

09/06/2006

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

RIGHT NUMBER: 22-11960

NAME AND ADDRESS: WILLIAM S GRAHAM REVOCABLE TRUST
1168 HAMPTONDALE AVE
WINNETKA IL 60093

SOURCE: UNNAMED STREAM

TRIBUTARY: TETON CREEK

QUANTITY: 1.400 CFS

PRIORITY DATE: 05/11/1900

POINT OF DIVERSION:

T04N R45E S4 SWNENW Lot 3 Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	1.400 CFS
PLACE OF USE:	<u>IRRIGATION Within TETON County</u>		
	T04N R45E S04 Lot 4 NWNW	22.00	T04N R45E S05 Lot 1 NENE 30.00
	T04N R45E S05 SENE	18.00	
	70 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 - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

This claims based upon 22-649.

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.



JUN 22 2005
ANNEXED

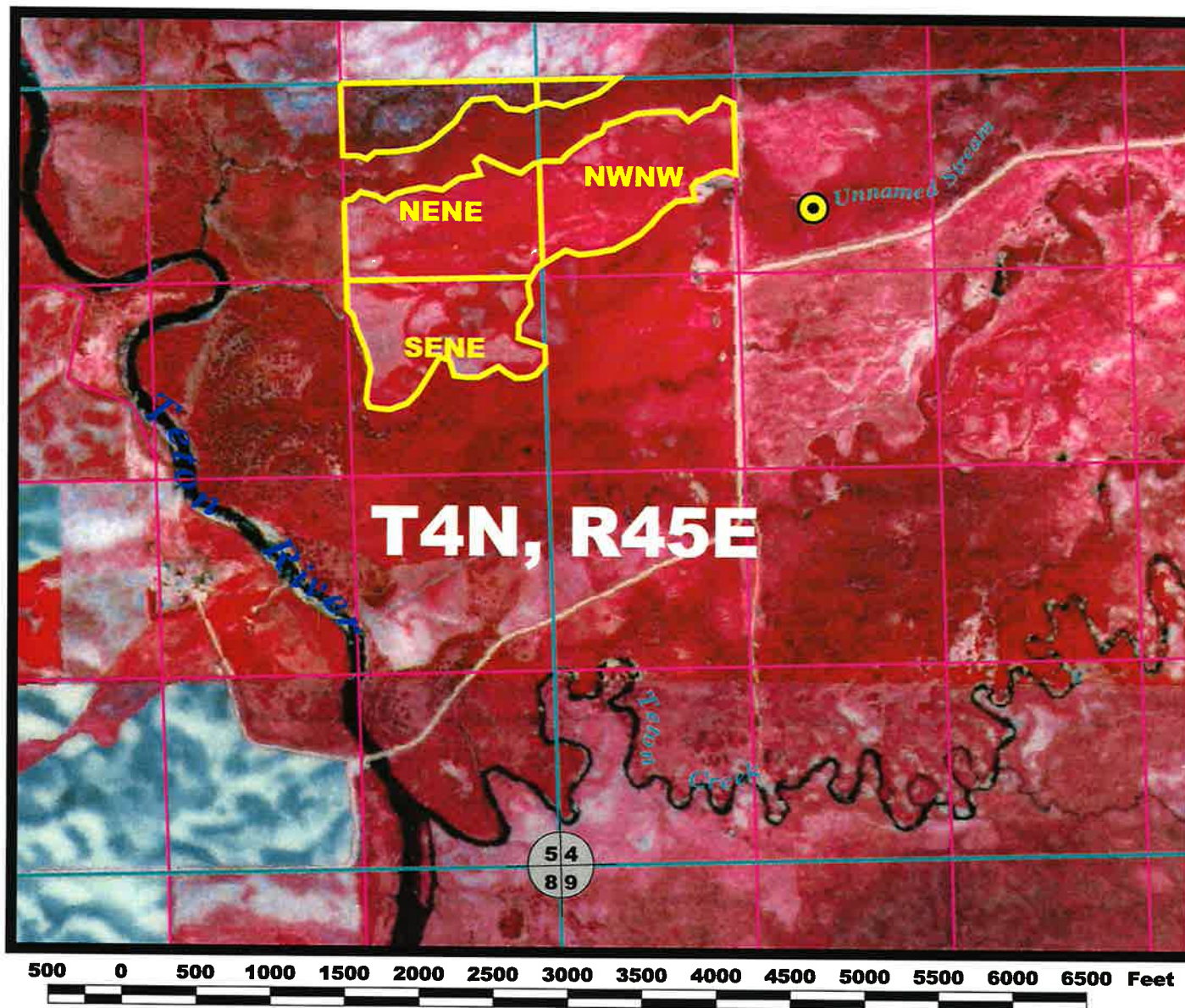
State of Idaho

Department of Water Resources

Eastern Region



PROPOSED



Water Right(s):
22-11960

Point(s) of Diversion:
T4N, R45E
Sec. 4 SWNENW

Place of Use: (parts of)
T4N, R45E
Sec. 4 NWNW, Sec. 5 E2NE

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: June 2005



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

December 5, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

William S Graham Revocable Trust
241 Melrose Ave
Kentworth IL 60043

RE: Transfer #74677 for water right(s) 22-11960 and Notice of Completed Administrative Proceeding (NCAP)

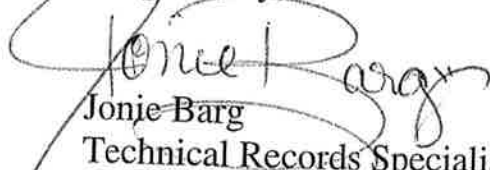
Dear Mr. Sir/Madam:

On July 19, 2008 the Idaho Department of Water Resources (IDWR) approved Transfer #74677, modifying the above referenced water right. Based on this transfer, 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 the water right(s) as recorded in the SRBA.

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

Respectfully,


Jonie Barg

Technical Records Specialist

SCANNED

DEC 11 2008

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: 22-11960

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer 74677

☒ 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: Dec 1, 2008



Signature of IDWR Representative

SCANNED

DEC 11 2008

CERTIFICATE OF MAILING

I certify that on December 5, 2008, 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:
William S Graham Revocable Trust
241 Melrose Ave
Kentworth IL 60043

3. One copy to:

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

4. One copy to:

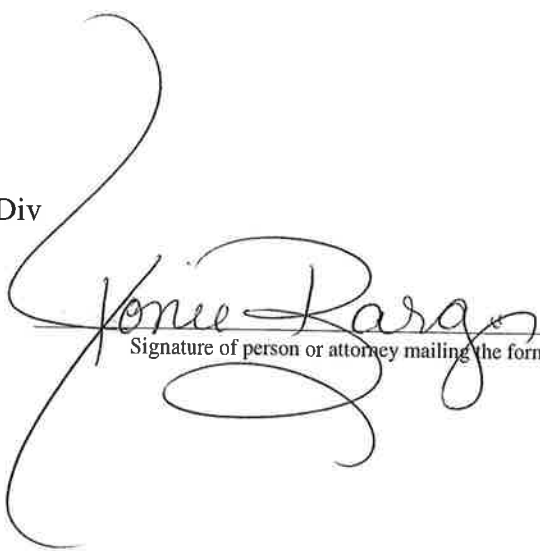
Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

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

RIGHT NUMBER: 22-11960

NAME AND ADDRESS: WILLIAM S GRAHAM REVOCABLE TRUST
241 MELROSE AVE
KENTWORTH IL 60043

SOURCE: UNNAMED STREAM

TRIBUTARY: TETON CREEK

QUANTITY: 1.400 CFS

This right authorizes the diversion of an annual total of 17.7 af to be used for the initial filling of the pond and for the replacement of losses caused by evaporation from the pond.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The pond established for the storage of water under this right shall not exceed a total capacity of 6.4 acre feet or a total surface area of 6.4 acres.

PRIORITY DATE: 05/11/1900

POINT OF
DIVERSION: T04N R45E S4 SWNENW Lot 3 Within TETON County
T04N R45E S4 SENWNW Lot 4 Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.240 CFS
DIVERSION TO STORAGE	04/15 10/31	0.160 CFS
WILDLIFE STORAGE	01/01 12/31	17.70 AFY

PLACE OF USE: IRRIGATION in TETON County

T04N R45E S04 Lot 4 NWNW	21.00	T04N R45E S05 Lot 1 NENE	28.50
T04N R45E S05	SENE	12.40	

WILDLIFE STORAGE in TETON County

T04N R45E S04 Lot 4 NWNW		T04N R45E S05 Lot 1 NENE	
T04N R45E S05	SENE		

61.9 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.

Diversion to storage for wildlife purposes under this right is limited to times when the pond is initially filling, or refilling due to evaporation losses from the pond. Water shall not be diverted for wildlife purposes under this right at times when water would flow through the pond for discharge back to the creek.

SCANNED

11 2008

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The right holder shall accomplish the change authorized by approved transfer 74677 by June 25, 2009.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.

Failure of the right holder to comply with the conditions of approved transfer 74677 is cause for the Director to rescind approval of the transfer.

The approved transfer 74677 redefines all of the elements of this water right, and the new use(s) of water authorized by this approval shall constitute the full extent of the right.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

SCANNED

DEC 11 2008

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: 22-11960

Case No. 39576)

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative proceeding for the above
mentioned water right(s):

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer 74677

☒ point of diversion ☒ place of use

☒ period of use ☒ nature of use

☐ split of water right ☐ change in ownership

IDWR projects the Administrative Proceeding shall be completed no later than: November
18, 2009

DATED: 11-18-08

Denise M. Lidman
Signature of IDWR Representative

SCANNED
NOV 18 2009

CERTIFICATE OF MAILING

I certify that on November 19, 2008, 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:
Williams S Graham Revocable Trust
241 Melrose Ave
Kentworth IL 60043

3. One copy to:

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

4. One copy to:

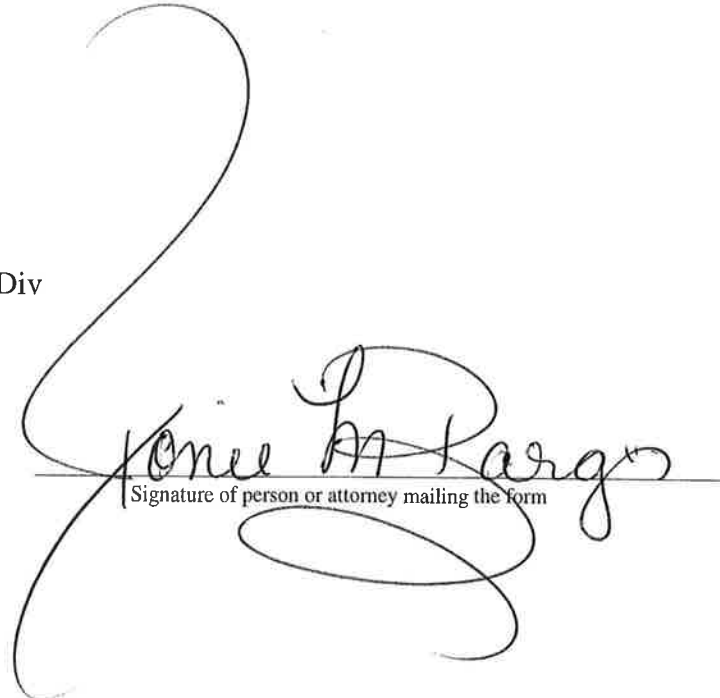
Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

SCANNED

NOV 18 2008



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

August 4, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

WILLIAM S. GRAHAM REVOCABLE TRUST
241 MELROSE AVENUE
KENTWORTH IL 60043

RE: Notice of Change of Address for 22-11960, 22-13603 &
22-13604 and Notice of Completed Administrative Proceeding
(NCAP)

Dear Sir/Madam:

The Idaho Department of Water Resources (IDWR) acknowledges receipt of a change of address for the above referenced water right(s). Based on this change, 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

SCANNED
SEP 10 2008

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: 22-11960, 22-13603 &
22-13604

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

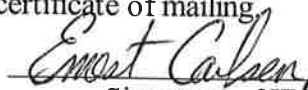
IDWR has completed the following Administrative proceeding:

- ☒ Address change William S. Graham Revocable Trust
- ☐ Substitution of Party
- ☐ 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: 9-4-2008



Signature of IDWR Representative

SCANNED

SEP 10 2008

CERTIFICATE OF MAILING

I certify that on September 5, 2008, 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:
William S. Graham Revocable Trust
241 Melrose Avenue
Kentworth, IL 60043

3. One copy to:

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

4. One copy to:

Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Bobby Kern
Signature of person or attorney mailing the form

SCANNED

SEP 10 2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

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

(Please print or type)

☒ Water Right Number(s):

^{ADS} 22-11960; 22-07670; 22-13603

^{ADS} 22-13604

☐ Name(s):

William S. Gorman Revocable Trust

☒ Old Mailing Address:

1168 Hamptondale Ave
Winnetka, IL 60093

☐ New Mailing Address:

241 Melrose Ave
Kenilworth IL 60043

Telephone Number:

(847) 274-7945

☒ Signature(s) of Owner(s)

[Signature]
T. Steele

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

Date: 7/10/08

Send to:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

SCANNED
SEP 10 2008

RECEIVED
JUL 25 2008

Department of Water Resources
Eastern Region

08/04/2008

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

RIGHT NUMBER: 22-11960

NAME AND ADDRESS: WILLIAM S GRAHAM REVOCABLE TRUST
241 MELROSE AVE
KENTWORTH IL 60043

SOURCE: UNNAMED STREAM

TRIBUTARY: TETON CREEK

QUANTITY: 1.400 CFS

PRIORITY DATE: 05/11/1900

POINT OF
DIVERSION:

T04N R45E S4 SWNENW Lot 3 Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	1.400 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T04N R45E S04 Lot 4 NWNW	22.00	T04N R45E S05 Lot 1 NENE 30.00
	T04N R45E S05 SENE	18.00	
	70 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 - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

This right is based upon old right 22-649.

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

OK
JC
8/31/06

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	22-11960				
WR —	22-7670				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. **\$25**
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights(s) or claims(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use your water rights(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county.)
OR
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant Boyd Charles Smith & Jill Johnson Smith
301 Coleridge Ave., Palo Alto, CA 94301
4. New Owner/Claimant(s) William S. Graham Revocable Trust
Name connector (check one): [] and [] or, [] and/or
New Mailing Address 1168 Hamptondale Ave.
City, State and ZIP Code Winnetka, IL 60093
New Telephone Number 847-274-7946
5. Date you acquired the property May 19, 2006

RECEIVED
AUG 14 2006
Department of Water Resources
Eastern Region

SCANNED

SEP 06 2006

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

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

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

7. Signature of New Owner(s) Or Claimant(s) _____
(include title if applicable) William S. Smith

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ Date _____ WR _____ Date _____

160823
Instrument # 176987

DRIGGS, TETON, IDAHO

2006-05-19

11:44:44 No. of Pages: 4

Recorded for: FIRST AMERICAN TITLE

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

WARRANTY DEED

THIS INDENTURE is made this 17th day of May, 2006, by BOYD CHARLES SMITH and JILL JOHNSON SMITH, husband and wife, acting not individually, but as Trustees under the Boyd Charles Smith and Jill Johnson Smith Trust Agreement, dated December 13, 1990, the "Grantor", to WILLIAM S. GRAHAM REVOCABLE TRUST, whose mailing address is 1168 Hamptondale Avenue, Winnetka, Illinois 60093, 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 successors and assigns forever, all of the following described real property in the County of Teton, State of Idaho, to-wit:

Tract 1:

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

Section 4: Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 5: Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$

LESS AND EXCEPTING THEREFROM: County road right of way along the East side of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4.

Tract 2:

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

Section 5: Lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$

SUBJECT TO THE FOLLOWING:

1. All existing easements, patent reservations, rights-of-way, protective covenants and other matters of record, all applicable zoning ordinances, building codes, laws and regulations, and all encroachments, overlaps, boundary line disputes, claims of easements and other matters which would be disclosed by an accurate survey or inspection of the property.

2. Exceptions and reservations contained in Deed from the State of Idaho, wherein mineral rights are reserved to the State under provisions of §§ 47-701 and 47-701A. Idaho Code.
3. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded March 4, 1991, as Instrument No. 107565.
4. Electric line right-of-way easement granted by Boyd C. Smith to Fall River Rural Electric Cooperative, Inc., recorded May 30, 1991, Recorder's No. 108023, records of Teton County, Idaho.
5. Agreement for electrical service between Boyd Smith and Fall River Rural Electric Cooperative, Inc., recorded July 17, 1991, Recorder's No. 108310, records of Teton County, Idaho.
6. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded September 24, 1992, as Instrument No. 111040.
7. Electric line right-of-way easement granted by Trustees of the Boyd Charles and Jill Johnson Smith Trust u/a/d 12/13/90 to Fall River Rural Electric Cooperative, Inc., recorded August 23, 1996, Recorder's No. 123832, records of Teton County, Idaho.
8. Conservation Easement granted to The Teton Regional Land Trust, Inc., a non-profit Idaho corporation, recorded December 18, 1998 as Instrument No. 132526.
9. Any claim arising from the difference in the mean high water line of the Teton River River and the meander line as shown by the Original Government Survey.
10. Right, title and interest of the State of Idaho within the natural bed of the Teton River River below the ordinary high water line, and also excepting any artificial accretions waterward of said ordinary high water line.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues and

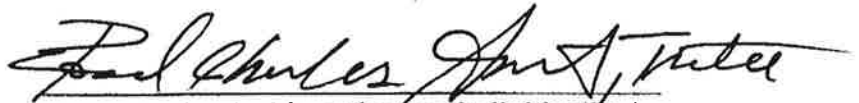
profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the property and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor and the Grantor's successors shall warrant and defend the property in the quiet and peaceable possession of the Grantee and the Grantee's successors and assigns, against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the property as of the date hereof, subject to the matters set forth above.

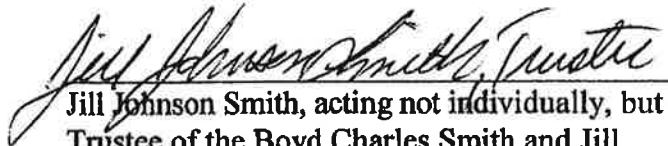
In construing this Warranty Deed and where the context so requires, the singular includes the plural.

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

GRANTOR:

A handwritten signature in cursive script, appearing to read "Boyd Charles Smith, Trustee".

Boyd Charles Smith, acting not individually, but
as Trustee of the Boyd Charles Smith and Jill
Johnson Smith Trust Agreement, dated
December 13, 1990

A handwritten signature in cursive script, appearing to read "Jill Johnson Smith, Trustee".

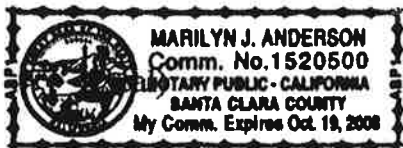
Jill Johnson Smith, acting not individually, but as
Trustee of the Boyd Charles Smith and Jill
Johnson Smith Trust Agreement, dated
December 13, 1990

176987

STATE OF CALIFORNIA)
)ss.
County of Santa Clara)

On the 17th day of May, 2006, before me, the undersigned, a notary public in and for said State, personally appeared Boyd Charles Smith, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Boyd Charles Smith and Jill Johnson Smith Trust Agreement, dated December 13, 1990, and acknowledged to me that such trustee executed the same in such trust 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.

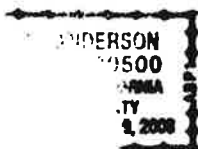


Marilyn J. Anderson
Notary Public for California
Residing at Palo Alto, California
My Commission Expires: October 19, 2008

STATE OF CALIFORNIA)
)ss.
County of Santa Clara)

On the 17th day of May, 2006, before me, the undersigned, a notary public in and for said State, personally appeared Jill Johnson Smith, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Boyd Charles Smith and Jill Johnson Smith Trust Agreement, dated December 13, 1990, and acknowledged to me that such trustee executed the same in such trust name.

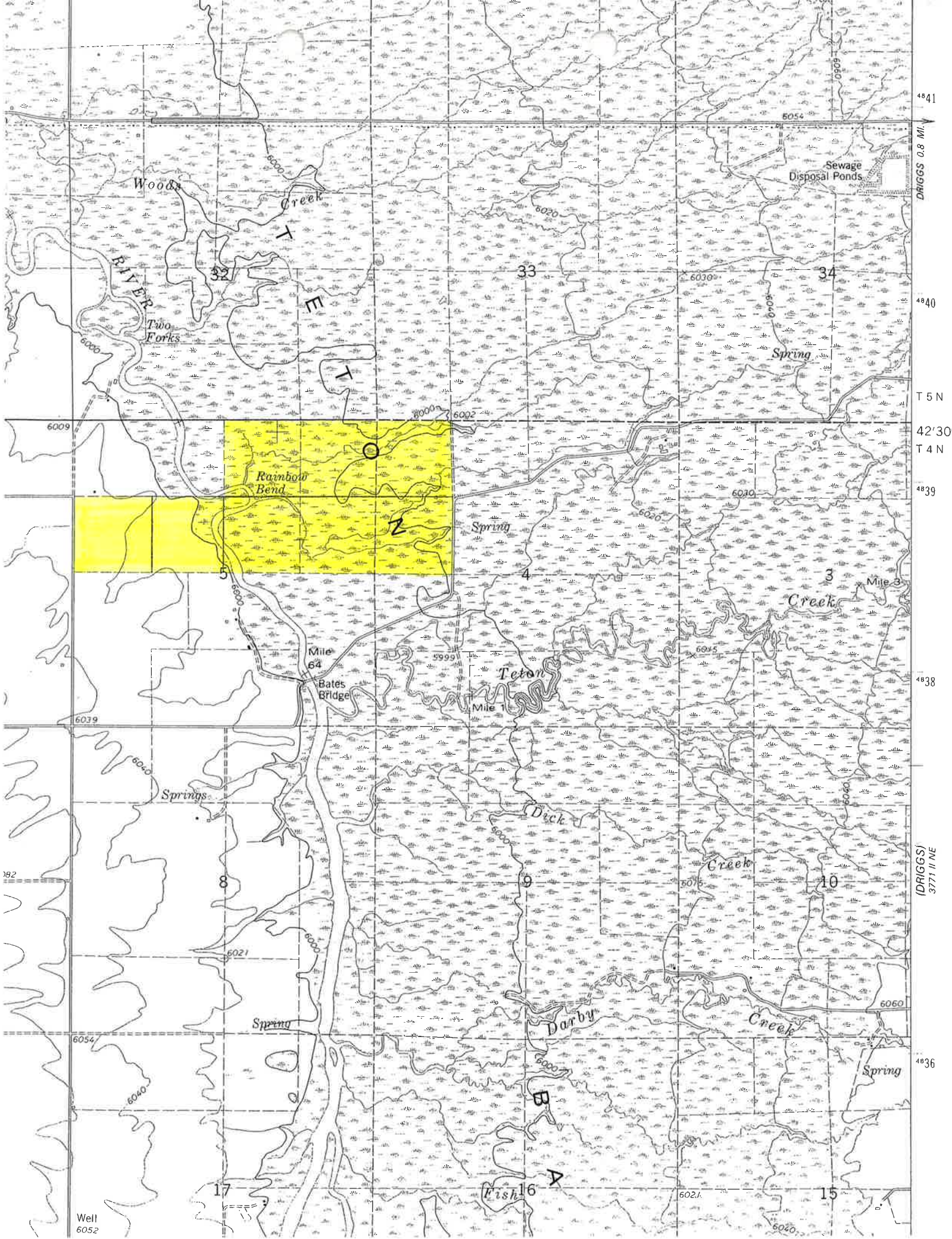
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Marilyn J. Anderson
Notary Public for California
Residing at Palo Alto, California
My Commission Expires: October 19, 2008

G:\WPDATA\CAH\1527\19\Graham.WD.May1506.fm





Sewage
Disposal Ponds

Rainbow
Bend

Teton

Creek

Dick

Creek

Darby

Creek

Spring

Well
6052

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
FREDERICK J. HAHN, III
KARL R. DECKER
SHAN B. PERRY
DeANNE CASPERSON**
AMELIA A. SHEETS
ROBERT L. HARRIS
DEBORAH S. O'MALLEY

1000 RIVERWALK DRIVE, SUITE 200
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

**Also Licensed in Missouri & Kansas

August 11, 2006

Idaho Department of Water Resources
ATTN: Jennifer Crabtree
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

Re: Notice of Change of Water Right Ownership
William S. Graham Revocable Trust

Dear Jennifer:

Enclosed is a Notice of Change of Water Right Ownership along with the map and Deed.

Thank you for your kind assistance with this matter. If you have any questions, please feel free to contact this office at your earliest convenience.

Yours very truly,



Kent W. Foster

Enclosures

*I sent
copy back to
Kent Foster for
\$25 for 22-7670.
Told him to mail
to state office.
JC*
RECEIVED 9-6-06
AUG 14 2006
Department of Water Resources
Idaho Falls, ID

Contacts Data Entry Form

Claim Number: 2211960

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

Current Owner: Boyd C. Smith Phone No.: 415-327-7878

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.

B.U.
Claimed as BU - However, this claim is actually a DEED as
22-649.

This Claim Has Been Amended.

FE pod/pou CONVEYANCE/SYSTEM

Reviewer: _____ Date: _____

SCANNED
JUN 22 2005

PROFILED

Claim Number: 2211960

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 11 May, 1900 Claimed Basis: B.U.

Recommended Priority Date: _____ Recommended Basis: _____

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

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

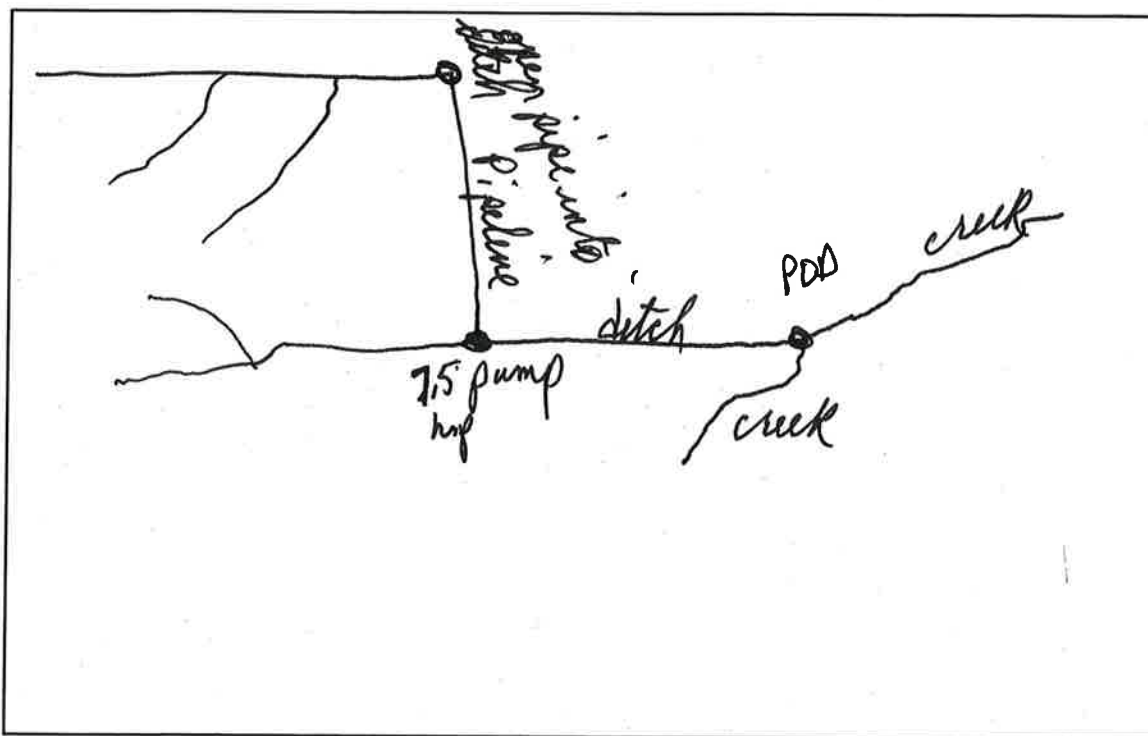
Reviewer: _____

SCANNED
JUN 22 2005

Date: _____

PROFILE

Water Right No(s). 2211960



GPS DATA:

Tag # A0014233 Location: Nailed on a post near culvert used as diversion

Diversion Data:

Source: Unnamed stream Trib to: Teton River

MOTOR

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

PUMP

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

NOTES:

at PDD there is a culvert that can be blocked-off to force the water into a ditch. There is no headgate or regulating device on the diversion to the pump and ditch that is used to irrigate.

Field Exam Date: 10/25/04 Agent: DO

SEARCHED
JUN 22 2005

PROFILED

PROTECTED

Pump on Boyd Smith Division out of
unnamed stream located near T-station
River

POD
↙





↓ west
Boyd Smith's diversion out of unnamed
stream.

SCANNED
JUN 22 2005

PROFILED

Point of Diversion and Source Data Entry Form

Claim Number: 2211960Water 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.

Tw	Rge	Sec	Gov Lot	QQQ of Q	QQ of Q	County	Source	Tributary to
4N	45E	4	4	SW	NE NW	TETON	PRIGGS SPRINGS + SWAMP	TETON RIVER

Recommended Point(s) of Diversion and Source.

Tw	Rge	Sec	Gov Lot	QQQ of Q	QQ of Q	County	Source	Tributary to
		4	3	SW	NE NW		UNNAMED Stream	Teton River

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

Field exam showed a culvert that can be dammed off to divert water from unnamed stream to a series of ditches. One of the ditches has a 7.5 hp pump to carry water to a ditch on the north side of the property for flood irrigation.

Reviewer: _____ Date: _____

10/25/04
20

103

102

PROFILED

Place Of Use Data Entry Form

Claim Number: 2811960

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
4N	45E	4	NW	NW	Teton	4	20	Irrigation
"	"	"	SW	NW	"			Stock Water
"	"	5	NE	NE	"	1	37	Irrigation
"	"	"	SE	NE	"			Stock Water
"	"	"	SE	NE	"		3	Irrigation

Total acres 60

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
		4	NW	NW			22	Range
		5	NE	NE			30	
			SE	NE			18	

Total acres 70

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

10/25/04
80

Field exam showed that acreage claimed is approx. what is actually irrigated.
A pump and pipeline carries water to the north side of the property to a ditch and a series of ditches for irrigation there.
The other areas are irrigated with a series of ditches and dams.

Stock not addressed by Decree

Reviewer: _____ Date: _____

SCANNED
JUN 22 2005

PROFILED

Season of Use and Quantity Data Entry Form

Claim Number: 2211960Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/15		

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

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

IPWR STD 804. 4/15 - 10/31

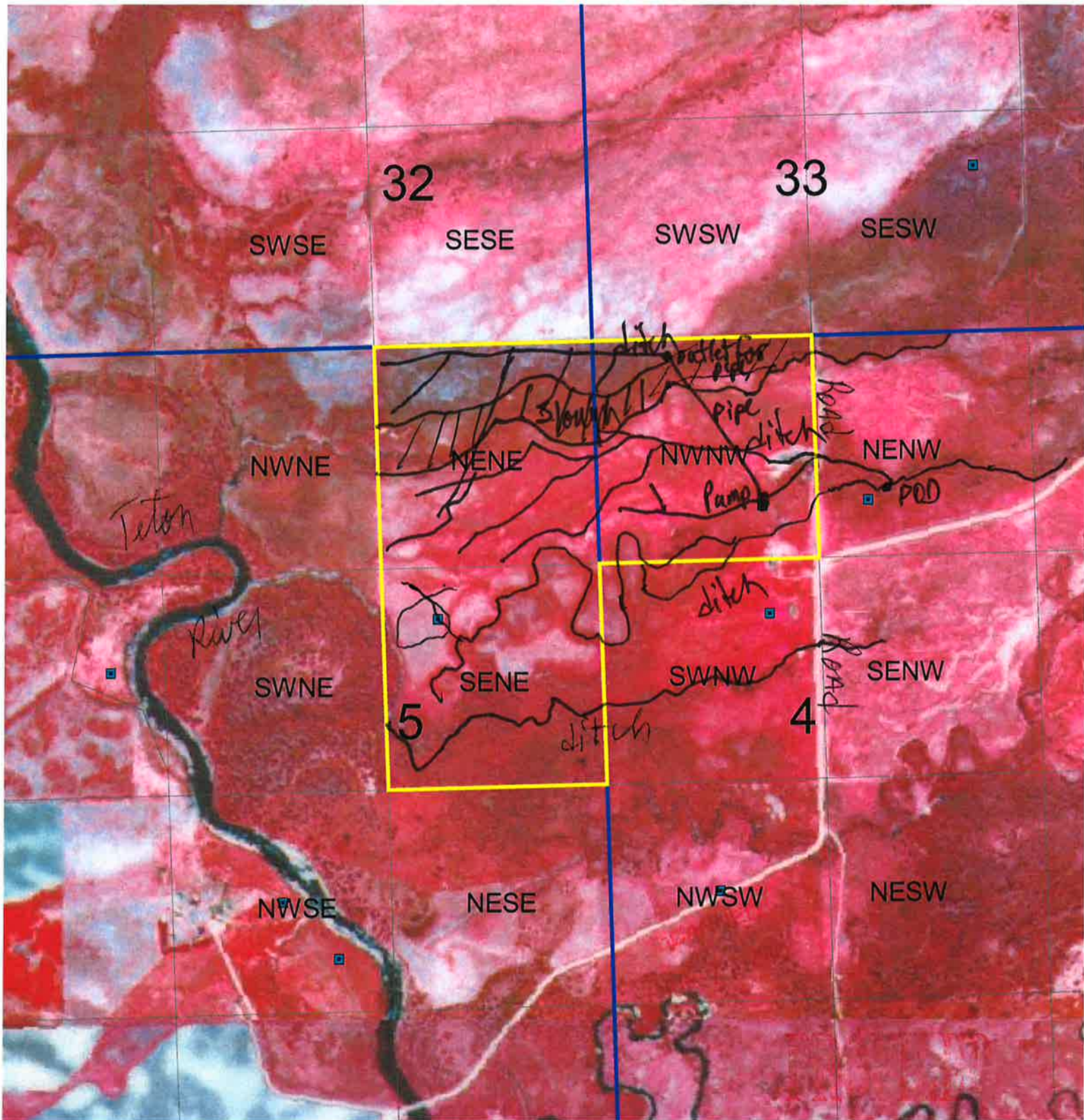
Reviewer: _____

Date: _____

SCANNED
JUN 22 2005

PROFILED

22-11960



- T4N R45E -

10/23/04 DO

LAW OFFICES

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS
MARIE T. TYLER
JOHN G. SIMMONS
ROBERT M. FOLLETT
KUMEN L. TAYLOR
JAMES K. SLAVENS

WEST ONE BANK
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
702 W. IDAHO SUITE 610
BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
TELEFAX (208) 343-8078

BOISE OFFICE

WM. LYMAN BELNAP, P.A.
RANDALL B. REED
RONALD D. CHRISTIAN
FREDERICK J. HAHN III

ARTHUR W. HOLDEN
(1877-1967)
ROBERT B. HOLDEN
(1911-1971)
TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

November 17, 1992

RECEIVED

NOV 17 1992

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

Gentlemen:

We are enclosing with this letter an Amended SRBA Claim, #A22-11960, on behalf of the new owner of the property, Mr. Boyd C. Smith. The original notice was filed by the Estate of George H. Spencer and we believe you already have copies of the assignment and notice of the sale to Mr. Smith.

This notice has basically been amended to add 10 acres to cover the land actually being irrigated. Since the previous claim covered only 60 acres, we assume that there is an additional \$10.00 filing fee required and our check for that amount is also enclosed.

Yours very truly,



Kent W. Foster

#8527.00/srs

Enclosure

SCANNED
JUN 22 2005

PROFILED

MICROFILMED

APR 11 1994

NOVEMBER 13, 1991

CHARLES A HOMER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 51030
IDAHO FALLS ID 83405

RE: CHANGE OF OWNERSHIP FOR A22-11960

Dear Mr. Homer:

The request for Change in Ownership concerning Notice of Claim in the above reference has been processed and the Notice modified to reflect your clients as the new owners.

Enclosed is a typed Notice with your clients' names shown as the current owners. 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 this Notice for your clients' records.

Respectfully submitted,

Dave Carlson
Water Rights Agent, Adjudication

DC:jt

Enclosure

File: "P"

SCANNED
JUN 22 2005

PROFILED
MICROFILMED
NOV 06 1992

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS
MARIE T. TYLER
JOHN G. SIMMONS
ROBERT M. FOLLETT
KUMEN L. TAYLOR
JAMES K. SLAVENS

WEST ONE BANK
P.O. BOX 51030
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
702 W. IDAHO SUITE 610
BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
TELEFAX (208) 343-8078

BOISE OFFICE

WM. LYMAN BELNAP, P.A.
RANDALL B. REED
RONALD D. CHRISTIAN

ARTHUR W. HOLDEN
(1877-1967)
ROBERT B. HOLDEN
(1911-1971)
TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

November 12, 1991

IDAHO DEPARTMENT OF WATER RESOURCES
150 Shoup Avenue
Idaho Falls, Idaho 83401

NOV 12 1991

Re: Assignment of Claim No. A22-11960

Gentlemen:

Our office was recently involved in a real estate sale from the Personal Representative of the Estate of George Spencer to Boyd Charles Smith and Jill Johnson Smith as Trustees of the Boyd Charles Smith and Jill Johnson Smith Trust. In connection with the real estate sale, Claim No. A22-11960 has been assigned to the purchasers.

Enclosed for your records is an original "Notice Concerning Water Rights for Property" and original "Assignment of Notice of Claim" which have been executed by the appropriate parties. Will you please change your records to reflect that Claim No. A22-11960 should now be in the name of Boyd Charles Smith and Jill Johnson Smith as Trustees.

Thank you for your assistance.

Very truly yours,


Charles A. Homer

#8527
6500j/sb
Enclosure
cc: Boyd Smith

SCANNED
JUN 22 2005

PROFILED

MICROFILMED

NOV 06 1991

NOTICE CONCERNING WATER RIGHTS FOR PROPERTY
(to be mailed to the Idaho Department of Water Resources)

DATE OF CLOSING:

NOV 12 1991

LEGAL DESCRIPTION OF PROPERTY:

(lot and block, where applicable, and township, range, section, sixteenth section)

[] Served Only by a Public Service Water Supply (domestic water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[X] Water Right Number(s): A22-11960

[X] Name and Address of Former
Owner/Claimant(s):

Carol Reynolds, not individually but
as Personal Representative of the
Estate of George Spencer

[X] New Owner/Claimant(s): Boyd Charles Smith & Jill Johnson Smith
husband and wife, or their successors,
not individually, but as trustees under
the Boyd Charles Smith and Jill Johnson
Smith Trust Agreement dated 12/13/90

[X] New Mailing Address: 301 Coleridge Avenue

Palo Alto, California 94301

[X] New Telephone Number: (415) 327-7878

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

If yes, then describe the portion of the water right that
is now claimed by the new owner:

PROFILED

SCANNED

JUN 22 2005

MICROFILMED

NOV 06 1991

[x] Signature of New
Owner/Claimant(s):

For Charles Smith, Trustee
Jim Johnson Smith, Trustee

Date:

[x] Signature of Former
Owner/Claimant(s):

Charles Smith

Date:

[] Attach proof of
ownership, describe
proof attached:

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources

Copies for Former Owner and New Owner

SCANNED

JUN 22 2005

PROFILED

MICROFILMED

NOV 06 2004

NOV 12 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF NOTICE OF CLAIM

I, CAROL REYNOLDS, not individually, but as Personal Representative of the estate of George Spencer, hereby assign to BOYD CHARLES SMITH and JILL JOHNSON SMITH, husband and wife, or their successors, not individually but as trustees under the Boyd Charles Smith and Jill Johnson Smith Trust Agreement dated December 13, 1990,

All my right, title, and interest in and to Notice of Claim No. A22-11960 to a Water Right Acquired Under State Law.

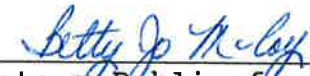
Made this 22 day of October, 1991.


Carol Reynolds, not individually,
but as personal representative of
the estate of George Spencer.

STATE OF IDAHO)
County of Twin Falls) ss.
Bonneville

On this 22nd day of October, in the year 1991, before me, the undersigned Notary Public in and for said state, personally appeared CAROL REYNOLDS, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the estate of George Spencer, and acknowledged to me she executed the same as such Personal Representative.

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


Notary Public for Idaho
Residing at Idaho Falls, Idaho
My commission expires 12/01/93

(Seal)

CAH/2830j/rfs

PROFILED

SCANNED
JUN 22 2005
MICROFILMED
NOV 06 2004

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 A22-11960
Date Received Nov 17-92
Receipt Number E002673

also receipt # EG 18111

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

RECEIVED

NOV 17 1992

Department of Water Resources
Eastern District Office

1. Name of Claimant(s) Boyd Charles Smith and Jill Johnson Smith, or their successors(s), under the Boyd Charles Smith and Jill Johnson Smith Trust Agreement, dated December 13, 1990

Mailing Address 301 Coleridge Avenue, Palo Alto, CA Zip 94301

2. Date of Priority (Only (1) per claim) May 11, 1900

3. Source of water supply (a) Driggs Springs and Swamp

which is tributary to (b) Teton River

- 4.a. Location of existing

point of diversion is: Township 4N. Range 45E. Section 4,

SW 1/4 of NE 1/4 of NW, Govt. Lot, 4 B.M., County of Teton

Additional points of diversion if any: _____

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

Township 4N. Range 45E. Section 4, SE 1/4 of NW 1/4 of NW 1/4,
and the NE 1/4 of SW of NW, same Township, Range and Section.

Govt. Lot _____ B.M., County of Teton

ending point is: Township 4N. Range 45E. Section 5, NW 1/4 of

SE 1/4 of NE 1/4 Govt. Lot _____ B.M., County of Teton

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____

Wood diversion dam and ditches to place of use -- gravity irrigation.

SCANNED

JUN 22 2005

MICROFILMED

APR 11 1994

PROFILED

6. Water is claimed for the following purposes:

(Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/15 to 10/15 amount 3.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 120 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)
S/60 beef cattle.

10. Description of place of use:

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

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

TWP:RNG:SEC:	NE1/4	:	NW1/4	:	SW1/4	:	SE1/4	:	TL
:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:
4N :45E: 4	:	:	25' S	:	:	:	:	:	:25
:	5 : 37'	:	S&3: 5	:	:	:	:	:	:45
:	:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:	:

Total number of acres irrigated 70

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

Water right (originally 01-0026) based on deeds and page 72 of District #1 water records (Aug. 1976) - (N. A. Barrett). Miscellaneous rights in Teton Basin. See attached page. This claim amended to correct the places of diversion, to correct the priority date and the amount appropriated (based on recently discovered records). Instream stockwater use also added to this claim. 12/27/1989 -- R.V.W.

SCANNED

JUN 22 2005

MICROFILMED

APR 11 1994

Last Name

SMITH

Ident. Number

A22-11960

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

If applicable provide IDWR Water Right Number A22-11960
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature(s)

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

Number of attachments 0

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

Signature of Claimant(s) [Signature] Date 12 Nov 92

For Organizations: I do solemnly swear or affirm that we are trustees of the Boyd Charles Smith and Jill Johnson Smith Trust, that we have signed Organization

the foregoing document in the space below as trustees Title
of said trust and that the statements contained in the Organization

foregoing document are true and correct.

Signatures of Authorized Agents

[Signature]
BOYD CHARLES SMITH

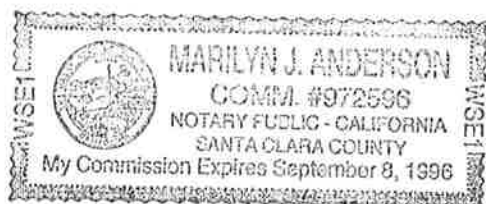
[Signature]
JILL JOHNSON SMITH

Title and Organization trustees, the Boyd Charles Smith and Jill Johnson Smith Trust Date 12 Nov 92

State of California)
County of Santa Clara) SS.

Subscribed and sworn (or affirmed) before me this 12th day of November, 1992.

Notary Public Marilyn J. Anderson
Residing at Palo Alto California
My Commission Expires September 8, 1996



SCANNED
JUN 22 2005

MICROFILMED

APR 11 1994

Last Name SMITH

Ident. Number A22-11960

17. Notice of Appearance.

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

Signature

Address P.O. Box 50130, Idaho Falls, Idaho 83405

Date 4/17/92

SCANNED

JUN 22 2005

MICROFILMED

APR 11 1994

Last Name

SMITH

Ident. Number

A22-11960

Logged in
11-20-92-j

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: **A22-11960**
Date Received: 9/27/1988
Receipt No: E002673
Received By: _____

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

1. Name: BOYD CHARLES SMITH 415-327-7878
Address: TRUSTEE
301 COLERIDGE AVENUE
PALO ALTO CA 94301

Name: JILL JOHNSON SMITH 415-327-7878
Address: TRUSTEE
301 COLERIDGE AVENUE
PALO ALTO CA 94301



2. Date of Priority: MAY 11, 1900

3. Source: DRIGGS SPRINGS & SWAMP Trib. to: TETON RIVER

4. Point of Diversion:

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

Beginning Point of Minimum Instream Flow

04N	45E	4	SE	NW	NW	TETON
04N	45E	4	NE	SW	NW	TETON

Ending Point of Minimum Instream Flow

04N	45E	5	NW	SE	NE	TETON
-----	-----	---	----	----	----	-------

5. Description of diverting works:

WOOD DIVERSION DAM & DITCHES TO PLACE OF USE.- GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.200		

7. Total Quantity Appropriated is:

3.200 C.F.S. (and/or) A.F.A.

SCANNED

JUN 22 2008

A22-11960

PROFILE

Page

1

Date: 11/13/91

MICROFILMED

NOV 06 1992

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/60 BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	4	NW	NW	4	IRR	20.0
			SW	NW		STOCK	
						Section Acres	20.0
		5	NE	NE	1	IRR	37.0
			SE	NE		STOCK	
			SE	NE		IRR	3.0
						Section Acres	40.0
						Total Acres	60.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
NONE

14. Remarks:

WATER RIGHT BASED ON DEEDS & PAGE 72 OF DIST. #1 WATER RECORDS (AUG. 1976) - (N. A. BARRETT). MISC. RIGHTS IN TETON BASIN. SEE ATTACHED PAGE.

THIS CLAIM AMENDED TO CORRECT THE PLACES OF DIVERSION, TO CORRECT THE PRIORITY DATE, & THE AMOUNT APPROPRIATED (BASED ON RECENTLY DISCOVERED RECORDS). IN STREAM STOCKWATER USE ALSO ADDED TO THIS CLAIM.

12/27/1989 - R.V.W.

CLAIMANTS ARE TRUSTEES OF THE BOYD C SMITH/JILLJOHNSON SMITH TRUST

15. Basis of Claim: BENEFICIAL USE

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: _____

SCANNED

JUN 22 2005

A22-11960

PROFILED

Page

2

Date: 11/13/91

MICROFILMED

NOV 06 1992

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be

Print Name

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

Signature _____

Address _____

Date _____

SCANNED

JUN 22 2005

MICROFILMED

NOV 06 1992

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.

DEC 28 1989

Department of Water Resources
Eastern District Office

CIVIL CASE NUMBER: 39576

Ident. Number: A22-11960

Date Received: 9/27/1988

Receipt No: E002673

Received By: *[Signature]*

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: EST. OF GEORGE H. SPENCER 208-734-6122
Address: RT. 3 BOX 6458
TWIN FALLS, ID 83301

2. Date of Priority: MAY 11, 1900

3. Source: DRIGGS SPRINGS & SWAMP Trib. to: TETON RIVER

4. Point of Diversion:

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

Beginning Point of Minimum Instream Flow						
04N	45E	4	SE	NW	NW	TETON
04N	45E	4	NE	SW	NW	TETON

Ending Point of Minimum Instream Flow						
04N	45E	5	NW	SE	NE	TETON

5. Description of diverting works:
WOOD DIVERSION DAM & DITCHES TO PLACE OF USE.- GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.200		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/60 BEEF CATTLE

A22-11960

Page 1

Date: 12/27/89

PROVIDED

SCANNED
JUN 22 2005

MICROFILMED
NOV 06 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	4	NW	NW	4	IRR	20.0
			SW	NW		STOCK	
						Section Acres	20.0
		5	NE	NE	1	IRR	37.0
			SE	NE		IRR	3.0
			SE	NE		STOCK	
						Section Acres	40.0
						Total Acres	60.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
NONE

14. Remarks:

WATER RIGHT BASED ON DEEDS & PAGE 72 OF DIST. #1 WATER RECORDS (AUG. 1976) - (N. A. BARRETT). MISC. RIGHTS IN TETON BASIN. SEE ATTACHED PAGE.

THIS CLAIM AMENDED TO CORRECT THE PLACES OF DIVERSION, TO CORRECT THE PRIORITY DATE, & THE AMOUNT APPROPRIATED (BASED ON RECENTLY DISCOVERED RECORDS). IN STREAM STOCKWATER USE ALSO ADDED TO THIS CLAIM. 12/27/1989 - R.V.W.

15. Basis of Claim: BENEFICIAL USE

PROFILING

SCANNED

JUN 22 2005

MICROFILMED

NOV 06 1994

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 Organizations:

I do solemnly swear or affirm that I am Personal Representative of Estate of George Spencer, that I have signed the foregoing document in the space below as Personal Representative of Estate of George Spencer and that the statements contained in the foregoing document are true and correct.

[Signature]
Signature of Authorized Agent
Personal Representative
Title and Organization

12-27-89
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 27 day
of December 19 89

[Signature]
Notary Public

Seal

Residing at Twin Falls, Idaho
My Commission Expires January 16, 1995

PROTECTOR

SCANNED
JUN 22 2005

MICROFILMED
NOV 06 1992

Dusky #1 Water Records

Owner (Orig. Owner)	Approx. Location	Stream	Date	Amount	Owner
(C. A. Costello)	not given	Spring Creek	June 15, 1895	2.4	J. Zohner
(C.A. Costello)	not given	Pine Creek	June 15, 1895	0.8	Kunz,
C.M. Hatch (A.I. Robertson)	Sec 14-3N-45E	Springs	June 1, 1896	0.2	Mille
C. Mickelson (J.P. Moffat)	Sec 18-5N-45E	Swamps	June 1, 1896	1.0	R. Kunz (
A.C. Gillette, W. Stratton, Utah Home Fire Ins Co.					(
(J. Lauritzen)	Sec 17-3N-45E	Pine Creek	June 1, 1896	1.6	F. Kirks (M.H.)
Utah Home Fire Ins Co.					A. Winge
(A. Larsen)	Sec 17-3N-45E	Lauritzen Spg	July 1, 1896	0.8	(H.L.)
Octavus Smith	Sec 3-4N-45E	Buffalo Flat	Apr. 2, 1897	1.6	E. Kunz,
Mark Zohner	Sec 34-5N-45E	Buffalo Flat Spg	Apr. 2, 1897	0.8	(L.W.)
Gordon Sorensen	Sec 34-5N-45E	Buffalo Flat Spg	Apr. 1, 1897	0.8	
J. Ingram (I.T. Allen)	Sec 12-3N-45E	Cherry Creek & All Cherry Crk Springs	June 1, 1897	1.0	D.C. Bu W.F. Jam Calderw
B.F. Blodgett, F. Dirksen (F.E. Nelson)	Sec 5-3N-45E	Spring Creek	Apr. 15, 1898	2.4	Sanford
D. Nelson (J.L. Hoozier)	Sec 17-4N-46E	Spring Creek	June 1, 1898	2.4	(Perm
M.L. Kearsley (E.N. Kirsley)	Sec 17-3N-45E	Pine Creek	July 15, 1898	1.2	Kunz (I
New Int'l Mtg Bank (J. Beasley)	Sec 35-5N-45E	Teton Ri (also Springs	June 1, 1899	1.4	Ulrich (Lic
C.E. Carrington, C.P. Groschlose (J. Borrowman)	Sec 32-5N-45E	Wood Creek & Springs	June 1, 1899	1.6	Hal Ras L.N. Bal Lorin M V.A. P
(P.D. Letham)	not given	Driggs Swamp	July 15, 1899	2.8	F. Dirks
(N.A. Barrett)	not given	Driggs Spgs & Swamp	May 11, 1900	3.2	G.P. Bag
(P.D. Letham)	not given	Driggs Swamp	July 15, 1900	2.4	B.F. Bo
G.P. Bagley, A. Spencer (E. Bagshaw)	Sec 8-3N-45E	Pine Creek	Aug. 15, 1900	0.6	Mary L.
Vera Price	Sec 33-5N-45E	Buffalo Flat Spg	Aug. 20, 1900	1.6	First
(Maria Bevan)	Sec 17-5N-45E	Swamp Creek	Apr. 6, 1901	1.6	J.M. L
Wm Hansen (L.C. Waterman)	Sec 26 & 35 6N-45E	Little Dry Crk	June 1, 1901	0.8	F.C. G
(Lamoine Hatch)	Sec 21-3N-45E	Spring Creek	Sept. 1, 1901	0.8	D.K. B
D. Sorensen	not given	Buffalo Spring	1902	1.1	F. Bow
M.L. Kearsley (E.N. Kirsley)	Sec 17-3N-45E	Spring Creek	June 1, 1902	1.2	State (A.F)
W. Johnson, A.C. Dorr, H. Hatch (L.L. Eynon)	Sec 21-3N-45E	Spring Creek & Pine Creek	June 15, 1902	2.4	State (S.
L. & E. Buxton (S. Buxton)	Sec 30-5N-45E	Twin Crk Slough	June 1, 1903	2.0	Bank o Ed Rig

Miscellaneous rights in Teton Basin continued next page -

Aug 76

72

SCANNED

JUN 22 2005

MICROFILMED

NOV 06 1992

Aug 76

PROFILED

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: A22-11960
Date Received: 9/27/1988
Receipt No: E002673
Received By: Kcw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EST. OF GEORGE H. SPENCER 208-734-6122
Address: RT. 3 BOX 6458
TWIN FALLS, ID 83301

2. Date of Priority: MAY 01, 1961

3. Source: UNNAMED STREAM Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	45E	4	NE	NW	NW	4	TETON

5. Description of diverting works:
DIVERSION DAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.200		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	45E	4	NW	NW	4	IRR	20.0
Section Acres							20.0

A22-11960

Page

1
SCANNED

Date: 09/27/88

PROFILED

JUN 22 2005

MICROFILMED
NOV 06 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	5	NE	NE	1	IRR	37.0
			SE	NE		IRR	3.0
						Section Acres	40.0
						Total Acres	60.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
NONE

14. Remarks:
WATER RIGHT BASED ON DEEDS.

15. Basis of Claim: BENEFICIAL USE

PROFILED

SCANNED
JUN 22 2005

MICROFILMED
NOV 06 1994

(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.

I do solemnly swear or affirm that I am Person Representative of
Estate of George Spencer, that I have signed the foregoing
Organization document in the space below as Person Representative of
Estate of George Spencer and that the statements contained in the
Organization foregoing document are true and correct. Carl Spencer

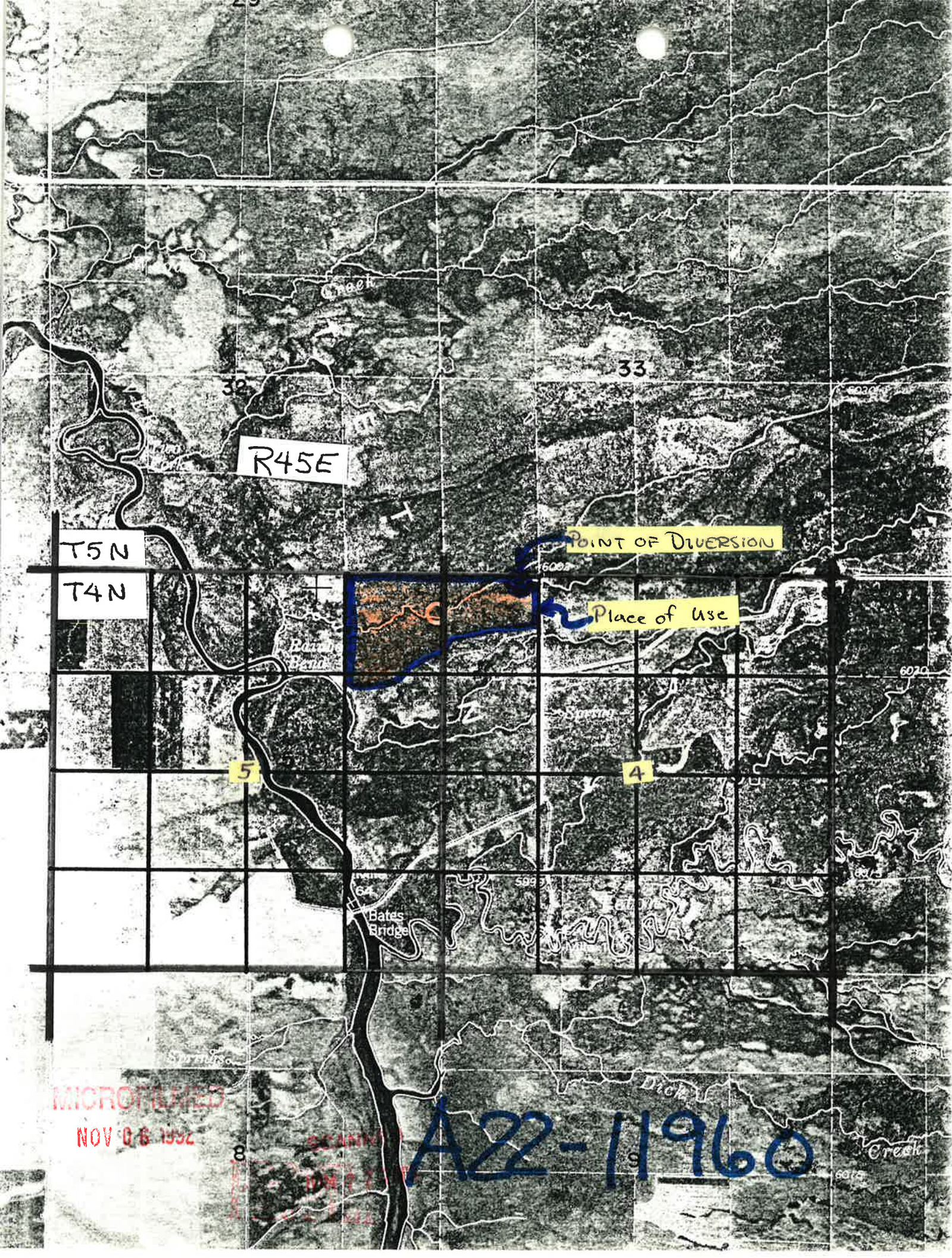
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of September 19 88 Betty J. S.
Notary Public

Betty J. Thompson
Notary Public

Residing at Idaho Falls
My Commission Expires 6-94





R45E

T5N

T4N

POINT OF DIVERSION

Place of Use

5

4

Bates Bridge

MICROFILMED
NOV 06 1952

A22-11960