

03/21/2006

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

RIGHT NUMBER: 22-7043
NAME AND ADDRESS: BLACKFOOT FARMS LLC
500 HUNTSMAN WAY
SALT LAKE CITY UT 84108
SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 2.050 CFS
447.00 AFY
PRIORITY DATE: 02/03/1971
POINT OF DIVERSION: T04N R45E S2 SWSENE Within TETON County
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>		<u>PERIOD OF USE</u>		<u>QUANTITY</u>	
IRRIGATION		05/01	11/01	2.050 CFS	
				447.00 AFY	
PLACE OF USE:	<u>IRRIGATION Within TETON County</u>				
T04N R45E S02	SWNE	24.00	T04N R45E S02	SENE	40.00
T04N R45E S02	NESE	40.00	T04N R45E S02	NWSE	34.00
138 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
Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

SCANNED
MAR 20 2006

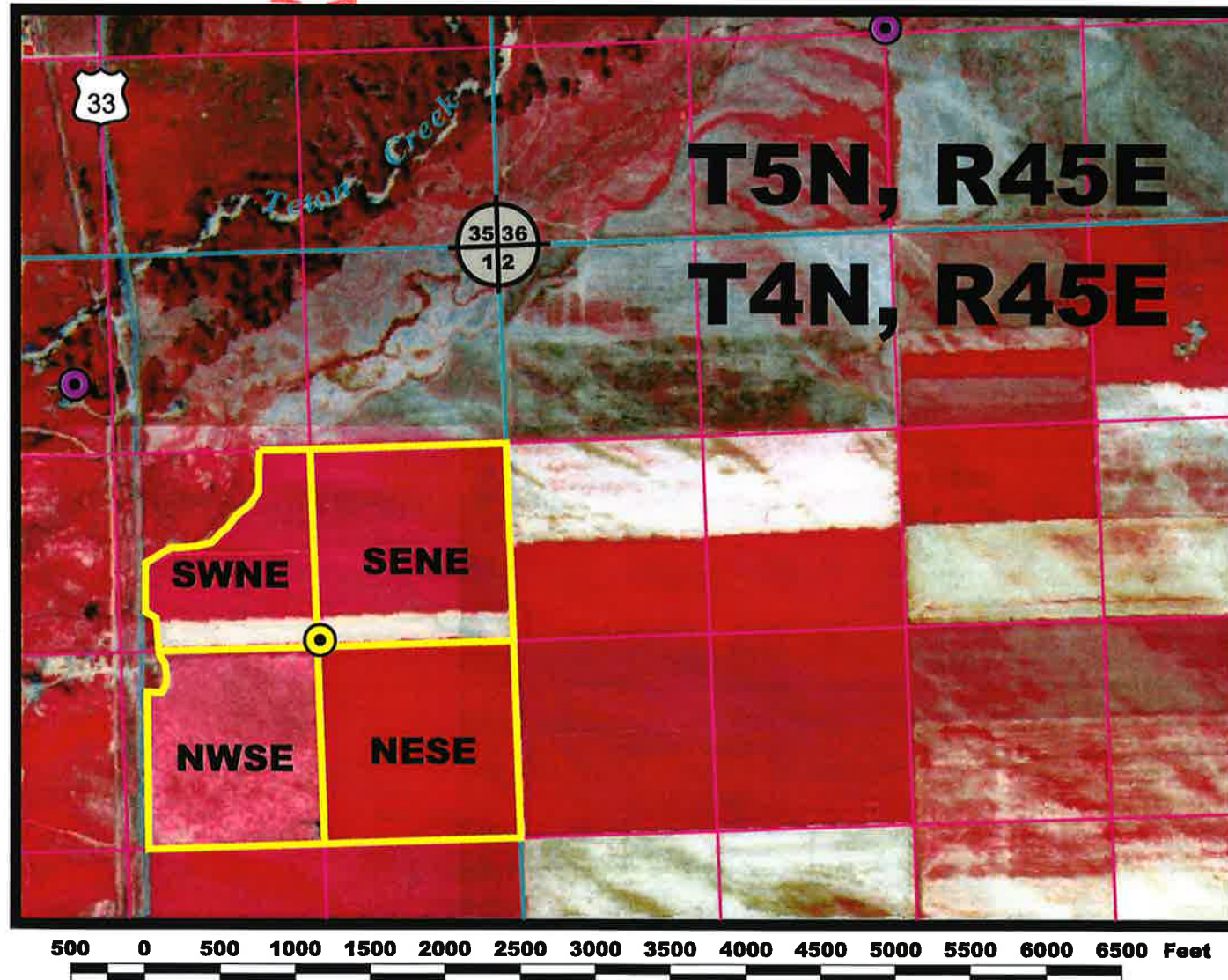
PROFILED



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-7043

Point(s) of Diversion:
T4N, R45E
Sec. 1 SWSENE

Place of Use: (parts of)
T4N, R45E
Sec. 1 S2NE, N2SE

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: January 2005

12/13/2006

**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: 22-7043

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

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

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

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

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

DATE: 12-15-06

SIGNATURE: *Young H. Walker*

Please print your name: *Young H. Walker*

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

December 8, 2006

DALE K PRICE
PRICE BROS
VIRGINIA P PRICE
3032 W 3000 S
WESTON ID 83286

RE: CHANGE OF ADDRESS FOR 22-13610, 22-13611, 22-13612,
22-7043, 22-78, 22-84

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:

DALE K PRICE
PRICE BROS
VIRGINIA P PRICE
730 HARPER
PO BOX 563
DRIGGS ID 83422

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)

WATER RESOURCES
NERN DISTRICT OFFICE
200 N. SKYLINE DR.
O FALLS, IDAHO 83402

RESS SERVICE
EQUESTED

U.S. POSTAGE
1011 PB3523907
8982 \$01.35 NOV 28 2006
6122 MAILED FROM ZIP CODE 83402

~~ATTEMPTED~~
~~NOT KNOWN~~

DALE K PRICE
PRICE BROS
VIRGINIA P PRICE
~~730 HARRER~~
PO BOX 563
DRIGGS ID 83422

PRIC563* 834222016 1B05 10 12/05/06
FORWARD TIME EXP RTN TO SEND
PRICE VIRGINIA
3032 W 3000 S
WESTON ID 83286-5127

RETURN TO SENDER



22 13610
13611
13612
7043
78
84

900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

ADDRESS SERVICE
REQUESTED

ATTEMPTED,
NOT KNOWN

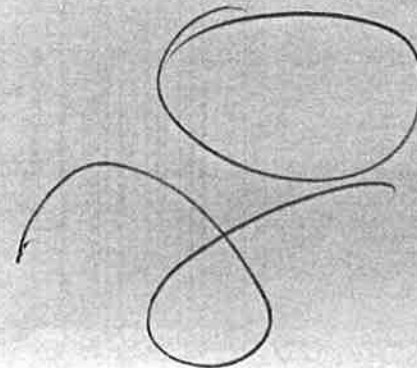
★ ★  TM
U.S. POSTAGE
1631 PB3523907
8942 \$00.630 DEC 01 2006
6530 MAILED FROM ZIP CODE 83402

VIRGINIA P PRICE
PO BOX 563
DRIGGS ID 83422

PRIC563* 834222016 1B05 10 12/05/06
FORWARD TIME EXP RTN TO SEND
PRICE VIRGINIA
3032 W 3000 S
WESTON ID 83286-5127

RETURN TO SENDER

|||||



LIMITED POWER OF ATTORNEY

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

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

Specific Powers

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

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

Revocability

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

Interpretation

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

Disability of Principal

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

Third-Party Reliance

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

Expiration

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

Governing Law

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

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

BLACKFOOT FARMS, LLC, Principal

By William E. Reid
WILLIAM E. REID, CEO

STATE OF IDAHO)
) ss.
County of Teton)

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



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

SCANNED

JAN 10 2006

LIMITED POWER OF ATTORNEY
1006 Blackfoot-Walker-POA



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

March 21, 2006

TOM MUIR
BLACKFOOT FARMS LLC
500 HUNTSMAN WAY
SALT LAKE CITY UT 84108

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-461, 22-7043, 22-11943

Dear Mr. Muir:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

PROFILED

SCANNED

MAR 20 2006

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

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

OK
 JC
 3-20-06

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
22-7043-11					

RECEIVED

MAR 01 2006

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 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)

James W Price Marlene T, Virginia P

Price Brother
 Dale Price

See all of address

4. New Owner/Claimant(s)

Blackfoot Farm

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

500 Huntington way

City, State and ZIP Code

Salt Lake city, Utah 84108

New Telephone Number

801 584/5864 or 208/524/3254
 Home phone Harvey Walker

5. Date you acquired the property

Jan 14 2005

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>A2207043</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) 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)

Dale / Virginia Price, James / Marlene Price, Price Bros.
23 Harper Box 563, Driggs, ID 83422

4. New Owner/Claimant(s)

James W. and Marlene T. Price

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

Box 212

City, State and ZIP Code

Driggs, Idaho 83422

New Telephone Number

(208) 354-2381

5. Date you acquired the property

28 Oct 1992

PROFILED

SCANNED
FEB 09 2005

27 Sept. 2004
Allen Ruberry
IOWA Eastern Region
900 W Skyline DR Suite A
Idaho Falls Idaho 83402-1768

Ref: WATER RIGHT
A2207043

Enclosed please find items listed below as requested.

- ① Notice of change of water right ownership
- ② copy of notice of claim A22-07043 (Groundwater)
- ③ Copy of warranty deed for ownership purpose
- ④ Location of well (photo)
- ⑤ Copy of water right license dated 19 Aug 1974.

We appreciate your help in this matter, also,
the help of Dee O'Brien. If you have any questions
please let us know.

Thanks

Dan & Marlene
Price

SCANNED

FEB 09 2005

PROFILED

OCT 30 1992

Virginia P. Price & Family
James & Marlene E.

TETON Co. Id.
Clerk Recorder

WARRANTY DEED

THIS INDENTURE, Made this 28th day of October, 1992, between VIRGINIA P. PRICE, of 73 E. Harper Ave., POB 563, Driggs, ID 83422; LINDA BINGHAM, of 3032 W. 3000 S., Weston, ID 83286; MARILYN ANDERSON, of 125 E. 2nd N., Rexburg, ID 83440; DALE K. PRICE, JR., of 18631 SE 277th Place, Kent, WA 98042; KENNETH P. PRICE of Box 51, Driggs, ID 83422, and R. VANDES PRICE, of 970 W. 450 S., Layton, UT 84041, the parties of the first part, and JAMES W. PRICE and MARLENE PRICE, husband and wife, of 410 N. 1 E., Driggs, ID 83422, the parties of the second part,

This deed shall be simultaneously executed and delivered in two or more counterparts, each of which shall be deemed to be an original, and all shall constitute but one and the same instrument.

WITNESSETH, That the said parties of the first part, in consideration of the transfer by the parties of the second part to the parties of the first part of like property with like value, and in furtherance of a division of partnership assets (Price Brothers, of Driggs, Idaho), do hereby grant, convey and confirm unto the said parties of the second part their one-half interest in and to the following described real estate, situated in Teton County,

State of Idaho, to-wit:

TRACT 1: Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.

111393

Section 26: SW1/4NW1/4
NW1/4SW1/4

FILED

AT THE REQUEST OF

ALSO TAX NO. 841 being described as follows:
beginning at the NW Corner of the SE1/4NW1/4 of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 80 rods; thence East 581.4 feet to the Railroad Right-of-way; thence North 80 rods along the Railroad Right-

35 MINUTES PAST 12 P M

DATE October 30, 1992

CLERK OF RECORDER

BY Donnie Reese

PROFILED

SCANNED

FEB 09 2005

of-way; thence West 560 feet to the point of beginning.

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

ALSO TAX NO. 514 being described as follows: Beginning at a point 313.5 feet West of the SE corner of the NW1/4 of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence North 880 feet; thence West 326.5 feet; thence South 880 feet; thence East 326.5 feet to the point of beginning.

ALSO DEED NO. 101400 being described as follows: All of that certain strip of land heretofore acquired by Yellowstone Park Railroad Company (predecessor to Oregon Short Line Railroad Company) from Pratt Rge. Company, etal., by Warranty Deed dated May 12, 1910, filed for record December 3, 1912, in Book 10 of Deeds at Page 569 of the records of Fremont County, Idaho, being described in said deed as follows:

A strip of land 100 feet wide, being 50 feet in width on each side of the center line of main tract of the Teton Basin Branch of the Yellowstone Park Railroad as located across the SE1/4NW1/4 of Section 26, Township 5 North, Range 45 East of the Boise Meridian.

The course of said center line of main track being more particularly described as follows to wit: Beginning at a point in the north line of the S1/2NW1/4 of Section 26 and 1953.2 feet, more or less, easterly from the northwest corner thereof; thence southerly along a spiralled curve to the right with a radius of 1910.1 feet for a distance of 575 feet, more or less; thence S. 0 degrees 7'W, 765 feet to a point in the south line of said SE1/4NW1/4 of said Section 26 and 1977.7 feet easterly from the southwest corner of said NW1/4 of said Section 26.

PROFILED

Danby Area

Well situated AS
To Attached photo

TRACT 2: Township 4 North, Range 45 East, Boise Meridian, Teton County Idaho.
Section 1: S1/2NW1/4

TOGETHER WITH a 30 foot Easement for ingress and egress along the West side of the SW1/4 of Section 1, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho.

Section 2: SE1/4SE1/4
N1/2SE1/4
S1/2NE1/4

LESS: Railroad and State Highway Right-of-ways

LAGNES
House
1 acre

ALSO LESS: Commencing at a point 540 feet West of the NE corner of the SW1/4NE1/4 of Section 2, Township 4 North, Range 45 East, Boise Meridian, and running thence South 300 feet; thence West 290 feet; thence North 300 feet; thence East 290 feet to the point of beginning.

SANAP
Ranch

TRACT 3: Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.
Section 34: SW1/4

ALSO: That portion of the NW1/4NW1/4 (Lot 4) of Section 3, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho, lying North of the South Bates Road being described as follows:

Beginning at the Northwest Corner of said Section 3 and running thence South 82.22 feet more or less to the right-of-way line of the South Bates Road; and running thence Northeasterly along said right-of-way line 183 feet, more or less, to the North Section Line of said Section 3; running thence West 164 feet, more or less, along the North Section line of said Section 3 to the point of beginning.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging and all estate,

PROFILE

SCANNED
FEB 09 2005

right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises together with the appurtenances unto the said parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

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

Virginia P. Price
Virginia P. Price

Linda Bingham
Linda Bingham

Marilyn Anderson
Marilyn Anderson

Dale K. Price, Jr.
Dale K. Price, Jr.

Kenneth P. Price
Kenneth P. Price

R. Vandes Price

PROFILED

SCANNED
FEB 09 2005

STATE OF WASHINGTON,)
) ss.
 County of KING)

On this 28th day of October, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared DALE K. PRICE, JR., 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.

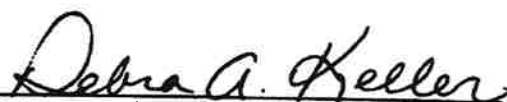

 Notary Public for Washington
 Residing at Durien, Washington
 My Commission Expires: 5-15-93

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

On this 30th day of October, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared VIRGINIA P. PRICE; LINDA BINGHAM; MARILYN ANDERSON; AND KENNETH P. PRICE, 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.

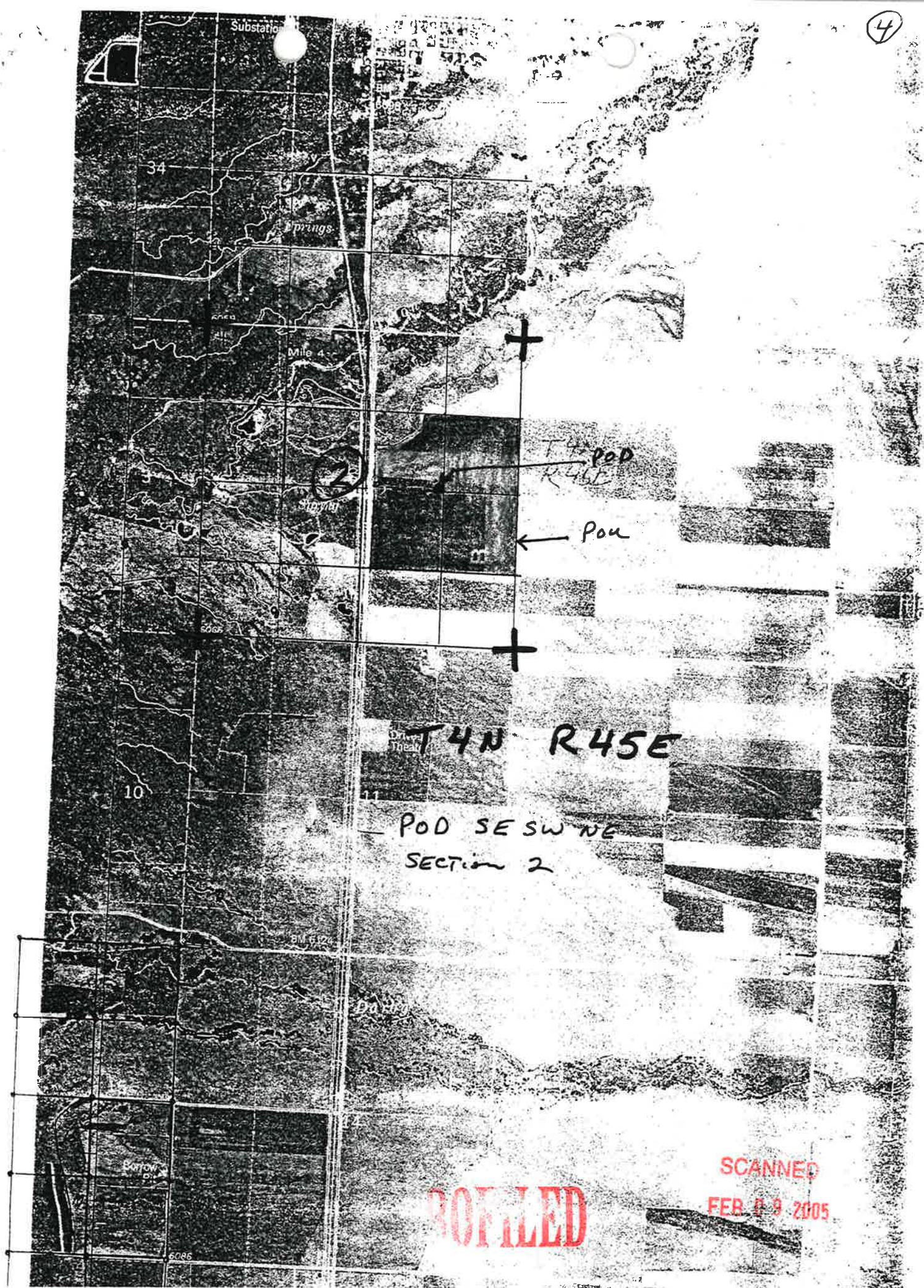



 Notary Public for Idaho
 Residing at Rexburg, Idaho
 My Commission Expires: 11-15-93

WARRANTY DEED - Page 5
 w:\price.wdl

PROFILED

SCANNED
 FEB 09 2005



T4N R45E

POD SE SW NE
SECTION 2

BOILED

SCANNED
FEB 09 2005

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

170064

RECEIVED

AUG 8 2005

TETON COUNTY
CLERK/RECORDER

Instrument # 170064

DRIGGS, TETON, IDAHO

2005-08-08 03:14:22 No. of Pages: 3

Recorded for : FIRST AMERICAN TITLE

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Fee: 9.00

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: T12731 (tm)

Date: August 08, 2005

For Value Received, **James W. Price and Marlene T. Price**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Blackfoot Farms, L.C., a Utah Limited Liability Company**, hereinafter called the Grantee, whose current address is **500 Huntsman Way, Salt Lake City, UT 84108**, the following described premises, situated in **Teton County, Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

TOGETHER WITH all appurtenant water rights

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, including all water rights, 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 and easements of record and that Grantor will warrant and defend the same from all claims whatsoever.

170064

EXHIBIT A

Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho

Section 1: S1/2NW1/4; Together with a 30 foot Easement for ingress and egress along the West side of the SW1/4 of Section 1, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Section 2: SE1/4SE1/4, LESS AND EXCEPTING THEREFROM the existing county road along the South boundary of the above described property.

Section 2: N1/2SE1/4, LESS AND EXCEPTING THEREFROM the existing right-of-way for State Highway 33 and Railroad right-of-way along the West boundary.

Section 2: S1/2NE1/4, LESS AND EXCEPTING THEREFROM the existing right-of-way for State Highway 33 and Railroad right-of-way along the West boundary, ALSO less and excepting therefrom: Beginning at the NW Corner of the SW1/4NE1/4 of Section 2, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 661 feet, running thence East 530 feet to the true point of beginning; running thence North 208 feet; running thence East 208 feet; running thence South 208 feet; running thence West 208 feet to the true point of beginning.

TOGETHER WITH an easement for ingress and egress 15 feet on each side of the following described middle line; beginning at a NW Corner of the SW1/4NE1/4 of Section 2, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 676 feet; thence East 180 feet more or less to the East line of the State Highway, the true point of beginning; thence East 558 feet.

ALSO LESS AND EXCEPTING THEREFROM: Commencing at a point 540 feet West of the NE corner of the SW1/4NE1/4 of Section 2, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 300 feet; thence West 290 feet; thence North 300 feet; thence East 290 feet to the point of beginning.

Date: 08/04/2005

Warranty Deed
- continued

File No.: T12731 (tm)

Marlene T. Price
Marlene T. Price

James W. Price
James W. Price

STATE OF Idaho)
COUNTY OF Teton)
SS.

On this 8th day of August, 2005, before me, a Notary Public in and for said State, personally appeared **James W. Price and Marlene T. Price**, 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.



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

3/26/05

80

The average in question is used as a
pasture for cattle and horses. The small
corner piece has a small stream that winds
around through this piece (Spring Creek)
The center of the corner has a lot of
willows, but the outer part is good pasture,
it was probably in error by including all
of the fenced in portion of this field as
non-irrigated.
I have diagnosed 6 acres that can
be irrigated along the east end and
along the south side. This average
has been irrigated by sprinkler pipe

80

Claim A2207043 - Feature of Game Preserve Area
in the foreground has been irrigated with
sprinklers. Low-lying area in background
is pasture as well. Spring Creek runs through
this area.





Claim A2207043 - Pasture of James Price



DD Claim A2207043 - Pasture that James Price owns. approx 6 acres along the fence is irrigated with sprinkler pipe

State of Idaho Department of Water Resource
900 North Skyline Dr.
Idaho Falls, Idaho 83402-1718

03-03-2005

Mr. Ernest Carlsen
Water Rights Supervisor

I enjoyed the water meeting Wednesday, Feb. 23rd 1 pm at the Driggs Super 8 Motel conference room. I also enjoyed meeting you and receiving the help you gave me at that time on our Ground Water Right SBRA # 22-7043.

As mentioned, I submitted to your office a Notice of Error Reply on Feb. 18th, 2005, requesting live stock water use with this claim as we have been using it as such with the irrigation purpose since the license was granted. We didn't realize it was required.

We also noted and mentioned that the original license for water right # 22-7043 noted total number of acres to be irrigated as 149. The Notice of Error Reply Form noted only 139.

Attached to this letter please find a map showing ground or acres left off of the 149 acres to be irrigated by the water license original amount. We would request the original amount shown on license (149) be retained.

If you have any questions or need additional information please call James Price at
(208) 354-2381 or cell phone (208) 709-6277.

Thank you,

James Price

RECEIVED
MAR 08 2005
Department of Water Resources
Eastern Region

01/04/2005

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: 22-7043

MARLENE T PRICE
PO BOX 212
DRIGGS ID 83422
Telephone Number: (208)354-2381

JAMES W PRICE
PO BOX 212
DRIGGS ID 83422
Telephone Number: (208)354-2381

RECEIVED

FEB 28 2005

Department of Water Resources
Eastern Region

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

This was primarily used for irrigation, but, has been used and intended for livestock water at seasonal time of year.

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

include livestock water use

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

we don't disagree with anything except fee! (if necessary) to add livestock water.

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

DATE: 17 MARCH 2005 SIGNATURE: _____

Please print your name: _____

IDWR Regional Office,

PHONE # (208) 354-2381

CELL 709-6277

*NOT Licensor of Livestock - Can't add stockwater
needs to sign a stockwater claim if he wants it.*

SCANNED
MAR 01 2005

ROFILED

3/1/05

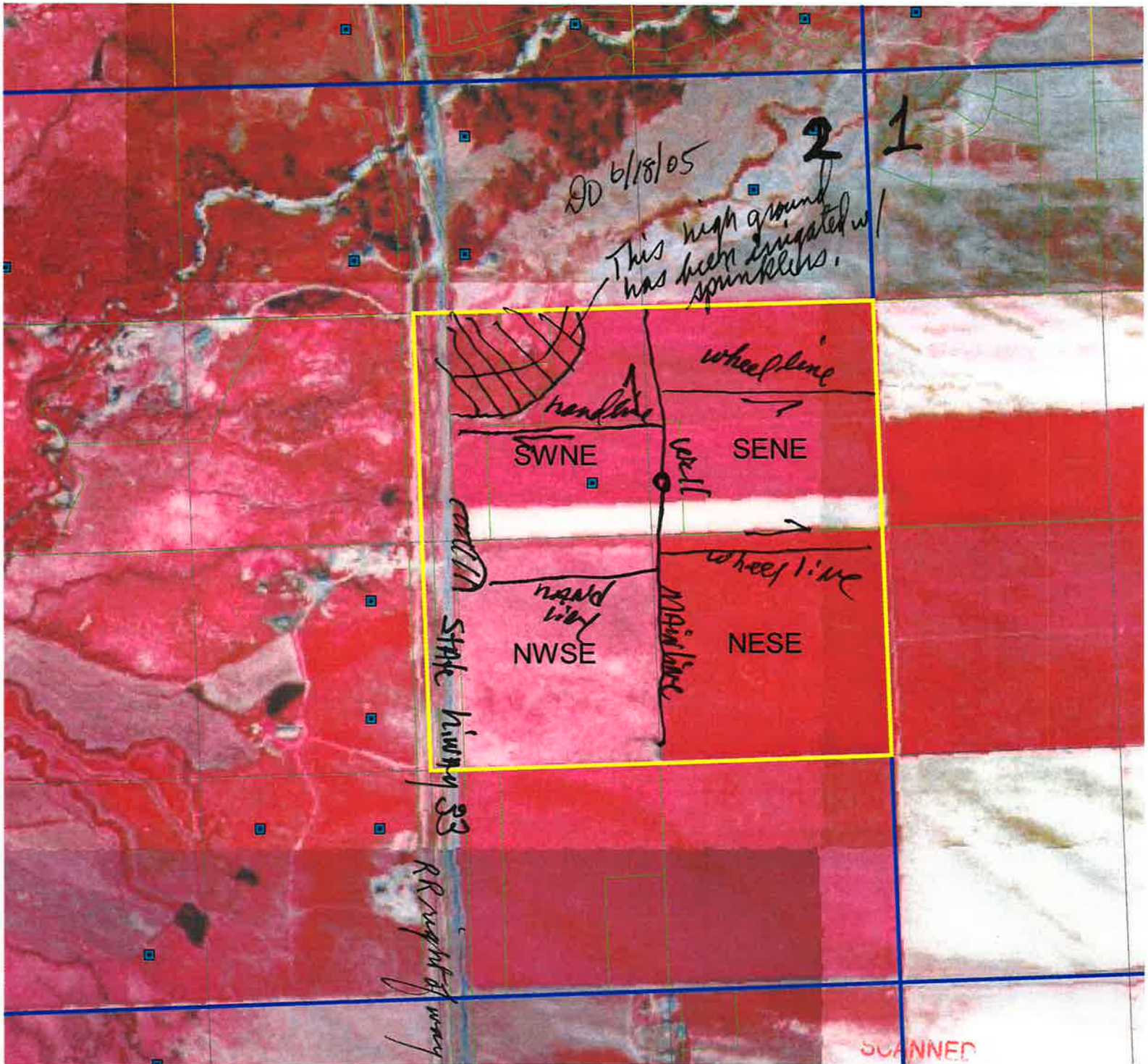
[Signature]

22-7043

~~5N~~ 45E

4N

9/28/04



PROFILED

FEB 09 2005



James Price's well

PROFILE

SCANNED

FEB 09 2005

Contacts Data Entry Form

Claim Number: _____

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

Current Owner: J. Prew Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

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

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

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

PO Box 212
Dukes Co 03422
LICENSED 19 Aug 1974

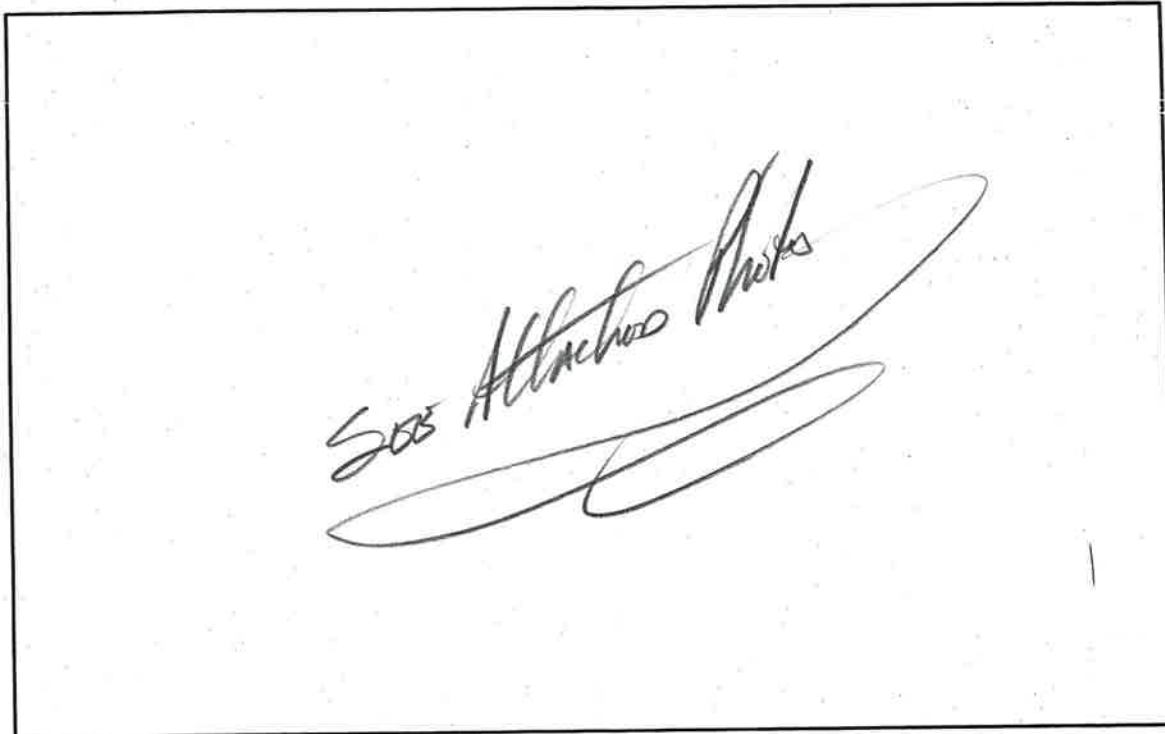
Clp to James & Marlene Prew 2004.

Reviewer: _____ Date: _____

SCANNED
FEB 09 2005

PROFILED

Water Right No(s). _____



GPS DATA:

Tag # ADP13890 Location: electric panel box

Diversion Data:

Source: Well Trib to: _____

MOTOR

Make: USElectric Motors Model: HighThrust Hp: 75
SN: R6326-02-074 R 8107074 5

PUMP

Make: L.B. Vertical Model: _____ Disch: 8" mainline
SN: 44820

NOTES:

Field Exam Date: 9/28/04 Agent: AD

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FEB 09 2005

PROFILED

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
4N	45E	2		SE SWNE		GW	

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
4N	45E	2		SWSENE		GW	

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:9/25/04
DD

Field exam - well, pump & sprinklers are used
to irrigate ground
POD claimants, LICENSOD.
GPS'd POD puts well in A DIFF (D) ⇒ Lic. Error

CPS

Reviewer: _____ Date: _____

SCANNED

FEB 09 2005

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Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

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

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
4N	45E	2	S ² NE				64	
			N ² SE				74	

Total acres 138

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

9/28/04 Field exam indicates that ground is irrigated as claimed with exceptions shown on map

LICENSUD AS 149⁰ AC - GRS SHOWS 138⁰ AC - DIFFERENCE IS AREA BLOCKED OUT IN NWSW/NE SEC. 2.

C45

Reviewer: _____ Date: _____

SCANNED

FEB 09 2005

PROFILED

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
Spring	5/1	11/1	2 ⁰⁵	477 ²

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Spring				

Overall Diversion Rate _____

Overall Diversion Volume _____

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

SOU Claimed AS LIL $\Rightarrow$ SO RECOMMENDED

Reviewer: _____

Date: _____

SCANNED

FEB 09 2005

ROFILED

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 22-7043 Priority Feb. 3, 1971 Amount 2.05 cfs

THIS IS TO CERTIFY, that Eugene Toone, Dale K. Price, James W. Price
of Tucson, Arizona & Driggs, Idaho, has complied with the terms and conditions of Permit
No. 22-7043 issued pursuant to Application for Permit dated February 3, 1971,
and has submitted proof to the Department of Water Administration on June 1, 1973,
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 2.05 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>May 1</u> to <u>Nov. 1</u> at <u>2.05</u> cfs and			<u>447 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 2.05 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
447 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 2,
Twp. 4 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 $\frac{1}{4}$	
4 N	45 E	2			34	40									40	35			149

Total number of acres irrigated 149

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

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 19 day of
August, 19 74.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

RETURNED TO SENDER
Rt. #
Carri. Init.
Date

☐ Not Deliverable As Addressed
☐ Unable to Find Yard
☐ Insufficient Address
☐ Moved - Left No Address
☐ Unclaimed - Used
☐ Attempted - Not Known
☐ No Such Street
☐ Vacant ☐ Illegible
☒ No Mail Receptacle
☐ Box Closed - No Order
☐ Returned For Better Address
☐ Postage Due

JAMES W PRICE
MARLENE T PRICE
410 N 1ST E
DRIGGS ID 83422

22-11943
13246
13248
461
7043
78
84



U.S. POSTAGE
1740 PB3523907
8926\$00.37 MAR 02 2004
0642 MAILED FROM ZIP CODE 83402

PROFILED

SCANNED

FEB 09 2005

DRIGGS, ID 83422

PO Box 212

New!

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 22-7043
Date Received: 9/20/1988
Receipt No: M001358
Received By:

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

1. Name of Claimant(s)

VIRGINIA P PRICE Phone: (208)354-2252
73 HARPER PO BOX 563
DRIGGS ID USA 83422

MARLENE T PRICE Phone: (208)354-2381

PO BOX 212
DRIGGS ID USA 83422
JAMES W PRICE Phone: (208)354-2381

PO BOX 212
DRIGGS ID USA 83422
DALE K PRICE Phone: (208)354-2252

73 HARPER PO BOX 563
DRIGGS ID USA 83422

PRICE BROS Phone: (208)354-2252
73 HARPER BOX 563
DRIGGS ID USA 83422

2. Date of Priority: 02/03/1971

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	45E	2	SE SW NE	TETON	

5. Description of diverting works:

WELL, 108' DEEP, 75 HP PUMP, WHEEL AND HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	11/01	2.05	447
STOCKWATER	05/01	11/01	0.03	

7. Total Quantity Appropriated is:
2.05 C.F.S. and/or 447 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	45E	2	SW	NE	IRRIGATION	34
			SE	NE	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	35
Section Acres						149
Total Acres						149

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:

Stockwater use is for 100 range cattle.

15. Basis of Claim: License

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): James W. Price Date: 4-18-2005
_____ Date: _____

State of Idaho
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18 Day
of ~~May~~^{KNO} April 2005 Katy Jackson

Notary Public

Residing at Idaho Falls, ID
My commission Expires March 31, 2011



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: A22-07043
Date Received: 9/20/1988
Receipt No: M001358
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	DALE K. PRICE	208-354-2252
Address:	73 HARPER BOX 563	
	DRIGGS, ID	83422
OR		
Name:	VIRGINIA P. PRICE	208-354-2252
Address:	73 HARPER BOX 563	
	DRIGGS, ID	83422
OR		
Name:	JAMES W. PRICE	208-354-2381
Address:	410 N. 1ST E.	
	DRIGGS, ID	83422
OR		
Name:	MARLENE T. PRICE	208-354-2381
Address:	410 N. 1ST E.	
	DRIGGS, ID	83422
OR		
Name:	PRICE BROS.	208-354-2252
Address:	73 HARPER BOX 563	
	DRIGGS, ID	83422

2. Date of Priority: FEB 03, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL, 108' DEEP, 75 HP PUMP, WHEEL AND HANDLINES

A22-07043

Page 1

Date: 09/20/88

PROFILED

SCANNED
FEB 09 2005

MICROFILMED
OCT 29 1992

A2207043



6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	11/01	2.050		447.00

7. Total Quantity Appropriated is:
2.050 C.F.S. (and/or) 447.00 A.F.A.

8. Total consumptive use is 298.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	2	SW	NE		IRR	34.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	35.0
						Section Acres	149.0
						Total Acres	149.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

PROFILED

FEB 09 2005

MICROFILMED
OCT 29 1992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): J. James W. Quinn Date: 20 Sept 1988

Date: _____

State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of Sept 19 88

M. Gene Gibson
Notary Public

Seal

Residing at Boise, 2d
My Commission Expires 9-2-1994

A22-07043

Page 3

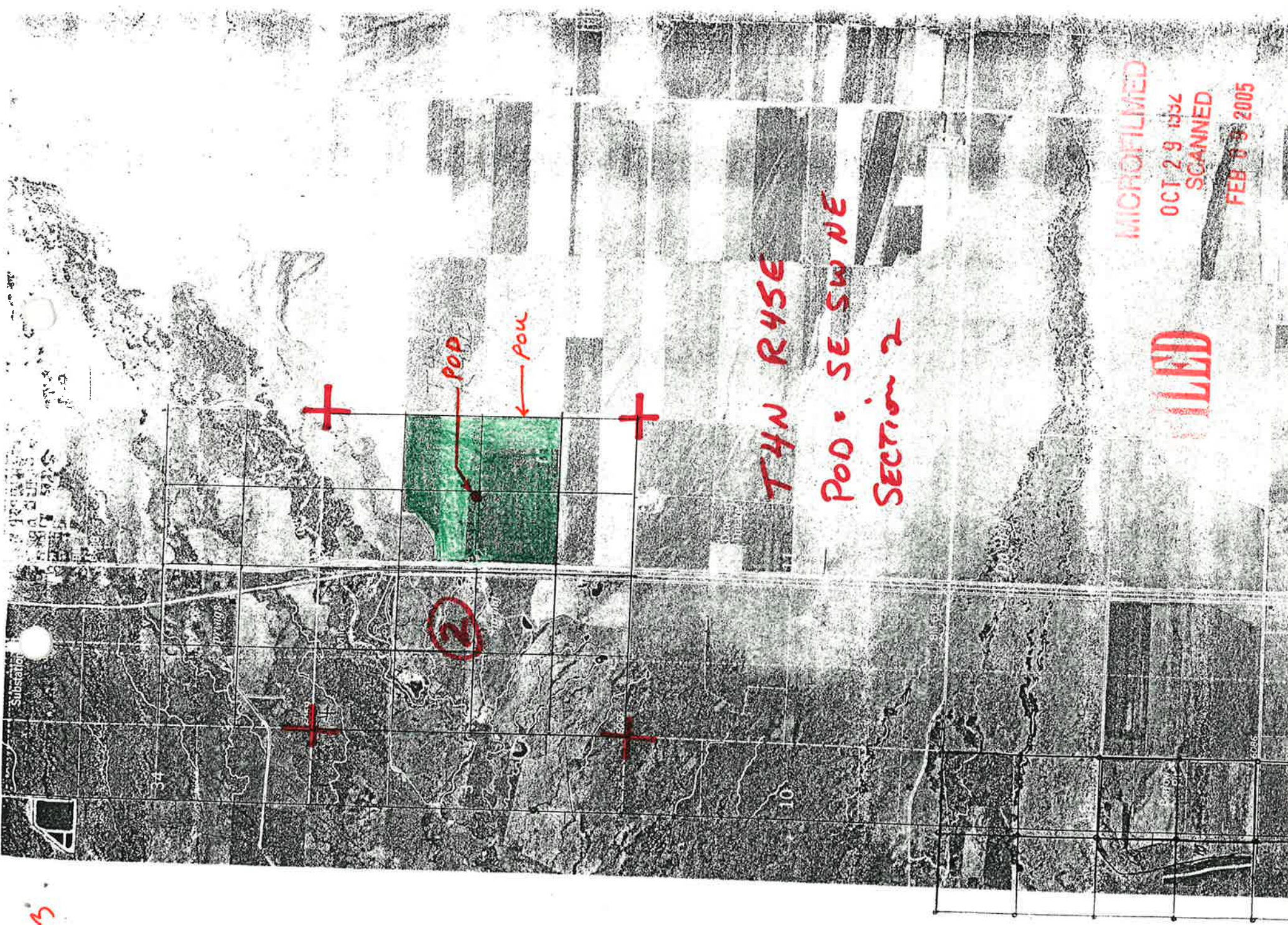
Date: 09/20/88

SCANNED
FEB 09 2005

PROFILE FILED

MICROFILMED
OCT 29 1992

7043



MICROFILMED

OCT 29 1992

SCANNED

FEB 03 2005

LED