

11/13/2006

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

RIGHT NUMBER: 22-13609

NAME AND ADDRESS: BLAINE HUNTSMAN
2834 ETIENNE WAY
SANDY UT 84093

EVERGREEN INVESTMENT UTAH LLC
2834 ETIENNE WAY
SANDY UT 84093

NANCY HUNTSMAN
2834 ETIENNE WAY
SANDY UT 84093

SOURCE: FOX CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.570 CFS

PRIORITY DATE: 06/01/1896

POINT OF DIVERSION:
T04N R45E S34 NWNWNW Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.570 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T04N R45E S28	NESW 40.00	T04N R45E S28 NWSW 40.00
	80 ACRES TOTAL		

Right Nos. 22-13607 and 22-13609 are limited to the irrigation of a combined total of 80 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.

This right is subject to regulation by the watermaster of Water District 01.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

The following rights are also diverted through point of diversion described above: 22-93, 22-13606, 22-13607, 22-13608, 22-13609.

This right is a split from former right 22-361B.

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	22-93	OK		22-361B	✓ OK
	22-13481	OK			
	22-13483	OK			
	22-13488	OK			
	22-360B	✓ OK			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights(s) or claims(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use your water rights(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county.)
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant
Charles E. Crary, III & Margaret H. Crary, as trustees of the 1988 Crary Trust
8401 E. Woodland Rd., Tucson, AZ 85749
4. New Owner/Claimant(s)
Evergreen Investment Utah, LLC (60%) & Blaine and Nancy Huntsman (40%)
 Name connector (check one): [] and [] or, [] and/or
 New Mailing Address 2834 Etienne Way
 City, State and ZIP Code Sandy, UT 84093
 New Telephone Number 801-438-0240
5. Date you acquired the property March 15, 2006

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 JUN 28 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 <u>22-360B</u>		
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	<u>0.97 cfs</u>	<u>40 acres in NWSW, 40 acres in NENW, Sec. 28, T4N., R45E.</u>
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 <u>22-361B</u>		
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	<u>0.57 cfs</u>	<u>40 acres in NWSW, 40 acres in NENW, Sec. 28, T4N., R45E.</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
TOTAL _____		

7. Signature of New Owner(s) Or Claimant(s)
(include title if applicable)

[Handwritten Signature]
[Handwritten: Robert Morgan, agent, Principal of Robert Morgan, manager of Evergreen Corp]
[Handwritten: Ua]

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

For Office Use Only

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