Thompson
1101 Hidden Beach Rd.
Lake Almanor, CA 96137

[] New Owner/Claimant
(Purchaser): Terrell J. & Jean Boles

[] New Mailing Address: 1060 Salem Walk Dr.
Greensboro, GA 30642

[] New Telephone Number: (706) 453 - 9062

[x] Attach proof of ownership; Proof must include legal description.
(i.e. Warranty Deed). Describe proof attached Warranty Deed.

[x] Please submit a map or aerial photo showing the property purchased if one is
available.

[] Does the change in ownership result in a splitting of the water right
owned/claimed? X yes no

* If the property you have purchased is only part of the property owned by the
former owner/seller, you may be purchasing only part of the total water right(s)
held by the seller. (See back for explanation)

[] Signature of New
Owner/Claimant(s): [Signature] Date 1/15/97
Jean Boles Date 1/15/97

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

Signature _____

Address _____

Eastern Region
900 N Skyline Dr
Suite A
Idaho Falls ID 83402
(208) 525-7161

Southern Region
222 Shoshone St E
Twin Falls ID 83301
(208) 736-3033

Western Region
2735 Airport Wy
Boise ID 83705
(208) 334-2190

Northern Region
1910 Northwest Blvd Ste 210
Coeur d Alene ID 83814
(208) 769-1450

State Office
1301 N Orchard St
Boise ID 83706
(208) 327-7900

Original to be mailed to IDWR Regional Office in your area.

SCANNED

JUN 27 2007

125877
WARRANTY DEED

RECEIVED

DEC 12 1996

TETON CO., ID
CLERK RECORDER

COPY

1. Date

February 21, 1994

2. Parties

Grantor: Louis B. Cushman, a married man of 2800 Post Oak Boulevard, Suite 5300, Houston, Texas 77056-6111, dealing with his sole and separate property, joined by his wife Christina S. Cushman to convey any community property interest she may have in the property, and John C. Cushman, III and Jeanine S. Cushman, husband and wife of 601 South Figueroa Street, Suite 4700, Los Angeles, California 90017-5752.

Grantee: Eric E. Thompson and Sandra A. Thompson, husband and wife

Current Address: 1101 Hidden ^{Beach} Valley Road, Lake Almanor, California 96137

3. Property

Transferred interest: All

Idaho county: Teton

Description:

Section 6, Township 4 North, Range 45 East of the Boise Meridian: SE $\frac{1}{4}$ SW $\frac{1}{4}$ (approximately 40 acres).

Together With:

1. All water rights appurtenant to the property;
2. All appurtenant mineral rights, if any;
3. All reversions and remainders;
4. All rents, issues and profits; and
5. All tenements, hereditaments, appurtenances, improvements and fixtures, and the right to prorate use (based on acreage) of the pump, panel, screen box, and portable mainlines with the adjoining land owner to the east, subject to paying the prorate share (based on acreage) of all maintenance and electricity costs to include the responsibility for and obligation to pay costs pursuant to the attached Agreement for Electrical Services dated April 16, 1991.

Subject To:

1. Taxes for 1994 and subsequent years.
2. If zoning ordinances permit, grantees may build not more than one (1) single family residence and associated out buildings reasonably necessary to the use of the premises may be constructed on the property. A like restriction is in force on the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, Township 4 North, Range 45 East of the Boise Meridian. Grantee may build one

SCANNED

JUN 27 2007

such residence on each parcel and a third on this parcel or the other, buy may not build more than three on the two parcels. This provision is a covenant running with the land to be permanently enforced.

3. All conditions, covenants, restrictions and ordinances effecting the property.

4. Consideration

Ten Dollars (\$10.00) and other good and valuable consideration, receipt and sufficiency of which is acknowledged.

5. Grant

For the consideration stated, grantor grants, bargains, sells, and conveys to grantee and to grantee's heirs and assigns forever the transferred interest in the property described in this deed.

6. Warranties

Grantor, for himself, his heirs, successors and assigns, covenants with grantee, his heirs, successors, and assigns as follows:

Grantor is currently the owner of the property as described in this deed.

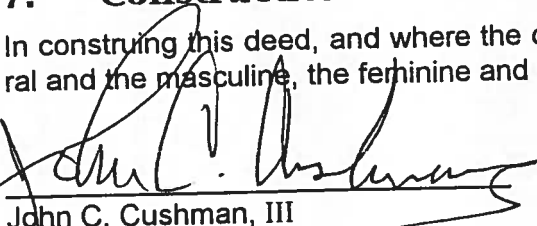
Grantor has good right to convey the property described in this deed to grantee.

The property described in this deed is free from all encumbrances, except as otherwise shown in this deed.

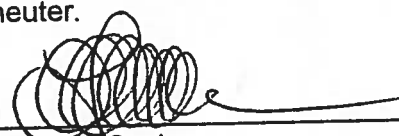
Grantor and his heirs and successors will forever warrant and defend the quiet and peaceful possession of the property granted by this deed to grantee, his heirs, successors and assigns against the lawful claims of all persons.

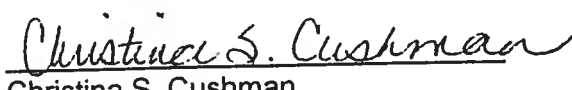
7. Construction

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


John C. Cushman, III


Jeanine S. Cushman


Louis B. Cushman


Christina S. Cushman

125877

STATE OF CA)
) ss.
 County of Los Angeles)

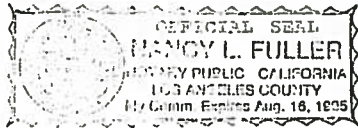
On February 14, 1994, before me, NANCY L. FULLER, a(n) CALIF.
 notary public, personally appeared John C. Cushman, III and Jeanine S. Cushman,
 known or identified to me to be the persons whose names are subscribed to the within
 instrument, and acknowledged to me that they executed the same.

In witness, I have set my hand and affixed my official seal the day and year in this certi-
 cate first above written.

Nancy L. Fuller
 Notary Public for STATE OF CALIF

Residing at: 3611 FIRST AVE., LA CRESSENTA, CA 91214
 My Commission expires: 8/16/95

(SEAL)



STATE OF TEXAS)
) ss.
 County of HARRIS)

On February 22, 1994, before me, LINDA ANNE RAY, a(n) TEXAS
 notary public, personally appeared Louis B. Cushman and Christina S. Cushman, known
 or identified to me to be the persons whose names are subscribed to the within instru-
 ment, and acknowledged to me that they executed the same.

In witness, I have set my hand and affixed my official seal the day and year in this certifi-
 cate first above written.

Linda Anne Ray
 Notary Public for TEXAS

Residing at: 2800 POST OAK BLVD., SUITE 5300, HOUSTON TX 77056
 My Commission expires: 11/3/97

(SEAL)



125877

FILED

AT THE REQUEST OF

ALLIANCE TITLE AND ESCROW

AT 17 MINUTES PAST 3 P.M.DATE Dec. 12, 1996BY Chae J. Drake

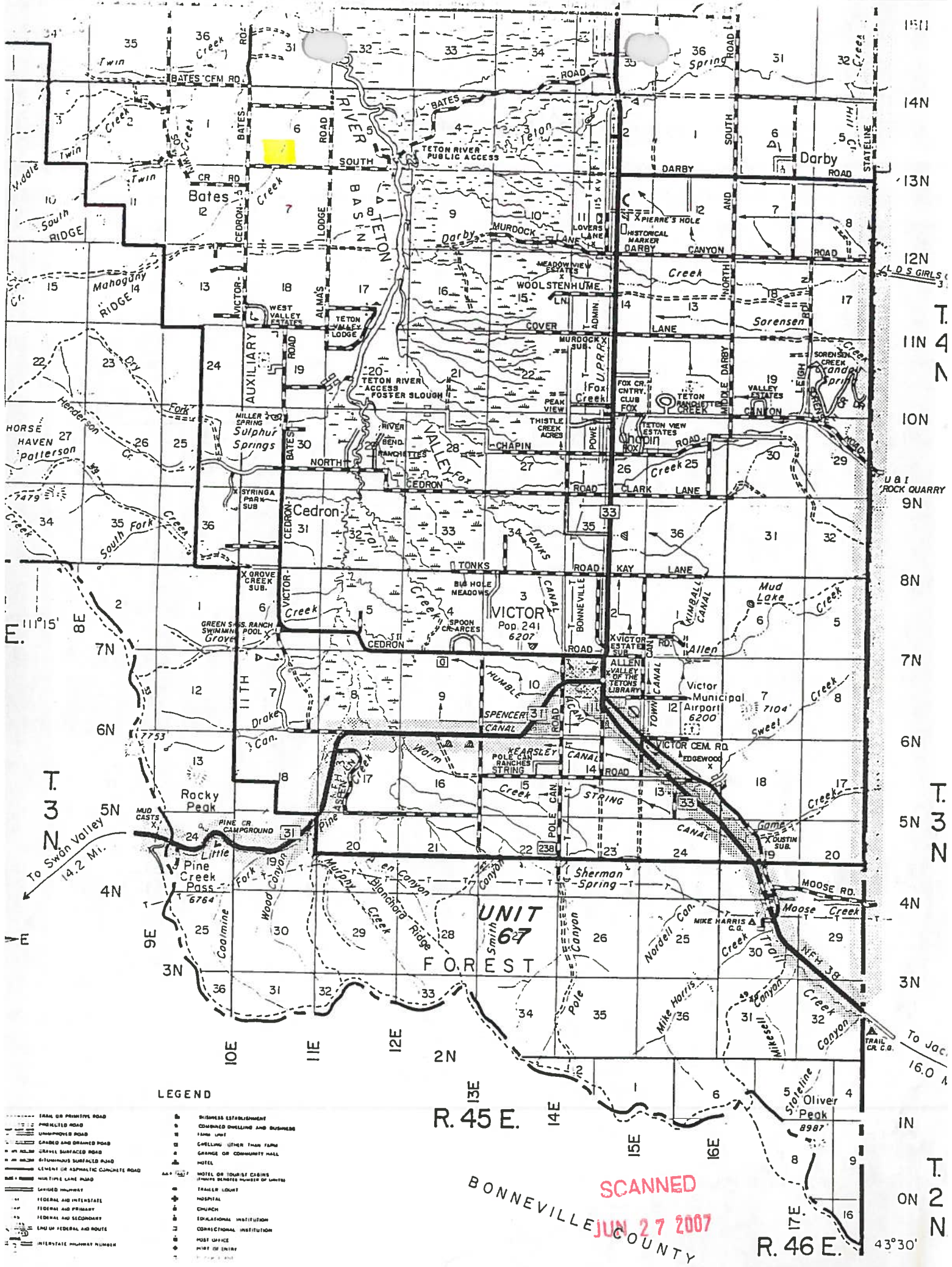
CLERK OF RECORD

DEPUTY

WARRANTY DEED - PAGE 3

SCANNED

JUN 27 2007



LEGEND

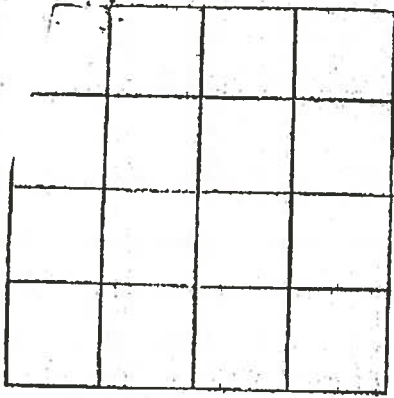
- | | |
|-----------------------------|----------------------------------|
| --- TRAIL OR PRIMITIVE ROAD | • BUSINESS ESTABLISHMENT |
| --- PAVED ROAD | • COMBINED DWELLING AND BUSINESS |
| --- UNPAVED ROAD | • FARM UNIT |
| --- GRADED AND DRAINED ROAD | • CHURCH (OTHER THAN FARM) |
| --- ASPHALT SURFACED ROAD | • GRANGE OR COMMUNITY HALL |
| --- ASPHALT SURFACED ROAD | • HOTEL |
| --- ASPHALT SURFACED ROAD | • HOTEL OR TOURIST CASINO |
| --- ASPHALT SURFACED ROAD | • (SHOWS DENR NUMBER OF UNIT) |
| --- ASPHALT SURFACED ROAD | • TRAILER COURT |
| --- ASPHALT SURFACED ROAD | • HOSPITAL |
| --- ASPHALT SURFACED ROAD | • CHURCH |
| --- ASPHALT SURFACED ROAD | • EDUCATIONAL INSTITUTION |
| --- ASPHALT SURFACED ROAD | • CORRECTIONAL INSTITUTION |
| --- ASPHALT SURFACED ROAD | • POST OFFICE |
| --- ASPHALT SURFACED ROAD | • MOUNT OF SPRING |

R. 45 E.

SCANNED
JUN 27 2007
BONNEVILLE COUNTY

R. 46 E.

T. 4 N
T. 3 N
T. 2 N
1511
14N
13N
12N
11N
10N
9N
8N
7N
6N
5N
4N
3N
2N
16.0 A
43°30'

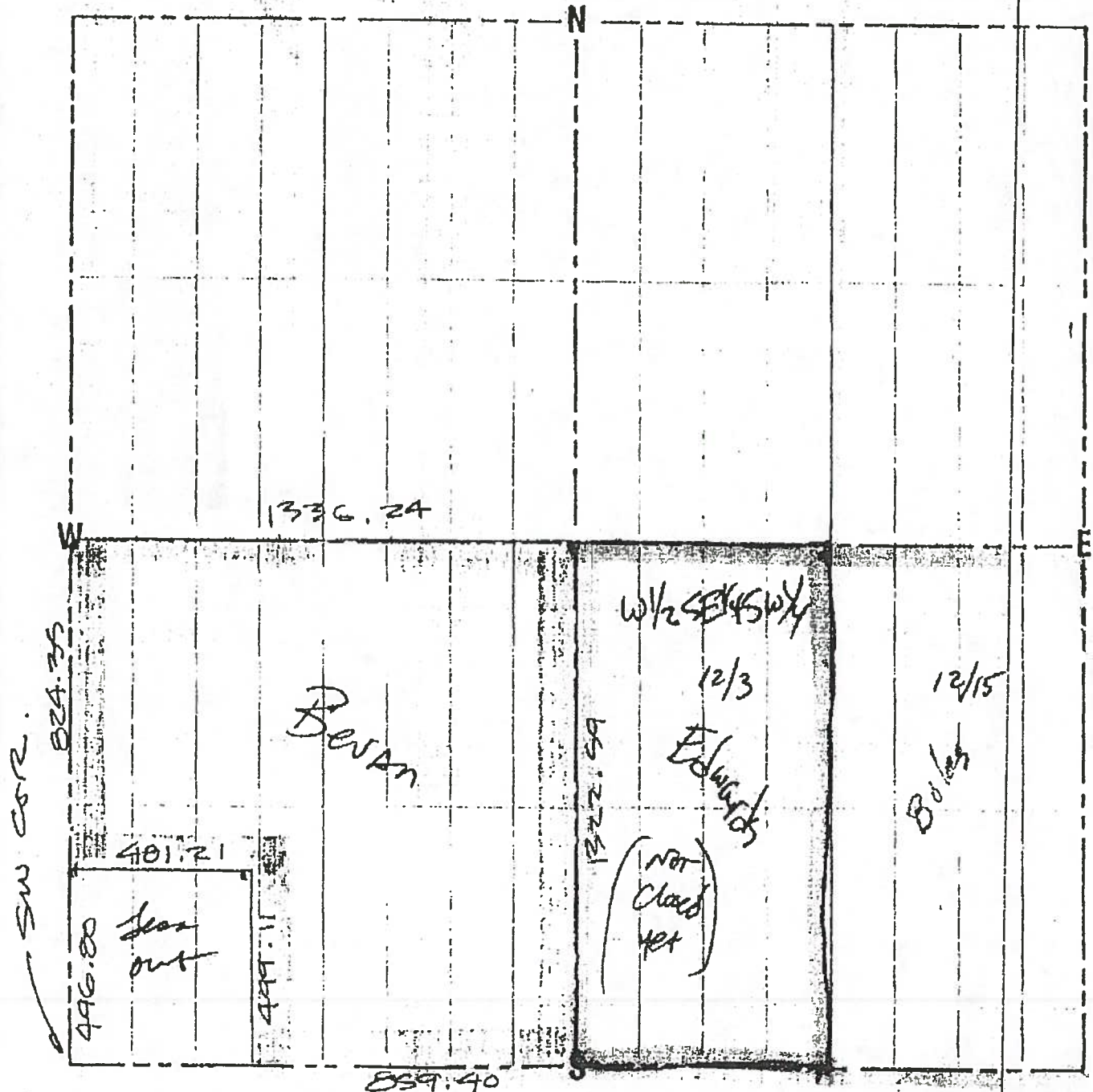


is plat is made for location purposes only, no liability is assumed hereto for any incorrectness with actual survey.

SW 1/4

SEC 6 TWP 4 N RG 45 R3M

SCALE FOR QUARTER SECTION, (Each side large blue squares = 40 chains, 40 rods, 660 feet; area of square 10 acres. 400 ft. = 1 inch. Each side small red squares = 2.5 chains, 10 rods, 165 feet; area of square .625 of 1 acre.)



SCALE FOR QUARTER QUARTER SECTION, 200 FT. = 1 inch

(Each side large blue squares = 5 chains, 20 rods, 330 feet; area of square 2.5 acres. Each side small red squares = 1.25 chains, 5 rods, 82.5 feet; area of square .1625 of 1 acre.)

PRONTO LAND MEASURE 20-40 MAP SHEET

PRONTO LAND MEASURE
P.O. Box 3219, Flint, MI 48602
Phone (313) 833-7950

SCANNED

JUN 27 2007

DECEED RIGHT 22-0204B

SPLIT Analysis Flow Chart
(FOR NUMBERING PURPOSES)

● UNDER CONTRACT OF SALE FROM
PORTER EVR. TO J.C. CUSHMAN III
DECEED 29 Nov 96.

A22-0204B J.C. CUSHMAN III

2.1 cfs MANOGANY CK 18 MAR 1910
P.O.U. AS SEC. 6 T. 4N. R. 4SE.

SWSW 31.0 AC
SESW 37.0 AC
SWSE 37.0 AC

105.0 AC

A A22-0204BA J.C. CUSHMAN III

1.73 cfs MANOGANY CK 18 MAR 1910
P.O.U. T. 4N. R. 4SE SEC 6

SWSE 37.0 AC.
(LOT 7) SWSW 31.0 AC.
E³SESW 18.5 AC.
86.5 AC

C A22-0204BC J.C. CUSHMAN III

1.36 cfs MANOGANY CK 18 MAR 1910
P.O.U. T. 4N. R. 4SE SEC. 6

SWSE 37.0 AC.
(LOT 7) SWSW 31.0 AC.
68.0 AC.

D A22-0204BD T.J. BOLES

0.37 cfs MANOGANY CK 18 MAR 1910
P.O.U. T. 4N. R. 4SE SEC. 6

E³SESW 18.5 AC.
● REQUEST FOR 9/6 7 JAN 97
● RECD 10 FEB 97

B A22-0204B3 HE EDWARDS

0.37 cfs MANOGANY CK
P.O.U. T. 4N. R. 4SE SEC. 6 W²SESW

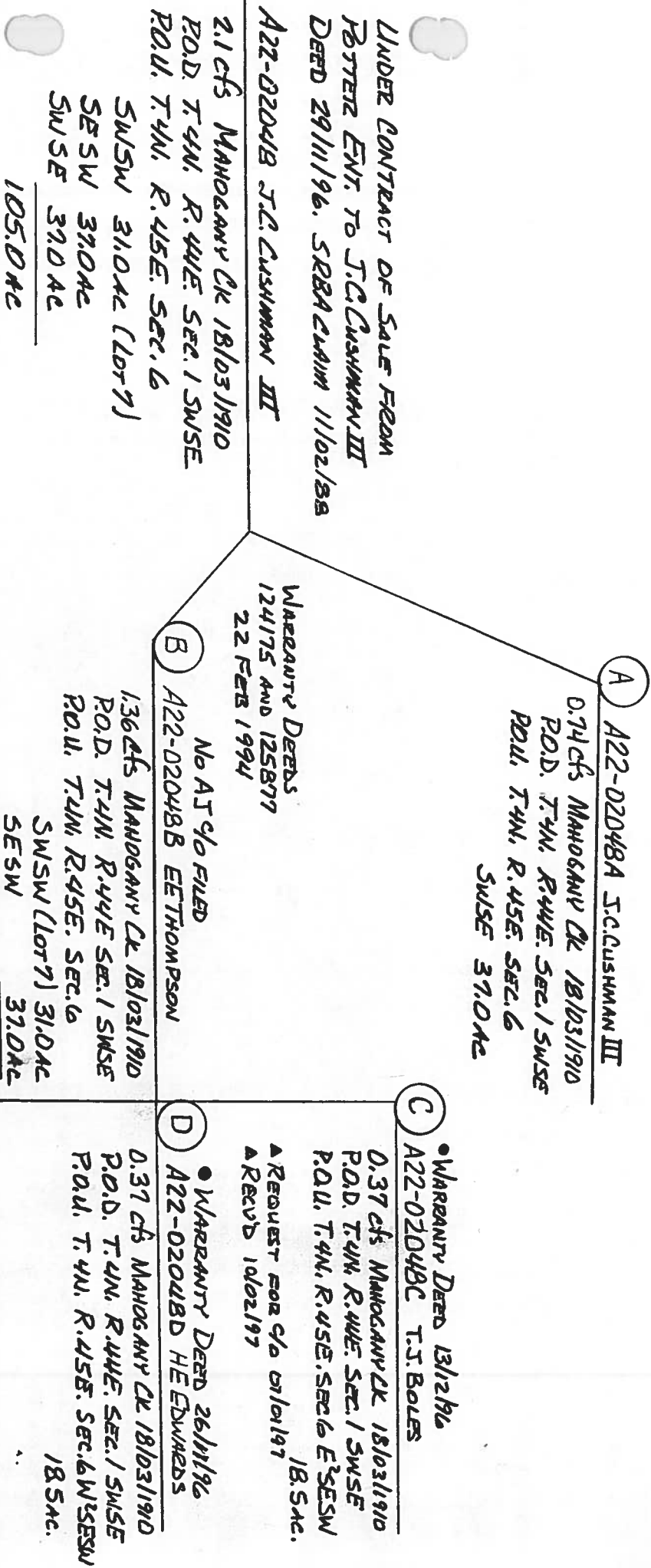
18.5 AC

SCANNED

JUN 27 2007

DECEED RIGHT 22-020418 (AS SPLIT)
ENTJOINED TO SRBA Receipt No. E003735

SPLIT Analysis From Chart
(Actual)



RIGHT AS OF 24 FEB 97

ABE

7 JANUARY 1997

MR TERRELL J BOLES
1060 SALEM WALK DRIVE
GREENSBORO GEORGIA 30642

RE: PURCHASE OF PROPERTY WITH WATER RIGHTS, A22-02048 (PART)

Dear Mr Boles;

It has come to our attention that you may have recently purchased a parcel of property in, or near, Driggs, Idaho. The legal description of this parcel would be E1/2SE1/4SW1/4 Section 6, T04N, R45E, B.M. According to Idaho Department of Water Resources records, the parcel which we understand you may have purchased has appurtenant to it a portion of a water right.

If, in-fact, our information is correct and you wish to claim the portion of the water appurtenant to this parcel I have enclosed a Notice of Change of Water Right Ownership form and a Proof Report of the right (in it's entirety) for your convenience. Please complete the form, sign it, and return it to our office as soon as possible. Also, please note the need for the required document(s) in item 2 of the form. There is no fee for a change of ownership filing.

This water right is enjoined to the on-going Snake River Basin Adjudication (SRBA), and it is our goal to favorably recommend this water right to the court. In review of this matter should you have questions regarding this water right please feel free to contact this office at the above address and/or telephone number.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudications Bureau

CC: File

Enclosure: Change of Ownership Form
Proof Report, A22-02048

SCANNED

JUN 27 2007

RECEIVED

126032

DEC 26 1996

Warranty Deed

ALLIANCE TITLE & ESCROW CORP., INC.
P.O. BOX 644 / 78 N. MAIN STREET
DRIGGS, IDAHO 83422

TETON CO., ID
CLERK RECORDER

For Value Received

ERIC E. THOMPSON AND SANDRA A. THOMPSON, HUSBAND AND WIFE

COPY

the grantors , do hereby grant, bargain, sell and convey unto

TERRELL J. BOLES AND JEAN BOLES, HUSBAND AND WIFE

whose current address is 1060 SALEM WALK DRIVE, GREENSBORO, GEORGIA 30642

the grantees , the following described premises, in TETON County Idaho, to wit:

The E1/2SE1/4SW1/4 Section 6, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as follows:

From the SW corner of said Section 6, thence North 89 degrees 54'30" E, 2012.08 feet along the Southern section line to the true point of beginning; thence North 00 degrees 27'13" W, 1323.32 feet to a point on the North line of the SE1/4SW1/4 of said Section 6; thence North 89 degrees 50'49" E, 668.12 feet along the North line of the SE1/4SW1/4 to the NE corner of the SE1/4SW1/4 of said Section 6; thence South 00 degrees 33'54" E, 1324.05 feet along the East line of the SE1/4SW1/4 to the S1/4 corner of said Section 6; thence South 89 degrees 54'30" W, 670.70 feet along the Southern section line to the point of beginning.

Subject to a 30 foot county road and utility easement along the Southern section line.

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR COVENANT.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GranteeS, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all incumbrances except; Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: DECEMBER 13, 1996

Eric E. Thompson
ERIC E. THOMPSON

Sandra A. Thompson
SANDRA A. THOMPSON



STATE OF IDAHO, COUNTY OF

On this _____ day of _____, 19____, before me, a notary public in and for said State, personally appeared

Eric E. Thompson and
Sandra A. Thompson

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

See Attached

Notary Public
_____, Idaho

Residing at _____
Comm. Expires _____

126032

FILED

AT THE REQUEST OF

ALLIANCE TITLE AND ESCROW

AT 05 MINUTES PAST 12 P.M.

DATE Dec. 26, 1996

BY Asa J. Drake

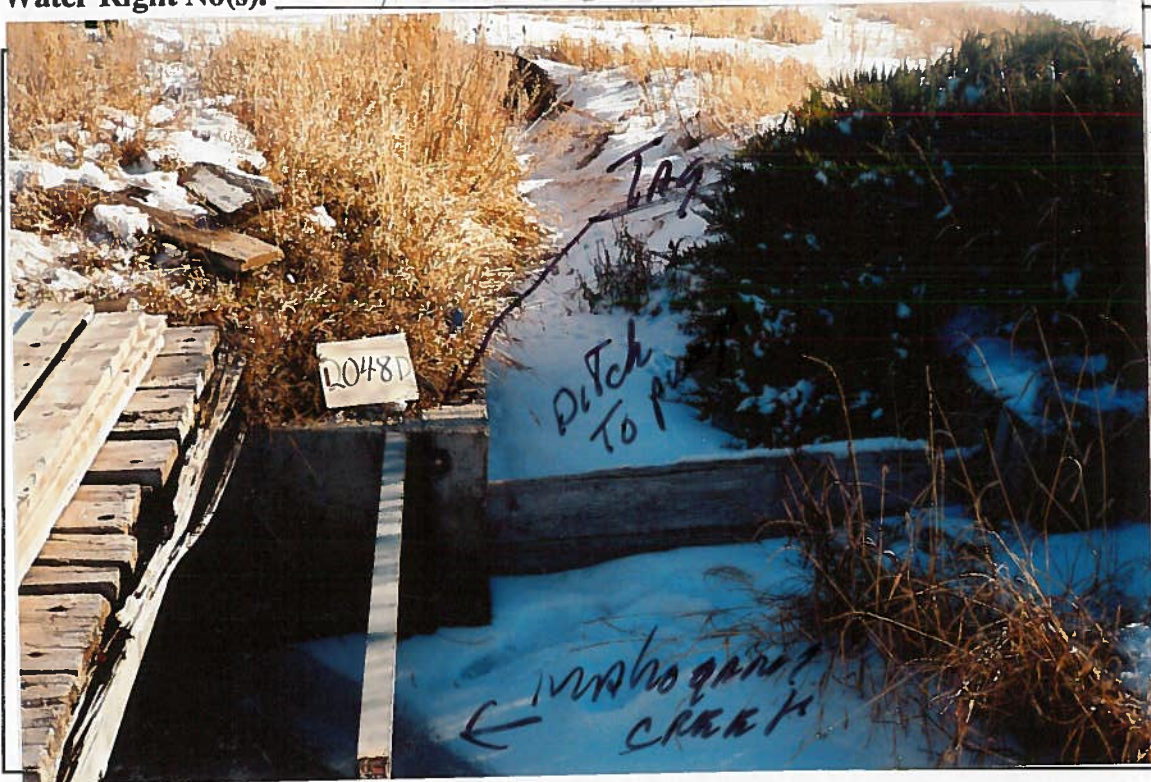
CLERK OF RECORD

BY Nora Rybak DEPUTY

4N 45E



Water Right No(s). 1324825



GPS DATA:

Tag # A0013801 Location: ON concrete Structure

Well Data:

MOTOR

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

PUMP

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

NOTES:

Diverted From MAHOGANY CREEK IN
To Irrigation Ditch TO Ditch pump
INTO MAIN LINE THEN INTO wheel line
And some Hand lines Right is commingled
With other WATER Rights

Field Exam Date: 11-21-05 Agent: Nick Olson

SCANNED

JUN 27 2007

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A22-02048D**
Date Received: 11/ 2/1988
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: TERRELL J BOLES
Address: 1060 SALEM WALK DRIVE
GREENSBORO GA

706-453-9062

30642

AND

Name: JEAN BOLES
Address: 1060 SALEM WALK DRIVE
GREENSBORO GA

706-453-9062

30642

2. Date of Priority: MAR 18, 1910

3. Source: MAHOGANY CREEK

Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	44E	1	SW	SE			TETON

5. Description of diverting works:
HEADGATE TO DITCHES TO SPRINKLERS AT P/U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.370		

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

A.F.A.

8. Total consumptive use is

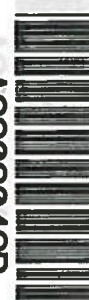
Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	45E	6	SE	SW		IRR	18.5

A2202048D



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	18.5
					Total Acres	18.5

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:

14. Remarks:

ORIGINAL LICENSE INDICATES P/U IN SEC6 T4N R44E. THIS APPEARS TO BE IN ERROR. ACTUAL P/U IS AS LISTED. P/D CHANGED FROM SESW SEC 12 T4N R44E TO PRESENT LOCATION ~1975.

'A' PORTION OF RIGHT SPLIT BY CHANGE OF OWNERSHIP FILED BY;

A22-02048C, 1.36 CFS, ON 68.0 AC, J. CUSHMAN III, 13DEC96.

A22-02048D, 0.37 CFS, ON 18.5 AC, T. BOLES, 10FEB97

'A' PORTION AS SPLIT TO C AND D IS CLAIMED IN-FULL. ABR.

A22-02048A, 1.73 CFS, ON 86.5 AC., J. CUSHMAN III

OVERALL A22-02048 CLAIMED IN-FULL AS PARTS B,C AND D. 14FEB97, ABR
SEE RECEIPT NO. E003735. SEE SPLIT ANALYSIS FLOW CHART IN FILE.

*** PLACE OF USE IS E1/2SE1/4SW1/4 SEC. 6, T4N, R45E.

15. Basis of Claim: LICENSE

Water Right Number: 5834

08/07/2006

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

RIGHT NUMBER: 22-2048D
NAME AND ADDRESS: TERRELL J BOLES
1060 SALEM WALK DR
GREENSBORO GA 30642

JEAN BOLES
1060 SALEM WALK DR
GREENSBORO GA 30642

SOURCE: MAHOGANY CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.370 CFS
PRIORITY DATE: 03/18/1910
POINT OF DIVERSION: T04N R44E S1 NESWSE 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	0.370 CFS
PLACE OF USE:	<u>IRRIGATION Within TETON County</u>		
	T04N R45E S06	SESW 18.50	
	18.5 ACRES TOTAL		

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SCANNED

JUN 27 2007

22-2048D



SCANNED
JUN 27 2007

