

05/31/2005

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

RIGHT NUMBER: 22-13399

NAME AND ADDRESS: MARY J UPHOFF
PO BOX 26
BINGEN WA 98605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.030 CFS
11.100 AFY

Right Nos. 22-13393 and 22-13399 are limited to a total combined diversion rate of 0.08 cfs and to a total combined annual diversion volume of 24.60 AF.

PRIORITY DATE: 03/14/1966

POINT OF DIVERSION:

T05N R45E S1 NWNWSW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.030 CFS 11.10 AFY

The use of water for irrigation under this right may begin as early as April 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within TETON County

T05N R45E S02 NWSE 4.5

4.5 ACRES TOTAL

Right Nos. 22-13393 and 22-13399 are limited to the irrigation of a combined total of 4.5 acres 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: License

The following rights are also diverted through point of diversion described above: 22-13390 through 22-13394 and 22-13396 through 22-13400.

This right is a split from former right 22-2267 .

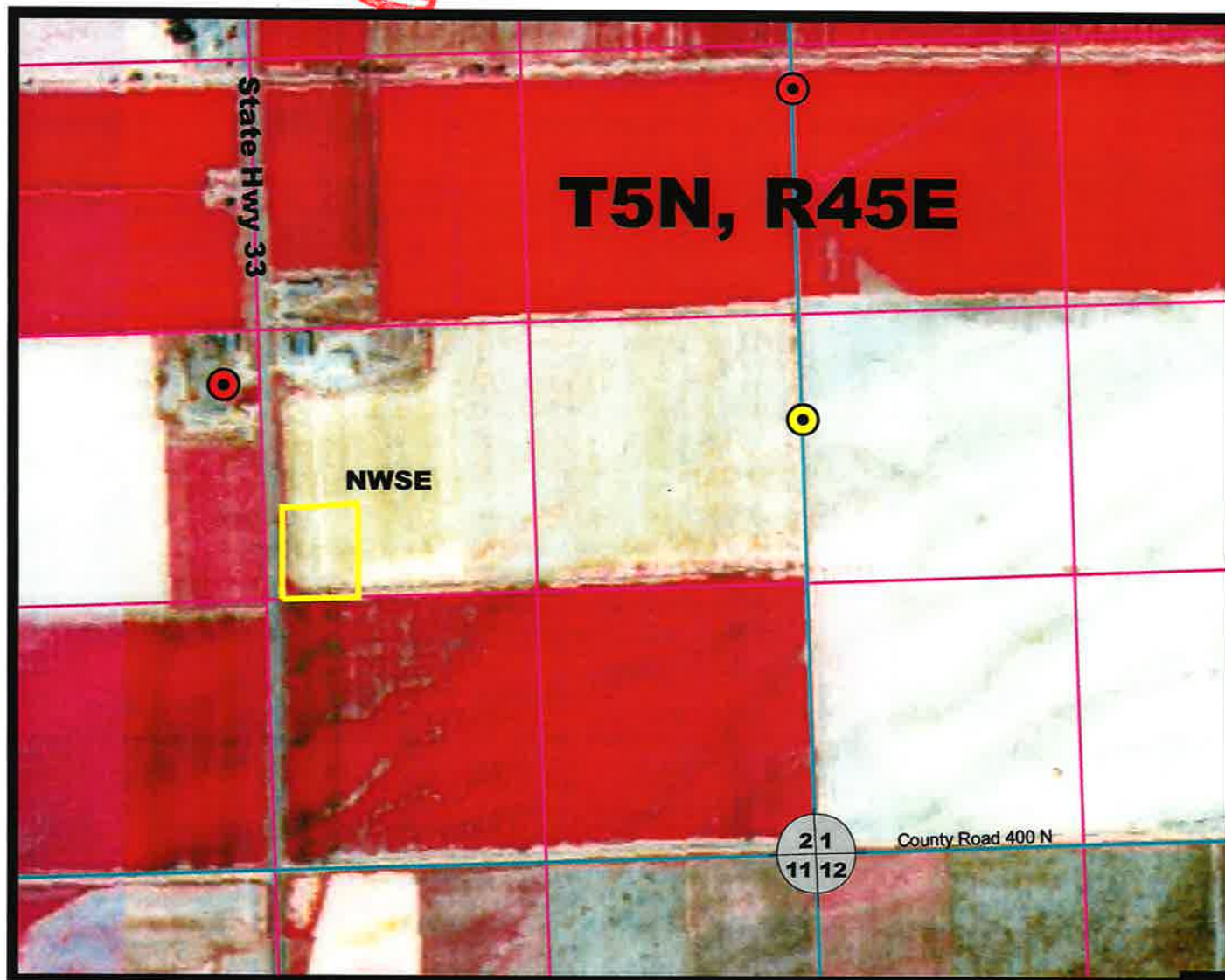


SCANNED
JUN 21 2005

State of Idaho

Department of Water Resources

Eastern Region



500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 Feet

Water Right(s):

22-13393,
22-13399

Point(s) of Diversion:

T5N, R45E Sec. 1 NWNWSW

Place of Use: (parts of)

T5N, R45E Sec. 2 SE

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: May 2005

T5N, R45E

State Hwy 33

TROUTS T.V. RANCH HO ASSOC

ANDERSON, PETER

UPHOFF, M EILEEN TRUST

5.24ac

UPHOFF, MARY JOAN

4.15ac

UPHOFF, JUDITH

4.61ac

NEW IDA LIMITED PARTNERSHIP

GREENE, KEVIN C

NEW IDA LIMITED PARTNERSHIP

ANDERSON, KAREN L

County Road 400 N

2 1
11 12

T5N, R45E

State Hwy 33

TROUTS T.V. RANCH HO ASSOC

ANDERSON, PETER

UPHOFF, M EILEEN TRUST

5.24ac

UPHOFF, MARY JOAN

4.15ac

4.61ac

UPHOFF, JUDITH

NEW IDA LIMITED PARTNERSHIP

GREENE, KEVIN C

NEW IDA LIMITED PARTNERSHIP

ANDERSON, KAREN L

County Road 400 N

2 1
11 12

PROFILED

SCANNED
JUN 17 2005

Comm INVEST Co.
22-2267
4⁰ cts ON 58⁵ AC

SPLIT BY TX #4950
01/14/1997

Comm. INVEST CO. P.
22-2267A

1.07 cts ON 157⁰ AC @ 388 AR
COMBINED USE W/ 22-7255A

22-13395
22-2267B TETON WEST IRR. CO.

2.93 cts ON 421⁰ AC @ 1493⁵ AR
COMBINED USE W/ 22-7255B 22-13389
PPH W/ OTHER G.W. / S.W. Rts.

22-13396 Comm INVEST CO. P.

0.95 cts ON 138⁵ AC @ 342³ AR

W/ SPLIT FROM 22-7255A 22-13390

22-13397 M.E. UPHOFF

0.03 cts ON 5⁰ AC @ 12³⁵ AR

W/ SPLIT FROM 22-7255A 22-13391

22-13398 J. UPHOFF

0.027 cts ON 4⁰ AC @ 9⁹ AR

W/ SPLIT FROM 22-7255A 22-13392

22-13399 M.J. UPHOFF

0.03 cts ON 4⁵ AC @ 11⁴ AR

W/ SPLIT FROM 22-7255A 22-13393

22-13400 P. ANDERSON

0.03 cts ON 5⁰ AC @ 12³⁵ AR

W/ SPLIT FROM 22-7255A 22-13394

~~Teton West Corp.~~ well #31

7/12/2004 12:23:43 PM; ABR, CF

CP3 TAG # A0015698

PROFILED

JUN 17 2005

SCANNED

TAG



22
[illegible text]

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-2267A

WATER RIGHT NUMBER: 22-2267A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	COMMUNICATIONS INVESTMENT CORP 312 E S TEMPLE SALT LAKE CITY, UT 84111

Priority Date: 03/14/1966

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	1.070 CFS	388.00 AF
	<u>Total Diversion:</u>	1.070 CFS	388.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 2, Twp 05N, Rge 45E, B.M.
TETON County		
GROUND WATER	NE1/4SE1/4	Sec. 2, Twp 05N, Rge 45E, B.M.
TETON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	45E	2													40.0	39.0	39.0	39.0	157.0

Total Acres: 157

Conditions of Approval:Remarks:

1. General SPLIT BY T4750

TX 4750 APPROVED 14 JAN 1997. 22-2267
CLAIMED IN SRBA, BUTIRBY, ON 10/4/1988.
TX 4750 SPLITS TO A & B. PART 'A' CETS
FURTHER SPLIT TO 10K #s —

Comments:

1. PSKAGGS 10/31/1996 TRANSFER NO. 4750

Comment: Transfer No. 4750 was filed to add & change the points of diavers diversion, & change the place of sue under all of Right Nos. 22-7042, 22-07206 & 22-07261, and a portion of Right Nos. 22-02267 & 22-07255, splitting each right into parts A & B.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

APR 12 2004

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

Department of Water Resources
Eastern Region

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-2267A		FURTHER SPLITS 3x			
22-7255A		"	"		

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a **USDA Farm Service Agency AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

4. New Owner/Claimant(s)

MARY J. UPHOFF

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

New Mailing Address

PO BOX 26

City, State and ZIP Code

BINGEN, WA 98605

New Telephone Number

(509) 493-4788

5. Date you acquired the property

SCANNED

JUN 21 2005

FILED

SCALE 1" = 300'

LINE DATA TABLE

LINE	BEARING	DISTANCE
L 1	N 89°54'38"E	39.24'
L 2	N 00°44'14"W	48.02'
L 3	N 00°41'08"W	290.81'
L 4	S 89°58'46"W	200.00'
L 5	S 89°59'46"W	200.00'
L 6	S 00°44'14"E	472.98'
L 7	S 89°58'59"E	502.11'
L 8	N 89°58'46"E	460.31'
L 9	S 00°44'14"E	38.72'
L 10	N 89°56'59"W	126.59'
L 11	N 00°44'14"W	475.41'

PROPERTY DESCRIPTIONS

PARCEL 2A

A PORTION OF THE NW 1/4 SE 1/4 SECTION 2, TWP. 5N., RND. 46E., S.M., TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS: FROM THE S 1/4 CORNER OF SAID SECTION 2, N 89°54'38"E, 39.24 FEET ALONG THE SOUTHERN SECTION LINE TO THE EASTERN RIGHT-OF-WAY LINE OF STATE HIGHWAY 33; THENCE N 00°44'14"W, 1364.74 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE TRUE POINT OF BEGINNING; THENCE N 00°44'14"W, 472.98 FEET FURTHER ALONG SAID HIGHWAY RIGHT-OF-WAY; THENCE N 89°58'46"E, 460.31 FEET TO A POINT; THENCE S 00°44'14"E, 475.41 FEET TO A POINT; THENCE N 89°58'59"E, 460.32 FEET TO THE POINT OF BEGINNING, CONTAINING 5.00 ACRES MORE OR LESS, SUBJECT TO A 60 FOOT ROAD AND UTILITY EASEMENT ALONG THE WESTERN AND NORTHERN PROPERTY LINES AND SUBJECT TO A 20 FOOT FARM LANE AND IRRIGATION EASEMENT ALONG THE SOUTHERN PROPERTY LINE.

PARCEL 2B

A PORTION OF THE NW 1/4 SE 1/4 SECTION 2, TWP. 5N., RND. 46E., S.M., TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS: FROM THE S 1/4 CORNER OF SAID SECTION 2, N 89°54'38"E, 39.24 FEET ALONG THE SOUTHERN SECTION LINE TO THE EASTERN RIGHT-OF-WAY LINE OF STATE HIGHWAY 33; THENCE N 00°44'14"W, 1364.74 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE N 89°58'46"E, 460.31 FEET TO THE TRUE POINT OF BEGINNING; THENCE N 00°44'14"W, 472.98 FEET TO A POINT; THENCE S 00°44'14"E, 475.41 FEET TO A POINT; THENCE N 89°58'59"E, 460.32 FEET TO A POINT; THENCE N 89°54'38"E, 39.24 FEET TO A POINT; THENCE S 00°44'14"E, 472.98 FEET TO A POINT; THENCE N 89°58'46"E, 460.31 FEET TO THE POINT OF BEGINNING, CONTAINING 5.00 ACRES MORE OR LESS, SUBJECT TO A 60 FOOT ROAD AND UTILITY EASEMENT ALONG THE WESTERN AND NORTHERN PROPERTY LINES AND SUBJECT TO A 20 FOOT FARM LANE AND IRRIGATION EASEMENT ALONG THE SOUTHERN PROPERTY LINE.

PARCEL 2C

A PORTION OF THE NW 1/4 SE 1/4 SECTION 2, TWP. 5N., RND. 46E., S.M., TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS: FROM THE S 1/4 CORNER OF SAID SECTION 2, N 89°54'38"E, 39.24 FEET ALONG THE SOUTHERN SECTION LINE TO THE EASTERN RIGHT-OF-WAY LINE OF STATE HIGHWAY 33; THENCE N 00°44'14"W, 1364.74 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE N 89°58'46"E, 460.31 FEET TO THE TRUE POINT OF BEGINNING; THENCE N 00°44'14"W, 472.98 FEET TO A POINT; THENCE S 00°44'14"E, 475.41 FEET TO A POINT; THENCE N 89°58'59"E, 460.32 FEET TO A POINT; THENCE N 89°54'38"E, 39.24 FEET TO A POINT; THENCE S 00°44'14"E, 472.98 FEET TO A POINT; THENCE N 89°58'46"E, 460.31 FEET TO THE POINT OF BEGINNING, CONTAINING 5.00 ACRES MORE OR LESS, SUBJECT TO A 60 FOOT ROAD AND UTILITY EASEMENT ALONG THE WESTERN AND NORTHERN PROPERTY LINES AND SUBJECT TO A 20 FOOT FARM LANE AND IRRIGATION EASEMENT ALONG THE SOUTHERN PROPERTY LINE.

PARCEL 2D

A PORTION OF THE NW 1/4 SE 1/4 SECTION 2, TWP. 5N., RND. 46E., S.M., TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS: FROM THE S 1/4 CORNER OF SAID SECTION 2, N 89°54'38"E, 39.24 FEET ALONG THE SOUTHERN SECTION LINE TO THE EASTERN RIGHT-OF-WAY LINE OF STATE HIGHWAY 33; THENCE N 00°44'14"W, 1364.74 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE N 89°58'46"E, 460.31 FEET TO THE TRUE POINT OF BEGINNING; THENCE N 00°44'14"W, 472.98 FEET TO A POINT; THENCE S 00°44'14"E, 475.41 FEET TO A POINT; THENCE N 89°58'59"E, 460.32 FEET TO A POINT; THENCE N 89°54'38"E, 39.24 FEET TO A POINT; THENCE S 00°44'14"E, 472.98 FEET TO A POINT; THENCE N 89°58'46"E, 460.31 FEET TO THE POINT OF BEGINNING, CONTAINING 5.00 ACRES MORE OR LESS, SUBJECT TO A 60 FOOT ROAD AND UTILITY EASEMENT ALONG THE WESTERN AND NORTHERN PROPERTY LINES AND SUBJECT TO A 20 FOOT FARM LANE AND IRRIGATION EASEMENT ALONG THE SOUTHERN PROPERTY LINE.

NOTE: LANDS BEING DIVIDED ARE DIVIDED UNDER THE FAMILY TO FAMILY PARCEL DIVISION ORDINANCE - SEE "FAMILY TO FAMILY PARCEL DIVISION" EXHIBIT ON THIS PLAT.

SURVEYOR'S CERTIFICATE

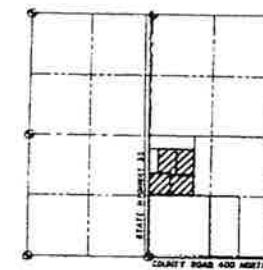
I, ARNOLD W. WOOLSTENHOLME, BEING A REGISTERED LAND SURVEYOR/ENGINEER IN THE STATE OF IDAHO, No. 2860, DO HEREBY CERTIFY THAT I DID SURVEY THE TRACT OF LAND AS HEREIN PLATTED AND DESCRIBED ACCORDING TO THE LAWS OF THE STATE OF IDAHO.

116045
FILED
AT THE REQUEST OF
D.W. Engman
ATTORNEYS AT LAW
DATE May 10, 1999
BY Nora Rappley
CLERK OF DISTRICT

RECORD OF SURVEY

THE SE 1/4 SECTION 2, TWP. 5N., RND. 46E., S.M., TETON COUNTY, IDAHO		
SURVEYED FOR:		
M. EILEEN UPHOFF 3483 FOX CROFT CHEYENNE, WY 82001		A W ENGINEERING P.O. BOX 139 VICTOR, IDAHO 83455 208-787-2952
DRAWN NLC	04-07-94	PROJECT 94 - 041
SURVEY 120 AWW		

SECTION 2



VICINITY MAP
SECTION 2, TWP. 5N., RND. 46E., S.M.
TETON COUNTY, IDAHO
SCALE 1" = 2000'

LEGEND

- SECTIONAL CORNER FOUND AS NOTED
- SET 1/2" IRON PIN WITH 1/2" ALUMINUM CAP
INSCRIBED: AW ENG 2860 PREVIOUS SURVEY
- SET 1/2" IRON PIN WITH 1/2" ALUMINUM CAP
INSCRIBED: AW ENG 2860 THIS SURVEY
- IRRIGATION LINE
- EASEMENT - TYPE AND WIDTH AS NOTED
- FENCE LINE

FAMILY TO FAMILY PARCEL DIVISION

THE ALLOCATION OF LAND ON A ONE-TIME BASIS TO THE "IMMEDIATE FAMILY" MEANING HUSBAND, WIFE, DAUGHTERS AND SONS. THIS ALLOCATION IS SUBJECT TO THE PRE-APPLICATION PROCEDURE TO INSURE PARCELS BEING TRANSFERRED CAN MEET THE REQUIREMENTS OF THE DISTRICT 7 HEALTH DEPARTMENT AND ALL LOCAL ORDINANCES TO INSURE USABILITY: AS STIPULATED IN ARTICLE 11, SECTION B, TETON COUNTY SUBDIVISION ORDINANCE AS AMENDED.

SCANNED

JUN 21 2005

PROVIDED



When recorded, mail to:

Kate Lahey
Van Cott, Bagley, Cornwall & McCarthy
P. O. Box 45340
Salt Lake City, Utah 84145

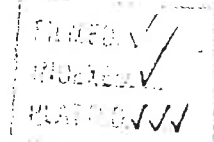
WARRANTY DEED

COMMUNICATIONS INVESTMENT CORPORATION, a Delaware corporation, grantor, of Salt Lake City, County of Salt Lake, State of Utah, hereby conveys and warrants to TETON VALLEY RANCHES, INC., a Nevada corporation with its offices at 2185 South 3600 West, Salt Lake City, Utah 84119 (hereinafter referred to as "TVR"), grantee, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, all of the surface and an undivided one-half of the oil, gas and other minerals in those certain lands located in Teton County, State of Idaho, which are more particularly described in Exhibit "A" attached hereto, together with all water and water rights appurtenant thereto, and together with all of the executive rights to all of the oil, gas and other minerals in said lands it being the intent of the parties that TVR shall be the sole owner of said executive rights and that TVR shall have sole discretion to determine whether to grant leases, exploration rights or other rights of entry upon said lands, and that TVR shall have the right to prevent any and all exploitation of said oil, gas and other minerals in said lands.

IN WITNESS WHEREOF, the undersigned executed this Warranty Deed on the 22 day of JUNE, 1987.

COMMUNICATIONS INVESTMENT CORPORATION

101087



George C. Hatch
By George C. Hatch
Its President

Patrick A. Shea
By Patrick A. Shea
Its Assistant Secretary

First American
15 11 a
July 9, 1987
E. Wayne Schuess
Nora Hill

PROFILED

SCANNED

JUN 21 2005

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the 2nd day of June, in the year 1987,
before me Thomas Oliver, personally appeared
GEORGE C. HATCH and PATRICK A. SHEA, known or identified to me
(or proved to me on the oath of GEORGE C. HATCH and PATRICK A.
SHEA) to be the President and Assistant Secretary of
Communications Investment Corporation, the corporation that
executed the above instrument or the persons 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.

Thomas Oliver
Notary Public, residing at Salt Lake City, UT.
My commission expires on June 1987
1987

5608L
031987



SCANNED

EXHIBIT "A"
(continued)

JUN 21 2005

Parcel 2

Township 5 North, Range 45 East, Boise Meridian

Section 1: N $\frac{1}{2}$
Section 2: E $\frac{1}{2}$ NE $\frac{1}{4}$; and BEGINNING 33-1/2 rods East
from the Southwest corner of the
Northeast Quarter of said Section 2;
and running thence East 46-1/2 rods;
thence North 126-1/2 rods; thence
West 46-1/2 rods; thence South
126-1/2 rods to the point of

PROFILED

5608L
031987



EXHIBIT "A"
(continued)

Parcel 2

Township 5 North, Range 45 East, Boise Meridian

Section 1: N $\frac{1}{2}$

Section 2: E $\frac{1}{2}$ N $\frac{1}{2}$; and BEGINNING 33-1/2 rods East from the Southwest corner of the Northeast Quarter of said Section 2; and running thence East 46-1/2 rods; thence North 126-1/2 rods; thence West 46-1/2 rods; thence South 126-1/2 rods to the point of beginning.

Township 5 North, Range 46 East, Boise Meridian

Section 6: NW $\frac{1}{4}$ NW $\frac{1}{4}$ (also known as Lot 4);
N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$

(containing 516.76 acres, more or less)

Parcel 3

Township 5 North, Range 45 East, Boise Meridian

Section 1: SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 2: SE $\frac{1}{4}$

Subject to a road right of way held by the State of Idaho over and across a portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, granted by an instrument recorded July 13, 1935 in Book 62 at Page 523, as Instrument No. 27833, and an instrument recorded August 26, 1935 in Book 62 at Page 559, as Instrument No. 27995.

(containing 400.00 acres, more or less)

PROFILED

JUN 21 2005

EXHIBIT "A"

Parcel 1

Township 5 North, Range 45 East, Boise Meridian
Section 1: E $\frac{1}{2}$ SE $\frac{1}{4}$

Township 5 North, Range 46 East, Boise Meridian
Section 6: S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ EXCEPTING THEREFROM:
BEGINNING at the South quarter corner
of said Section and running thence
North 800 feet; thence West 700 feet;
thence South 800 feet; thence East
700 feet to the point of beginning;
AND LESS: BEGINNING at a point 66
feet North and 1035 feet East of the
Southwest corner of said Section,
running thence North 200 feet; thence
North 65° East 1000 feet, more or
less, to the West line of the Idaho
State gravel pit; thence South 600
feet to the County road right of way;
thence West 900 feet to the point of
beginning.

Subject to the interest, if any, owned by the State of
Idaho to the South 4 rods of the West 1940 feet of the
SW $\frac{1}{4}$ of Section 6 in Township 5 North, Range 46 East,
as evidenced by a deed recorded December 15, 1953 in
Book 77, at Page 396, as Instrument No. 52108.

(containing 248.88 acres, more or less)

...continued on next page...

PROFILED

SCANNED

JUN 21 2005



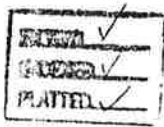


5-7234-Z
 AMERICAN LAND TITLE CO.
 O. BOX 723
 REIDBURG, IDAHO 83450

102175
 FILED

AT THE REQUEST OF

American Land
 AT 15 MINUTES PAST 3 P. M.
 DATE Feb. 26, 1988
E. Wayne Schiess
 CLERK OF RECORDER
 BY Nora Hill
 DEPUTY



When recorded, return to:

At: H. v. Nash
 KIV Properties
 2185 S. 3600 West
 Salt Lake City, UT 84119

WARRANTY DEED

TETON VALLEY RANCHES, INC., (Grantor), a Nevada Corporation with offices at 2185 S. 3600 West, Salt Lake City, Utah 84119, hereby conveys and warrants to TETON VALLEY RANCHES CORPORATION, (Grantee), a Nevada Corporation with offices at 2185 S. 3600 West, Salt Lake City, Utah 84119, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, all of the surface and an undivided one-half of the oil, gas and other minerals, together with all water and water rights appurtenant thereto, and together with all of the executive rights to all of the oil, gas and other minerals, in those certain lands located in Teton County, State of Idaho, which are more particularly described as follows:

Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho
 Section 2: W1/2 SE1/4

(Contains 80.00 acres, more or less.)

Subject to any and all exceptions and reservations of record.

It is the intent of the parties that TETON VALLEY RANCHES CORPORATION shall be the sole owner of said executive rights and that TETON VALLEY RANCHES CORPORATION shall have sole discretion to determine whether to grant leases, exploration rights or other rights of entry upon this parcel, and that TETON VALLEY RANCHES CORPORATION shall have the right to prevent any and all exploitation of said oil, gas and other minerals upon this parcel.

IN WITNESS WHEREOF the undersigned executed this Warranty Deed on the

26 day of February, 1987.

TETON VALLEY RANCHES, INC.
 (Grantor)

by George C. Hatch
 George C. Hatch, President

in Patrick A. Shea
 Patrick A. Shea, Asst. Secretary

STATE OF UTAH

COUNTY OF SALT LAKE

On this 26 day of February, 1987, before me, James R. ... personally appeared George C. Hatch and Patrick A. Shea, known or identified to me (or proved to me on the oath of George C. Hatch and Patrick A. Shea) to be the President and Asst. Secretary of Teton Valley Ranches, Inc., the corporation that executed the above instrument or the persons who executed the instrument on behalf of the 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.

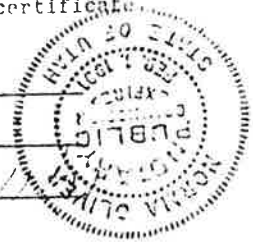
PROFILED

SCANNED

JUN 21 1988

Notary Public
 Residing at ...

My commission expires: 2/1/90





AMERICAN LAND TITLE CO.
P. O. BOX 732
REXBURG, IDAHO 83440

FILED

AT THE REQUEST OF

105322

When recorded, return to:

Mr. Barry Nash
KUTV Properties
2185 S. 3600 West
Salt Lake City, UT 84119

American Land
35 JAN 2 1990 3 PM
E. Wayne Schiess
Nora Hill

WARRANTY DEED

TETON VALLEY RANCHES CORPORATION, (Grantor), a Nevada Corporation with offices at 2185 S. 3600 West, Salt Lake City, Utah 84119, hereby conveys and warrants to TETON WEST CORPORATION, (Grantee), a Nevada Corporation with offices at 2185 S. 3600 West, Salt Lake City, Utah 84119, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, all of the surface and an undivided one-half of the oil, gas and other minerals, together with all water and water rights appurtenant thereto, and together with all of the executive rights to all of the oil, gas and other minerals, in those certain lands located in Teton County, State of Idaho, which are more particularly described as follows:

Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho
Section 2: W1/2 SE1/4

(Contains 80.00 acres, more or less.)

Subject to any and all exceptions and reservations of record.

It is the intent of the parties that TETON WEST CORPORATION shall be the sole owner of said executive rights and that TETON WEST CORPORATION shall have sole discretion to determine whether to grant leases, exploration rights or other rights of entry upon this parcel, and that TETON WEST CORPORATION shall have the right to prevent any and all exploitation of said oil, gas and other minerals upon this parcel.

IN WITNESS WHEREOF, the undersigned executed this Warranty Deed on the _____ day of _____, 1989.

TETON VALLEY RANCHES CORPORATION
(Grantor)

by

George C. Hatch
George C. Hatch, President

by

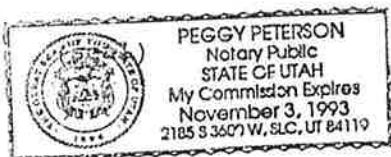
Patrick A. Shea
Patrick A. Shea, Asst. Secretary

STATE OF UTAH)

: ss.

COUNTY OF SALT LAKE)

On this 28th day of December, 1989, before me, [Signature], personally appeared George C. Hatch and Patrick A. Shea, known or identified to me (or proved to me on the oath of George C. Hatch and Patrick A. Shea) to be the President and Asst. Secretary of Teton Valley Ranches Corporation, the corporation that executed the above instrument or the persons who executed the instrument on behalf of the 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.



(Code: TVRC--DDE.RAM)

SCANNED

JUN 21 2005

Notary Public
Residing at *Bear River*

My commission expires: 11/3/93

PROFILED

JAN 27 1994

115136

American Land Title Co.
P.O. Box 644
Driggs, ID 83422

TETON Co. Id.
Clerk/Recorder

CORPORATION WARRANTY DEED

THIS INDENTURE is made this 17th day of January, 1994, between TETON WEST CORPORATION, a Nevada corporation duly authorized to do business in the State of Idaho, and having its principal office in Idaho at Driggs in the County of Teton, State of Idaho, the "GRANTOR", and M. EILEEN UPHOFF, AS TRUSTEE OF THE M. EILEEN UPHOFF TRUST, whose mailing address is 3483 Foxcroft Road, Cheyenne, Wyoming 82001, the "GRANTEE".

WITNESSETH, that GRANTOR, having been duly authorized by resolution of its Board of Directors, 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 it in and paid by GRANTEE, receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto GRANTEE and to GRANTEE's heirs and assigns forever, all the following described property in the County of Teton, State of Idaho, to-wit:

Township 5 North, Range 45 East, Boise Meridian.
Section 2: Beginning at the Southwest corner of the Northwest Quarter Southeast Quarter of said Section 2, and running thence East 940 feet, thence North 1043 feet, thence West 740 feet, thence South 545 feet, thence West 200 feet, thence South 498 feet to the point of beginning. Less: State Highway Right-of-Way.

ALSO BEING DESCRIBED BY SURVEY AS:
Beginning at the S 1/4 corner of said Section 2, thence N 00°56'06" E. 1344.87 feet to a point on the Eastern Right-of-Way of State Hwy. 33, the true point of beginning. Thence N. 00°44'14" W. 472.98 feet along said highway right-of-way to a point; Thence N. 89°56'46" E. 200.00 feet to a point; thence N. 00°44'14" W. 545.00 feet to a point; thence S. 89°48'36" E. 771.24 feet to a point; thence S. 00°07'53" W. 1016.19 feet to a point; thence W. 89°56'59" W. 955.81 feet to the true point of beginning. Subject to a 20 foot farm lane and irrigation easement across the south side.

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

TOGETHER with the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, also any reversions, remainders, rents, issues and profits therefrom, and all estate, right, title and interest in and to said property, as well in law as in equity, of the GRANTOR.

FILED

SCANNED

JUN 21 2005

115136

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

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

IN WITNESS WHEREOF, the GRANTOR has caused its corporate name to be affixed by its duly authorized officer.

TETON WEST CORPORATION

By: George C. Dalt
Its President

ATTEST:

Dore S. Orr
Assistant Secretary

(Corporate Seal)

115136

FILED

AT THE REQUEST OF

American Land

AT 10 MINUTES PAST 3 P. M.

DATE January 27, 1994

Asa J. Drake

CLERK OF RECORDER

BY Bonnie Reese

DEPUTY

STATE OF UTAH

COUNTY OF Salt Lake

On this 17th day of January, in the year 1994, before me, the undersigned, a notary public in and for said state, personally appeared George C. Dalt and Dore S. Orr, known or identified to me to be the President and Assistant Secretary, respectively, of Teton West Corporation, and the persons 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.

(seal)

Thomas Drake
Notary Public for Utah
Residing at Salt Lake City, Utah
My Commission Expires: 2/1/95

SCANNED

JUN 21 2005

PROFILED

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INSTRUMENT No.

RECEIVED

JUN 28 1994

TETON Co. Id.
Clerk Recorder

QUITCLAIM DEED

For Value Received, I, M. EILEEN UPHOFF, as Trustee of the M. EILEEN UPHOFF TRUST, do hereby convey, release, remise and forever quit claim unto MARY JOAN UPHOFF, a single person, whose address is P.O. Box 26, Bingen, Washington 98604 the following described premises, to-wit:

A portion of the NW 1/4 SE 1/4 Section 2, Twp. 5N., Rgn. 45E., B.M., Teton County, Idaho, being further described as:

From the S 1/4 corner of said Section 2, N 89°54'38"E, 39.24 feet along the southern section line to the eastern right-of-way line of State Highway 33; thence N 00°44' 14" W, 1344.74 feet along said right-of-way line to the true point of beginning; thence N 00°44'14"W, 472.98 feet further along said highway right-of-way; thence N 89°59'46"E, 460.31 feet to a point; thence S 00°44'14"E, 473.41 feet to a point; thence N 89°56'59"W, 460.32 feet to the point of beginning.

Contains 5.00 acres more or less.

Subject to a 60 foot road and utility easement along the western and northern property lines.

And subject to a 20 foot farm lane and irrigation easement along the southern property line.

together with their appurtenances.

Dated: June 23, 1994

M. EILEEN UPHOFF

By: M. Eileen Uphoff

Trustee

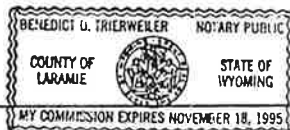
116749

STATE OF WYOMING, COUNTY OF LARAMIE, ss.

On this 23 day of June, 1994, before me personally appeared M. EILEEN UPHOFF, known to me to be the person whose name is subscribed to the foregoing instrument as Trustee of the M. EILEEN UPHOFF TRUST and acknowledged to me that she executed the same as such Trustee.

Benedict U. Triewerler
Notary Public

Residing at 721 E. 16th St., Cheyenne, WY 82001
Comm. Expires 11-18-95



STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of B.D. Triewerler

at 24 minutes past 5 o'clock P.M.,
this 28 day of June
1994, in my office, and duly recorded in Book
of Deeds at page

asa Drake
Ex-Officio Recorder

By Penny A. Hansen
Deputy.

Fees \$
Mail to:

Filed /
Indexed /
Platted /

SCANNED

JUN 21 2005

FILED

116749

Associate Broker
Brooke Saindon



February 26, 2004

Mr. Allan Ruberry
Department of Water Resources
900 North Skyline, Suite A
Idaho Falls, ID 83402

RECEIVED
MAR 01 2004
Department of Water Resources
Eastern Region

Dear Allan,

Enclosed is the information on the property we discussed on the phone yesterday. I completed as much of the application as I could.

It is my understanding that you will complete the application, mail it to the 4 individuals for their signature and they will return it with the application fee.

If you have any questions or need additional information, feel free to give me a call. I will be out of the office Friday – Monday, but you can talk to Andrea, my assistant, in my absence.

Thanks for your cooperation.

Sincerely,


Brooke Saindon
Associate Broker



Re: 22-7255A
22-2267A

PROFILED

SCANNED
JUN 21 2005

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 22-13399
Date Received: 5/26/2005
Receipt No: E002882
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARY J UPHOFF Phone: (509) 493-4788
PO BOX 26
BINGEN WA USA 98605

2. Date of Priority: 03/14/1966

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	45E	1	NW NW SW	TETON	

5. Description of diverting works:

WELL TO COMMOM MAINLINE/SPRIKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.03	11.1

7. Total Quantity Appropriated is:

0.03 C.F.S. and/or 11.1 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05N	45E	2	NW SE	IRRIGATION	4.5
Section Acres					4.5
Total Acres					4.5

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:

FILED

SCANNED
JUN 21 2005

14. Remarks:

CLAIM CORRECTS POD FROM SEC 2 TO SEC. 1.

This right is a split from former right 22-2267 .

15. Basis of Claim: License

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

PROFILED

SCANNED

JUN 21 2005