

10/06/2006

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

RIGHT NUMBER: 22-12981

NAME AND ADDRESS: TRAIL CREEK SPRINKLER IRRIGATION CO
PO BOX 131
VICTOR ID 83455

SOURCE: SHERMAN SPRINGS

TRIBUTARY: WARM CREEK

QUANTITY: 0.760 CFS

PRIORITY DATE: 10/31/1950

POINT OF DIVERSION:
T03N R45E S23 SENW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.760 CFS

PLACE OF USE:

6758.4 ACRES TOTAL

Place of use is within the area served by Trail Creek Sprinkler Irrigation Company.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

The rights listed below are limited to the irrigation of a combined total of 6758.4 acres in a single irrigation season. Combined Right Nos.: 22-90, 22-221C, 22-221D, 22-222A, 22-222C, 22-223, 22-245C, 22-355, 22-435A, 22-435C, 22-520, 22-559, 22-12981, 22-13000, 22-13001, 22-13002, 22-13003, 22-13004, 22-13005, 22-13006, 22-13007, 22-13008, 22-13009, 22-13010, 22-13011, 22-13553

This right is limited to the irrigation of 38 acres within the place of use described above in a single irrigation season.

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 - Beneficial Use

10/06/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-12981

TRAIL CREEK SPRINKLER IRRIGATION CO
PO BOX 131
VICTOR ID 83455
Telephone Number: (208)787-2776

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

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

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

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

DATE: 12/5/06 SIGNATURE: John Winger
Please print your name: John Winger

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

RECEIVED

DEC 05 2006

Department of Water Resources
Eastern Region

KMT
12/10/06

Dist.
I. SKYLIN
ALLS, IDAI

ADDRESS SERVICE
REQUESTED

 **NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD**

 PITNEY BOWES
U.S. POSTAGE
1011 PB3523907
8922 \$00.870 JAN 05 2007
8678 MAILED FROM ZIP CODE 83402

RECEIVED

JAN 10 2007

Department of Water Resources
Eastern Region

METWEST MORTGAGE SERVICES, INC
601 W 1ST AVENUE
DEPT 115000
SPOKANE WA 99201-5071

← ~~Trustee~~
Security Interest
for
22-435A
22-222A
22-221C
22-12981
Trail Creek
Sprinkler



Idaho Department of Water Resources

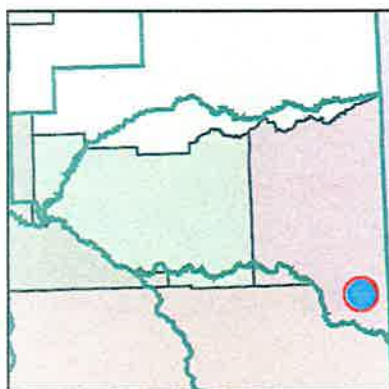
SRBA Recommendation:

Trail Creek Sprinkler Irrigation Co.
Irrigated Acres = 6758.4

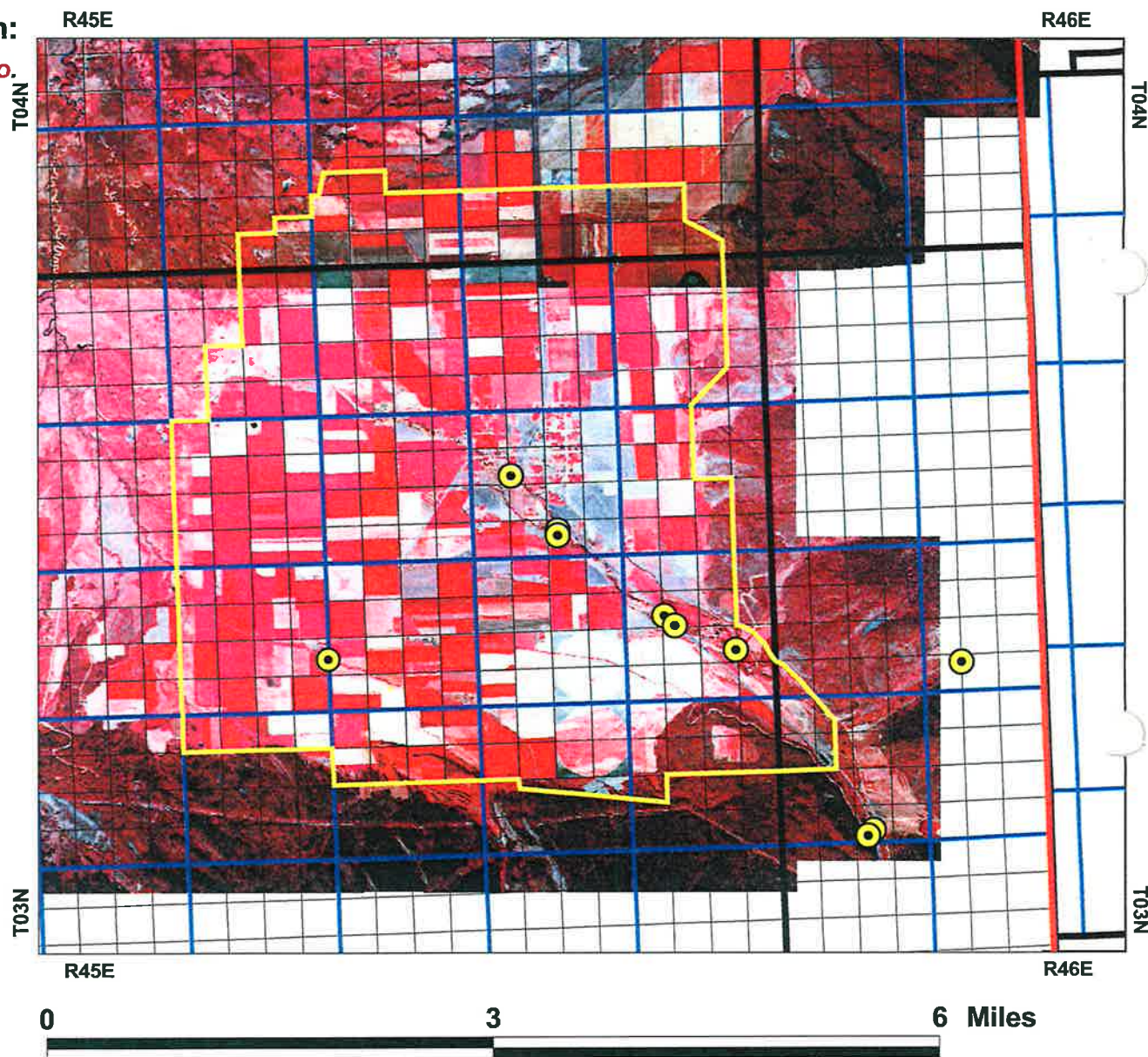
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



Prepared by T. Galbraith
On Thursday, October 5, 2006
1987/88 Aerial Photography





Claim no. _____

Claimant Contact Log

Date

Remarks

Agent initials

20 10/04/06 met with Jeff Guiselman, who is
the course manager for Titon Spgs.
Jeff showed me the springs, the holding
pond and the pump house. He also explained
the system to me.

Jeff G. 709-~~688~~
8289

Scott 307-413-1575

Springs go into holding pond where water is pumped
according to Dee-Dee GPSed this point.

TB

Water Right No(s). _____

GPS DATA:

Tag # A0016041 Location: By electricity meter next to pump house

Diversion Data:

Source: _____ Trib to: _____

MOTOR

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

PUMP

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

NOTES:

Field Exam Date: 10/4/06 Agent: DD

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.

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

Recommended Point(s) of Diversion and Source.

Tw	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:

DO
10/04/06

The Sherman Springs flow into a holding pond where they congregate with water from the Spring Canal. Water is pumped from the holding pond throughout their irrigation system.

Reviewer: _____ Date: _____

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:

DO
10/04/06

POU is a golf course and lawns for homesites in the Teton Springs resort.

Reviewer: _____ Date: _____

June 4, 2004

**TETON SPRINGS GOLF AND CASTING CLUB LLC
ONE TETON SPRINGS PARKWAY
VICTOR ID 83455**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-12981

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of APR 1 1890, from SHERMAN SPRINGS, WARM CREEK.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

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
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
KARL R. DECKER
THEL W. CASPER*
SHAN B. PERRY
AMELIA A. SHEETS
DeANNE CASPERSON**
ROBERT L. HARRIS

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 Utah and Arizona
**Also Licensed in Missouri & Kansas

December 1, 2004

RECEIVED
DEC 02 2004

Department of Water Resources
Eastern Region

Allen Ruberry
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

Re: Evidence of Priority for Water Right No. 22-12981

Dear Mr. Ruberry:

Your letter of June 4, 2004, to Teton Springs Golf & Casting Club, LLC, regarding evidence of priority for SRBA claim 22-12981 eventually made its way to our office. Teton Springs deeded this and some other rights on the Rammell property to Trail Creek Sprinkler Irrigation Company in October of 2003. So, the letter made a rather circuitous trip before it came to our office.

We were eventually able to contact Mr. Max H. Rammell (his brother, Merrill, is deceased) who now lives in Utah, and obtained from him an affidavit explaining why he and Merrill claimed the 1890 priority. It appears they did not have much information available to help them with the claimed priority date and so they just used the same priority as their largest decreed right, 22-222A; that is, June 1, 1890. We are enclosing Mr. Rammell's affidavit with this letter.

We also obtained and are enclosing copies of certain conveyance documents from the chain of title. It appears the land irrigated with Sherman Springs water was patented to Pless M. Sherman on May 3, 1918. Sherman and his wife deeded the land to the San Diego Fruit and Produce Company in August of 1935. The parents of Max and Merrill Rammell, Parley S. & Lettie J. Rammell, acquired the land from the San Diego Fruit and Produce Company on March 10, 1950. We have been unsuccessful in finding any person whose memory of water use from

Allen Ruberry
Idaho Department of Water Resources
December 1, 2004
Page 2 of 2

Sherman Springs on this property goes back any further than that of Mr. Max Rammell, or any additional relevant documentation related to the use of this water on the land.

Yours very truly,



Kent W. Foster

Enclosures

c: Mike Potter

AFFIDAVIT OF MAX H. RAMMELL

COPY

STATE OF UTAH)
)ss.
County of Salt Lake)

Max H. Rammell, being first duly sworn, on his oath deposes and says:

1. Affiant and affiant's late brother, Merrill Rammell, sold real property in the year 2000, to Teton Springs Golf and Fishing Club, LLC, which included the following described real property situate in Teton County, State of Idaho, to wit:

Commencing at a point that is S0°1' East 2,640 feet and S89°46' East 575.84 feet from the northwest corner of Section 23, Township 3N., Range 45E.; thence S0°1' East 901.41 feet; thence N82°40' West 4,627.87 feet; thence N°31' East 330 feet; thence S89°46' East 4,586.83 feet to the point of beginning.

At the time of the sale to Teton Springs, the water rights appurtenant to the property included rights numbers 22-435A, 22-222A, and 22-221C, in Trail Creek, and water right 22-12981 in Sherman Springs. Affiant and his brother had previously filed claims in the Snake River Basin Adjudication (SRBA) proceeding claiming each of said rights. The right number 22-12981 claims 0.76 cfs of the waters of Sherman Springs for the irrigation of some 38 acres within the above described real property with a priority of April 1, 1890.

2. Affiant and other members of affiant's family had acquired said real property as well as other real property adjoining and near it, from San Diego Fruit and Produce Company in 1950 as farm land for the production of agricultural crops thereon. From the time the land was so acquired, affiant became the person responsible for most of the irrigating. Approximately 38 acres of this particular piece of property which lies between the United States Forest Service boundary on the south and some higher ground to the north also acquired and operated by affiant and affiant's family members, had the appearance of being flood irrigated for many years prior to its acquisition by affiant and affiant's family. There was in existence in 1950 a ditch system to bring water from Sherman Springs to flood irrigate the approximate 38 acres. The ditches appeared to have been in existence for a long time prior to the acquisition of the land by affiant and affiant's family.

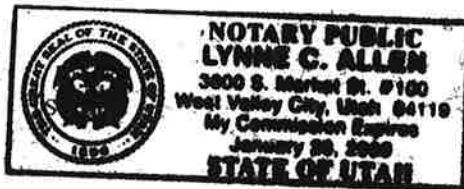
3. Affiant remained responsible for irrigation of this land until it was sold to Teton Springs. Sometime during the 1960's, affiant, in an attempt to improve irrigation of this and adjoining property, began to use a portable pump and some sprinkler lines. The higher land to the north was irrigated from the String Canal, and, also during the 60's, Trail Creek Sprinkler Irrigation Company was formed when the gravity flow sprinkler system was installed. Affiant and affiant's family did not join the other water users in the pipeline company because our water rights had some of the earliest priorities for that area and because our land was nearer the point of diversion for the pipeline and thus higher in elevation, it appeared that we might experience a lack of adequate pressure for much of our land.
4. Affiant kept improving the irrigation system until sometime in the 1970's when we converted to a pivot sprinkler system for much of the upper land and sprinkled the corners and odd shaped pieces, including much of the 38 acres described, with hand lines. We even sometimes informally exchanged the Sherman Springs water, which naturally flowed into Warm Creek, with downstream users on Warm Creek, for extra water from String Canal, which also empties into Warm Creek near the western boundary of the land we owned.
5. Affiant has no documentation and knows of the existence of none with respect to the earliest time water was used for the above described real property from Sherman Springs. Affiant understood from the tradition in the community and from affiant's predecessor in interest, the San Diego Fruit and Produce Company, that the land which was flood irrigated with water from Sherman Springs was farmed from essentially the same time as the farm land to the north. When it came time to file claims in the SRBA proceeding, affiant and his brother therefore claimed the same priority for the Sherman Springs water as for the largest of the Trail Creek rights which furnished water through the String Canal.
6. It is important to note that affiant has relied upon the preparation by the law firm of Holden, Kidwell, Hahn & Crapo for the water rights numbers and the legal descriptions of the land. Affiant is unable to recall the numbers and the legal descriptions without that assistance.


Max H. Rammell

STATE OF UTAH)
)ss.
County of Salt Lake)

On this 22 day of ~~October~~ ^{November}, 2004, before me a notary public in and for said State, personally appeared Max H. Rammell known or identified to me (or proved to me on the oath of Max H. Rammell) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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





Notary Public for Utah
Residing at: _____
My commission expires: _____

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, On May 3, 1918, patent No. 628799 issued to Fless M. Sherman, for the H.E. Survey No. 386, embracing a portion of Township three north of Range forty-five east of the Boise meridian, Idaho, more particularly bounded and described as follows;

Beginning at corner No. 1, identical with the quarter corner to Sections twenty-three and twenty-four, said Township and Range; thence south eighty-nine degrees forty-four, minutes east nineteen and eighteen-hundredths chains to corner No. 2; thence south thirty-one minutes west fifteen chains to corner No. 3; thence north eighty-two degrees forty minutes west eighty and fifty-two-hundredths chains to corner No. 4; thence north thirty-one minutes east five chains to corner No. 5; thence south eighty-nine degrees forty-six minutes east sixty and seventy-seven-hundredths chains to corner No. 1, the place of beginning; containing seventy-nine and eighty-nine-hundredths acres,

reserving to the United States all coal in said lands, and to it, or persons authorized by it, the right to prospect for, mine, and remove coal from the same upon compliance with the conditions of and subject to the limitations of the Act of June 22, 1910, and

WHEREAS, the lands so conveyed have been subsequently classified as noncoal in character;

NOW THEREFORE, KNOW YE, That the United States of America, in accordance with the Act of Congress approved April 14, 1914 (Public No. 83), authorizing, under such conditions, the issuance of new or supplemental patent without such reservation, does hereby remise, ^{release} and forever quitclaim unto the said Fless M. Sherman and to his heirs and assigns, all right, title, interest, and estate to and in the above-described lands which may be vested in and possessed by it by virtue of the reservation hereinbefore mentioned and recited.

IN TESTIMONY WHEREOF: I, Woodrow Wilson, President of the United States of America, have caused these letters to be made patent, and the seal of the General Land Office, to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the Seventeenth day of June in the year of our Lord one thousand nine hundred and Nineteen and of the Independence of the United States, the one hundred and Forty-third.

By the President; Woodrow Wilson,

By M.F. LeRoy Secretary.

SEAL

L.O.C. Lamar, Recorder of the
General Land Office.

RECORDED: Patent Number 687258

6-4193

Filed for record at the request of A.W. Clark at 3:15 o'clock P.M. this
21st day of June, 1923.

Vern Thomas, Recorder

WARRANTY DEED

THIS INDENTURE, Made this 5th day of August, in the year of our Lord One Thousand Nine Hundred and Thirty-five, by and between PLESS M. SHERMAN and AREATHA M. SHERMAN, his wife, of the County of Teton, State of Idaho, the parties of the first part, and the SAN DIEGO FRUIT & PRODUCE COMPANY, a corporation, of the County of San Diego, State of California, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of ONE THOUSAND AND NO/100 (\$1,000.00) --- DOLLARS lawful money of the United States of America, to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part and to its successors and assigns forever all the following described real estate, situated in Teton County, State of Idaho, to-wit:

Beginning at the Quarter Corner between Sections 23 and 24, Township Three (3) North, Range Forty-five (45) East of the Boise Meridian, and running thence South 89°-44' East 14.354 chains, thence Southeast 11.25 chains, thence East 0.5 chains, thence South 0°-31' West 4.364 chains; thence North 82°-40' West 80.52 chains, thence North 0°-31' East 5.0 chains, thence South 89°-46' East 60.77 chains to the point of beginning and containing 78.65 acres, more or less.

This deed is given subject to a mortgage to the State of Idaho in the principal sum of \$900.00 and subject to all taxes which have accrued and are unpaid against the above-described property.

TOGETHER, With all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion or reversions, remainders and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity, of the said parties of the first part.

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

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

Signed, Sealed and delivered in the
presence of
S. M. Meikle

Pless M. Sherman (SEAL)
Areatha M. Sherman (SEAL)
(SEAL)
(SEAL)

STATE OF IDAHO, }
County of Teton } SS.

On this 10th day of August, in the year 1935, before me, the undersigned, a Notary public in and for State of Idaho, personally appeared PLESS M. SHERMAN and AREATHA M. SHERMAN, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Notarial Seal.

My commission expires Aug 28th, 1935

I hereby certify that this instrument was filed for record at the request of S. M. Meikle at 10 minutes past 3 o'clock P.M., this 19th day of August, 1935

Fees \$1.00

S. M. Meikle
Notary Public.
Residing at Driggs, Idaho.

L. W. Hastings
By Bertha Durtschi Ex-Officio Recorder
Deputy.

THIS INSTRUMENT, Made this 10th day of March, in the year of our Lord one thousand nine hundred and fifty between San Diego Fruit and Produce Company a corporation duly organized and existing under the laws of the State of California and its principal office in Idaho at the County of Madison, and the parties of the first part, and Farley J. Remmell & Lettie J. Remmell, his wife; Leon P. Remmell and Fay T. Remmell, his wife, and Max H. Remmell and Denise Remmell, his wife, of Rexburg, County of Madison, State of Idaho parties of the second part,

WITNESSETH, That the said party of the first part, having been heretofore duly authorized by resolution of its board of directors, for and in consideration of the sum of One dollar and other valuable consideration - - DOLLARS, lawful money of the United States of America, to it in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate situated in the County of Teton, State of Idaho, to-wit:

The East Half of the Southeast Quarter (E1/2SE1/4) of Section Thirteen (13), Township Three (3) North, Range Forty-five East Boise Meridian.

The East Half of the Southwest Quarter (E1/2SW1/4) of Section Thirteen (13), and the West Half of the Northwest Quarter (W1/2NW1/4) of Section Twenty-four (24), all in Township Three (3) North, Range Forty-five East Boise Meridian.

The East Half of the Southeast Quarter (E1/2SE1/4) of Section Fourteen (14), and the East Half of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-three (23), all in Township Three (3) North, Range Forty-five East Boise Meridian.

The East Half of the Southeast Quarter (E1/2SE1/4) of Section Fourteen (14), and the North Half of the Northwest Quarter of the Northwest Quarter (NW1/4NW1/4) of Section Twenty-three (23), all in Township Three (3) North, Range Forty-five East Boise Meridian.

Beginning at the Quarter Corner between Sections 23 and 24, Township Three (3) North, Range Forty-five East of the Boise Meridian, and running thence South 89°-44' East 14.254 chains, thence Southeast 11.25 chains, thence East 1.0 chains, thence South 0°-31' East 4.364 chains; thence North 82°-40' East 40.62 chains, thence North 0°-41' East 1.0 chains, thence South 89°-46' East 50.77 chains to the point of beginning and containing 79.65 acres, more or less.

380

Beginning at a point 1720 feet East of the Northwest corner of Section Twenty-four (24), Township Three (3) North, Range Forty-five East of the Boise Meridian, thence East 1065.0 feet; thence South 35 degrees 11 minutes East 244.7 feet; thence South 64 degrees 57 minutes East 354.3 feet; thence South 25 degrees 57 minutes East 144.3 feet; thence South 59 degrees 52 minutes East 246.2 feet; thence South 22 degrees 27 minutes East 162.3 feet; thence South 53 degrees 15 minutes East 260.9 feet; thence North 800.0 feet to point of beginning, containing 11.14 acres, more or less.

Together with all water rights of every kind and nature thereunto belonging or in anywise appertaining, and particularly 500 shares of the capital stock of the String Canal Company.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

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

IN WITNESS WHEREOF, The party of the first part has caused its corporate name to be heretofore subscribed by its President and its corporate seal to be affixed by its Secretary in pursuance to said resolution the day and year first above written.

Signed, Sealed and Delivered in Presence of
S. W. Meikle

SAN DIEGO FRUIT AND PRODUCE COMPANY,
By Wallace Springstead, Its President

Attest Charles E. Springstead, Its Secretary

(Revenue Stamps \$10.00 attached and cancelled RCS 11-13-52)

STATE OF CALIFORNIA)
) ss.
County of)

On this day of March in the year 1950, before me the undersigned, a Notary Public in and for the said State, personally appeared Wallace Springstead known to me to be the president of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

(Notarial Seal)

S. W. Meikle, Notary Public for the State of Idaho
Residing at Rexburg,

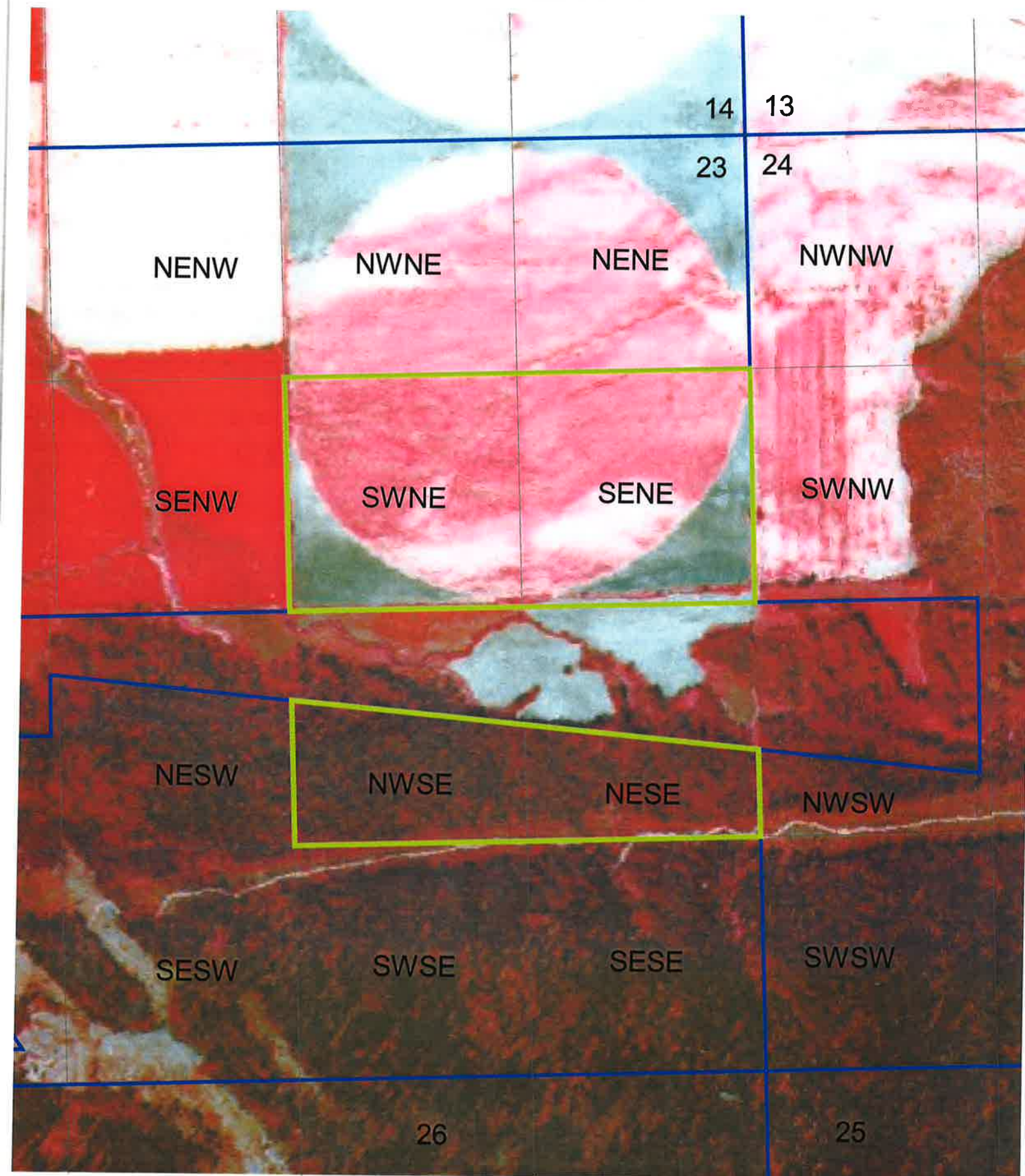
(Revenue Stamps \$40.00 attached and cancelled)

Filed for record at the request of Max Remmell at 30 minutes past 3 o'clock p.m. this 12th day of November, A.D. 1952 and recorded in Book 77 of Deeds at page 379.

\$1.50

Ewing C. Stone, Recorder
By Marjorie Bates, Deputy

22-12981



THIS INSTRUMENT Made this 10th day of March, 1950, the year of our Lord one thousand nine hundred and fifty between San Diego Fruit and Produce Company a corporation duly organized and existing under the laws of the State of California and having its principal office in Idaho at _____ in the County of _____ party of the first part, and Parley S. Rammell & Lettie J. Rammell, his wife; Leon P. Rammell and Fay T. Rammell, his wife, and Max H. Rammell and Denise Rammell, his wife, of Rexburg, County of Madison, State of Idaho parties of the second part,

WITNESSETH, That the said party of the first part, having been hereunto duly authorized by resolution of its board of Directors, for and in consideration of the sum of One dollar and other valuable consideration - DOLLARS, lawful money of the United States of America, to it in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate situated in _____, County of Teton, State of Idaho, to-wit:

The East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Thirteen (13), Township Three (3) North, Range Forty-five East Boise Meridian.

The West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Thirteen (13), and the West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section Twenty-four (24), all in Township Three (3) North, Range Forty-five East Boise Meridian.

The East Half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Fourteen (14), and the East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Twenty-three (23), all in Township Three (3) North, Range Forty-five East Boise Meridian.

The West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Fourteen (14), and the North Half of the Northwest Quarter of the Northeast Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty-three (23), all in Township Three (3) North, Range Forty-five (45) East Boise Meridian.

Beginning at the Quarter Corner between Sections 23 and 24, Township Three (3) North, Range Forty-five East of the Boise Meridian, and running thence South 89°-44' East 14.354 chains, thence Southeast 11.25 chains, thence East 0.5 chains, thence South 0°-31' East 4.364 chains; thence North 82°-40' West 80.52 chains, thence North 0°-31' East 5.0 chains, thence South 89°-46' East 60.77 chains to the point of beginning and containing 78.65 acres, more or less.

Beginning at a point 1320 feet East of the Northwest corner of Section Twenty-four (24), Township Three (3) North, Range Forty-five East of the Boise Meridian, thence East 1065.0 feet; thence South 33 degrees 11 minutes West 244.7 feet; thence South 64 degrees 57 minutes West 354.3 feet; thence South 29 degrees 57 minutes West 144.3 feet; thence South 59 degrees 52 minutes West 246.2 feet; thence South 22 degrees 27 minutes West 162.3 feet; thence South 63 degrees 15 minutes West 288.9 feet; thence North 330.0 feet to point of beginning, containing 11.14 acres, more or less.

* Together with all water rights of every kind and nature thereunto belonging or in anywise appertaining and particularly 560 shares of the capital stock of the String Canal Company.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

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

IN WITNESS WHEREOF, The party of the first part has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary in pursuance to said resolution the day and year first above written.

Signed, Sealed and Delivered in Presence of
S. M. Meikle

SAN DIEGO FRUIT AND PRODUCE COMPANY,
By Wallace Springstead, Its President

Attest Charles F. Springstead, Its Secretary

(Revenue Stamps \$18.00 attached and cancelled DCS 11-13-52)

STATE OF CALIFORNIA)
County of) ss.

On this _____ day of March in the year 1950, before me the undersigned, a Notary Public in and for the said State, personally appeared Wallace Springstead known to me to be the president of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Notarial Seal)

S. M. Meikle, Notary Public for the State of Idaho
Residing at Rexburg,

Revenue Stamps \$48.00 attached and cancelled)

Filed for record at the request of Max Rammell at 38 minutes past 2 o'clock p.m. this 12th day of November, A.D. 1952 and recorded in Book 77 of Deeds at page 379.

1.50

Dwight C. Stone, Recorder
By Marjorie Bates, Deputy



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 18, 2003

KENT W FOSTER
US BANK BUILDING
330 SHOUP AVENUE, THIRD FLOOR
PO BOX 50130
IDAHO FALLS, ID 83405

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-221C, 22-222A,
22-435A, 22-12981

Dear Mr. Foster:

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

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

Respectfully yours,

Kristen Forsgren
Office Specialist 1

Enclosure

cc: Teton Springs Golf and Casting Club, LLC

RECEIVED

JUN 23 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern Region**Notice of Security Interest in a Water Right****And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right**Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 22-221C, 22-222A, 22-435A
Adjudication Claim No(s): 22-12981
2. The following **REQUIRED** information must be submitted with this form:
- A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
- B) A **FEE** of \$25.00 per water right or adjudication claim.
3. Name and Mailing Address of Person or Company holding Security Interest
Metwest Mortgage Services, Inc
601 West 1st Avenue
Dept 115000
Spokane, WA 99201-5071
4. Name of Water Right Owner/Claimant(s) Teton Springs Golf & Casting Club, LLC
Teton Springs LLC
5. Expiration Date of Notification Period December 31, 2012
6. Is this a Renewal of Request for Notification? ☐ YES ☐ NO
7. Signature(s) (and title if applicable) Metwest Mortgage Services, Inc
by: *[Signature]*
its SECRETARY

For Office Use Only

Received by <u>JC</u>	Date <u>6-23-03</u>	Fee <u>\$125-</u>
Received by <u>JC</u>	Date <u>6-24-03</u>	Receipt No. <u>E028916</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, 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
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
KARL R. DECKER
THEL W. CASPER
SHAN B. PERRY
AMELIA A. SHEETS
DeANNE CASPERSON*
*Licensed in Missouri & Kansas

US BANK BUILDING
330 SHOUP AVENUE, THIRD FLOOR
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

February 7, 2003

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

RE: Teton Springs Golf and Casting Club

Dear Jennifer:

Enclosed is a Notice of Change of Water Right Ownership for Teton Springs Golf and Casting Club. If everything is in order, please complete the change and return the new claims to our office. If a fee is required, please let us know and we will be happy to send you a check.

Thank you for your kind attention in this matter. If you have any questions please feel free to contact this office.

Sincerely,



Cheri Vandermeulen
Secretary for Kent W. Foster

Enclosures

G:\WPDATA\KWF\10495 TETON SPRINGS\IDWR ltr 020703.wpd:ed

RECEIVED
FEB 10 2003
Department of Water Resources
Eastern Region

RECEIVED
FEB 10 2003
Department of Water Resources
Eastern Region

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

OK JC
9/17/03
RECEIVED
FEB 10 2003
Department of Water Resources
Eastern Region

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
	22-221	☒			
	22-222A	☐			
	22-435A	☐			
	22-12981	☐			

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 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
Merrill R. Rammell and Max H. Rammell
Teton Springs Golf and Fishing Club, LLC
4. New Owner/Claimant(s)
Teton Springs Golf and Casting Club, LLC
Name connector (check one): ☐ and ☐ or, ☐ and/or
New Mailing Address
One Teton Springs Parkway
City, State and ZIP Code
Victor, ID 83455
New Telephone Number
208-787-8000
5. Date you acquired the property
October 26, 2000

Form 62-704(62-1407)(5) July, 2000

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)

Anthony J. Webb Managing Member

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 _____

Oct 25 00 01:18p

First American Title

208 384 111

P.3

T-73A

139991

RECEIVED

OCT 27 2000

TETON CO. ID
CLERK RECORDER

WARRANTY DEED

For Value Received MERRILL R. RAMMELL and ROBERTA L. RAMMELL, husband and wife

Hereinafter called the Grantor, hereby grant, bargain, sell and convey unto

TETON SPRINGS GOLF & FISHING CLUB, LLC, a Wyoming Limited Liability Company
whose address is: 7395 N PINKS WAY STE 102, WILSON, WY, 83014

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

Commencing at a point which is South 89°42' W., along said Section line 834.82 feet, from the SE corner of Section 14, Township 3 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence North 00°01' West 3640.0 feet, more or less, to the quarter line of Section 14; thence South 89°42' East, along said quarter line 1410.66 feet; thence South 00°01' East, 6181.41 feet, thence North 82°40' West, 422.33 feet; thence North 00°01' West 3367.25 feet, more or less, to the point of beginning

TOGETHER WITH fixtures, water mains and the pivot irrigation system ("as is" condition) and any and all water rights related thereto.

TOGETHER WITH any and all water rights of record and 51% of the mineral, oil, and gas rights.

IN ADDITION to the foregoing, the purchase price shall also include payment for all improvements and fixtures upon the Property ("Improvements"). Regarding the mineral interests retained by Seller, in no case may such interest interfere with the intent of the parties concerning the substance of this agreement, that is, the development, marketing, sale and continuation of a high quality golf course and planned residential community with commercial amenities. The parties waive any right to mine gravel, coal or any mineral that would require disturbing the surface. If oil or gas is mined, it will only be done through a pooling agreement, where exploration and extraction facilities are located off of the premises. Subject to reservations in United States and State Patents, existing and recorded Right-of-way, Easements, Easings, Building and Subdivision ordinances, Taxes and Assessments as protected between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except (1) R. Patent reservations, restrictions, easements of record, and assessments payable upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated

MERRILL R. RAMMELL, BY MARK S. RAMMELL,
HIS ATTORNEY IN FACTROBERTA L. RAMMELL BY MARK S.
RAMMELL HER ATTORNEY IN FACT

STATE OF IDAHO

COUNTY OF TETON

On this 26th day of October, in the year 2000, before me, a Notary Public in and for said State, personally appeared MARK S. RAMMELL, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney-in-fact of MERRILL R. RAMMELL and ROBERTA L. RAMMELL, and acknowledged to me that he subscribed the name of MERRILL R. RAMMELL and ROBERTA L. RAMMELL therein as principal and his own name as attorney-in-fact.

FILED

AT THE REQUEST OF

LAYNE W. PRICE
A NOTARY PUBLIC
STATE OF IDAHONotary Public of Idaho
Residing at Boise
Commission Expires 11-19-2000

AT 2 MINUTES P.M. 10/27/00

DATE Oct 27 2000

Teton County

My Commission Expires 11-19-2000

First American Title Company 139991



WARRANTY DEED

OCT 27 2000

TETON CO. ID
CLERK RECORDER

For Value Received MAX H. RAMMELL and DENICE K. RAMMELL, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
TETON SPRINGS GOLF & FISHING CLUB, LLC, a Wyoming Limited Liability
Company
whose address is 3395 N PINES WAY SUITE 102, WILSON, WY, 83014

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

Commencing at a point which is S 89°42' W, along said section line 834.82
feet, from the SE corner of Section 14, Township 3 North, Range 45 E.B.M.,
Teton County, Idaho, and running thence South 60°01' E., 1367.25 feet; thence
North 82°40' W., 3205.54 feet; thence North 00°31' E., 130.0 feet; more or
less, to the quarter line of Section 23; thence along said quarter line South
89°46' E., 2690.97 feet; thence North 0°01' W., along 1/16 line 1981.54 feet;
thence North 89°42' W., 1320.0 feet, more or less, to the quarter line of
said Section 23; thence North 0°01' W., along said quarter line 1300.06 feet,
more or less, to the center pt. of Section 14; thence South 89°42' W.,
1805.20 feet, along 1/4 line of said Section 14; thence South 00°01' E.,
2640.0 feet, more or less, to the point of beginning.

ALSO:

The S1/2NW1/4NE1/4, SW1/4NE1/4 of section 23, Township 3 North, Range 45
E.B.M., Teton County, Idaho

TOGETHER WITH fixtures, water mains and the pivot irrigation system ("as is"
condition) and any and all water rights related thereto.

TOGETHER WITH any and all water rights of record and 31% of the mineral, oil,
and gas rights.

IN ADDITION to the foregoing, the purchase price shall also include payment
for all improvements and fixtures upon the Property ("Improvements").
Regarding the mineral interests retained by Seller, in no case any such
interest interfere with the intent of the parties concerning the substance of
this agreement, that is, the development, marketing, sale and continuation of
a high quality golf course and planned residential community with commercial
amenities. The parties waive any right to mine gravel, coal or any mineral
that would require disturbing the surface. If oil or gas is mined, it will
only be done through a pooling agreement where exploration and extraction
facilities are located off of the premises.

Subject to reservations in United States and State Patents, existing and
recorded Right-of-ways, Easements, Zoning, Building and Subdivision
ordinances; Taxes and Assessments as provided between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's
heirs and assigns forever. And the said Grantee does hereby warrant to and with the said Grantee, that the Grantee is the
owner in fee simple of said premises; that said premises are free from all encumbrances except current taxes, liens,
and assessments, and except (1. S. Patent reservations, restrictions, easements of record, and easements visible upon the
premises, and that Grantee will warrant and defend the same from all claims whatsoever.

Done: 10-26-00

Max H. Rammell
MAX H. RAMMELL

Denice K. Rammell
DENICE K. RAMMELL

STATE OF IDAHO, COUNTY OF TETON ss:

On this 26th day of October, in the year 2000, before me, a Notary Public in and for said State, personally
appeared MAX H. RAMMELL and DENICE K. RAMMELL, known to me to be the persons whose names
are subscribed to the within Instrument, and acknowledged to me that they executed the same.

139992

FILED

IN THE COUNTY OF

LAYNE W. PRICE
NOTARY PUBLIC IN
STATE OF IDAHO

My Comm. Expires 11-19-2000

Layne W. Price
Notary Public of Idaho
Commission Expires 11-19-2000

139992

RECEIVED

JUN 19 2002

TETON CO. ID
CLERK RECORDER

Recording requested by and after recording
return to: Holland & Hart LLP Attn: Teresa Buffington
2515 Warren Avenue, Suite 450, Cheyenne, WY 82001-1347

CERTIFY THIS TO BE A
TRUE AND CORRECT COPY.

148693

Instrument # 148693

DRIGGS, TETON, IDAHO

2002-06-18

03:11:28 No. of Pages: 4

Recorded for: FIRST AMERICAN TITLE

NOLAN G. BOYLE

Fee: 12.00

Ex-Officio Recorder Deputy *N. Boyle*

Index to: DEED: SPECIAL WARRANTY

SPECIAL WARRANTY DEED

(Teton County, Idaho)

FOR VALUE RECEIVED, Teton Springs, LLC, a Wyoming limited liability company, fka Teton Springs Golf & Fishing Club, LLC, with such name change made by an amendment filed with the Wyoming Secretary of State on November 15, 2000 ("Grantor"), whose address is 3395 N. Pines Way, Suite 102, Wilson, Wyoming 83014, hereby grants, bargains, sells, and conveys unto Teton Springs Golf & Casting Club, LLC, a Wyoming limited liability company ("Grantee"), whose address is 25 West 950 South, Victor, Idaho 83455, the following described real property, to-wit:

The real property described in Exhibit A attached hereto and, by this reference, incorporated herein as if set forth in full, which property is located in Teton County, State of Idaho.

TOGETHER WITH all of Grantor's right, title and interest in and to easements, fixtures, improvements and appurtenances belonging thereto and mineral and oil and gas rights thereon and thereunder,

TOGETHER WITH all water and water rights appurtenant thereto, including but not limited to ditches and ditch rights, storage rights, and reservoirs and reservoir rights appurtenant to, used on, or located on such real property,

TOGETHER WITH i) all other and singular tenements, hereditaments, appurtenances and improvements thereon or thereunto belonging, ii) all reversionary, underlying or other right, title and interest of Grantor in and to the rights-of-way of all public roads, streets, or ways, and of all railroads or easements, abutting upon said premises or any part thereof, and iii) all right, title and interest of Grantor in and to any and all lands lying beneath, or constituting the bed of any waterway or body of water, abutting upon said premises or any part thereof, and

SUBJECT TO all easements, restrictions, reservations, and other matters of record as of the date hereof.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto Grantee and its successors and assigns forever.

Grantor does hereby covenant that it and its successors shall and will WARRANT and DEFEND the title to said premises unto Grantee and its successors and assigns forever against the lawful claims of all persons claiming by, through or under Grantor but none other, excepting, however, the matters above set forth.

148693

IN WITNESS WHEREOF, the Grantor has hereunto set its hand effective as of
the 19th day of JUNE, 2002.

TETON SPRINGS, LLC (fka Teton Springs Golf & Fishing Club, LLC)

By: [Signature]
Name: JAMES E. EDEN
Title: MANAGER

State of Idaho, county of Teton, ss.

On this 19th day of June, in the year 2002, before me Grant Moedl
personally appeared James E. Eden, known or identified to me (or
proved to me on the oath of _____), to be the manager or a member of the limited liability
company that executed the instrument or the person who executed the instrument on behalf of
said limited liability company and acknowledged to me that such limited liability company
executed the same.

2910816_2.DOC

WITNESS my hand and official seal.



[Signature]
Notary Public for Idaho
My Commission Expires: 8-2-2004

Exhibit A
To
Special Warranty Deed

Attached Legal Description

All of Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372.

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED LOTS WITHIN BLOCKS OF TETON SPRINGS GOLF AND CASTING CLUB PHASE I AS FOLLOWS:

Lots 5, Block 1, Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372.

Lot 3, 4, 6, 7, 13 and 14, Block 2, Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372.

Lots 11, 12, 13 and 14, Block 3, Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372.

Lot 1, Block 4, Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372.

Lots 2, 3, 4, 5, 6, 7 and 13, Block 5, Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372.

Lots 2, 13, 14, 16 and 17, Block 6, Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372.

Lots 1, 8, 9, 10, 11, 13, 16, 21 and 22, Block 7, Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372.

Lot 13, 15, 16, 17 and 18, Block 8, Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372.

Lots 1, 2, 4, 5, 6, 7, 8, 9 and 10 Block 9, Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372.

1 of 2 pages

148693

First Bank Advisors PAGE 85
Lots 2 and 7, Block 11, Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372.

Lots 5, 6, 7, 11 and 13, Block 12, Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372.

Lots 1, 4, 6, 7, 11, 12, 13, 14, 15, 16, 17, 20, 21 and 22 Block 14, Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372.

Lots 3, 10 and 13, Block 16, Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372.

Lots 1, 3, and 4, Block 17, Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372.

ALSO LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT OF LAND:-

TRACT 15 HASTINGS' RANCH, Teton Springs Golf and Casting Club Phase I, Teton County, Idaho as the same appears on the official plat thereof recorded February 13, 2001, as Instrument No. 141372, also being more particularly described as follows:

A PART OF THE NE1/4SW1/4 SECTION 14, TWP. 3N, RNG. 45E., B.M., TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS:

FROM THE C 1/4 CORNER OF SAID SECTION 14, THENCE S 00°04'22" E, 30.00 FEET ALONG THE EAST LINE OF THE SW1/4 AND THENCE N 89°39'34" W, 191.84 FEET PARALLEL WITH THE NORTH LINE OF THE SE1/4 TO THE TRUE POINT OF BEGINNING:

THENCE SOUTH, 300.34 FEET TO A POINT;

THENCE S 45°00'00" W, 223.43 FEET TO A POINT;

THENCE WEST, 342.82 FEET TO A POINT;

THENCE NORTH 461.31 FEET TO A POINT;

THENCE S 89°39'34" E, 500.82 FEET PARALLEL AND OFFSET 30 FEET SOUTH OF THE NORTH LINE OF SW1/4 OF SAID SECTION 14 TO THE POINT OF BEGINNING.

2 of 2 pages

148693



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 27, 1994

MERRILL R RAMMELL
330 YALE
REXBURG ID 83440

Re: Snake River Basin Adjudication (SRBA)
Teton County - #A22-12981
Identification Number Change

Dear Claimant:

The Identification Number to your Water Right has been changed from #A22-12870 to #A22-12981. This change does not affect your claim in any other way. A copy is enclosed for your records. Please use the new number in future inquiries or correspondence you may have with our Department.

Do not hesitate to contact this office if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff'.

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:region
Enclosure:

Copy of Notice of Claim A22-12981
cc: Max H. Rammell

MICROFILMED

NOV 11 1994

Instrument # 3014

Act 6-11-06
Act 6-22-10
Act 6-6-12
TCP

4--196

DEPARTMENT OF THE INTERIOR.
UNITED STATES LAND OFFICE BLACKFOOT, IDAHO.

Serial No. 013902

Receipt No. 1137572 - 1935499

C E R T I F I C A T E.

HOMESTEAD.

This Duplicate Certificate should be held until notice of issuance of patent is received.

Patent to contain provisions, reservations, conditions and limitations of the Act of June 22, 1910 (26 Stat., 503)

IT IS HEREBY CERTIFIED that, pursuant to the provisions of Section 2291, Revised Statutes of the United States, Pless M. Sherman, Victor, Idaho has made payment in full for a tract of land described as follows: Beginning at the quarter corner between sections 23 and 24, T. 3 N., R. 45 E., B. M., thence S. 89°44' E. 19.18 chains; thence S. 0°31' W. 15.00 chains; thence N. 82°40' W. 80.52 chains; thence N. 0°31' E. 5.00 chains; thence S. 89° 46' E. 60.77 chains to point of beginning, in section 23 & 24 Township 3 North, Range 45 East, Boise Meridian, Idaho, containing 79.98 acres.

NOW THEREFORE, BE IT KNOWN that, on presentation of this Certificate to the COMMISSIONER OF THE GENERAL LAND OFFICE, the said Pless M. Sherman shall be entitled to receive a Patent for the land above described if all then be found regular.

J. T. Carruth, Register.

Recorded at the request of Victor State Bank June 22, 1917 at 9:00 A. M. W. F. ROBERTSON, RECORDER.
AWC.

QUITCLAIM DEED

THIS INDENTURE, Made this 20th day of July

in the year of our Lord one thousand nine hundred and Sixty-six between
 ALLAN SORENSEN, as President of the Last Board of Directors of the San Diego
 Fruit & Produce Company of the County of San Diego, State of California, &
 authorized to do business in the State of Idaho, now defunct, & its general
 manager & as such a statutory trustee ~~thereof~~ thereof, of Hemet,
 County of Riverside, State of California,
 the party of the first part, and

LEON P. RAMMELL, MAX H. RAMMELL & MERRILL RAMMELL

of Driggs County of Teton

State of Idaho the parties of the second part

WITNESSETH, That the said party of the first part, for and in consideration of the sum of
 One Dollar and other valuable consideration ----- DOLLARS,
 lawful money of the United States of America, to him in hand paid by the said parties of
 the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release
 and forever QUITCLAIM unto the said parties of the second part, and to their heirs and
 assigns, all that certain lot, piece or parcel of land, situate, lying and being in
 County of Teton, State of Idaho, bounded and particularly
 described as follows, to-wit:

Tax = 1324: Beginning at the Southeast corner of the
 SW1/4 of Section 24, Township 3 North, Range 43 E.B.M.,
 and running thence South 42 rods and 9 feet; thence West 2
 rods; thence Northwest 45 rods to a point 19 rods and 5 feet
 West of point of Beginning, thence East 19 rods 5 feet to the
 point of Beginning. Contains 2.494 acres, more or less.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 22-12981
Date Received: 6/17/1991
Receipt No: E016214
Received By:

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

1. Name of Claimant(s)

TETON SPRINGS GOLF AND CASTING CLUB, LLC Phone: (208) 787-8000
ONE TETON SPRINGS PARKWAY
VICTOR ID USA 83455

2. Date of Priority: 04/01/1890

3. Source: SHERMAN SPRINGS , SHERMAN SPRINGS , SHERMAN SPRINGS Trib. to: WARM
CREEK , WARM CREEK , WARM CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
03N	45E	23	NW	NW	SE	TETON	
03N	45E	23	NE	NW	SE	TETON	
03N	45E	23	SE	NE	SE	TETON	

5. Description of diverting works:

PORTABLE PUMPS TO HANDLINES AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.76	

7. Total Quantity Appropriated is:
0.76 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

03N	45E	23	NE	SE	IRRIGATION	13
			NW	SE	IRRIGATION	8
			SE	NE	IRRIGATION	8
			SW	NE	IRRIGATION	9
					Section Acres	38
					Total Acres	38

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:
- WATER FROM SPRINGS IS USED WITH WATER FROM TRAIL CREEK TO IRR.
LANDS SOUTH OF PIVOTS AND CORNERS OF PIVOTS.
15. Basis of Claim: Beneficial Use

RECEIVED
APR 29 1994

Department of Water Resources
Eastern District Office

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: **A22-12981**
Date Received: 6/17/1991
Receipt No: E016214
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: MAX H. RAMMELL
Address: 74 ASH
REXBURG ID 83440
AND/OR
Name: MERRILL R. RAMMELL
Address: 330 YALE
REXBURG ID 83440
208-356-8399
208-356-7963

2. Date of Priority: APR 1, 1890

3. Source: SHERMAN SPRINGS Trib. to: WARM CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	45E	23	SE	NE	SE		TETON
			NE	NW	SE		TETON
			NW	NW	SE		TETON

5. Description of diverting works:
PORTABLE PUMPS TO HANDLINES AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.760		

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

8. Total consumptive use is 76.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED
NOV 07 1990

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	45E	23	SW	NE		IRR	9.0
			SE	NE		IRR	8.0
			NE	SE		IRR	13.0
			NW	SE		IRR	8.0
Section Acres							38.0
Total Acres							38.0

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:
22-00435A/00221C/00222A/00221B

14. Remarks:
WATER FROM SPRINGS IS USED WITH WATER FROM TRAIL CREEK TO IRR.
LANDS SOUTH OF PIVOTS AND CORNERS OF PIVOTS.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
NOV 07 1994

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

Renumbered: A22-12981

Ident. Number: ~~A22-12870~~

Date Received: 6/17/1991

Receipt No: EO16214 HPA

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAX H. RAMMELL 208-356-8399
Address: 74 ASH
REXBURG, ID 83440
AND/OR
Name: MERRILL R. RAMMELL 208-356-7963
Address: 330 YALE
REXBURG, ID 83440

A2212981



2. Date of Priority: APR 1, 1890
3. Source: SHERMAN SPRINGS Trib. to: WARM CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	45E	23	SE	NE	SE		TETON
			NE	NW	SE		TETON
			NW	NW	SE		TETON

5. Description of diverting works:
PORTABLE PUMPS TO HANDLINES AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.760		

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

8. Total consumptive use is 76.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED
NOV 01 1990

MICROFILMED
NOV 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	45E	23	SW	NE		IRR	9.0
			SE	NE		IRR	8.0
			NE	SE		IRR	13.0
			NW	SE		IRR	8.0
Section Acres							38.0
Total Acres							38.0

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:
22-00435A/00221C/00222A/00221B

14. Remarks:
WATER FROM SPRINGS IS USED WITH WATER FROM TRAIL CREEK TO IRR.
LANDS SOUTH OF PIVOTS AND CORNERS OF PIVOTS.

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: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Max Samuel Date: 6-17-91

Date: _____

MICROFILMED
NOV 07 1991
MICROFILMED
NOV 07 1991

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of June 19 91
Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94



MICROFILMED
NOV 07 1990

MICROFILMED
NOV 07 1992

