

02/15/2005

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

RIGHT NUMBER: 22-2214C

NAME AND ADDRESS: ALFRED RAY GRIGGS TRUST
875 LOS ALAMOS AVE
LIVERMORE CA 94550

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.190 CFS
180.000 AFY

PRIORITY DATE: 09/01/1961

POINT OF DIVERSION:

T05N R45E S14 NESENW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/15

QUANTITY
1.190 CFS
180.00 AFY

PLACE OF USE: IRRIGATION Within TETON County

T05N R45E S14 SNNW 19.0 T05N R45E S15 SENE 39.0

58 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: License

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 22-2214A/B/C.



State of Idaho

Department of Water Resources

Eastern Region



PROTECTED

Water Right(s):
22-2214C

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Point(s) of Diversion:
T5N, R45E
Sec. 14 NESENW

Place of Use: (parts of)
T5N, R45E
Sec. 14 SWNW,
Sec. 15 SENE

LEGEND



Point of Diversion

SESE

Place of Use



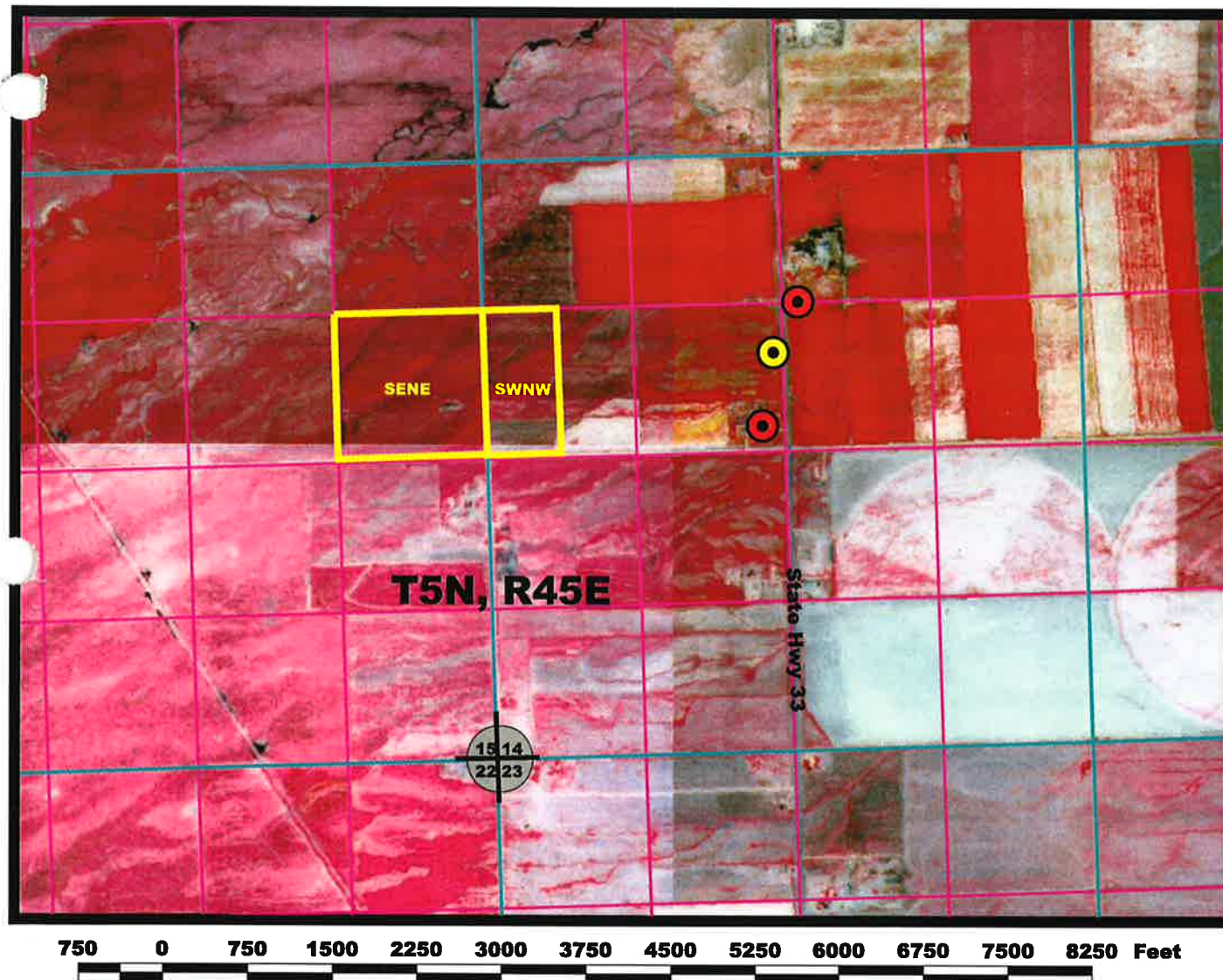
Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: February 2005



Contacts Data Entry Form

Claim Number: _____

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

Current Owner: W. Griggs Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

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

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

C/O TO: THE ALFRED GRIGGS TRUST

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

LICOSUD 24 APRIL 1974, 3.88 cts ON 194⁰ AC, 1500T X 96¹. (002 cts/AC)

SPLIT BY SRBA AS:			
A-1.58 cts	W. Little	179 ⁰ AC	
B-1.11 cts	A. Nickel	55 ⁰ AC	
C-1.19 cts	W. Griggs	59 ⁰ AC	

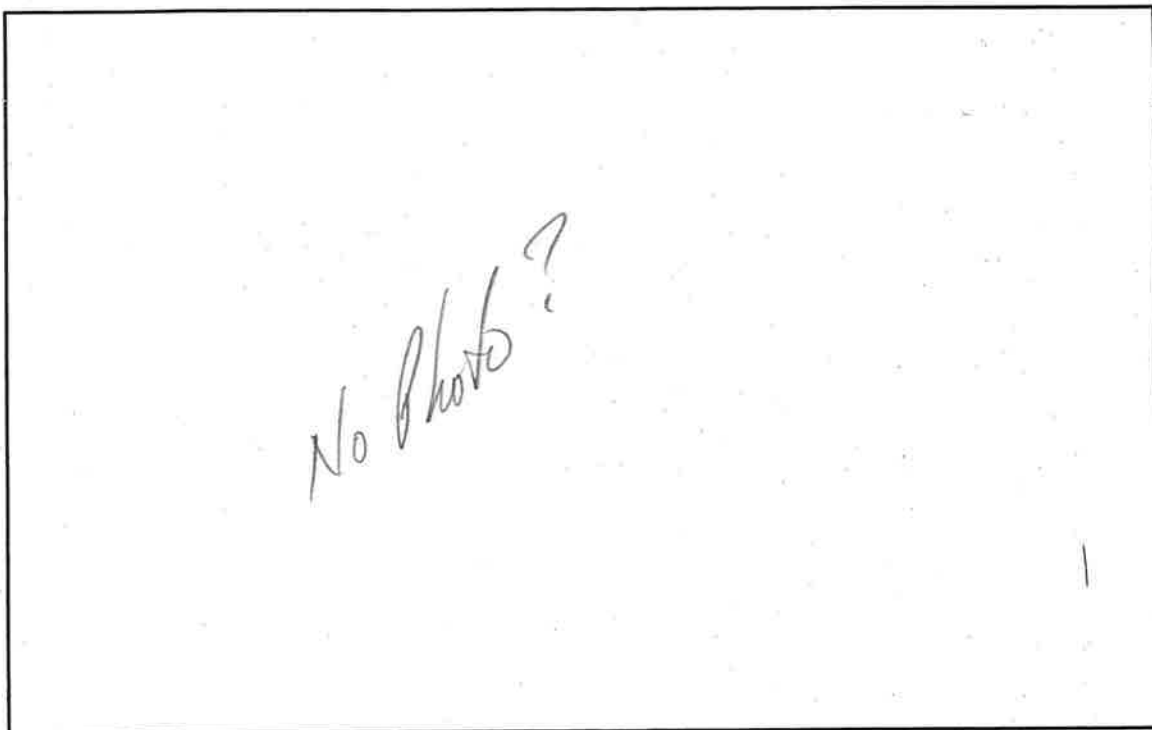
Claims 60 AC = ALLOW 59⁰ AC AT BEST
 SEND SEC. 15 LIC AT 39⁰ AC CLAIMS 40⁰

Reviewer: _____ Date: _____

PROPRIETARY

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Water Right No(s). _____



GPS DATA:

Tag # A0814291 Location: powerbox

Diversion Data:

Source: Well Trib to: _____

MOTOR

Make: GE Model: 5K6266XCSA Hp: 60
SN: WV5721146

PUMP

Make: Lagorio & Bowler Model: _____ Disch: 10"
SN: 21416

NOTES: Refer to Right A2202214 A & B

Field Exam Date: 6/30/04 Agent: DO

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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
05N	4SE	14		NE SE NW	Teton	Groundwater	

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
05N	4SE	14		NE SE NW	Teton	Groundwater	

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

POD as claimed by the licensee, so recommended.
 POD is the same T 22022/4 A/B/C -remarks

Reviewer: _____ Date: _____

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Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use					County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec	QQ	Q				
05N	4SE	14	SW	NW	Teton		20	Irrigation
05N	4SE	15	SE	NE	Teton		40	Irrigation

Total acres 60

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

Total acres 58Pending or approved Transfers: Claims 60[±] AC → Can Allow 59[±] ac.

Overlapping rights: _____

Document how the POU was verified:

6/30/04
DO Well is currently not in use. But this ground has been irrigated with portable mainline and hand lines.

Ground is currently being watered with Grand Teton shares by a series of ditches,

COWD

The pump can also be emptied into the existing ditch system and comingled with Grand Teton Canal water. There is 40 acres in SW NW of section 14 that is irrigated. I'm not sure why only 20 acres are claimed.

Reviewer: _____ Date: _____

Refers to right 2214 A & B?

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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
Irrigation	04/15	10/15	1.19	210

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Truck	4/15	10/15	1.19	180 (AS SPMT)

Overall Diversion Rate _____

Overall Diversion Volume _____

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

Claims 210⁰ AFA - Lic. SPMT Allow 180 AFA
 582 AFA 3 x 60 acres = 180 AFA
 194 acres

Reviewer: _____

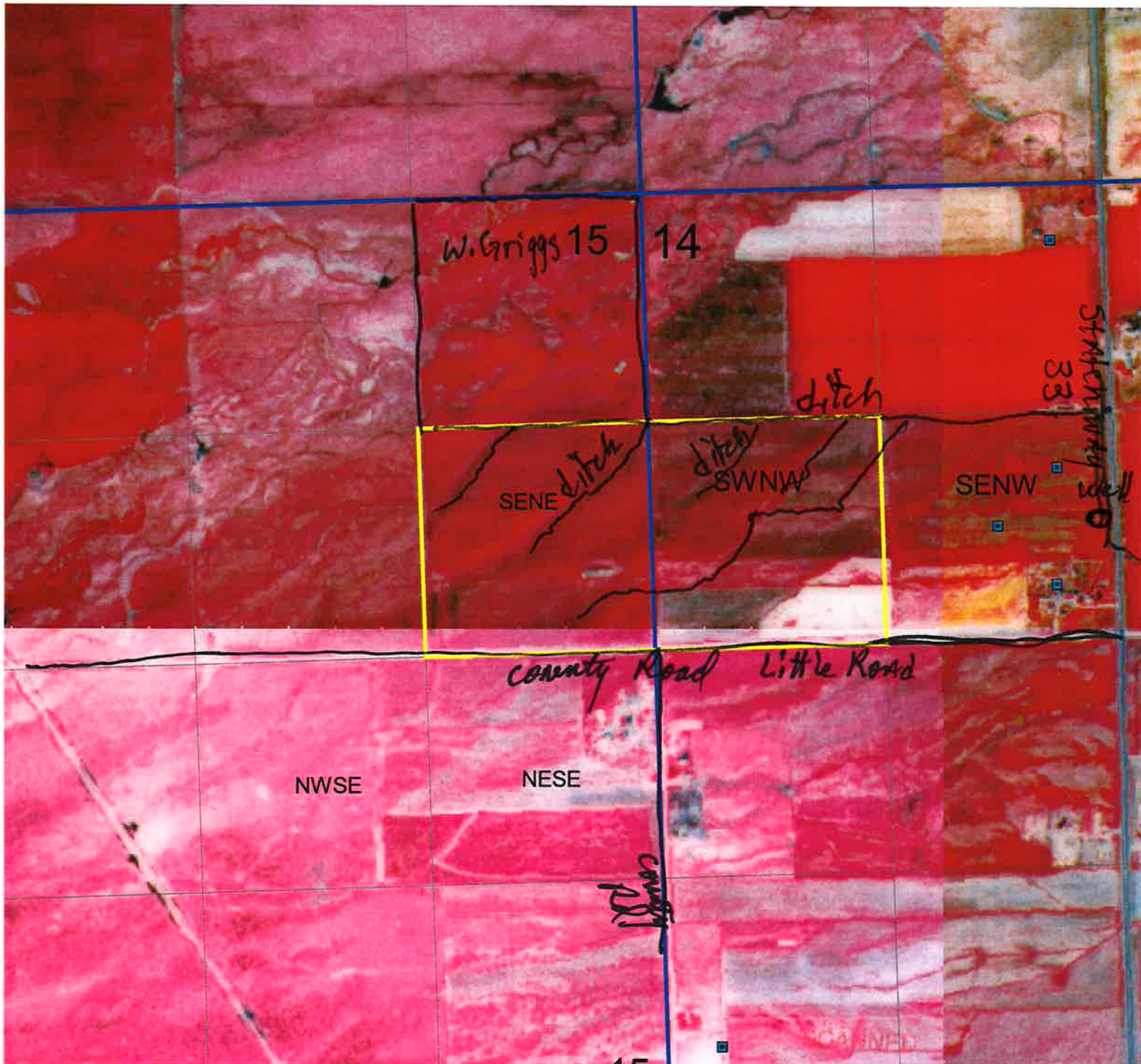
Date: _____

MAR 18 2005

PROFILE

22-2214C
5N 45E

6/30/04
DD



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pump used by Nickell, Little,
 Eniggs climbs



DELOG
AR 5/18/04

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

RECEIVED
MAY 17 2004

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

Department of Water Resources
Eastern Region

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, 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
	<u>222214C</u>	☐			☐
		☐			☐
		☐			☐
		☐			☐
		☐			☐

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) are 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)

Winfred K. Griggs

4. New Owner/Claimant(s)

The Alfred Ray Griggs Trust dated 1-31-03
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

825 Los Alamos Ave

City, State and ZIP Code

Livermore, CA 94550

New Telephone Number

(925) 449-0142

5. Date you acquired the property

12-11-02 due to death

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FILED

WILL

Received: JAN 09 2003

Executive Officer, Clerk

By Denise Wells Deputy

of

WINIFRED K. GRIGGS

I, WINIFRED K. GRIGGS, declare that this is my will. I reside at 875 Los Alamos, Livermore, California. I am married to ALFRED R. GRIGGS. My husband and I have four children, namely, MAVANEE GRIGGS SMALLWOOD (DOB: 5/19/63), NEWEL RAY GRIGGS (DOB: 6/1/63), NATACHA GRIGGS LIDDLE (DOB: 3/10/66), and NEYSHA GRIGGS (DOB: 9/8/68).

ARTICLE FIRST: Revocation of Prior Instruments

I revoke all previous Wills and Codicils made by me.

ARTICLE SECOND: Disposition of Estate

It is my intention to dispose of all property which I am entitled to dispose of by this Will, including all my separate property, my half of community property, and the whole of any quasi-community property acquired by me. I renounce and do not exercise any power of appointment which I may now have or hereafter acquire. It is not my intention to dispose of any property or interests in property, whether community property interests or otherwise, owned by my husband.

I give and devise all of my estate, both real and personal and wherever situate, to THE ALFRED R. and WINIFRED K. GRIGGS TRUST, a revocable living trust created by my

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MAR 18 2005

husband and me under a Declaration of Trust dated November 25, 1991, and to the trustee then in office under said trust, and I direct that my estate be added to said trust and administered and distributed as part of said trust according to the terms of said trust and any amendment made to it before my death, and including any powers of appointment or other powers of amendment that may be exercised after my death.

To the extent permitted by law it is not my intent to create a separate trust by this Will or to subject the said trust or the property added to it by this Will to the jurisdiction of the probate court.

If the aforesaid trust fails or is revoked, or if the disposition in this Article Second is inoperative, invalid, or for any other reason cannot be given effect, I incorporate herein by this reference, as a testamentary trust, all of the provisions of the aforesaid trust in effect at the date of this Will, but without giving effect to any amendments made subsequently, and I give and devise my estate to the trustee appointed pursuant thereto, to be held, administered and distributed by said trustee as a testamentary trust.

ARTICLE THIRD: Nomination of Executor

I nominate and appoint my husband, ALFRED R. GRIGGS, as the Executor of this Will. If for any reason my husband is unable to serve or ceases to act as Executor, then he shall have the power to designate an alternative Executor, which power may be exercised in favor of another individual or a qualifying bank or trust company. If my husband is unable to serve as Executor and fails to appoint an alternate Executor, then NEYSHA GRIGGS shall act as alternate Executor. If for any reason NEYSHA GRIGGS is unable to serve or ceases

PRG

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MAR 18 2005

to act as Executor, then I nominate and appoint MAVANEE GRIGGS SMALLWOOD as the second alternate Executor. If for any reason MAVANEE GRIGGS SMALLWOOD is unable to serve or ceases to act as Executor, then I nominate and appoint as the third alternate Executor. I request that any of the foregoing be allowed to serve without bond.

My Executor shall have the following powers and discretions in addition to those powers now or hereafter conferred by law:

a) To manage, mortgage, sell, lease, invest, reinvest or retain under such conditions as he deems advisable, all real and personal property in my estate. He may do any of the above without notice, leave of Court or Order of Court. My Executor shall also have the power to do all things necessary to continue any business enterprise, in whatever form or however owned or controlled by me upon my death, for such period as he shall deem to be in the best interests of my estate;

b) To administer my estate under the California Independent Administration of Estates Act; provided, however, that nothing in that Act, nor my Executor's utilization of any power or authority conferred by that Act, shall in any way be deemed to limit any other, albeit potentially broader, power or authority granted to my Executor in this Will;

c) To transfer property for adequate consideration to or from any trustee of any trust created by me, to borrow, to borrow from or lend money to the trustee of any trust created by me.

d) To exercise any and all elections available under State and Federal tax laws or other laws. The decision of my Executor as to the date which should be selected for the

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valuation of property in my gross estate for federal estate tax purposes shall be conclusive on all concerned. When a choice is available as to whether certain deductions shall be taken as income tax deductions or estate tax deductions, the decision of my Executor in this regard shall be conclusive on all concerned and no adjustment of income and principal accounts need be made as a result of such decision. If my Executor in good faith decides that there is uncertainty as to the inclusion of particular property in my gross estate for federal transfer tax purposes, he shall exclude such property from my gross estate in the estate/generation-skipping transfer tax return. My Executor shall not be liable for any loss to my estate or to any beneficiary, which loss results from his decision made in good faith that there is uncertainty as to the inclusion of particular property in my gross estate;

e) To disclaim all or any portion of any devise or trust interest provided for me under any will or trust instrument. In particular, I authorize my Executor to exercise this authority in order to obtain advantageous results considering, in the aggregate, the taxes to be imposed on my husband's estate and mine, even though this may cause some beneficiaries of my estate to receive less than they would otherwise have received.

f) To make any adjustment in the rights of any beneficiaries, or among the principal and income accounts so as to compensate for the consequences of any election, investment or administrative decision which my Executor, in my Executor's sole discretion, believes has had the effect of preferring one beneficiary or a group of beneficiaries over others.

g) Upon any division or distribution of the property in my estate, to partition,

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allot, and distribute my estate pro rata or otherwise, in kind, including undivided interests in my estate or any part of it, or partly in cash, and partly in kind, or entirely in cash, in my Executor's absolute discretion.

ARTICLE FOURTH: Interpretive and Administrative Provisions

The following general provisions shall govern the operation and administration of my estate:

a) Interpretation of Will

1) The masculine, feminine, or neuter gender, and the singular or plural number, shall each be deemed to include the others whenever the context so indicates.

2) The construction of this Will shall be in accordance with California statutory and decisional law in effect on the date of execution of this Will; any Codicils to this Will shall be construed under California statutory and decisional laws in effect on the date such Codicil is executed, unless otherwise stated in such Codicil.

3) Captions and paragraph headings used herein are for convenience only and are not a part of this Will and shall not be used in construing it.

b) Disinheritance Provision

Except as otherwise provided in this will, I have intentionally omitted to provide for my heirs. This includes any person deemed a pretermitted heir.

c) Severability Provision

If any provision of this Will is invalid or unenforceable, the remaining provisions shall nevertheless remain in full force and effect.

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ARTICLE FIFTH: Funeral Arrangements

I direct that I be buried at the Driggs Cemetary in Driggs, Idaho, in the previously acquired Plot Not. 47A, and that a graveside memorial be given. Shipping arrangements are to be made by a mortuary selected by my husband or executor. Any funeral service arranged in connection with my death shall not include an open caskett or any other viewing of my body. I further direct that any additional funeral arrangements be modest according to the desires of my husband or executor.

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ATTESTATION and WITNESSING

I subscribe my name to this Will on November 25, 1991, in Walnut Creek, California.

Winifred K. Griggs
WINIFRED K. GRIGGS

On the date written below, WINIFRED K. GRIGGS declared to us, the undersigned, that this instrument, consisting of 7 pages, including this page signed by us as witnesses, was her will and she requested us to act as witnesses to it. She thereupon signed this will in our presence, all of us being present at the same time. We now, at her request, and in her presence and in the presence of each other, subscribe our names as witnesses. We are acquainted with WINIFRED K. GRIGGS. At this time she is over the age of 18 years and, to the best of our knowledge, is currently of sound mind and memory and is not acting under any duress, fraud, misrepresentation or undue influence whatsoever.

We declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and further that this declaration was signed on November 25, 1991 in Walnut Creek, California.

Witness:

Address:

[Signature]

4868 STARFLOWER DR

MARTINEZ CA 94553

Agnes R. Griggs

875 Las Alamos

Livermore, CA - 94550

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MAR 18 2005

158983

RECEIVED

DEC 15 2003

TETON CO., ID
CLERK RECORDER

RECORDING REQUESTED BY
Jennifer Thaete, Atty., 1789 4th St.,
Livermore, CA 94550-4347
AND WHEN RECORDED MAIL THIS DEED AND,
UNLESS OTHERWISE SHOWN BELOW, MAIL TAX
STATEMENT TO:

Name: Alfred R. Griggs
Address: 875 Los Alamos Ave.
City & State: Livermore, CA
Zip: 94550
Title Order No. Escrow No.

Instrument # 158983

DRIGGS, TETON, IDAHO

2003-12-15

01:57:22 No. of Pages: 2

Recorded for: JENNIFER THAETE ATTY.

NOLAN G. BOYLE

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: DEED, QUIT-CLAIM

SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUITCLAIM DEED

THE UNDERSIGNED GRANTOR(s) DECLARE(s)

DOCUMENTARY TRANSFER TAX IS \$

none, not pursuant to a sale.

unincorporated area ☐ City of

Parcel No.



computed on full value of property conveyed, or



computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

ALFRED R. GRIGGS, as his sole and separate property,

hereby REMISE, RELEASE AND FOREVER QUITCLAIM to

ALFRED R. GRIGGS, Trustee of

The Alfred R. Griggs Trust dated January 31, 2003

the following described real property in the

county of Teton

, state of ~~CALIFORNIA~~ Idaho

see Exhibit A, attached hereto and incorporated by reference.

Dated December 11, 2003

STATE OF CALIFORNIA

COUNTY OF ALAMEDA

On December 11, 2003

} ss.

before me,

CATHY M. BRABEC,

a Notary Public in and for said County and State, personally appeared

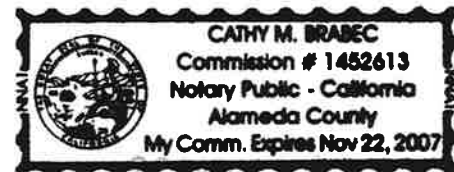
ALFRED R. GRIGGS

Alfred R. Griggs
ALFRED R. GRIGGS

personally known to me (or proved to me on the basis of satisfactory evidence) 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Cathy M. Brabec
SIGNATURE



MAR 18 2005

(THIS AREA FOR OFFICIAL NOTARIAL SEAL)

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

Alfred R. Griggs, Trustee

NAME

875 Los Alamos Avenue

STREET ADDRESS

Livermore, CA 94550

CITY & STATE

QUITCLAIM DEED

Griggs, Alfred

158983

EXHIBIT A

The following described real property, located in Teton County, Idaho, to-wit:

The East Half Northeast Quarter of Section 15 and the West Half Southwest Quarter Northwest Quarter of Section 14, Township 5 North, Range 45 East, Boise Meridian.

Together with a 59.25/194 interest in the State of Idaho Department of Water Administration "Water Right License" No. 30160/22-2214, with a priority date of September 1 1961; and a 59.25/194 interest in an irrigation well, pump, motor, panel, and other appurtenances thereto, located approximately 525 feet North of the Southeast corner of the Southeast Quarter Northwest Quarter of Section 14, Township 5 North, Range 45 East, Boise Meridian.

Together with 119 shares of the capital stock of the Grand Teton Canal Company, Limited.

SUBJECT TO easements of record or in existence for roads, ditches and utilities, and particularly a right to an easement to be used jointly by the said Winifred Griggs and Whitney K. Little for an irrigation ditch to convey water from the above-described irrigation well which runs South from said well site to a headgate, and then runs West in an existing ditch 1,980 feet, to the West borderline of property conveyed to Arlene Nickell (the true point of beginning of this easement), and continues on through the West half of the Southwest Quarter Northwest Quarter of said Section 14, Township 5 North, Range 45 East, Boise Meridian, to the Westerly boundary line thereof, and thence South to the South boundary line thereof.

ALSO SUBJECT TO the express condition that the heirs of Winifred Griggs cannot and shall not sell, trade, convey or encumber the property in any way during the lifetime of the heirs of said Winifred Griggs, now living, except a conveyance or encumbrance may be made to or in favor of Arlene Nickell and Whitney Little or their heirs.

TOGETHER WITH all water rights thereto, and all and singular the other tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainders and rents, issues and profits thereof.

PRO

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MAR 18 2005

Ray W. Rigby (I.S.B. No. 613)
of RIGBY, THATCHER, ANDRUS,
RIGBY, KAM & MOELLER, Chartered
Attorneys at Law
25 North Second East
Rexburg, Idaho 83340
Telephone: (208) 356-3633
Facsimile: (208) 356-0768

Attorneys for Applicant

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON
MAGISTRATE'S DIVISION

IN THE MATTER OF THE ESTATE OF)	Case No. CV 03 - 256
)	
WINIFRED K. GRIGGS,)	INVENTORY
)	
Deceased.)	
)	

The undersigned, as Personal Representative of the above named Decedent, states and represents that:

The following constitutes a full and complete inventory of the property owned, in Idaho, by the Decedent as far as the same has come to the possession or knowledge of the undersigned.

The values set forth in such schedules are the fair market values of the Decedent's property as determined as of December 11, 2002, the date of the Decedent's death, by the undersigned.

ITEM

VALUE

A. Real Estate

Real Property located in Teton County, State of Idaho, to-wit:

The East Half Northeast Quarter of Section 15 and the West Half Southwest Quarter Northwest Quarter of Section 14, Township 5 North, Range 45 East, Boise Meridian.

Together with a 59.25/194 interest in State of Idaho Department of Water Administration "Water Right License" No. 30160/22-2214, with a priority date of September 1, 1961; and a 59.25/194 interest in an irrigation well, pump, motor, panel, and other appurtenances thereto, located approximately 525 feet

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MAR 18 2005

North of the Southeast corner of the Southeast Quarter Northwest Quarter of Section 14, Township 5 North, Range 45 East, Boise Meridian.

Together with 119 shares of the capital stock of the Grand Teton Canal Company, Limited.

Subject to easements of record or in existence for roads, ditches and utilities, and particularly a right to an easement to be used jointly by the said Winifred Griggs and Whitney K. Little for an irrigation ditch to convey water from the above-described irrigation well which runs South from said well site to a headgate, and then runs West in an existing ditch 1,980 feet, to the West borderline of property conveyed to Arlene Nickell, (the true point of beginning of this easement) and continues on through the West half of the Southwest Quarter Northwest Quarter of said Section 14, Township 5 North, Range 45 East, Boise Meridian, to the Westerly boundary line thereof, and thence South to the South boundary line thereof.

And together with all and singular the other tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

SUBJECT to the express condition that the heirs of Winifred Griggs cannot and shall not sell, trade, convey or encumber the property in any way during the lifetime of the heirs of said Winifred Griggs, now living, except a conveyance or encumbrance may be made to or in favor of Arlene Nickell and Whitney Little or their heirs.

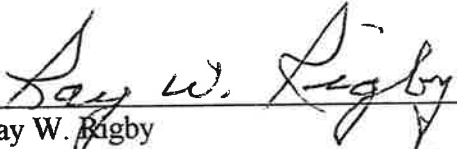
TOGETHER With any and all improvements and appurtenances thereto; rents, issues and profits thereof, and reversions and remainders.

\$ 600,000.00

TOTAL

\$ 600,000.00

DATED This 26 day of August, 2003.


Ray W. Rigby
of RIGBY, THATCHER, ANDRUS,
RIGBY, KAM & MOELLER, Chtd.


ALFRED R. GRIGGS
Personal Representative

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JANUARY 28, 1994

WHITNEY K LITTLE
415 JEROME ST
MOUNTAIN HOME ID 83647

RE: CHANGE IN OWNERSHIP FOR A22-02214

Dear Mr. Little:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) have been split as follows:

A22-02214A, W. Little, 80 acres, 1.58 cfs
A22-02214B, A. Nickell, 56 acres, 1.11 cfs
A22-02214C, W. Griggs, 60 acres, 1.19 cfs

Enclosed is a "copy" of the water right with your name shown as the current owner. Review the Notice and if there are other corrections or questions, feel free to contact this office (525-7161).

Respectfully submitted,

for *Jo Thompson*
Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notice(s) of Claim

cc: Copy of Claim to A. Nickell/W. Griggs

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MICROFILMED

APR 11 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED
JAN 26 1994

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM _____ Eastern District Office.

Lot _____, Block _____, Subdivision/Townsite _____.

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

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A22-022140
- ☒ Name and Address of Former Owner/Claimant(s)(Seller): Edith Little / Edith Little Farms
256 N. Hwy 33 / Whitney K. Little, General
Driggs, Idaho 83422 / 415 Jerome Street
Winifred K. Griggs / Mtn Home, Idaho 83647
- ☐ New Owner/Claimant (Purchaser):
- ☐ New Mailing Address: 875 Los Alamos
Livermore, CA 94550
- ☐ New Telephone Number: (510) 449 - 0142
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
60/194

- ☐ Attach proof of ownership, describe proof attached: _____

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

- ☒ Signature of New Owner/Claimant(s) Winifred K. Griggs Date 1-25-94

Date _____
- ☐ Signature of Former Owner/Claimant(s): _____

Date _____
Date _____

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

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

SCANNED

MAR 18 2005

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

APR 11 1994

RECEIVED

DEC 17 1993

Department of Water Resources

QUITCLAIM DEED

THIS INDENTURE, Made this ____ day of September, 1993, between EDITH LITTLE, a widow, of Rt. 1, Driggs, ID 83422; WHITNEY LITTLE and WANDA LITTLE, husband and wife, of 415 Jerome Street, Mountain Home, ID 83647; and ARLENE NICKELL and STANTON D. NICKELL husband and wife, of POB 145, Teton, ID 83452, and RAY GRIGGS, a married man, of 875 Los Almos, Livermore, CA 94550; the parties of the first part, and WINIFRED GRIGGS, a married woman, as her sole and separate property, of 875 Los Almos, Livermore, CA 94550, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One and No/100 Dollars, lawful money of the United States of America, and other valuable consideration, to them in hand paid by the party of the second part, the receipt of which is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to her heirs and assigns, forever, all the following described real estate, situated in the County of Teton, State of Idaho, to-wit:

The East Half Northeast Quarter of Section 15 and the West Half Southwest Quarter Northwest Quarter of Section 14, Township 5 North, Range 45 East, Boise Meridian.

7- Water R.
To Winifred
Together with a ²⁰⁶⁰⁵⁹ 59.25/194 interest in State of Idaho Department of Water Administration "Water Right License" No. 30160/22-2214, with a priority date of September 1, 1961; and a 59.25/194 interest in an irrigation well, pump, motor, panel, and other appurtenances thereto, located approximately 525 feet North of the Southeast corner of the Southeast Quarter Northwest Quarter of Section 14, Township 5 North, Range 45 East, Boise Meridian.

Together with 119 shares of the capital stock of the Grand Teton Canal Company, Limited.

MICROFILMED

APR 11 1994

MAR 18 2005

Subject to easements of record or in existence for roads, ditches and utilities, and particularly a right to an easement to be used jointly by the said Winifred Griggs and Whitney K. Little for an irrigation ditch to convey water from the above-described irrigation well which runs South from said well site to a headgate, and then runs West in an existing ditch 1,980 feet, to the West borderline of property conveyed to Arlene Nichell, (the true point of beginning of this easement) and continues on through the West half of the Southwest Quarter Northwest Quarter of said Section 14, Township 5 North, Range 45 East, Boise Meridian, to the Westerly boundary line thereof, and thence South to the South boundary line thereof.

And together with all and singular the other tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

SUBJECT to the express condition that the said Winifred Griggs and her heirs cannot and shall not sell, trade, convey or encumber the property in any way during the lifetime of the said Winifred Griggs, or her heirs now living, except a conveyance or encumbrance may be made to or in favor of Arlene Nickell and Whitney Little or their heirs.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to her heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands the day and year first above written.

Edith Little
Edith Little

SCANNED

MAR 18 2005

PROTECTED

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APR 11 1994

Whitney Little
Whitney Little

Wanda C Little
Wanda Little

Arlene Nickell
Arlene Nickell

Stanton D. Nickell
Stanton D. Nickell

Ray Griggs

STATE OF IDAHO,)
 ss.
County of _____)

On this _____ day of September, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared EDITH LITTLE, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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

Notary Public for Idaho
Residing at _____, Idaho
My Commission Expires: _____

SCANNED

MAR 18 2005

MICROFILMED

APR 11 1994

PROCEDE

STATE OF IDAHO,)
 ss.
County of _____.)

On this _____ day of September, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared WHITNEY LITTLE and WANDA LITTLE, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

Notary Public for Idaho
Residing at _____, Idaho
My Commission Expires: _____

STATE OF IDAHO,)
 ss.
County of _____.)

On this _____ day of September, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared STANTON D. NICKELL and ARLENE NICKELL, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

Notary Public for Idaho
Residing at _____, Idaho
My Commission Expires: _____

MAR 18 2005

MICROFILMED

APR 11 1994

STATE OF CALIFORNIA,)
 ss.
County of _____)

On this _____ day of September, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared RAY GRIGGS, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

Notary Public for California
Residing at: _____, California
My Commission Expires: _____

SCANNED

MAR 18 2003

MICROFILMED

APR 11 1994

W100 SW

12-Jan-1994

WINIFRED GRIGGS
875 LOS ALAMOS
LIVERMORE CA 94550

RE: CHANGE IN OWNERSHIP OF NOTICE OF CLAIM NO. A22-02214.

Dear Mrs. Griggs,

Please find enclosed a Change in Ownership from #42-1409(7). Although we did receive a Change of Ownership form from Whitney Little containing three separate names and three Quit Claim Deeds, the Department cannot change the ownership on the claim until we have received a signed change in ownership form from each present owner.

Simply complete the highlighted portions on the form, return to my attention and the changes will be made. I apologize for any inconvenience, and, if you have any questions please do not hesitate to contact us at (208)525-7161.

Respectfully,

Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:gt
Enclosure

PROFILED

SCANNED

MAR 18 2005

MICROFILMED

APR 11 1994

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 30160/22-2214 Priority Sept. 1, 1961 Amount 3.88 cfs

THIS IS TO CERTIFY, that LAWRENCE H. LITTLE
of Driggs, Idaho, has complied with the terms and conditions of Permit
No. 30160/22-2214 issued pursuant to Application for Permit dated September 1, 1961,
and has submitted proof to the Department of Water Administration on August 29, 1966,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 8.25 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 15</u> to <u>Oct. 15</u>	at <u>3.88</u> cfs and	<u>582 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 3.88 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
582 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 14,
Twp. 5 N, Rge. 45 E, B. M. in the County of Teton

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N	45 E	14							39.5	36									75.5
		15				39.5								39.5	39.5				118.5

Total number of acres irrigated 194.0

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
April, 19 74.

Director

32-2014

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-30160/22-2214

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Lawrence H. Little Estate

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SE 1/4 NW 1/4 of Section 14

T. 5 N R. 45 E, E.M. County of Teton

4. Describe works as they exist, giving dimensions and capacities of same:

60 HP General Electric Motor w/ Layne Bowler pump - Pump serial # obscured Motor serial # UVT721146 - 10" discharge east to open ditch running north & south

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

~~XXXXXXXXXX~~

SE 1/4 NW 1/4, S. 14; E 1/4 NE 1/4, N 1/4 SW 1/4, N 1/4 SE 1/4, S. 15, T. 5 N, R. 45 E, E.M.

(Submit map on attached plat, showing location and details of above description.)

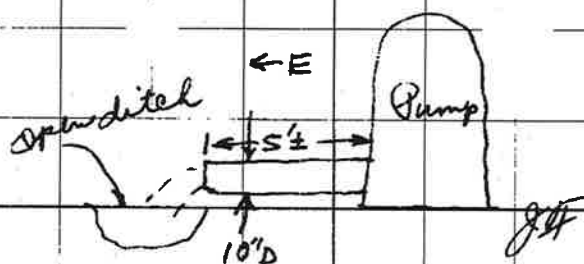
8. What large stream would the water here appropriated finally reach?

Remarks: System shown by owner Mrs Lawrence Little
Mr Lawrence Little is now deceased and Mrs Little claims to own all of her husband's personal and real property.

This examination was made on the 25th day of Sept, 1923

(Signed) John H. Firebanes Examiner.

22-2214



Q measured 8.245 CFS

Q recommended 3.88 CFS

April 15 - October 15

Volume 582 AF

3 AF/A

Acreage

Found 194

recommended 194

Subdv. 5

Amendments

☒ None

☐ P.D.

☐ Place of use

☐ _____

R 45

1112
1473

DATUM
C-

KYTE

STRONG
C-12

HTG
C-

LEIGHAM
C-10

PHILLIPS
C-14

HATCH
C-335

1412
23124

A
14.3

CASPER
C-25

B
15.1

C
20.3

D
16.0

JOHNSON
C-1

C
18.1

A
133.0

HATCH
B-4

A
55.2

D
10.5

DALLEY
C-28

23124

22-2214

22-2214

P-45-E

CXB-4

Buxton
B-196

Don Lattin
C-10

207

39.5

Christoffer
B-197

DE Zuddall
B-195

Sub Out

L.H. Lattin
B-192
39.5

39.5

Don Lattin
C-10

15.14
39.5

Johnson
C-11

22-2214

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A22-02214C
Date Received: 8/31/1988
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: WINIFRED K GRIGGS
Address: 875 LOS ALAMOS
LIVERMORE CA

510-449-0142

94550

2. Date of Priority: SEP 1, 1961

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	45E	14	NE	SE	NW		TETON

5. Description of diverting works:

WELL - APPROX 100' DEEP, PUMP - 60 HP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.190		210.00

7. Total Quantity Appropriated is:

1.190 C.F.S. (and/or) 210.00 A.F.A.

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	45E	14	SW	NW		IRR	20.0

Section Acres 20.0

15 SE NE IRR 40.0

A22-02214C

Page

1

SCANNED

MAR 18 2005

Date: 01/27/94

MICROFILMED

APR 11 1994

A2202214C



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
					Total Acres	60.0

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:
TETON CANAL COMPANY (POD IN WYOMING)

14. Remarks:
THIS RIGHT IS A SPLIT OF A22-02214.
THIS RIGHT PAID FOR UNDER RECEIPT #C002401.

15. Basis of Claim: LICENSE

Water Right Number: 30160