

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

11/15/2006

RIGHT NUMBER: 22-13556
NAME AND ADDRESS: J.T. INC
PO BOX 408
VICTOR ID 83455
SOURCE: MAHOGANY CREEK
QUANTITY: 0.360 CFS
PRIORITY DATE: 08/06/1909
POINT OF DIVERSION:

TRIBUTARY: TETON RIVER

T04N R44E S13 NWNW Within TETON County
PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
0.360 CFS

PLACE OF USE: IRRIGATION in TETON County
T04N R45E S19 NENW 18.00

18 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 22-2046.

Use of this right is combined with water from Cedron Irrigation Corporation.



Idaho Department of Water Resources

SRBA Recommendation:

22-13556

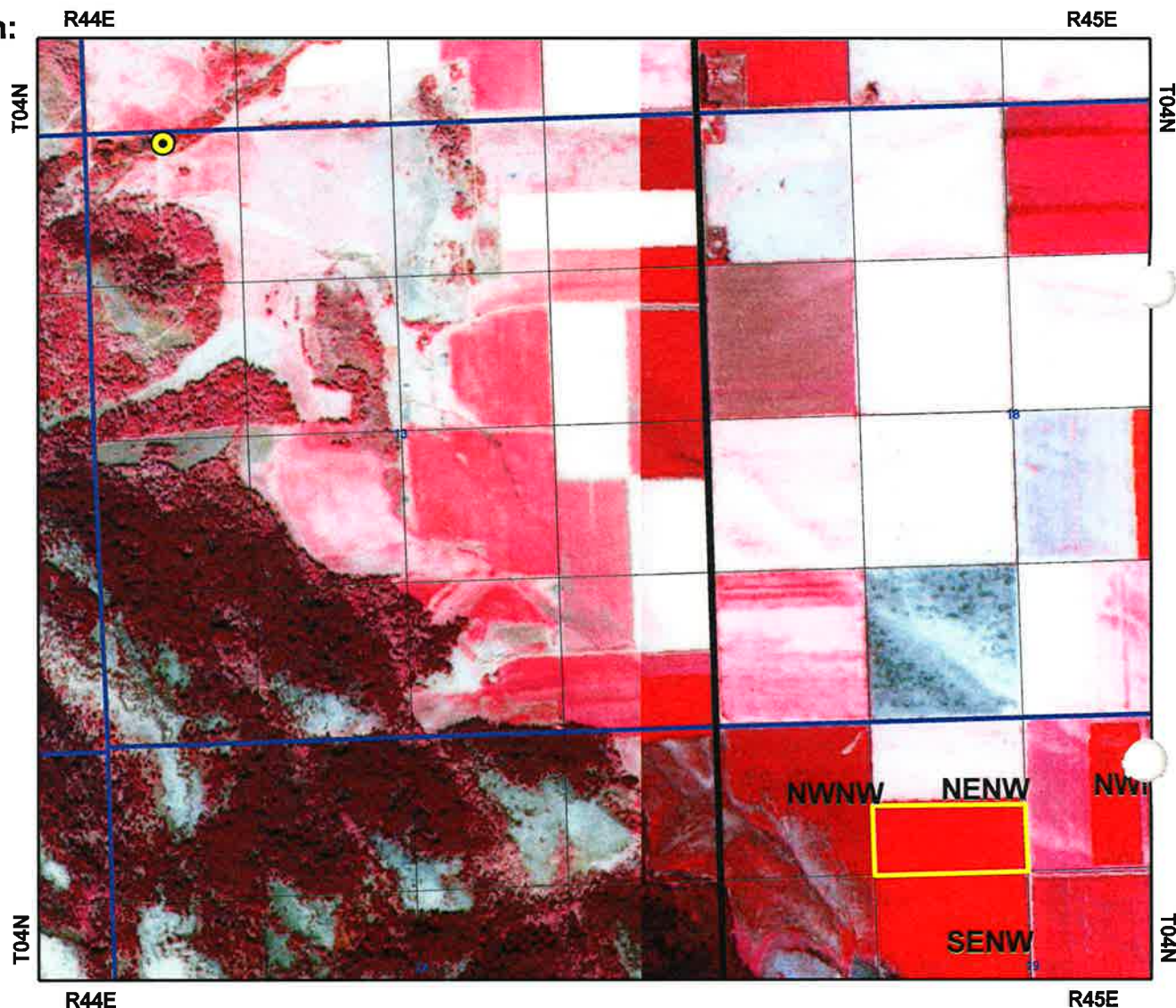
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



0 0.6 1.2 Miles



Owner: J.t. Inc

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by C. Moore
On Tuesday, November 7, 2006
1987/88 Aerial Photography

Instrument # 177714

DRIGGS, TETON, IDAHO

2006-06-12 04:34:27 No. of Pages: 4

Recorded for: TETON TITLE

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

177714

RECEIVED

JUN 12 2006

TETON CO., ID
CLERK RECORDER

WARRANTY DEED

THIS INDENTURE is made this 4 day of June, 2006 by BRANDON ANN STEARS, a single woman, the "Grantor", to JT, INC., an Idaho corporation, whose mailing address is Post Office Box 408, Victor, Idaho 83455, the "Grantee".

WITNESSETH:

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

See Attached Exhibit "A"

SUBJECT TO THE FOLLOWING:

1. 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.
2. Right of Way Easement including the terms and provisions thereof in favor of Cedron Irrigation Corporation recorded August 23, 1969, as Instrument No. 64930, records of Teton County, Idaho.
3. Electric Line Right of Way Easement including the terms and provisions thereof in favor of MD Landscaping recorded September 7, 2000, as Instrument No. 139334, records of Teton County, Idaho.
4. Terms, provisions, of Agreement for Electric Service - General Service by and between MD Landscaping and Fall River Rural Electric Cooperative, Inc., recorded September 7, 2000, as Instrument No. 139375, records of Teton County, Idaho.
5. Facts evidenced by that certain Record of Survey one time only land split, recorded December 1, 2005, as Instrument No. 173054, records of Teton County, Idaho.

177714

6. A 60 foot county road and utility easement as described in that Warranty Deed recorded December 1, 2006, as Instrument No. 173056, records of Teton County, Idaho.

7. Title to, and easements in, any portion of the land lying within any highways, roads, streets, or other ways.

TOGETHER with the tenements, hereditaments and appurtenances, thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the Property, as well in law as in equity, of the Grantor.

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

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

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

GRANTOR:

Brandon Ann Stears

177714

) ss.

)

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



Gamela M. Harker
Residing at Tetonia, Id
My Commission Expires: 01-23-2007

177714

RECEIVED

DEC 01 2005

TETON CO., ID
CLERK RECORDER

173056

WARRANTY DEED

Warranty deed made this 3rd day of Nov., 2005, between BRANDON ANN STEARS of 1500 Falcon Drive, Ammon, Idaho 83406 referred to as Grantor, and BRANDON ANN STEARS of 1500 Falcon Drive, Ammon, Idaho 83406 referred to as Grantee.

Grantor in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and does hereby grant, bargain, sell and convey, and confirm unto Grantee and her heirs and assigns forever, all the following described real estate situated in Teton County, Idaho:

THE EAST HALF NORTHEAST QUARTER NORTHWEST QUARTER
SECTION 19, TOWNSHIP 4 NORTH, RANGE 45 EAST, BOISE MERIDIAN,
TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS:
COMMENCING AT THE NORTH QUARTER CORNER OF SAID
SECTION 19;
THENCE S 00°15'33"W, 1325.60 FEET TO A POINT;
THENCE N 89°55'40"W, 662.10 FEET TO A POINT;
THENCE N 00°15'16"E, 1325.06 FEET TO A POINT ON THE NORTHERN
BOUNDARY OF SAID SECTION 19;
THENCE S 89°58'27"E, 662.20 FEET ALONG THE NORTHERN
BOUNDARY OF SAID SECTION 19, TO THE NORTH QUARTER CORNER
OF SAID SECTION 19, THE POINT OF BEGINNING.

CONTAINS 20.15 ACRES MORE OR LESS.

SUBJECT TO A 60 FOOT COUNTY ROAD AND UTILITY EASEMENT
ALONG THE NORTHERN PROPERTY BOUNDARY.

To have and to hold, all and singular the above-described premises together with
the appurtenances unto Grantee and her heirs and assigns forever.

Instrument # 173056

DRIGGS, TETON, IDAHO

2005-12-01

12:45:41 No. of Pages: 2

Recorded for: A W ENGINEERING

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Fee: 6.00

[Signature]

173056

And Grantor and her heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, her heirs, and assigns against Grantor and her heirs and against all and every person and persons whomsoever, lawfully claiming the same.

Restriction: The above parcel cannot be further split under the provisions of the Teton County Subdivision Ordinance, Article VII, Section 1-7-16: One Time Only Split of One Parcel of Land Parcel of Land, June 14, 1999.

Grantor has hereunto set her hand on the day and year first above written.

Brandon Ann Stears
BRANDON ANN STEARS

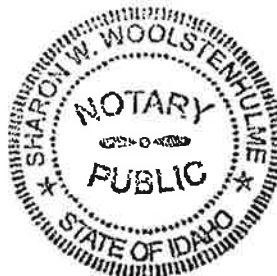
STATE OF Idaho)
County of Teton) SS

On this 30th day of November in the year of 2005, before me, a Notary Public in and for said State, personally appeared BRANDON ANN STEARS known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

Sharon W. Woolstenhulme
Notary Public for Idaho

Residing at: Victor, Idaho

My commission expires: 10/15/2008



RECEIVED

APR 27 2005

TETON CO., ID
CLERK RECORDER

167717

QUITCLAIM DEED

Instrument # 167717

DRIGGS, TETON, IDAHO

2005-04-27

04:29:07 No. of Pages: 1

Recorded for : BRANDON STEARS

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Fee: 3.00

Index to: DEED, QUIT CLAIM

FOR VALUE RECEIVED, MD TREE FARMS, L.L.C., Grantor, does hereby convey, release, remise and forever quitclaim unto BRANDON ANN STEARS, a single woman as her sole and separate property, whose address is 1490 N. 800 E, Shelley, ID 83274, the following described premises, to-wit:

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

Section 19: NE1/4 NW1/4;

Together with 10% of Cedron Irrigation Corporation and well (equals 80% of 1 quarter mile sprinkler line). State Water Resources #22-02280

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 prorated between the parties hereto.

Together with the appurtenances, this property is located in Teton County, Idaho.

This deed is intended to convey to the Grantee all right, title and interest of the Grantor in and to said property, now owned or hereafter acquired.

Dated this 11 day of ^{April}~~February~~, 2005.

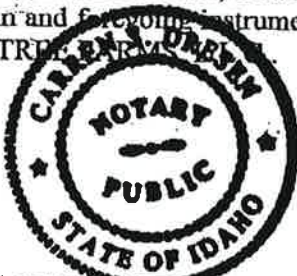
MD TREE FARMS, L.L.C.

Mike Stears
Mike Stears, member/designated agent of M.D. Tree Farms, L.L.C.

STATE OF IDAHO)
): ss.

County of Bonneville

On this 11 day of ^{April}~~February~~, 2005, before me, the undersigned, a Notary Public in and for said state, personally appeared MIKE STEARS, known to me to be a member or designated agent of MD TREE FARMS, L.L.C., the Limited Liability Company whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same on behalf of MD TREE FARMS, L.L.C.



Caren S. Olsen
NOTARY PUBLIC for Idaho

Residing at Idaho Falls

My Commission Expires: 3.1.06

167717



135237
WARRANTY DEED

SEP 23 1999

TETON CO., ID
CLERK RECORDER

For Value Received LARELL A. KUNZ and DEANNE KUNZ, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MD TREE FARMS, L.L.C.
whose address is:

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

TOWNSHIP 4 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

Section 19: NE1/4NW1/4

Together with 10% of Cedron Irrigation Corporation and well (equals 80% of 1 quarter mile sprinkler line) State Water Resources #22-02280

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 prorated 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 Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:

Larell A. Kunz
LARELL A. KUNZ

Deanne Kunz
DEANNE KUNZ

STATE OF IDAHO)

COUNTY OF TETON)

On this 23rd day of September, in the year 1999, before me, a Notary Public in and for said State, personally appeared LARELL A. KUNZ and DEANNE KUNZ, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

135237

FILED
AT THE REQUEST OF
First American
AT 30 MINUTES PAST 1 P.M.
DATE Sept. 23, 1999
Polina G. Boyle
CLERK OF RECORD
BY Deanne Kunz
DEPUTY

LAYNE W. PRICE
★ NOTARY PUBLIC ★
STATE OF IDAHO
Teton County
My Commission Expires 11-19-2000

135237

First American Title Company



For Value

Hereinafter

BRIAN
whose address is:

Hereinafter

Lot 1
Teton

SUBJECT
Instr:
Amend:
Ranch:
87124

Subject
and r
ordin:
hereto

heirs and
owner in
and asses
premises,

Dated:

Robert
ROBERT

STATE OF

COUNTY

for said t
person(s)

WARRANTY DEED

Warranty deed made this 14th day of November, 1984, between ELIZABETH MICKELSON, of Star Route, box 418, Grace, Idaho, referred to as grantor, and LARRELL R. KUNZ and DEANNE KUNZ, Husband and wife, of Teton, Idaho 83455, referred to as grantee.

In consideration of the sum of Ten Dollars (\$10.00) of which, whereof is hereby acknowledged, has granted, bargained, sold, and does hereby grant, bargain, sell, convey, and confirm unto grantee and his heirs and assigns forever, all the following described real estate situated in Teton County, Idaho:

1/4, NW 1/4 of Section 14, Township 4 North, Range 14 East, Boise Meridian, being 40 acres more or less.

With all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the grantee and his heirs, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the property, as well in law as in equity.

To have and to hold, all and singular the above-described premises together with the appurtenances unto grantee and his heirs and assigns forever.

And grantor and his heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of grantee, his heirs, and assigns against grantor and his heirs and against all and every person and persons whomsoever, lawfully claiming the same.

Grantor has hereunto set his hand on the day and year first above written.

Elizabeth Mickelson
ELIZABETH MICKELSON

STATE OF IDAHO)
County of Teton) ss

On this 14th day of November, 1984, before me, a Notary Public in and for said State, personally appeared ELIZABETH MICKELSON, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

Th. E. M. [Signature]
Notary Public
Residing at: Boise
Commission expires: 1992

107805

RECEIVED

✓
✓
APR 15 1991

TETON Co. Id.
Clark Recorder

Elizabeth Mickelson
20
12
April 15, 1991
John J. [Signature]
DEPUTY



PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by PETER B. McDOUGALL, as personal representative of the estate of LADDIE ERVIN SCHLESS, deceased, Grantor, to ELIZABETH (SCHLESS) MICKELSON, Grantee, whose address is 1200 Canyon Road, Smithfield, Utah 84135.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Number BP-1403, in Bannock County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantee the following described real property in Teton County, Idaho:

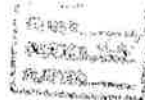
Northeast one-quarter of Northwest one-quarter, Section Nineteen, Township Four North, Range Forty-five, East Boise Meridian.

Including one-third interest in one share of Cotton Irrigation Co., sufficient for one line of water.

With all appurtenances.

EXECUTED this 12th day of January, 1985.

Peter B. McDougall
Personal Representative of the
Estate of LADDIE ERVIN SCHLESS,
deceased.



At Idaho Falls, Idaho, on Jan 12, 1985
E. Wayne Schless
Notary Public
BY Bonnie Schless



STATE OF IDAHO
COUNTY OF BANNOCK

STATE OF IDAHO)
County of BANNOCK) ss

On this 1st day of March 1938,
before me, a Notary Public in and for the State of Idaho,
personally appeared PETER E. McNEUGALL, known to me to be the
person whose name is subscribed to the within instrument and
acknowledged to me that she 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)
NOTARY PUBLIC
IDAHO
MAR 1 1938

NOTARY PUBLIC FOR IDAHO
Residing at

OFFICIAL
NOTARY
IDAHO

(Optional)

Recorded ☐
Microfilmed ☐
Indexed ☐Platted ☐
Deed Card ☐
Compared ☐Key Punched ☐
Master File ☐
Abstracted ☐To Treasurer ☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

WILLIAM E. SCHIESS AND RUBY M. SCHIESS, husband and wife, GRANTOR(S)
of Victor County of Teton State of Idaho
hereby CONVEYS, GRANTS and WARRANTS TO

LADDIE E. AND ELIZABETH SCHIESS, husband and wife, GRANTEE(S)
of Victor County of Teton State of Idaho
for the sum of Ten Dollars and other valuable consideration Dollars (\$10.00--)

the following described tract(s) of land in Teton County, State of Idaho:

South half of the Southwest Quarter of Sec. 18, Township 4 North
Range 45, E. B. M.
Northeast Quarter of the Northwest quarter of Sec. 19, Township 4
North, Range 45, E. B. M.
Southwest Quarter of the Northeast quarter of Sec. 19, Township 4
North, Range 45, E. B. M.

Location of above described property

House No.

Street

WITNESS the hand of said Grantors this

day of June A.D. 19 74

Wm. E. Schiess

Ruby M. Schiess

(NOTARY SEAL)

State of Idaho
County of Teton

} ss. On the 7 day of July A.D. 19 74

personally appeared before me

William E. Schiess and Ruby M. Schiess, his wife,
the signer(s) of the within instrument, who duly acknowledged to me that the y
executed the same.

Barthelme C. Douglas
(NOTARY PUBLIC)

Residing at: Driggs, Idaho

My Commission expires: 7-26-75

MAIL TAX NOTICE TO:

Name

Zip

STATE OF IDAHO
COUNTY OF TETON
Filed for Record at
of 15 Minutes
at 8 M. 1974
day of July
and Microfilm of
Book
Page
Records of
State of Idaho
Barthelme C. Douglas

Location of above described property _____ House No. _____

WITNESS the hand of said Grantors this _____

Wm.
Rub.



State of Idaho }
County of Teton } ss. On the

personally appeared before me
William E. Schiess and Rub,
the signer(s) of the within instrument, who
executed the same.

Residing at: Driggs, Idaho

MAIL TAX N

Name _____

STATE OF IDAHO }
COUNTY of TETON }

Filed for Record at the Request
of Wm. Schiess

at 45 Minutes past 8

day of July 1924

and Microfilmed or Recorded in

Book _____

of _____ page _____

Records of Teton County

State of Idaho

Wm. Schiess
Ruben Schiess

456
FILMED
INDEXED
PLATED

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That THE OREGON MORTGAGE COMPANY, LIMITED in consideration of FORTY-FIVE Hundred AND NO/100 (\$ 4,500.00) Dollars, to it paid by WILLIAM E SCHIESS & RUBY M. SCHIESS, his wife, has bargained and sold, and by these presents does grant, bargain, sell, and convey unto the said WILLIAM E. SCHIESS AND RUBY M. SCHIESS, his wife, their heirs and assigns all the following described real property situated in the County of Teton, and State of Idaho to-wit:

Lot Four (4) and the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Eighteen (18), and the East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) of Section Nineteen (19), all in Township Four (4) North, Range Forty-five (45), East of the Boise Meridian.

Revenue stamps attached and cancelled (\$4.95) Jan 13, 1950 Oregon Mortgage Company.

Subject to any state of facts an accurate survey may show, and subject to rights of way or easements, of any, for public roads or other purposes, heretofore laid out or established, and now existing over and across any part of said land.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all its estate, right, title, and interest in and to the same.

TO HAVE AND TO HOLD the above described and granted premises unto the said WILLIAM E SCHIESS AND RUBY M. SCHIESS, his wife, their heirs and assigns forever. And THE OREGON MORTGAGE COMPANY, LIMITED grantor above named does covenant & to and with WILLIAM E SCHIESS and RUBY M. SCHIESS, his wife, the above named grantees their heirs and assigns, that the above granted premises are free from all incumbrances excepting the lien of taxes and water assessments and any lien, incumbrances or other claim against said property done, had or suggested, by, through or under the said grantees; its successors, legal representatives and assigns shall warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

Nothing herein contained shall be considered as a warrant of the quiet and peaceful possession or sufficiency of water rights, it being understood that the grantee in no way is relying upon any representations either oral or in writing of the grantor or its agent with respect to water rights, an independent examination

concerning the water rights appurtenant to said property having been made by the grantee.

IN WITNESS WHEREOF, These presents are signed and sealed the Twenty-second day of November A.D. 1949.

Signed, Sealed and Delivered in the presence of

THE OREGON MORTGAGE COMPANY, LIMITED/s/

By CHARLES F. H. PATULLO/s/
Attorney In Fact.

STATE OF WASHINGTON)
County of Spokane } ss.

On this Twenty-second day of November A.D. 1949, before me, the undersigned a Notary Public within and for the State of Washington, personally appeared CHARLES F. G. PATULLO Attorney in fact for THE OREGON MORTGAGE COMPANY, LIMITED known to me to be the person described in and who executed the foregoing Deed as the act and deed of the said THE OREGON MORTGAGE COMPANY, LIMITED and acknowledged to me that he had executed the foregoing Deed freely and voluntarily for, on behalf, of, and as the act and deed of the said THE OREGON MORTGAGE COMPANY, LIMITED for the purposes therein mentioned.

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

(Notarial seal)

My Commission expires May 1st, 1951

JOHN MACKENZIE

Notary Public for the State of Wash. residing
at Spokane

County of Teton

State of Idaho

I certify that the within instrument of writing was received for record on the 18 day of January 1950 at 3:40 o'clock P.M.

Dwight C. Stone, County Recorder

1.2

By Louise Drake, Deputy

Instrument No. 23539

SHERIFF'S DEED ON FORECLOSURE.

THIS INDENTURE, Made this 21st day of October, 1931, between H. Rex Smith the Sheriff of Teton County, State of Idaho, party of the first part, and The Oregon Mortgage Company, Limited, a corporation organized and existing under and by virtue of the laws of the Kingdom of Great Britain and having its principal place of business in the State of Idaho in the County of Ada State of Idaho the party of the second part,

WITNESSETH:

WHEREAS, A Judgment and Decree of Foreclosure and Sale was rendered and entered in the District Court of the Ninth Judicial District of the State of Idaho, in and for the County of Teton, on the 20th day of August 1930, in an action then pending in said Court in favor of The Oregon Mortgage Company, Limited, a corporation, as Plaintiff and against Alma Hanson, et al, Defendants

And an Execution and Order of Sale issued out of and under the seal of the said District Court reciting the material parts of said Judgment and Decree, duly attested on the 23rd day of August 1930, and to the Sheriff of Teton County, State of Idaho, directed and to Arnold Hansen as such Sheriff delivered on the 23rd day of August, 1930, for execution, commanding and requiring him as such Sheriff to proceed to notice for sale and sell the premises in said writ mentioned and described in said Judgment and Decree, in the manner prescribed by law and to apply the proceeds of such sale to the satisfaction of said Judgment with interest thereon and costs, together with Sheriff's fees, and to execute the usual certificate and deed to the purchaser or purchasers, and

WHEREAS, In compliance with said writ, and on the 20th day of September, 1930, between the hours of 9 o'clock in the morning and 5 o'clock in the afternoon, to-wit: at the hour of two o'clock in the afternoon of that day at the office of the Sheriff of Teton County, Idaho in the County Court House in the village of Driggs, and after due and legal notice having been given in the said behalf as by the Statutes of Idaho in such case made and provided, Arnold Hansen as Sheriff, duly sold at public auction, all and singular the premises hereinafter described and in said writ mentioned and described, and by said Decree directed to be sold to The Oregon Mortgage Company, Limited, a corporation, who was the highest bidder therefor in the sum of Four thousand eight hundred sixty-five and 25/100 (\$4,865.25) dollars

And whereupon the said purchaser paid to said Sheriff the said sum of \$4,865.25 so bidden by it and thereupon Arnold Hansen as such Sheriff made and issued such Certificate of Sale as by law directed in duplicate and delivered one to the said purchaser and filed the other in the office of the Recorder for said Teton County for record, and

WHEREAS, The period of one year has expired since the date of said sale and no Redemption of or for said premises has been made.

And Whereas the said H. Rex Smith is now the duly elected and qualified Sheriff of said Teton County, Idaho and the successor in office as such Sheriff of the said Arnold Hansen, Sheriff as aforesaid who made the said sale as hereinbefore recited.

NOW, THEREFORE, THIS INDENTURE WITNESSETH, That the said party of the first part, the said H. Rex Smith Sheriff as aforesaid, in order to carry into effect the sale so made by Arnold Hansen Sheriff, as aforesaid in pursuance of said writ and in conformity to the Statutes in such case made and provided, and also in consideration of the premises, and of the said sum of \$4,865.25 so bidden and paid by the said purchaser to Arnold Hansen Sheriff as aforesaid, the receipt whereof is hereby acknowledged, hath Bargained, Sold and Conveyed and by these presents doth Bargain, Sell and Convey unto the party of the second part and to its successors and assigns forever, all and singular the following described lands and premises, to-wit:

Lot four (4) and the Southeast quarter (SE $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section Eighteen (18) and the East half (E $\frac{1}{2}$) of the Northwest quarter (NW $\frac{1}{4}$) of Section nineteen (19) all in Township four (4) North, Range Forty-five (45) East of the Boise Meridian in Teton County, Idaho together with the tenements, hereditaments and appurtenances and all water and ditch rights however evidenced thereunto belonging or appertaining.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD All and singular the above mentioned and described premises hereby conveyed, or intended so to be, together with the appurtenances unto the said party of the second part its successors and assigns forever.

IN WITNESS WHEREOF, I, H. Rex Smith, the party of the first part to these presents, Sheriff as aforesaid, have hereunto set my hand the day and year first above written.

H. Rex Smith

Sheriff of Teton County, State of Idaho.

If assignment has been made write it in after no Redemption Statement.

STATE OF IDAHO,)
) SS.
County of Teton)

On this 23rd day of October in the year 1931 before me the undersigned, Clerk of the District Court in and for said County, personally appeared H. Rex Smith Sheriff of the County of Teton, State of Idaho, known to me to be the same person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as such Sheriff.

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)

Earl Floyd

Clerk of the District Court of
Teton County, Idaho.

I hereby certify that this instrument was filed for record at request of Oregon Mortgage Company at 35 minutes past 11 o'clock A. M. this 2nd. day of November, A.D. 1931.

Earl Floyd, Ex-Officio Recorder.

By Mildred Brook, Deputy.

THE UNITED STATES OF AMERICA

Blackfoot 05073
Certificate No.

To all to Whom these Presents shall Come—GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho
has ^{been} deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at

whereby it appears that full payment has been made

by the said claimant, Alma Hansen
according to the provisions of the Act of Congress of the 24th of April, 1820, entitled, "An Act making further provisions for
the Sale of the Public Lands," and the acts supplemental thereto, for the

East Half of the Northwest quarter of Section Nineteen in Township Four North
Idaho,
of Range Forty-five East of the Boise Meridian, containing eighty acres.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General,
-which said Tract has been purchased by the said

NOW, KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several
Acts of Congress in such case made and provided, have GIVEN and GRANTED, and by these presents do GIVE and GRANT,
unto the said claimant

and to the heirs, ^{of the said claimant} the said Tract above described.

TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances of whatsoever
nature thereunto belonging, unto the said claimant

^{of the said claimant} and assigns forever, subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and
rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local
customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein or lode, to extract and remove
his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law, and there
is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the
United States.

Transcribed from Book "F" of Patents, page 448, Fremont County Records.

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 twenty-first
day of July, in the year of our Lord one thousand nine hundred
and Thirteen, and of the Independence of the United States the one
hundred and Thirty-eighth

BY THE PRESIDENT: Woodrow Wilson

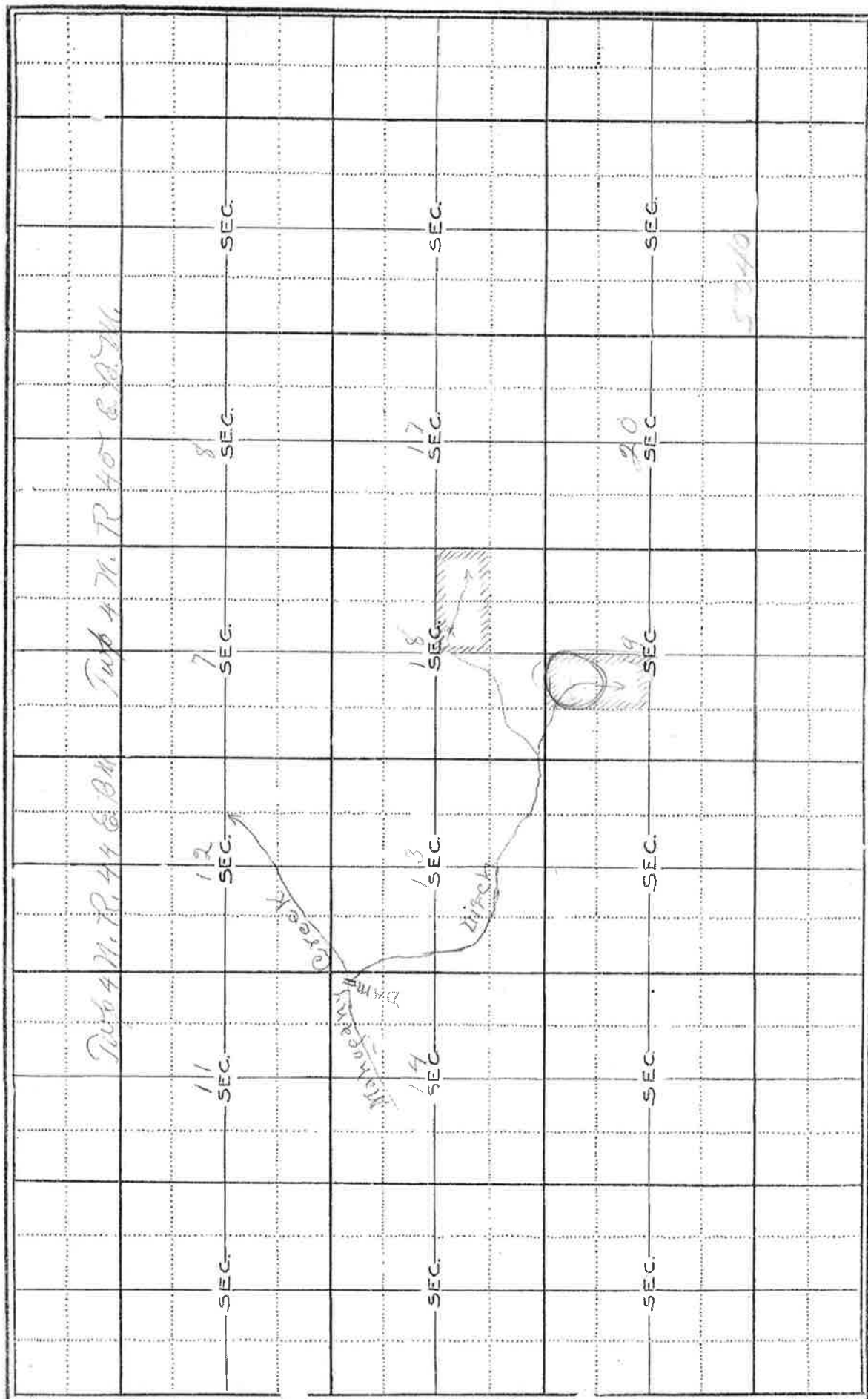
By M. P. LeRoy Secretary.

Recorded Patent Map Number Page 347675
L. Q. C. Lamar Recorder of the General Land Office.

Filed for Record at 4 o'clock P. M., Oct. 10" A. D. 1913, and recorded at the request of
G. E. Bowerman

By Deputy. A. M. Carter Recorder.
Transcribed from Book 42 of Patents, page 332, Madison County Records.





 Fremont County *
 Mahogany Creek *
 2.68 cu. ft. per sec. *
 Irrigation and domestic *
 Priority 8/6/1909 *

S T A T E O F I D A H O

Water License No. 5040

WHEREAS, On the 6th day of August, A. D. 1909, ALMA HANSEN, of Bates, County of Fremont, State of Idaho, duly made application (No. 7239), to me for a permit to use 3.2 cubic feet per second of the waters of MAHOGANY CREEK, County of Fremont, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 6th day of August, A. D. 1909, Permit No. 5040, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 6th day of August, A. D. 1911, and for the application to beneficial use of said water on or before the 6th day of August, A. D. 1912, and,

WHEREAS, On the 20th day of May, A. D. 1911, ALMA HANSEN, the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 5040, dated July 11, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of water, with date of priority of August 6, 1909, and,

WHEREAS, On the 20th day of May, A. D. 1911, ALMA HANSEN, the holder of said permit duly made proof of the application to beneficial use of 2.68 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to ALMA HANSEN, of Bates, County of Fremont, State of Idaho, the holder and owner of said Permit No. 5040, a perpetual right, dating from August 6, 1909, to the use of two and sixty eight hundredths (2.68) cubic feet per second of the waters of MAHOGANY CREEK, in the County of Fremont and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point near the north-east corner of Section 14, Township 4 North, Range 44 East of Boise Meridian, and conducted to and upon 134 acres as follows: (40 acres in NW4 of SE4 and 39 acres in NE4 of SE4 of Section 18; 18 acres in NE4 of NW4 and 37 acres in SE4 of NW4 of Section 19, all in Township 4 North, Range 45 East of Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 11th day of July, A. D. Nineteen hundred and eleven.

(SEAL)

A. E. Robinson,
 State Engineer.

22 2046

No. 7239. 22-2046

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Alma Hansen
Postoffice address: Bates, Fremont, Co., Idaho
County: Fremont State: Idaho
2. The quantity of water claimed: 3.2 cubic feet per second.
3. Source of water supply: Mahogany Creek
County of ~~Fremont~~ *Let*
4. Location of point of diversion: Near N.E. Corner Sec. 14, T. 4 N.R. 44 E.
5. To be used for:
I. Irrigation and domestic use:
(a) Amount of land to be irrigated: 160 acres.
(b) In the following legal subdivisions: N2 SE4 Sec. 18, E2 NW4 Sec. 19, Twp. 4
N.R. 45 E.B.M:
6. Estimated cost of works: \$175.00
7. Description of works for diversion:
I. Kind of works: Dam and ditch
II. Dimensions of works:
(a) Height of dam 4 feet, length of dam at top 12 feet, length of dam at bottom
8 feet. Material used in construction: Wood and earth
(b) Size of headgate: Width 4 feet, height 2 feet.
(d) Conduit ditch, width at bottom 3 feet, width at water line 4 feet, depth of
water 1 foot. Average grade per mile is 20 feet. Length of conduit is 2 miles
and it crosses the following quarter sections: NW4, SW4 and SE4, Sec. 13, T. 4
N.R. 44 E.B.M., SW4, Sec. 18, Twp. 4 N.R. 45 E.B.M., to land described in 5 I (b)
above which is the point of intended use.
8. The time required for the completion of the construction of such work is 2 years.
9. Time required for the complete application of the water to the proposed use is 1 additional
year.

BE IT KNOWN, That the undersigned hereby makes application for a permit to appropriate the
public waters of the State of Idaho as herein set forth.

Alma Hansen,

Applicant.

APPROVAL OF STATE ENGINEER.

The number of this permit is 5040

Date of first receipt of application: 9.a.m. August 6,1909

Recorded in Book, 14. Page 5040. Approved August 6,1909

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same,subject to the following limitations and conditions:

Work to begin on or before October 5,1909, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before August 6,1910.

The whole of said work to be completed on or before August 6,1911

The time for proof of beneficial use of water appropriated in accordance herewith, extended to August 6,1912.

Witness my hand this sixth day of August,1909.

Jas. Stephenson, Jr.

State Engineer.

Notice of proof of completion of works and beneficial use of water received March 17, 1911,
fixing May 20, 1911, as date and Driggs, Idaho, as place of proof.
Publication notice sent the Teton Valley News, at Driggs, March 30, 1911.
Deposition blanks mailed Chas. Cherrington, N. P. March 30, 1911.
Chas. H. DeCamp notified March 30, 1911, to make examination of works
Depositions and affidavit of publication received May 24, 1911.
Report of water commissioner received June 21, 1911.
Fees received July 8, 1911.
Certificate of completion of works and License issued July 11, 1911.

Permit No. 5040.

6
CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that ALMA HANSEN, of Bates, County of Fremont, and State of Idaho, the holder of Permit No. 5040, issued upon Application No. 7239, bearing date of priority of August 6, 1909, authorizing the diversion of 3.2 second feet of the waters off Mahogany Creek, County of Fremont, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.2 second feet of the waters of Mahogany Creek, that the point of diversion of said waters is at a point near the northeast corner of Section 14, Township 4 North, Range 44 East of Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: East half of Northwest quarter (E2 NW4) Section 19, Township 4 North, Range 45 East of Boise Meridian.

Witness my hand this 11th day of July, A. D. 1911.

A. E. Robinson,

State Engineer of the State of Idaho

License issued for 2 ⁶⁸ second feet
Page 840

WATER RIGHT NUMBER 22-2046

OWNER LAST NAME - HANSEN

ADDRESS LINE 1 -

ADDRESS LINE 3 -

SOURCE - MAHOGANY CREEK

STAGE - LICENSE

TOTAL DIV. VOLUME -

DIVERSION POINT - 00NE 14 04N 44E LOT 00 REDIV -

NENE 14 04N 44E LOT 00 REDIV -

NENE 14 04N 44E LOT REDIV -

FROM -

TO -

FROM -

TO -

USE - IRRIGATION

USE - IRRIGATION

USE - IRRIGATION

DECREE NAME -

REMARKS - LICENSE INDICATES P/D IN FREMONT CO.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PROOF MADE -

DIVERSION MEANS -

FIRST NAME - ALMA

ADDRESS LINE 2 -

CITY - BATES

TRIBUTARY OF - TETON RIVER

PRIORITY - 08-06-1909 COUNTY - TETON

WATER DIST. - 01 DLE/CAREY ACT -

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USE DIV. RATE -

USE DIV. RATE -

PLACE OF USE - TWN 000 RNG 000 SEC 00

PLACE OF USE - TWN 04N RNG 45E SEC 18

PLACE OF USE - TWN 04N RNG 45E SEC 19

DATE -

ORIG OWNER -

STATE - ID ZIP CODE -

TOTAL DIV. RATE - 2.6800 -CFS

RIGHT BASIS -

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OLD NO. - 5040

Report of Engineer

1. State name of applicant and number of permit: Alma Hansen, Permit No. 5040
2. State source of water supply: Mahogany Creek
3. Location of point of diversion: Near NE Corner of Sec. 14, T. 4 N. R. 44 E.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 3'
 - (b) Width at water line: 4'
 - (c) Depth of water: 1'
 - (d) Grade per mile: 2.0'
6. State whether or not water has been turned into works of diversion and if so, to what extent: Water was run during Season of 1910
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract:

<u>N. W. 4 S. E. 4</u>	<u>Sec 18</u>	<u>Under cultivation</u>	<u>40 acres</u>
<u>N. E. 4 S. E. 4</u>	<u>" 18</u>	<u>"</u>	<u>39 "</u>
<u>N. E. 4 N. W. 4</u>	<u>" 19</u>	<u>"</u>	<u>18 "</u>
<u>S. E. 4 N. W. 4</u>	<u>" 19</u>	<u>In pasture</u>	<u>37 "</u>
<u>All in Twp 4 N. R. 45 E. B. M.</u>			<u>134</u>
8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: The 37 acres in pasture is being watered
Also 18 acres in the N. E. 4 N. W. 4 is under water

Chas. H. T. Camp
Water Com. Div No. 1.

STATE OF IDAHO,

County of _____

} ss.

RECEIVED

JUN 21 1911

OFFICE OF STATE ENGINEER

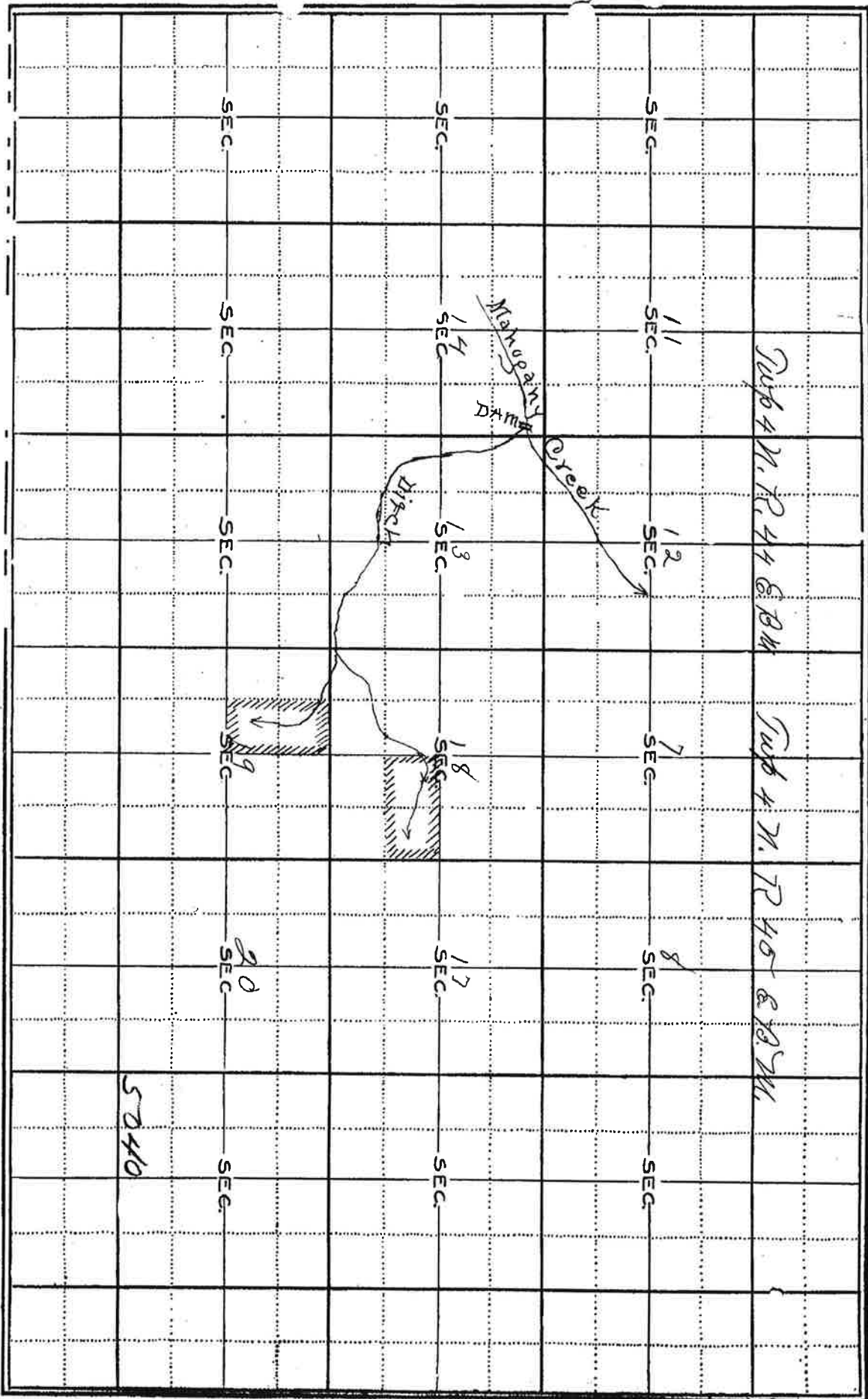
_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 191

My Commission Expires _____

Notary Public.

5040



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 22-13556
Date Received: 8/3/2006
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

J.T. INC Phone: (208)317-7337
PO BOX 408
VICTOR ID USA 83455

2. Date of Priority: 08/06/1909 ✓

3. Source: MAHOGANY CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
✓ 04N	44E	14	NE NE	TETON	

5. Description of diverting works:

DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.36	

7. Total Quantity Appropriated is:
0.36 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
----------	-------	---------	------------	-----	-----	-------

11. Place of use in counties:

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

13. Other Water Rights Used:22-13167,22-13169,22-2280,22-2280A

14. Remarks:

15. Basis of Claim: License

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 22-2046 22-1355 6

Date Received 8/03/06

Receipt Number _____

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

1. Name of Claimant(s) J.T., Inc. Phone (208) 317-7337

Mailing Address PO Box 408, Victor, ID Zip 83455

2. Date of Priority (Only (1) per claim) August 6, 1909

3. Source of water supply (a) Mahogany Creek

which is tributary to (b) Teton River

4.a. Location of existing point of diversion is:
Township 4N Range 44E Section 14, 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____,
County of Teton

Additional points of diversion if any: _____

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

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____ B.M., County of _____

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

6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/15 to 10/15 amount 0.36 cfs or _____

7. Total quantity claimed (a) 0.36 cfs (cfs) and/or (b) _____ (acre feet)

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

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

10. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	45E	19					18												18

Total number of acres irrigated 18

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
22-13167, 22-13169, 22-2280 and 22-2280A or None ()

14. Remarks:

This claim is for a portion of Water Right No. 22-2046, which is currently in the name of Alma Hansen. This right has a total place of use of 134 acres, of which 18 is owned by the claimant.

15. Basis of Claim (Check one) Beneficial Use ☐ Posted Notice ☐ Permit ☐ Decree ☐ License ☒
If applicable provide IDWR Water Right Number 22-2046
Court Case Number Decree Date
Plaintiff vs Defendant

16. Signature(s)

For Organizations: I do solemnly swear or affirm that I am PRESIDENT of J.T., Inc. (Title)

PRESIDENT (Title) of J.T., Inc. (Organization), that I have signed the foregoing document in the space below as
and that the statements contained in the

foregoing document are true and correct.

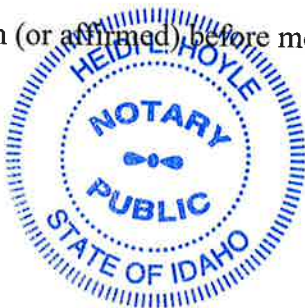
Signature of Authorized Agent Transi Thompson

Title and Organization J.T., Inc. Date July 14, 2006

Last Name J.T., Inc. Ident. Number 22-2046

State of Idaho)
) SS.
County of Teton)

Subscribed and sworn (or affirmed) before me this 14th day of July, 2006



Heidi L. Hoyle
Notary Public
Residing at Victor, Idaho
My Commission Expires 3-9-2012

17. Notice of Appearance:

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

Signature Robert L. Harris
Address PO Box 50130 Idaho Falls, ID 83405
Date July 19, 2006

