

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: **A22-07411**
Date Received: 7/21/1988
Receipt No: E000824
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: RONALD J JUDY
Address: PO BOX 1703
RANCHO SANTE FE CA 92067
2. Date of Priority: JUL 6, 1982
3. Source: DAVIS SPRING Trib. to: SINKS
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	44E	31		SW	SE		TETON

5. Description of diverting works:
RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		
STOCKWATER	05/01	11/01	0.020		

7. Total Quantity Appropriated is:
1.000 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
06N	44E	31	NE	SE		IRR	20.0
			NW	SE		IRR	20.0
			SW	SE		IRR	30.0
			SE	SE		IRR	30.0

MICROFILMED

SCANNED

APR 11 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	100.0
					Total Acres	100.0

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:

14. Remarks:

15. Basis of Claim: PERMIT

MICROFILMED

APR 11 1994

SCANNED

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: A22-07411
Date Received: 7/21/1988
Receipt No: E000824
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: POTTER ENTERPRISES INC. 208-356-4768
Address: P.O. BOX 433
REXBURG, ID 83440-0

2. Date of Priority: JUL 06, 1982

3. Source: DAVIS SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	44E	31	SW	SE			TETON

5. Description of diverting works:
RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		
STOCKWATER	05/01	11/01	0.020		

7. Total Quantity Appropriated is:
1.000 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	Lot	Use	Acres
06N	44E	31	NE	SE		IRR	20.0
			NW	SE		IRR	20.0
			SW	SE		IRR	30.0

A22-07411

Page

1

Date: 07/21/88

SCANNED

AUG 09 2007

MICROFILMED
OCT 29 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	44E	31	SE	SE		IRR	30.0
Section Acres							100.0
Total Acres							100.0

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:

14. Remarks:

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: -1-

For Organizations:

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

[Signature]
Signature of Authorized Agent

President
Title and Organization

July 21, 1988
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21st day

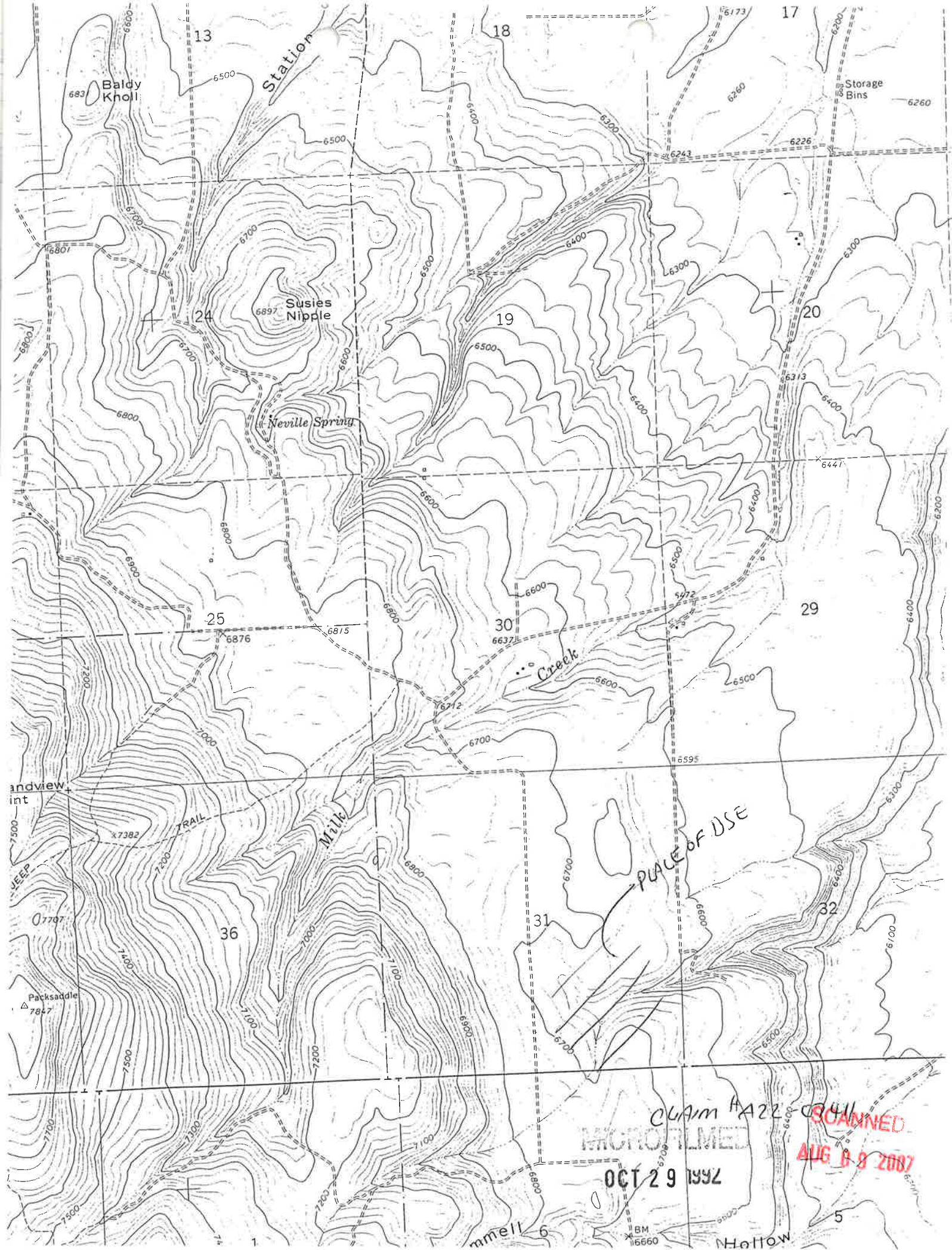
of July 19 88

Seal

Betty J. Thompson
Notary Public

Residing at Idaho Falls

My Commission Expires 6-94



01/31/2006

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

RIGHT NUMBER: 22-7411

NAME AND ADDRESS: RONALD J JUDY
PO BOX 1703
RANCHO SANTE FE CA 92067

SOURCE: UNNAMED STREAM

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS
0.70 AFY

PRIORITY DATE: 07/06/1982

POINT OF DIVERSION:
T06N R44E S31 NESWSE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

05/01 11/01

0.020 CFS
0.70 AFY

PLACE OF USE: STOCKWATER Within TETON County

T06N R44E S31 SWSE

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

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

RIGHT NUMBER: 22-7411

NAME AND ADDRESS: RONALD J JUDY
PO BOX 1703
RANCHO SANTE FE CA 92067

SOURCE: UNNAMED STREAM

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS
0.70 AFY

PRIORITY DATE: 07/06/1982

POINT OF
DIVERSION:

T06N R44E S31 NESWSE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

05/01 11/01

0.020 CFS

0.70 AFY

PLACE OF USE: STOCKWATER in TETON County

T06N R44E S31

SWSE

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

Created By:

Denise Kidman:

Date: 10-20-08

**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	)	Subcase No. 22-7411
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right require no changes and should be described as originally recommended.

CLAIMANT/OBJECTOR:

Ronald J. Judy

Timothy Hopkins	Date
Attorney on behalf of Claimant and Objector	

IDWR Concurrence:

Denise Kidman 10-20-08

Denise Kidman

Date

Water Resource Program Manager

Andrea Courtney

Date

Deputy Attorney General

Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on _____, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

RONALD J JUDY
Represented by:
C TIMOTHY HOPKINS
428 PARK AVE
PO BOX 51219
IDAHO FALLS, ID 83405-1219
Phone: 208-523-4445

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney mailing the form

Barg, Jonie

From: Teresa Buchanan [tjb@clmna.com]
Sent: Saturday, December 13, 2008 6:32 AM
To: Barg, Jonie
Subject: RE: Grandview Ranch

Jonie,

We have decided to go with putting the water right into Grandview Ranch I, LP. Please let me know if I need to send a payment.

It is very frustrating dealing with Tina. I have given it some thought and I have decided to contact her manager/owner of Alliance on Monday and give that person the issue and hopefully get some results. I will let you know what I find out. If I can get in touch with the manager/owner, I will see if they will contact you immediately.

Thanks for all you have done on this issue!
Teresa

From: Barg, Jonie [mailto:Jonie.Barg@idwr.idaho.gov]
Sent: Friday, December 12, 2008 1:25 PM
To: Teresa Buchanan
Subject: Grandview Ranch

I know we have talked regarding this ownership change however, you still had some concerns regarding fees to change is again. Do you want me to go ahead and do the ownership change into Grandview Ranch? The fees will be as follows: there is a \$25.00 fee to change the ownership for a water right that does not result in a split and a \$100.00 fee for ownership changes that result in a split. Let me know for sure whether you would like this change completed and I will get it done as soon as possible.

Also regarding the other ownership change for EAC REV No 13 LLC from Edwin Thomas, I have tried to contact Tina with Alliance title regarding a copy of the deed where Edwin Thomas acquired the property and have had no response. There are still some legal discrepancies and I do need a copy of that deed and maybe a map showing the property purchased. Would you contact them as well to see if you can get some additional information? Maybe this information Amerititle would have record of as well. Thank you so much for your time and assistance with this. I hope you have a wonderful holiday season!!

Jonie Barg

Jonie Barg

Technical Records Specialist

Idaho Department of Water Resources

900 N Skyline Ste A

Idaho Falls, ID 83402

Phone #: (208) 525-7161

Fax #: (208) 525-7177

Email: jonie.barg@idwr.idaho.gov

12/15/2008

Barg, Jonie

From: Barg, Jonie
Sent: Monday, December 08, 2008 3:02 PM
To: 'Teresa Buchanan'
Subject: RE: Grandview Ranch I

Change of Water Right Ownership fee breakdown is as follows:

Water Rights in the Adjudication are free to process the Ownership Change.
 After they are partially decreed the fee is \$25 per water right unless it involves a split then the fee is \$100 per water right

Our ownership for the water rights show Ronald Judy as the current. So you do want me to change it to Grandview Ranch, right? You can change it again later at any time, just fill out the same form and return it with the requested attachments and fees. Thank you again.

Jonie Barg

Jonie Barg
 Technical Records Specialist
 Idaho Department of Water Resources
 900 N Skyline Ste A
 Idaho Falls, ID 83402
 Phone #: (208) 525-7161
 Fax #: (208) 525-7177
 Email: jonie.barg@idwr.idaho.gov

From: Teresa Buchanan [mailto:tjb@clmna.com]
Sent: Monday, December 08, 2008 2:54 PM
To: Barg, Jonie
Subject: RE: Grandview Ranch I

Jonie,

If we keep the ownership as Grandview Ranch I, how much cost would it be if we later transfer the water right from Grandview Ranch I to our 1031 Exchange? This is really tricky for me since our 1031 LLC owns the Partnership that owns Grandview Ranch I. My attorney may want to keep it in Grandview's name if the cost won't be too great to transfer it again down the road.

No need to apologize for the delay. I apologize that the title company takes so long in responding. Call me anytime, I'll be happy to help in any way that I can.

THANKS!
 Teresa

From: Barg, Jonie [mailto:Jonie.Barg@idwr.idaho.gov]
Sent: Monday, December 08, 2008 3:56 PM
To: Teresa Buchanan

12/12/2008

Subject: RE: Grandview Ranch I

Teresa,

Have you ever heard any additional information regarding this ownership change?

I am still working on the other ownership change. I have requested an additional Warranty Deed from Tina at Alliance. I am hoping that will clear up some legal description problems if not I will be calling you again.

Thank you for all your time and I apologize for the delay on getting your request completed.

Jonie Barg

Jonie Barg

Technical Records Specialist

Idaho Department of Water Resources

900 N Skyline Ste A

Idaho Falls, ID 83402

Phone #: (208) 525-7161

Fax #: (208) 525-7177

Email: jonie.barg@idwr.idaho.gov

From: Teresa Buchanan [mailto:tjb@clmna.com]

Sent: Tuesday, November 25, 2008 9:50 AM

To: Barg, Jonie

Subject: Grandview Ranch I

Jonie,

I have left a message for my NC attorney to call me about the ownership of the Grandview Ranch I. I will let you know what he says about who we should have as the current owner.

I have attached the deed showing Grandview Ranch I, LP as the owner of the property. As I mentioned in our conversation, we acquired this property by a 1031 exchange (EAC REV No 9, LLC) purchasing the Grandview Ranch I, LP.

Thank you for all your help. Let me know the outcome of the Summit Ranch water right and if you need my help.

If I don't talk to you before, hope you have a wonderful Thanksgiving!

Teresa Buchanan
Conservation Land Mgt, LLC.
P.O. Box 2538
Boone, NC 28607
828.265.1400
828.406.1291 cell

No virus found in this incoming message.

Checked by AVG.

Version: 7.5.552 / Virus Database: 270.9.15/1837 - Release Date: 12/8/2008 9:38 AM

No virus found in this outgoing message.

12/12/2008

Checked by AVG.

Version: 7.5.552 / Virus Database: 270.9.15/1837 - Release Date: 12/8/2008 9:38 AM

Barg, Jonie

From: Barg, Jonie
Sent: Friday, December 12, 2008 11:25 AM
To: 'Teresa Buchanan'
Subject: Grandview Ranch

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Also regarding the other ownership change for EAC REV No 13 LLC from Edwin Thomas, I have tried to contact Tina with Alliance title regarding a copy of the deed where Edwin Thomas acquired the property and have had no response. There are still some legal discrepancies and I do need a copy of that deed and maybe a map showing the property purchased. Would you contact them as well to see if you can get some additional information? Maybe this information Amerititle would have record of as well. Thank you so much for your time and assistance with this. I hope you have a wonderful holiday season!!

Jonie Barg

Jonie Barg

Technical Records Specialist

Idaho Department of Water Resources

900 N Skyline Ste A

Idaho Falls, ID 83402

Phone #: (208) 525-7161

Fax #: (208) 525-7177

Email: jonie.barg@idwr.idaho.gov

12/12/2008

Barg, Jonie

From: Teresa Buchanan [tjb@clmna.com]
Sent: Tuesday, November 25, 2008 9:50 AM
To: Barg, Jonie
Subject: Grandview Ranch I
Attachments: Deed to Grandview Ranch I.pdf

Jonie,

I have left a message for my NC attorney to call me about the ownership of the Grandview Ranch I. I will let you know what he says about who we should have as the current owner.

I have attached the deed showing Grandview Ranch I, LP as the owner of the property. As I mentioned in our conversation, we acquired this property by a 1031 exchange (EAC REV No 9, LLC) purchasing the Grandview Ranch I, LP.

Thank you for all your help. Let me know the outcome of the Summit Ranch water right and if you need my help.

If I don't talk to you before, hope you have a wonderful Thanksgiving!

Teresa Buchanan
Conservation Land Mgt, LLC.
P.O. Box 2538
Boone, NC 28607
828.265.1400
828.406.1291 cell

11/25/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

Return Service Requested

RECEIVED
JAN 22 2009
Department of Water Resources
Eastern Region

POCATELLO ID 832

09 JAN 2009 PM 1:15



02 1P
0003855869 JAN 09 2009
MAILED FROM ZIP CODE 83402
\$ 000.42
PENEY BOWEN

December 18, 2008

GRANDVIEW RANCH I LP
2475 WEST DESERT INN RD
SUITE 1-172
LAS VEGAS NV 89102

RETURNED TO SENDER
NO SUCH NUMBER

NSN

09v

22-7411

SCANNED
FEB 17 2009



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

December 18, 2008

GRANDVIEW RANCH I LP
2475 WEST DESERT INN RD
SUITE 1-172
LAS VEGAS NV 89102

RE: Notice of Change of Water Right Ownership (NCO) for 22-7411 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

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

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,

Bobby Kern
Office Specialist II

Enclosure

Cc Ronald J. Judy, Rep. C. Timothy Hopkins

SCANNED
JAN 13 2009

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: 22-7411

Case No. 39576

)

)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

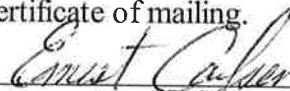
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party Judy – Grandview Ranch I
- ☐ 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: 6 January 09



Signature of IDWR Representative

SCANNED
JAN 13 2009

CERTIFICATE OF MAILING

I certify that on January 9, 2009, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Ronald Judy
PO Box 780
Rancho Sante Fe CA 92067
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
Grandview Ranch I LP
2475 West Desert Inn Rd
Suite I-172
Las Vegas NV 89102
4. One copy to:
Each party in the subcase, or attorney of record
Ronald J. Judy
Represented by: C Timothy Hopkins
428 Park Avenue
Idaho Falls, ID 83405-1219
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

Bobby Kern

Signature of person or attorney mailing the form

SCANNED

JAN 13 2009

12/18/2008

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

RIGHT NUMBER: 22-7411

NAME AND ADDRESS: GRANDVIEW RANCH I LP
4375 WEST DESERT INN ROAD
SUITE C-172
LAS VEGAS NV 89102

SOURCE: UNNAMED STREAM

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS
0.70 AFY

PRIORITY DATE: 07/06/1982

POINT OF
DIVERSION:

T06N R44E S31 NESWSE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

05/01 11/01

0.020 CFS

0.70 AFY

PLACE OF USE:

STOCKWATER in TETON County

T06N R44E S31

SWSE

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

JAN 13 2009

Form 42-248/42-1409(6) 10/07

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
ADJ 22-7411	22-7411	OK			
		JPO			

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)

Ronald J. Judy

P. O. Box 750

Rancho Sante Fe, CA 92067

4. New Owner/Claimant(s)

Mingo Tribal Preservation Trust

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

New Mailing Address

1675 Blowing Rock Rd. Ste 405

City, State and ZIP Code

Boone, NC 28607

New Telephone Number

(828) 265-1400

Email: tjb@clmna.com

RECEIVED
NOV 20 2008

Department of Water Resources
Eastern Region

See attached deed.

SCANNED
JAN 13 2009

5. Date you acquired the property June 7, 2007

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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

7. Signature(s) of New Owner(s) or Claimant(s) C. Timothy Hopkins
 Attorney for Mingo Tribal Preservation Trust
 (title if applicable)
 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

SCANNED

2009

For IDWR Office Use Only:

Received by _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

Instrument # 191934

TETON COUNTY, IDAHO

2007-09-26

05:12:00 No. of Pages: 3

Recorded for : RICHARD J KLINE

MARY LOU HANSEN

Ex-Officio Recorder Deputy

Index to: MEMORANDUM

Fee: 0.00

STATE OF UTAH

COUNTY OF TETON

**MEMORANDUM OF
PURCHASE CONTRACT**

THIS MEMORANDUM OF PURCHASE CONTRACT, is made and entered into as of the 7th day of June, 2007, by and between the following named persons/entities: Grandview Ranch I, LP, a North Carolina limited partnp. (hereinafter referred to as "Seller"), and Mingo Tribal Preservation Trust (hereinafter referred to as "Buyer").

WITNESSETH:

A. Seller, pursuant to Qualified Exchange Accommodation Agreement dated the same date hereof (the "Purchase Contract") between Seller and Buyer relating to the purchase and sale of that certain real property and associated improvements consisting of 560 acres +/-, Teton County, and more particularly described in Exhibit A attached hereto (the "Property") has covenanted and agreed to sell and convey the Property to Buyer on or before December 1, 2007 (the "Closing Date").

NOW THEREFORE, in consideration of the terms, covenants and conditions of the Purchase Contract, Seller does agree to sell and convey to Buyer the Property.

The parties further stipulate and agree that:

1. **Term.** The term of the Purchase Contract commenced on the date hereof, and continues through and including December 1, 2007.
2. **Purchase Contract.** All of the terms, covenants and conditions of the Purchase Contract are incorporated herein by reference.
3. **Miscellaneous.** The term "Purchase Contract" means and refers to the Qualified Exchange Accommodation Agreement between the parties dated the same date hereof.

IN WITNESS WHEREOF, the parties hereto have duly executed this Memorandum of Purchase Contract effective as of the day and year first above written.

SELLER:

Grandview Ranch I, LP, a Nevada limited partnership

By: EAC REV No. 9, LLC, a North Carolina limited liability company, its General Partner

By: [Signature] (Seal)
Brian B. Helms, Manager

BUYER:

Mingo Tribal Preservation Trust

By: [Signature]
Jesse W. Horton, Jr. Trustee

SCANNED
SCANNED
3 2009
JAN 13 2009

Drawn by and return to:
John Hazlehurst
6100 Fairview Rd. Ste 1200
Charlotte, NC 28210

EXHIBIT A

Lying and being in Teton County, Idaho, more particularly described as follows:

E1/2 Sec. 31; and NW1/4 and W1/2SW1/4 Sec. 32, T. 6 North, Range 44 E.B.M.

Being the identical property conveyed to GRANDVIEW RANCH I, LP by Grant Deed, bearing Instrument # 183875 recorded December 29, 2006.

SCANNED

JAN 13 2009

Instrument # 183875

DRIGGS, TETON, IDAHO

2006-12-29 01:52:13 No. of Pages: 2

Recorded for: HOPKINS RODEN CROCKETT

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: OEEO GRANT

183875

GRANT DEED

RECEIVED

DEC 29 2006

TETON CO., ID
CLERK RECORDER

For the consideration of ten dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, RONALD J. JUDY and JUDITH I. BRAAKSMA JUDY, Trustees of the JUDY FAMILY TRUST U/T/A dated June 23, 1997, hereafter referred to as "Grantor," grants, bargains, sells and conveys to GRANDVIEW RANCH I, LP, a Nevada limited partnership, the current address of which is 4375 West Desert Inn Road, Suite C-172, Las Vegas, Nevada 89102, the following real property located in Teton County, Idaho, more particularly described as follows:

E1/2 Sec. 31; and, NW 1/4 and W1/2SW1/4 Sec. 32,
T. 6 North, Range 44 E.B.M.

SUBJECT TO: All existing easements or claims of easement, roadways, rights of way, covenants, restrictions, reservations, condominium declarations and association articles and bylaws, applicable building and zoning ordinances, use regulations and restrictions, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey, inspection of the premises or environmental assessment, and accruing taxes and assessments.

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property herein described as well in law as in equity.

IN WITNESS WHEREOF, the Grantor has hereunto subscribed its name to this instrument this 27th day of December, 2006.

JUDY FAMILY TRUST U/T/A

Dated June 23, 1997

By:

Ronald J. Judy, Trustee

By:

Judith I. Braaksma Judy, Trustee

SCANNED

JAN 13 2009

183875

62

HAWAII
STATE OF ~~CALIFORNIA~~)
) ss.
County of HAWAII)

ON THIS 27th day of December, 2006, before me, SHERI L. RAPOZA,
a Notary Public in and for said State, personally appeared RONALD J. JUDY, known or
identified to me to be the Trustee of the JUDY FAMILY TRUST U/T/A dated June,
1997, and acknowledged to me that he executed the within and foregoing instrument as
such Trustee of the JUDY FAMILY TRUST U/T/A dated June 23, 1997.

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



Sheri L. Rapoza
Notary Public for California HAWAII
Residing at: 68-150 HOCHANA ST. KOHALA COAST, HI
My Commission Expires: MARCH 5, 2010 96743

62

HAWAII
STATE OF ~~CALIFORNIA~~)
) ss.
County of HAWAII)

ON THIS 27th day of December, 2006, before me, SHERI L. RAPOZA,
a Notary Public in and for said State, personally appeared JUDITH I. BRAAKSMA
JUDY, known or identified to me to be the Trustee of the JUDY FAMILY TRUST
U/T/A dated June 23, 1997, and acknowledged to me that she executed the within and
foregoing instrument as such Trustee of the JUDY FAMILY TRUST U/T/A dated June
23, 1997.

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



Sheri L. Rapoza
Notary Public for California HAWAII
Residing at: 68-150 HOCHANA ST. KOHALA COAST, HI
My Commission Expires: MARCH 5, 2010 96743

183875

2

SCANNED

JAN 3 2009

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
22-7411	22-7411				

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 on file with the county Planning and Zoning or Recorder's Office).

OR

- D. 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 or equivalent **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) Ronald J. Judy
P. O. Box 750
Rancho Sante Fe, CA 92067

4. New Owner/Claimant(s) Mingo Tribal Preservation Trust
Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address 1675 Blowing Rock Rd. Ste 405

City, State and ZIP Code Boone, NC 28607

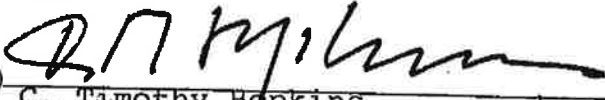
New Telephone Number (828)265-1400 Email: tjb@clmna.com

5. Date you acquired the property June 7, 2007

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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

7. Signature(s) of New Owner(s) or Claimant(s) 
C. Timothy Hopkins (title if applicable)
Attorney for Mingo Tribal Preservation Trust (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

Instrument # 191934

TETON COUNTY, IDAHO

2007-09-26

05:12:00 No. of Pages: 3

Recorded for: RICHARD J KLINE

MARY LOU HANSEN

Ex-Officio Recorder Deputy

Index to: MEMORANDUM

Fee: 0.00

STATE OF UTAH

COUNTY OF TETON

**MEMORANDUM OF
PURCHASE CONTRACT**

THIS MEMORANDUM OF PURCHASE CONTRACT, is made and entered into as of the 7th day of June, 2007, by and between the following named persons/entities: Grandview Ranch I, LP, a North Carolina limited partnp. (hereinafter referred to as "Seller"), and Mingo Tribal Preservation Trust (hereinafter referred to as "Buyer").

WITNESSETH:

A. Seller, pursuant to Qualified Exchange Accommodation Agreement dated the same date hereof (the "Purchase Contract") between Seller and Buyer relating to the purchase and sale of that certain real property and associated improvements consisting of 560 acres +/-, Teton County, and more particularly described in Exhibit A attached hereto (the "Property") has covenanted and agreed to sell and convey the Property to Buyer on or before December 1, 2007 (the "Closing Date").

NOW THEREFORE, in consideration of the terms, covenants and conditions of the Purchase Contract, Seller does agree to sell and convey to Buyer the Property.

The parties further stipulate and agree that:

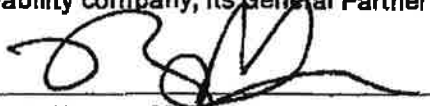
1. **Term.** The term of the Purchase Contract commenced on the date hereof and continues through and including December 1, 2007.
2. **Purchase Contract.** All of the terms, covenants and conditions of the Purchase Contract are incorporated herein by reference.
3. **Miscellaneous.** The term "Purchase Contract" means and refers to the Qualified Exchange Accommodation Agreement between the parties dated the same date hereof.

IN WITNESS WHEREOF, the parties hereto have duly executed this Memorandum of Purchase Contract effective as of the day and year first above written.

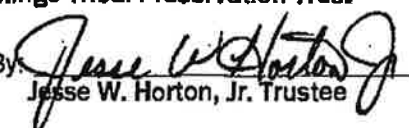
SELLER:

Grandview Ranch I, LP, a Nevada limited partnership

By: EAC REV No. 9, LLC, a North Carolina limited liability company, its General Partner

By:  (Seal)
Brian B. Helms, Manager**BUYER:**

Mingo Tribal Preservation Trust

By: 

Jesse W. Horton, Jr. Trustee

Drawn by and return to:
John Hazlehurst
6100 Fairview Rd. Ste 1200
Charlotte, NC 28210

EXHIBIT A

Lying and being in Teton County, Idaho, more particularly described as follows:

E1/2 Sec. 31; and NW1/4 and W1/2SW1/4 Sec. 32, T. 6 North, Range 44 E.B.M.

Being the identical property conveyed to GRANDVIEW RANCH I, LP by Grant Deed, bearing instrument # 183875 recorded December 29, 2006.



Idaho Department of Water Resources

MEMORANDUM

File: 22-7411 Ronald Judy
Date: August 20, 2008
Subject: Initial Hearing Part 2 Summary

Claim was for stock water and irrigation but the license (1-9-1997) shows only stock water.

A field exam on September 30, 1996 didn't find any irrigation, only stock water. Area has never been irrigated but used as dry farm. Claimant needs to file application for permit if they can submit proof of irrigation prior to 1971.

I think Rob Harris is representing the owner of this WR.

David Nissan leases ground. POD is claimed as Davis Springs but recommended as unnamed stream. Need proof of diversion from Davis Springs prior to 1971.

New Client--- Grandview Ranch to Mingo Tribal

Need Change of Ownership

10-18-08 Talked to Tim Hopkins

- wants to withdraw objection
- can't find evidence of irrigation
- signing SF5
- Sent to Boise

10/28/08 Sent change of ownership to Tim Hopkins

RECEIVED

JUL 18 2007

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576

A. Subcase 22-7411
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Ronald J. Judy

Address: P. O. Box 1703

Rancho Santa Fe, CA 92067

Daytime Phone: _____

Name & Address of Attorney, if any:

C. Timothy Hopkins

Hopkins Roden Crocket Hansen & Hoopes

P. O. Box 51219

Idaho Falls, ID 83405-1219

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Ronald J. Judy

Address: P. O. Box 1703

Rancho Santa Fe, CA 92067

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: Stockwater and irrigation
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: T6N., R.44E. S.31 SWSE, NESE, NWSE, and SESE
10. ☐ **I object because:**
☐ This water right Should not exist.
☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** Director's recommendation
does not comply with history of use.

CERTIFICATE OF SERVICE BY MAIL, HAND DELIVERY
OR FACSIMILE TRANSMISSION

I certify that on the 16th day of July, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, ID 83303-2707

IDWR Document Depository
P. O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
P. o. Box 44449
Boise, ID 83711-4449

Ronald J. Judy
P. O. Box 1703
Rancho Santa Fe, CA 92067


For C. Timothy Hopkins

11/29/2006

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: December 11, 2006

Water right number: 22-7411

RONALD J JUDY
PO BOX 1703
RANCHO SANTE FE CA 92067

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

Source should be for irrigation and stock water.

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

Irrigation right should be 1.00 cfs and stock water right .02 cfs, and place of use should include NE1/4SE1/4, NW1/4SE1/4, SW1/4SE1/4 and SE1/4SE1/4.

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

Director's proposed recommendation does not comply with history of use.

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

DATE: 12-8-06

SIGNATURE: *C. Timothy Hopkins*

Please print your name: C. Timothy Hopkins

Attorney for Ronald J. Judy

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

REVIEWED 12/12-02

LICENSE REFLECTS STOCKWATER ONLY.

NEW CLAIM MUST BE FILED FOR IRRIGATION.

Can

SCANNED

AUG 09 2007

*KMJ
12/11*

Claim no. _____

Claimant Contact Log

Date _____

Remarks

Agent initials

Irrigation was not licensed because it has never been practiced. Dry farming has always been done. Recommending according to license.

SCANNED
AUG 09 2007

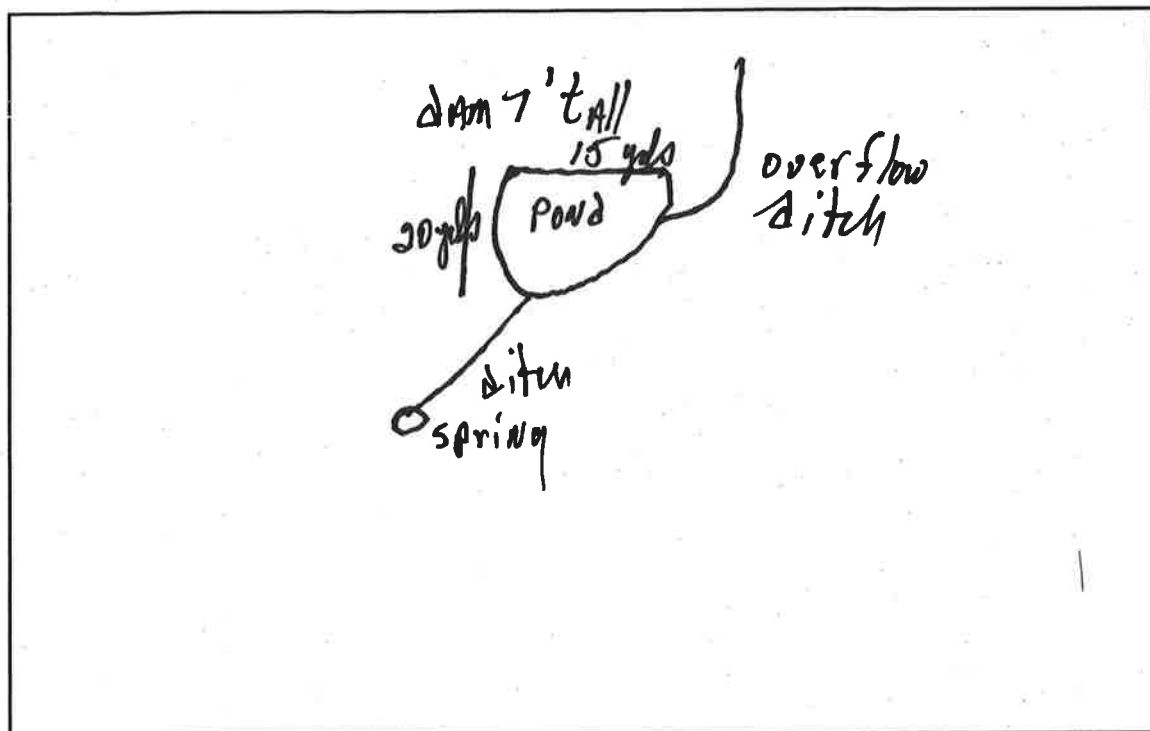
AUG 09 2007

SCANNED



For Forest and Deer Spring
Honey

Water Right No(s). _____



GPS DATA:

Tag # A0614269 Location: Aspen tree just of dam

Diversion Data:

Source: Spring Trib to: Sinks

MOTOR

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

PUMP

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

NOTES:

at the time of field exam spring was dry,
but the reservoir had about 12 feet of water
possibly rainfall runoff.

Field Exam Date: 8/5/05 Agent: DD

SCANNED
AUG 09 2007

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

8/5/05
 80
 Pod is a reservoir that stores water from small spring, Davis Spring, and runoff. Earthen dam is approx 7' high and 10-15 yds wide. The pond at this capacity is probably 20 yds long.

Reviewer: _____ Date: _____

SCANNED

AUG 09 2007

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

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

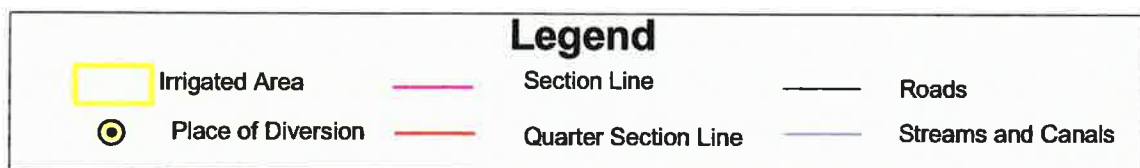
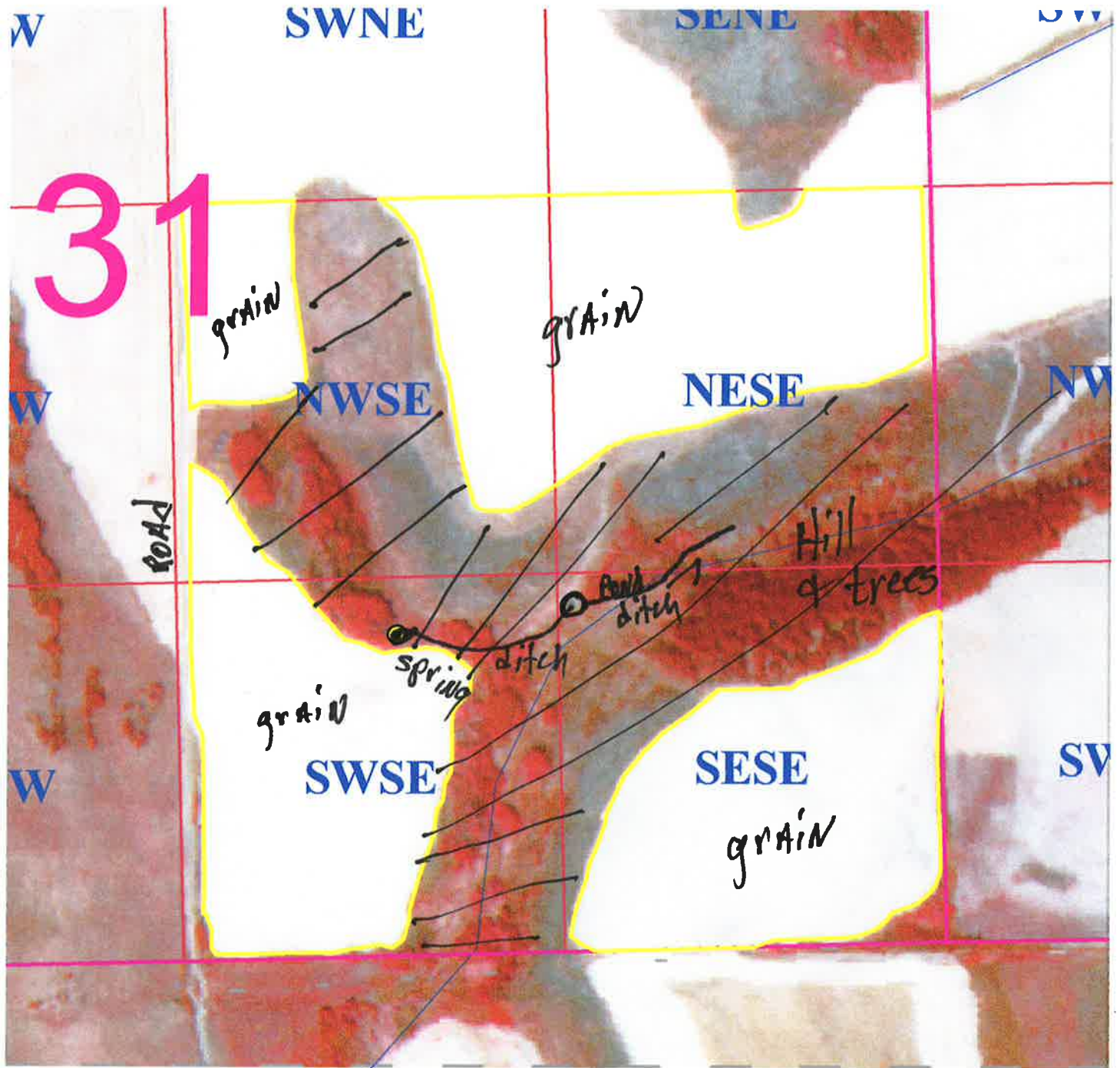
8/5/05
SD
Field exam showed that land claimed is planted in grain, I did not see any pump or lines, but this has been a wet year.

Reviewer: _____ Date: _____

SCANNED
AUG 09 2007

Water Right Claim Number 22-07411
Townships , 6N44E, 5N44E

08/20/2001



400 0 400 800 Feet



SCANNED
AUG 09 2007

SPATIAL
DYNAMICS





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

DECEMBER 15, 1993

C TIMOTHY HOPKINS
HOPKINS FRENCH CROCKETT
SPRINGIER & HOOPES
PO BOX 51219
IDAHO FALLS ID 83405-1219

RE: CHANGE IN OWNERSHIP FOR RONALD J JUDY
NOTICES OF CLAIM A22-10260, -07411, -04196, -07410

Dear Mr. Hopkins:

The request for Change in Ownership concerning your client's Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect your client as the new owner.

Enclosed are typed Notices with your client's name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your client's records.

Respectfully submitted,

Jo Thompson
Secretary, Adjudications

Enclosure: Notice(s) of Claim

SCANNED

AUG 09 2007

MICROFILMED

APR 11 1994

State of Idaho

Department of Water Resources

ASSIGNMENT OF NOTICE OF CLAIMS AND WATER PERMITS

The undersigned, B & M Partners, hereby assign to Ronald J. Judy, a married man,

All the undersigned's title, and interest in and to Notice of Claim Nos. A22-10260, A22-07411, A22-04196 and A22-07410 and Water Permit Nos. A22-07410 and A22-07411 to a Water Right Acquired Under State Law and any water permits referred to in such claims.

Made this 17th day of November, 1993.

B & M PARTNERS

Signature of Claimant

By:

Martin Stone, General Partner

STATE OF Oregon)
) ss.
County of Pima)

On this 17 day of November, in the year 1993, before me the undersigned, a notary public in and for said State, personally appeared MARTIN STONE, known or identified to me to be a General Partner in the partnership of B & M PARTNERS, an Idaho Partnership, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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

(SEAL)

Marian J. Tripp
Notary Public for Canyon Ranch
Residing at 8600 E. Rockwell Rd.
My commission expires: _____

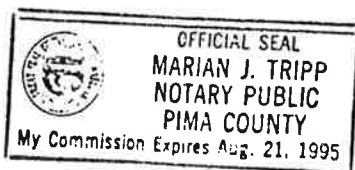
MICROFILMED

SCANNED

APR 11 1994

AUG 09 2007

3863m/srs



State of Idaho

Department of Water Resources

ASSIGNMENT OF NOTICE OF CLAIMS AND WATER PERMITS

The undersigned, B & M Partners, hereby assign to Ronald J. Judy, a married man,

of P.O. Box 1703, Rancho Santa Fe, California, 92067

All the undersigned's title, and interest in and to Notice of Claim Nos. A22-10260, A22-07411, A22-04196 and A22-07410 and Water Permit Nos. A22-07410 and A22-07411 to a Water Right Acquired Under State Law and any water permits referred to in such claims.

Made this 17th day of November, 1993.

B & M PARTNERS

Signature of Claimant

By:

Barry Silverstein, General Partner

STATE OF Idaho)
County of Latah) ss.

On this 17th day of November, in the year 1993, before me the undersigned, a notary public in and for said State, personally appeared BARRY SILVERSTEIN, known or identified to me to be a General Partner in the partnership of B & M PARTNERS, an Idaho Partnership, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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

(SEAL)

Franklin J. [Signature]
Notary Public for Idaho
Residing at 456 [Address] Tampa, FL 33612
My commission expires: 11/27/96

114463

RECEIVED

NOV 19 1993

TETON Co. Id.
Clerk Recorder

AT THE REQUEST OF

First American Title Co.

AT 36 MINUTES PAST 1 P.

DATE 19 Nov. 1993

Clerk of Recorder

BY

THIS INDENTURE is made this 11th day of November, 1993, by DEPUTY
B & M PARTNERS, an Idaho general partnership having as a
General Partner Martin Stone, the "GRANTOR", and RONALD J.
JUDY, a married man, the "GRANTEE".

WITNESSETH, that the GRANTOR, for and in consideration of
the sum of TEN DOLLARS (\$10.00) lawful money of the United
States of America, and other good and valuable consideration,
to the GRANTOR in hand paid by the GRANTEE, the receipt whereof
is hereby acknowledged, has granted, bargained, sold, and by
these presents does grant, bargain, sell, convey and confirm
unto the GRANTEE, and to the GRANTEE's heirs and assigns
forever, all of the following described property in the County
of Teton, State of Idaho, to-wit:

Township 6 North, Range 43 East, Boise
Meridian, Teton County, Idaho.

Section 12: SW1/4

Section 13: All

LESS: Tax No. 1754 being further described
as follows: Commencing at a point that is
S 89°37'30" East, 1470.0 feet, and South
250.0 feet from the Northwest corner of
Section 13, Township 6 North, Range 43 East,
Boise Meridian, Teton County, Idaho, and
running thence S 89°37'30" East, 200.0 feet;
thence South 200.0 feet; thence N 89°37'30"
West, 200.0 feet; thence North 200.0 feet to
the point of beginning.

Section 23: The S1/2 NE1/4; N1/2 SE1/4;
SW1/4 SE1/4 and Tax No. 863 being further
described as follows: Beginning at a point
573 feet West of the Southeast corner of
Section 23, Township 6 North, Range 43 East,
Boise Meridian, Teton County, Idaho and
running thence N 4°43' East, 1324.1 feet;
thence West 856 feet; thence South 1320
feet; thence East 747 feet to the point of
beginning.

SCANNED

AUG 09 2007

MICROFILMED

APR 11 1994

Section 24: Lots 1, 2, 3 and 4; SW1/4
NE1/4; NW1/4; N1/2 SW1/4; W1/2 SE1/4

Section 25: Lots 1 and 2; NW1/4 NE1/4; N1/2
SW1/4 NE1/4; N1/2 SE1/4 NW1/4; SW1/4 NW1/4

Section 26: S1/2 NE1/4

Township 6 North, Range 44 East, Boise
Meridian, Teton County, Idaho

Section 19: Lot 4; SE1/4 SW1/4; S1/2 SE1/4

Section 30: E1/2; E1/2 W1/2; Lots 1 and 2

Section 31: E1/2

TOGETHER WITH an access easement for ingress
to and egress from the above described
property across the existing roadway located
on the following property:

Township 6 North, Range 43 East, Boise
Meridian, Section 25, S1/2 SW1/4 NE1/4; S1/2
SE1/4 NW1/4.

SUBJECT to the following:

1. Easement granted by J.S. Potter and Ella
Potter, husband and wife, to Utah Power and
Light Company, a corporation, recorded
December 24, 1949, in Book 80 at page 15,
Records of Teton County, Idaho.
2. The Exceptions and Reservations in Deed from
State of Idaho to Helen Mar Potter, recorded
February 18, 1971, Recorder's No. 69277,
Records of Teton County, Idaho, wherein
mineral rights including sand and gravel are
reserved to the State. (47-701 Idaho Code)
and subject to Rights-of-Way for ditches
constructed by authority of the United
States. (58-604 Idaho Code). (S1/2 SE1/4
Section 19 and Lot 2 and NE1/4 SW1/4 Section
30).

3. Easement granted by Potter Enterprises, Inc., an Idaho Corporation to Mountain States Telephone and Telegraph Company, a Colorado corporation recorded October 27, 1972, as Instrument No. 72221, Records of Teton County, Idaho. (Section 30).
4. Exceptions, Reservation, Leases, and Contracts referred to in Corporate Warranty Deed by Potter Enterprises, Inc., to B & M Partners, recorded March 1, 1990, Recorder's No. 105679, Records of Teton County, Idaho.
5. All established easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.
6. The existing Contracts whereby certain portions of said land have been entered into the Conservation Reserve Program ("CRP") established by the United States.

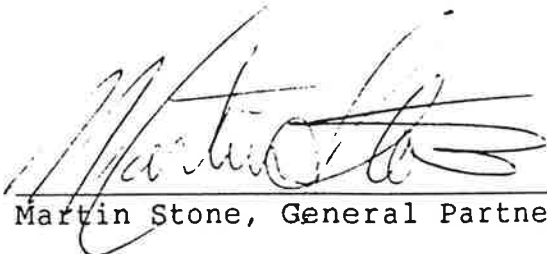
TOGETHER with all water rights and ditch rights appurtenant thereto and all other tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the GRANTOR.

TO HAVE AND TO HOLD the premises and the appurtenances unto the GRANTEE, and to the GRANTEE's heirs and assigns forever. The GRANTOR and the GRANTOR's heirs shall warrant and defend the premises in the quiet and peaceable possession of the GRANTEE and the GRANTEE's heirs and assigns, against the GRANTOR and the GRANTOR's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the GRANTOR has executed the within instrument the day and year first above written.

B & M PARTNERS

By: 

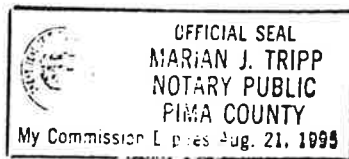
Martin Stone, General Partner

STATE OF Arizona)
) ss.
County of Pima)

On this 17 day of November, in the year 1993, before me the undersigned, a notary public in and for said State, personally appeared MARTIN STONE, known or identified to me to be a General Partner in the partnership of B & M PARTNERS, an Idaho Partnership, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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

(SEAL)




Notary Public for Canyon Ranch
Residing at 8600 E. Rockfield Rd.
My commission expires: _____

#2059.00
3845m/srs

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07411

Priority: July 6, 1982

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.7 AF

This is to certify, that POTTER ENTERPRISES INC

C/O L L NISSEN

122 N 400 E

REXBURG ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 6, 1982; and has submitted Proof of Beneficial Use on July 27, 1987. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

UNNAMED STREAM

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	05/01 to 11/01	0.02 CFS	0.7 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 31, Township 06N, Range 44E
TETON County

PLACE OF USE: STOCKWATER

TWN RGE SEC

06N 44E 31

SWSE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. 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 license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 9th day of January, 1997.

UNRECORDED

Acting for KARL J. DREHER, Director