

12/19/2006

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

RIGHT NUMBER: 22-13578

NAME AND ADDRESS: GRAND VISTA LLC
1842 CENTRE POINT STE 128
NAPERVILLE IL 60563

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.360 CFS

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION:

T06N R45E S12 SENENE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.360 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S10	NENE	6.10	T06N R45E S11	NWNW	12.00
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18.1 ACRES TOTAL

Right Nos. 22-13576 and 22-13578 are limited to the irrigation of a combined total of 18.1 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: BASIS OF CLAIM - Decreed

This right is a split from former right 22-666 .

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

Water is delivered through Haden Canal.



Idaho Department of Water Resources

SRBA Recommendation:

22-13578

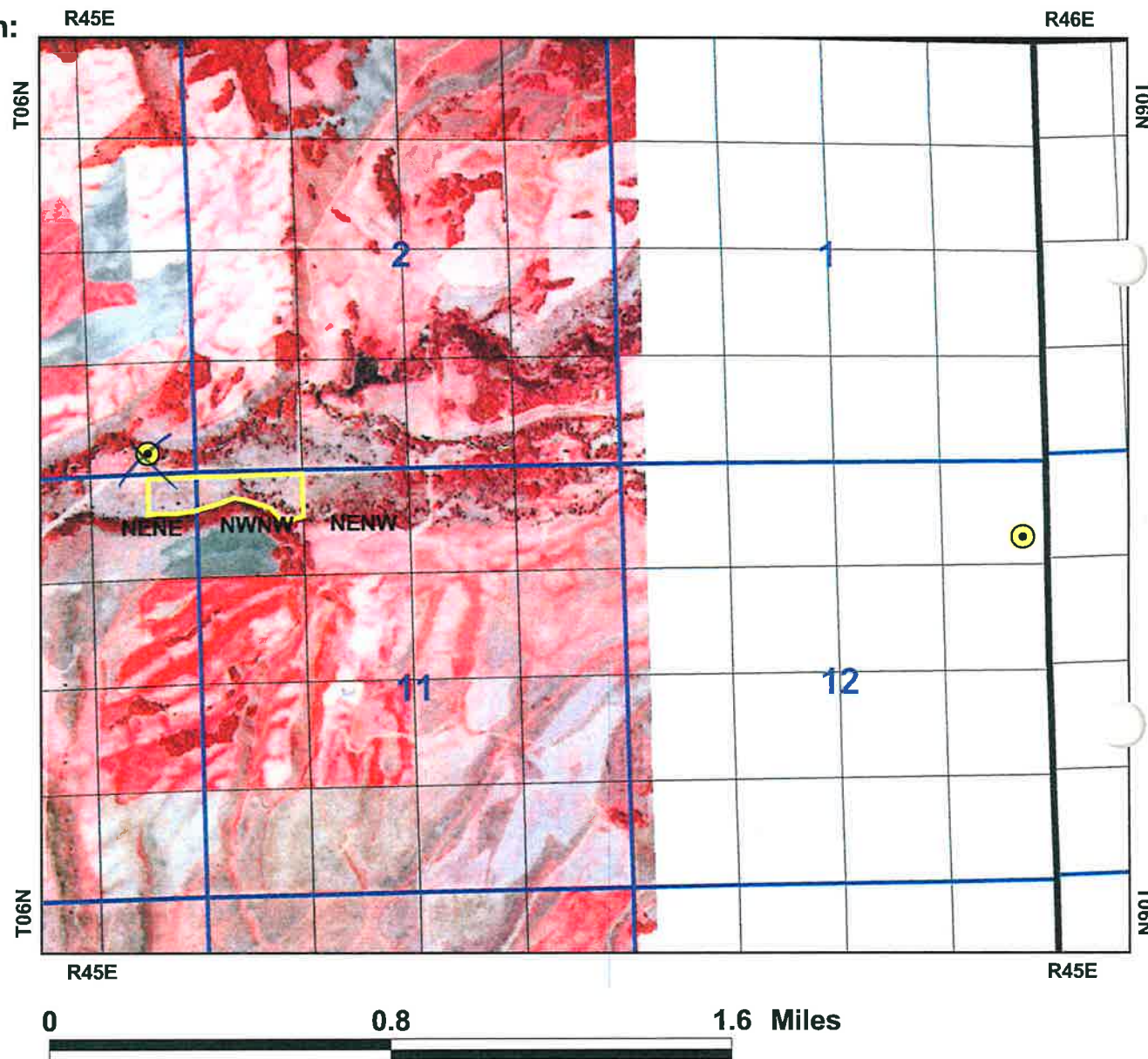
(Irrigation)

Legend

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

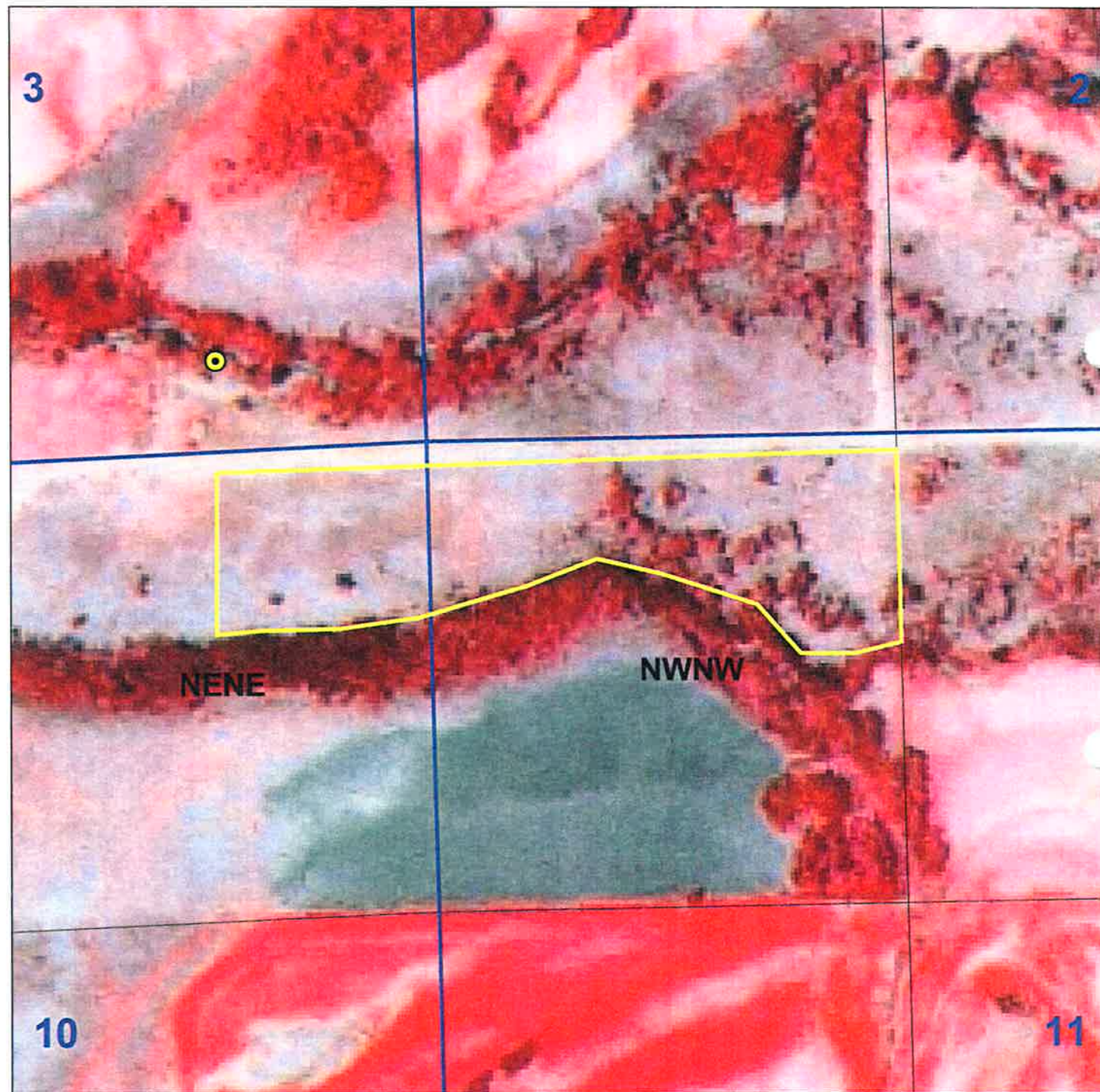
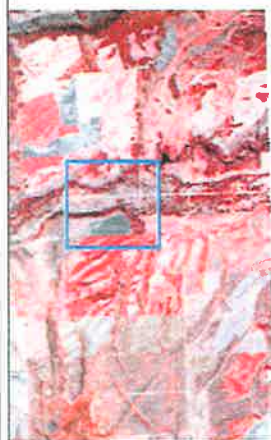


Teton County
IDWR Basin 22



Prepared by K. Moore
On Tuesday, November 28, 2006
1987/88 Aerial Photography

22-13578



Jc 10/2006

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

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case 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
22-13575 22-13576 22-13577 22-13578	22-2009	☒			
	22-6066	☒			

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) 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(s)

BRENT J REILLEY
BLACK FOOT ID

4. New Owner/Claimant(s)

GRAND VISTA LLC

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

New Mailing Address

1842 CENTRE POINT STE 128

City, State and ZIP Code

NAPERVILLE IL 60563

New Telephone Number

773 848 9546

5. Date you acquired the property

05/01/2006

RECEIVED

AUG 24 2006

Department of Water Resources
 Eastern Region

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)

FOR GRAND VISTA LLC.

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

For Office Use Only

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

176418

RECEIVED

MAY 01 2006

TETON CO., ID
CLERK RECORDER

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
91 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 176418

DRIGGS, TETON, IDAHO
2006-05-01 11:06:50 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE
NOLAN G. BOYLE Fee: 9.00
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 154755-T (km)

Date: April 25, 2006

For Value Received, **Brent J. Relley and Lorraine Reiley, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Grand Vista Development, LLC, an Idaho Limited Liability Company**, hereinafter called the Grantee, whose current address is **1842 Centre Point, Ste 128, Naperville, IL 60563**, the following described premises, situated in **Teton County, Idaho**, to-wit:

SEE ATTACHED LEGAL

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its 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.

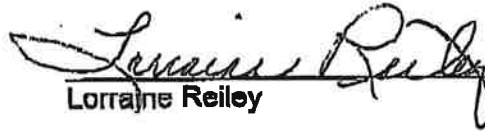
176418

Date: 04/25/2006

Warranty Deed
- continued

File No.: 154755-T (km)


Brent J. Reiley


Lorraine Reiley

STATE OF Idaho)
COUNTY OF Teton)
SS.

On this Twenty-eighth day of April, 2006, before me, a Notary Public in and for said State, personally appeared **Brent J. Reiley and Lorraine Reiley**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.




Notary Public for the State of Idaho
Residing at: Victor, Id
My Commission Expires: 8-19-2010

Date: April 28, 2006

File No.: 154755-T (km)

EXHIBIT 'A'

LEGAL DESCRIPTION:

A PORTION OF THE NE1/4NE1/4 OF SECTION 10 AND THE NW1/4NW1/4 OF SECTION 11, TOWNSHIP 6 NORTH, RANGE 45 EAST OF THE BOISE MERIDIAN, TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS: FROM THE NE CORNER OF SAID SECTION 10, THE POINT OF BEGINNING; THENCE N 89°58'53"E, 1293.94 FEET TO A POINT; THENCE S 00°30'04"W, 1323.89 FEET TO A POINT; THENCE N 89°53'48"W, 1301.18 FEET TO A POINT; THENCE S 89°52'44"W, 1309.17 FEET TO A POINT; THENCE N 00°47'50"E, 658.76 FEET TO A POINT; THENCE N 89°48'03"E, 530.03 FEET TO A POINT; THENCE N 659.36 FEET TO A POINT; THENCE N 89°43'21"E, 788.80 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THE EXISTING COUNT ROAD RIGHT OF WAY OVER AND ACROSS THE NORTH BOUNDARY OF THE ABOVE DESCRIBED PROPERTY.

176418

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 22-13578
Date Received: 9/19/1988
Receipt No:
Received By:

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

1. Name of Claimant(s)

GRAND VISTA LLC Phone: (773)848-9546
1842 CENTRE POINT STE 128
NAPERVILLE IL USA 60563

2. Date of Priority: 04/01/1939

3. Source: BADGER CREEK , BADGER CREEK Trib. to: TETON RIVER , TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	45E	12	NW NW	TETON	
06N	45E	3	SE SE	TETON	

5. Description of diverting works:

HEADGATE TO DITCHES WITH SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.98	

7. Total Quantity Appropriated is:
0.98 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
06N	45E	10	NE NE	IRRIGATION	6

06N	45E	11	NW	NW	Section Acres	6
					IRRIGATION	12
					Section Acres	12
					Total Acres	18

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:

ORIGINAL DECREE WAS IN ERROR AS TO P/U. ORIGINAL DECREE LISTED P/U IN SEC3 SWSE. ACTUAL P/U IN SEC3 IS SESE. SECOND P/D WAS ADDED APPROX 1967.

This right is a split from former right 22-666 .

15. Basis of Claim: Decreed