

10/04/2006

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

RIGHT NUMBER: 22-13591

NAME AND ADDRESS: DRIGGS INDUSTRIAL & PROFESSIONAL PARK LLC  
227 SORENSON CREEK DR  
VICTOR ID 83455

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.930 CFS  
177.000 AFY

The rights listed below are limited to a total combined diversion rate of 3.80 cfs. Combined Right Nos.: 22-2142, 22-13590, 22-13591, 22-7250B.

PRIORITY DATE: 07/21/1977

POINT OF DIVERSION:

T05N R46E S31 SESENW Within TETON County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

0.930 CFS

177.00 AFY

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before 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 R46E S31

NENW

20.00

T05N R46E S31

SWNW

19.50

T05N R46E S31

SESW

19.50

59 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 22-7250a.



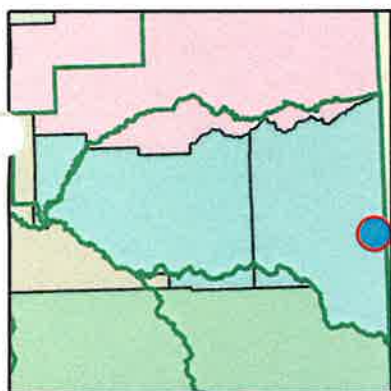
# Idaho Department of Water Resources

Adjudication Claim:

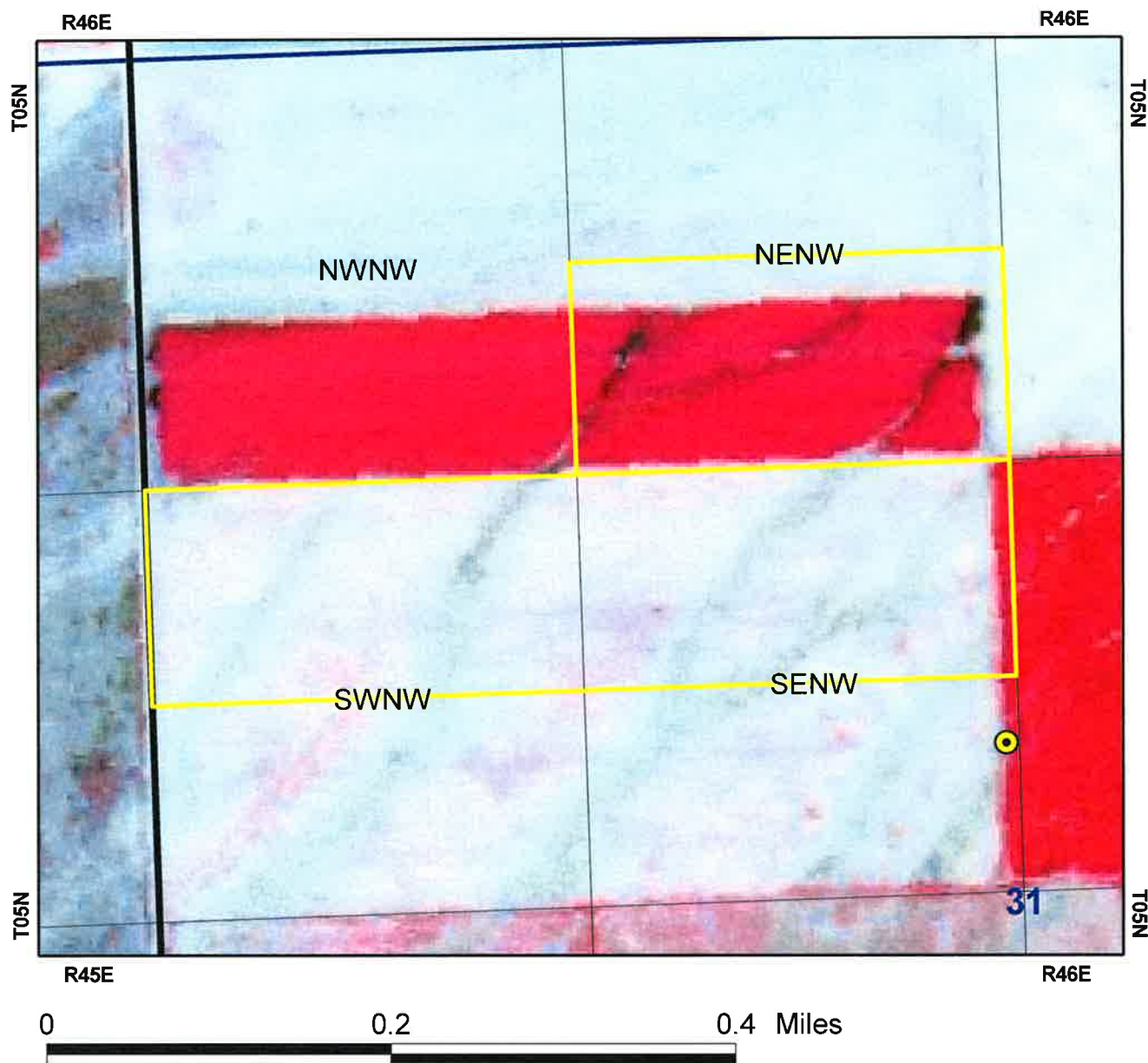
**22-13591**

## Legend

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



Teton County  
IDWR Basin 22



Prepared by D. Carlson  
On Wednesday, October 4, 2006  
1987/88 Aerial Photography

10/04/2006

NOTICE OF ERROR  
REPLY

RECEIVED

JAN 10 2007

DEPARTMENT OF  
WATER RESOURCES

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-13591

DRIGGS INDUSTRIAL & PROFESSIONAL PARK LLC

227 SORENSON CREEK DR

VICTOR ID 83455

Telephone Number: (208)787-3238

RECEIVED

JAN 16 2007

Department of Water Resources  
Eastern Region

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

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

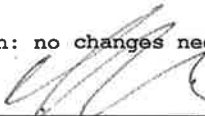
3. Give a brief explanation as to why you disagree with these portions:

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

DATE:

1-5-07

SIGNATURE:



Please print your name:

DAVID Douglas

Driggs Industrial and Professional Park  
Member

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2088257161

jc

ok DC 10/00

# 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<br>Right No(s) | Adjudication<br>Claim No(s) | Split | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split |
|----------------------|-----------------------------|-------|----------------------|-----------------------------|-------|
| 22-7250A             | →                           | yes   |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |

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)

Hibbert Farms

4. New Owner/Claimant(s)

Driggs Industrial & Professional Park LLC

Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address

227 Sorneson Ck Dr

City, State and ZIP Code

Victor Id 83455

New Telephone Number

(208) 787-3238

5. Date you acquired the property

6/13/2006

RECEIVED

OCT 04 2006

Department of Water Resources  
Eastern Region

177AT/A

OW

## WARRANTY DEED

Order No.: 3050614480TD

FOR VALUE RECEIVED

Hibbert Farms, Inc., an Idaho Corporation

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Action Gravel Enterprises, LLC, an Idaho limited liability company,  
The Rego Group, LTD, an Illinois corporation  
whose current address is

~~227 Sorenson Creek Victor, ID 83422~~

PO Box 33 Driggs, Id 83422

the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

Township 5 North, Range 46 East, Boise Meridian, Teton County, Idaho.

Section 31: North Half South Half Northwest Quarter, South ½ Northeast Quarter  
Northwest Quarter

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 6/13/2006

Hibbert Farms, Inc.

Hans J. Hibbert  
By: Hans J. Hibbert, President

Rex A. Hibbert Sec.  
By: Rex A. Hibbert, Secretary

State of Idaho }  
County of Teton } ss.

On this 14 day of June, 2006, before me, a Notary Public in and for said state, personally appeared **Hans J. Hibbert** known to me to be the **President** and **Rex A. Hibbert**, known to me to be the **Secretary** of the Corporation, and acknowledged to me that pursuant to a Resolution of the Board of Directors, he/she executed the foregoing in said Corporation name.

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

M. L. A. Hibbert

[\*]

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



Carla C. Jones  
Notary Public for the State of Idaho  
Residing at: Driggs  
Commission Expires: 11/19/2011

Received Time Oct. 2. 4:05PM



## IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

[ [New Search](#) ] [ [Back to Summary](#) ]

[ [Get a certificate of existence for DRIGGS INDUSTRIAL & PROFESSIONAL PARK, L.L.C.](#) ]

### **DRIGGS INDUSTRIAL & PROFESSIONAL PARK, L.L.C.**

227 SORENSON CREEK DR  
VICTOR, ID 83455

**Type of Business:** LIMITED LIABILITY COMPANY

**Status:** EXISTING 15 May 2006

**State of Origin:** IDAHO

**Date of** 15 May 2006

**Origination/Authorization:**

**Current Registered Agent:** SEAN MOULTON  
60 E WALLACE AVE  
DRIGGS, ID 83422

**File Number:** W50777

**Date of Last Annual Report:**

**Amendments:**

**Amendment filed 15 May 2006** ARTICLES OF  
ORGANIZATION

[View Document](#)  
[Online](#)  
[Download \(TIFF](#)  
[format\)](#)

---

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: [sosinfo@sos.idaho.gov](mailto:sosinfo@sos.idaho.gov)

251

FILED EFFECTIVE



# ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

2006 MAY 15 AM 9:54

SECRETARY OF STATE  
STATE OF IDAHO

1. The name of the limited liability company is:

Driggs Industrial & Professional Park, L.L.C.

2. The street address of the initial registered office is:

60 East Wallace Avenue, Driggs, Idaho 83422

and the name of the initial registered agent at the above address is:

Sean Moulton

3. The mailing address for future correspondence is:

227 Sorenson Creek Drive, Victor, Idaho 83455

4. Management of the limited liability company will be vested in:

Manager(s) ☒ or Member(s) ☐ (please check the appropriate box)

5. If management is to be vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is to be vested in the member(s), list the name(s) and address(es) of at least one initial member.

Name

Address

Efstathios A. Regopoulos920 Livingston Lane, Inverness, IL 60010David Douglas227 Sorenson Creek Drive, Victor, Idaho 83455

6. Signature of at least one person responsible for forming the limited liability company:

Signature: Efstathios A. RegopoulosTyped Name: Efstathios A. RegopoulosCapacity: ManagerSignature: David DouglasTyped Name: David DouglasCapacity: Manager

Secretary of State use only

IDAHO SECRETARY OF STATE  
05/15/2006 05:00  
CK: 2824 CT: 200297 BH: 954688  
1 @ 100.00 = 100.00 ORGAN LLC # 2Copyright © 2002 LLC Services, Inc. All rights reserved.  
Revised 02/2002

Web Form

W50777

P.2

10:12083543478

MAY-12-2006 05:40: FROM:

DAVE CARLSON:

I SPOKE TO YOU TODAY ABOUT OUR WATER RIGHTS BEING TRANSFERRED TO US. WE BOUGHT THE LAND FROM HIBBERT FARMS. THE REGO GROUP AND ACTION GRAVEL,LLC. BOUGHT THE LAND TOGETHER AND FORMED A JOINT VENTURE DRIGGS INDUSTRIAL AND PROFESSIONAL PARK. WE WOULD LIKE TO TRANSFER THE GROUND WATER RIGHTS TO DRIGGS INDUSTRIAL AND PROFESSIONAL PARK,LLC. THE PERMIT # IS 22-7250. FIND ENCLOSED THE WARRANTY DEED ON PROPERTY. I ALSO SHOW WHERE PROPERTY IS. SHOULD YOU HAVE ANY QUESTIONS YOU CAN REACH ME AT H#208-787-3237 OR CELL# 239-293-0273

  
THANKS AGAIN  
DAVID DOUGLAS

22-7250A

NEED AN ADDRESS FOR <sup>and PHONE NUMBER</sup>

THIS LLC

227 Sorenson Creek Dr.  
Victor, Idaho -  
208-787-3238.

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 22-13591  
Date Received: 10/4/1988  
Receipt No:  
Received By:

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

1. Name of Claimant(s)

DRIGGS INDUSTRIAL & PROFESSIONAL PARK LLC Phone: (208)787-3238  
227 SORENSON CREEK DR  
VICTOR ID USA 83455

2. Date of Priority: 07/21/1977

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      | 46E   | 31      | SE                    | SE | NW | TETON  |      |

5. Description of diverting works:

WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/15 | 10/15 | 0.93   |            |

7. Total Quantity Appropriated is:  
0.93 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 |
|----------|-------|---------|----------------|----|------------|-------|
| 05N      | 46E   | 31      | SW             | NW | IRRIGATION | 19.5  |
|          |       |         | SE             | NW | IRRIGATION | 19.5  |
|          |       |         | NE             | NW | IRRIGATION | 20    |

Section Acres 59

Total Acres 59

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:

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

THE MAX. COMBINED RATE OF DIV. UNDER THIS RT. & RT. 22-2142 SHALL NOT EXCEED 3.80 CFS.

See remarks for additional conditions of approval.

This right is a split from former right 22-7250A.

15. Basis of Claim: License