

11/10/2006

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

RIGHT NUMBER: 22-13613

NAME AND ADDRESS: BLACKFOOT FARMS LLC
500 HUNTSMAN WAY
SALT LAKE CITY UT 84108

SOURCE: TETON CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.210 CFS
21.20 AFY

Right Nos. 22-13611 and 21-13613 are limited to a total combined diversion rate of 1.13 cfs.

PRIORITY DATE: 04/01/1987

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T05N R46E S19 NESESE 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	0.210 CFS 21.20 AFY
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T05N R45E S26 SWNW 40.00	T05N R45E S26 SENW	16.00
	T05N R45E S26 NESW 17.00	T05N R45E S26 NWSW	40.00
	113 ACRES TOTAL		

Right Nos. 22-13611 and 22-13613 are limited to the irrigation of a combined total of 113 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 based upon an enlargement of Right No. 22-13611 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 16 acres within the place of use described for this right.

This right is a split from former right 22-11943 .

11/10/2006

**NOTICE OF ERROR
REPLY**

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: 22-13613

BLACKFOOT FARMS LLC
500 HUNTSMAN WAY
SALT LAKE CITY UT 84108
Telephone Number: (801)589-5864

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: 12-11-06

SIGNATURE:

Please print your name:

YOUNG H. WACKER

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

LIMITED POWER OF ATTORNEY

BLACKFOOT FARMS, LLC, WILLIAM E. REID, CEO, of 97 North Highway 33, Driggs, Idaho 83422, designate and appoint HARVEY WALKER of 2338 North 2930 West, Arco, ID 83213, as our attorney in fact and agent (subsequently called "agent") to act in our name and for our benefit. We grant to our agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as we might or could do if personally present and fully competent, hereby ratifying and confirming all that our agent shall lawfully do or cause to be done by virtue of this power of attorney and the powers herein granted.

Specific Powers

Our agent shall have and may exercise the following specific power:

- a. To handle all affairs and do all that needs done, including signing of documents, pertaining to water rights, wells and all water issues.

Revocability

This power of attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by us or our agent and delivered to such person or institution.

Interpretation

This instrument is to be construed and interpreted as a limited power of attorney.

Disability of Principal

This Limited Power of Attorney shall not be affected by disability of the principal.

Third-Party Reliance

Third parties may rely upon the representations of our agent as to all matters relating to any power granted to our agent, and no person who may act in reliance upon the representations of our agent or the authority granted to our agent shall incur any liability to us or our estate as a result of permitting our agent to exercise any power.

Expiration

Unless sooner revoked in the manner above provided, this Limited Power of Attorney shall expire at midnight on April 30, 2008.

Governing Law

This Limited Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

IN WITNESS WHEREOF, we have executed this Limited Power of Attorney this 26 day of October, 2006.

BLACKFOOT FARMS, LLC, Principal

By William E. Reid
WILLIAM E. REID, CEO

STATE OF IDAHO)
) ss.
County of Teton)

On this 26 day of October, 2006, personally appeared before me WILLIAM E. REID, who, being by me first duly sworn, declared that he is the CEO of BLACKFOOT FARMS, LLC, that he signed the foregoing document as CEO of the corporation, and that the statements therein contained are true.



Pauline Bagley
Notary Public for Idaho
My Commission Expires: 8/2011

LIMITED POWER OF ATTORNEY

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WILLIAM E. REID, CEO

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) ss.
County of Teton)

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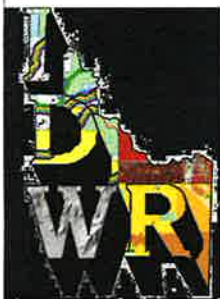


Pauline Bagley
Notary Public for Idaho
My Commission Expires: 8/2011

LIMITED POWER OF ATTORNEY
1006 Blackfoot-Walker-POA

SCANNED

JAN 10 2006



Idaho Department of Water Resources

SRBA Recommendation:

22-13611

22-13613

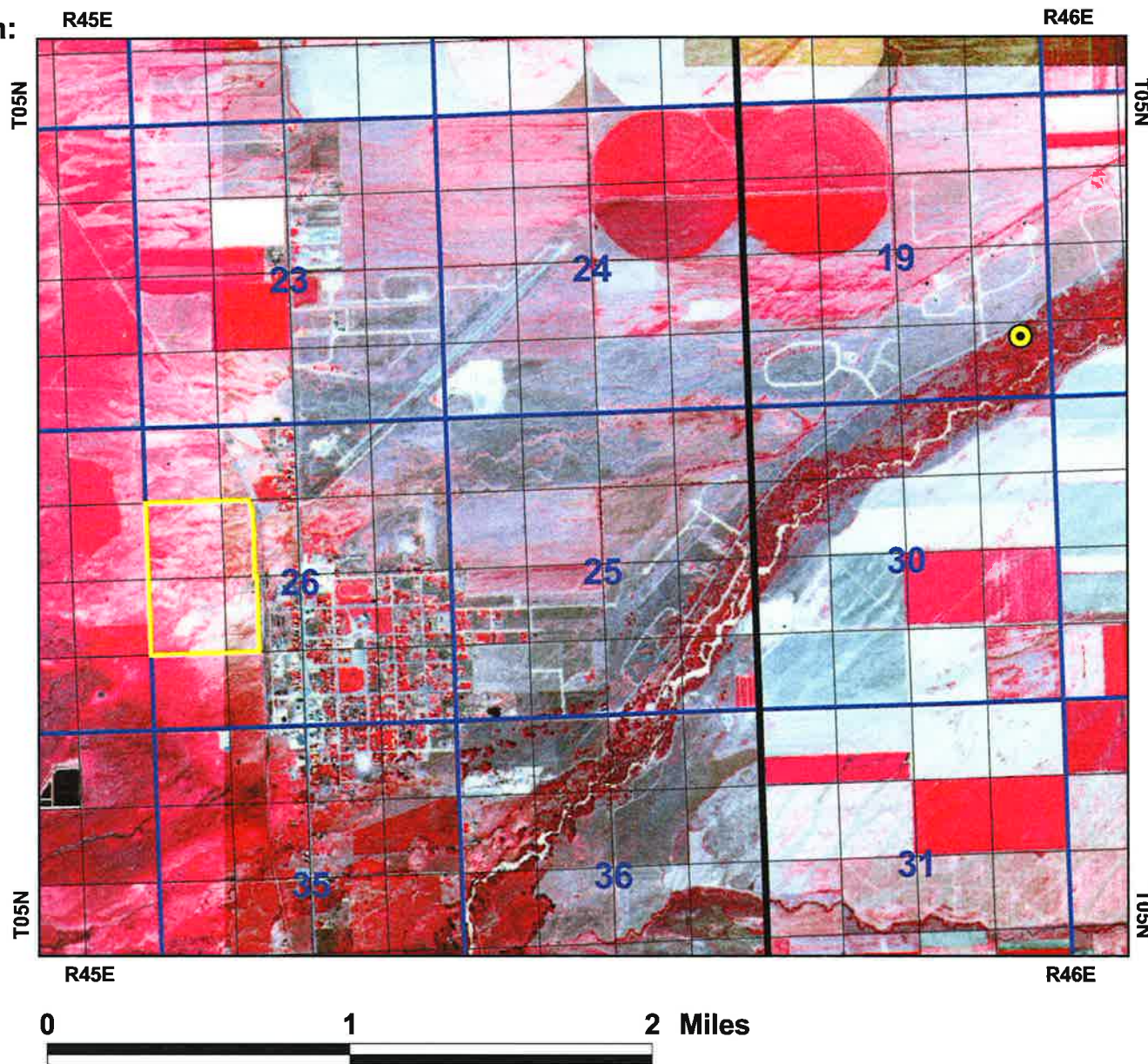
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



Prepared by T. Galbraith
On Friday, November 10, 2006
1987/88 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 21, 2006

TOM MUIR
BLACKFOOT FARMS LLC
500 HUNTSMAN WAY
SALT LAKE CITY UT 84108

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-461, 22-7043, 22-
11943

Dear Mr. Muir:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

RECEIVED
M. 1 2006
3/21/06

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

Department of Water Resources
Eastern Region

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
22-11943					
22-461					

RECEIVED

MAR 01 2006

Department of Water Resources
Eastern Region

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) James E. Martens Price / Price Bros.
4. New Owner/Claimant(s) Box 212, 400 W 15th E. Puyallup Id 93422
- Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address Blackfoot Farms L.C.
- City, State and ZIP Code 500 Huntsman Way
S.L.C. UT. 84108
- New Telephone Number (801) 584/5864 OK 208 529 3254
TOM MUIR HARVEY WALKER
5. Date you acquired the property JUN 14 - 05



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 20, 2005

JAMES & MARLENE PRICE
410 N 1ST E
PO BOX 212
DRIGGS ID 83422

RE: SPLIT OWNERSHIP OF WATER RIGHT 22-461, 22-11943

Dear Mr. & Mrs. Price:

Review of your "Notice of Change in Water Right Ownership" reveals a portion of the water right(s) listed above is appurtenant to your property. However, our office is unable to split water rights in Basin 22 until after we submit the Director's Report to the Snake River Basin Adjudication Court.

Splitting rights will be completed following distribution of the Basin 22 Director's Report scheduled for mailing in 2006. At that time we will designate you "current owner" of your portion and notify the SRBA Court, so the water rights appurtenant to your property will be adjudicated in your name.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: File: 22-11943
Dale & Virginia Price

27 Sept 2004

Allen Ruberry

IDWR Eastern Region

900 N Skyline Dr Suite A

Idaho Falls, Idaho 83402-1718

Enclosed please find listed below items requested in
water claim 22-11943.

- ① Copy of Letter Requesting evidence of priority for
water right claim # 22-11943.
- ② Change of ownership form
- ③ Copy of Affidavit Re: S&BA water right 22-11943
- ④ Copy of Desert Land Certificate 1260 to
James William Price dated 9-9-1904
- ⑤ Copy of notice of water right (Book 17) page 4 & 5
- ⑥ Copy of notice to claim water, A22-11943
- ⑦ Copy of area map
- ⑧ Copy of ownership (note) deed - picture extract 1
- ⑨ TAX NOTICES
- ⑨A Copy of patent original date Desert Land Act Louise Driggs 1900
- ⑩ Copy of warranty deed from Elvira Butler to
Milton & Betty Lou Butler
- ⑪ Copy of warranty by Milton & Betty Lou Butler to
Price Bros.
- ⑫ Copy of warranty deed from Virginia and
Her family to James & Marlene - current owners

We appreciate your help, as well as, Dee O'Brien's.

if you have any questions please let us know.

THANKS James & Marlene Price

(9B) 8-21-8899 Deed
To Elizabeth Pratt from
Rosalie & Louise Driggs



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION
March 19, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

**DALE K PRICE
73 HARPER BOX 563
DRIGGS ID 83422**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11943

Dear Claimant (s):

The Idaho Department of Water Resources is beginning water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

Your claim, as referenced above, claims a Priority Date of JUNE 01, 1899, from TETON CREEK.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.

Please submit the documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,



Nick L. Olson
Special Contract Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim (copy)

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, 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
A2200461					
A2211943					

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).

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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)

Price Bros.
73 Harper Box 563 Driggs ID

4. New Owner/Claimant(s)

James & Marlene Price

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

New Mailing Address

Box 212, 410 N 1st E, Driggs, ID 83422

City, State and ZIP Code

New Telephone Number

(208) 354-2381

5. Date you acquired the property

AFFIDAVIT

State of IDAHO)
 ss.
County of Madison)

RE: SRBA Water Right Claim 22-11943

JAMES W. PRICE, being first duly sworn, deposes and says:

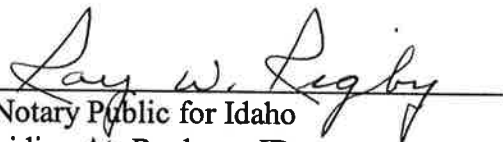
1. That he makes this affidavit in support of the above numbered claim to water right, and he also makes this affidavit in behalf of himself and his wife and for his deceased brother DALE K. PRICE and his wife and their families.
2. That he resides at 410 North 1st East, P.O. Box 212, Driggs, ID 83422; that he was born in Driggs, Idaho on May 28th, 1931 and has lived in the same house or a nearby house in the same block all of his lifetime, except for the time he spent in the U.S. Army Air Corps in 1954-1956, and while he attended college at the University of Idaho in Moscow, Idaho.
3. That he is the son of Vandes A. Price, a.k.a. V.A. Price, and Vera K. Price, both of whom are now deceased, who lived on the same block as your affiant and Vandes A. Price is the son of James William Price and Marian H. Price.
4. On March 19, 2004, Nick L. Olsen, in behalf of the Idaho Department of Water Resources, by a letter to Dale K. Price, asked for evidence of Priority (June 1, 1899) for SRBA Water Right Claim 22-11943.
5. Your affiant attaches hereto a copy of United State of America Patent No. 35618, dated September 9, 1904, issued to James William Price for the N1/2SW1/4 of Section 26, Township 5 N., Range 45 E., attached to which is a copy of Receivers Final Receipt No. 1260 and recites that it was payment for Desert Land Act Property. Said Desert Land Act requires that the homesteader must have had applied water to the land to be Patented for a specified number of years. Since the Receivers Receipt was dated March 11, 1903, with the Patent following, it evidences that water was applied to the property patented on or before June 1, 1899, which establishes written evidence of the Priority Date claimed for the above water right claim number 22-11943.
6. Your affiant has farmed all his life on all of the lands involved in this water claim, with his father and his brother, Dale Price, and knows of his own knowledge that the other lands included in the Place of Use for the above numbered water claim were also watered, and your affiant participated in the watering of said other lands through out his lifetime, and farmed and irrigated with his said father and brother,

and heard from his father on a regular basis the history of the acquisition of the lands and the application of water beneficially thereto, including the lands described in the place of use in said water claim in addition to the lands included in the patent transfer, and therefore verifies that all of the lands described in said claim as having been irrigated on a consistent basis since June 1, 1899, that said Priority Date of June 1, 1899 should be accepted for the adjudication of this claim.


James W. Price

Subscribed and Sworn to before me this 16th day of August, 2004.




A Notary Public for Idaho
Residing At: Rexburg, ID
My Commission Expires: 3-12-05

THE UNITED STATES OF AMERICA

Desert Lands

Certificate No. 1260

To all to Whom these Presents shall Come—GREETING:

WHEREAS, James William Price, of Fremont County Idaho

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at

Blackfoot, Idaho

whereby it appears that full payment has been made

by the said

James William Price

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

North half of the south west quarter of section twenty six intownship
five north of range forty five east of Boise Meridian in Idaho, 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 James William Price

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 James William Price

and to his heirs, 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 James William Price

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.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt

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 ninth

day of September, in the year of our Lord one thousand nine hundred
and four, and of the Independence of the United States the one
hundred and twenty ninth

BY THE PRESIDENT: T. Roosevelt

By F. M. McKern

Secretary.

Recorded Idaho Vol. 54 Page 242

G. H. Brush

Recorder of the General Land Office.

Transcribed from Book C of Patents, page 475, Fremont Co. Records.

Filed for Record at 10 o'clock A M., Jan. 5th
F. A. Miller

A. D. 1911, and recorded at the request of

By

Deputy.

Transcribed from Book 42, Patents, page 144, Madison County Records.

I. N. Corey

Recorder.

1903

Copy is given to
with Receipt Book

(4A)

No 499 Final Receiver's Receipt No 4143, Homestead, Application No 6189

Receiver's Office Blackfoot, Idaho June 11., 1903.

Received of Dan C. Bruce, the sum of Six dollars and ... cents being the balance of payment required by law for the entry of Northeast quarter of section 26, in township 5 north of range 45 east, containing one hundred sixty acres, under section 2291 of the revised Statutes of the United States.

\$6.00

George A. Robethan, Receiver.

\$1.10 testimony fee received, number of written words, 490 rate per 100 words 22½ cents Recorded June 19, 1903, at 10:30 o'clock A. M. at request of Dan C. Bruce, Victor Hegst, Recorder, Ernest Bramwell Deputy. Transcribed from Book A of deeds page 614, Fremont County Records, Transcribed from Book 15 of deeds page 169, Madison County Records.

5-32-1903

No 517 Receiver's Final Receipt No 1260. Declaration No 2568, Desert Land Act of March 3, 1877, and Act of March 3, 1891. Land Office at Blackfoot, Idaho March 11, 1903

Received from James William Price, of Fremont County, State of Idaho, the sum of Forty Dollars and ... cents, being final payment of one dollar per acre for the NE ¼ Sec 26, T 5 N R 45 E. B. M. containing 80 acres at one dollar and twenty five cents per acre, the sum of twenty five cents per acre having been heretofore paid as per Original Receipt No 2568.

\$80.00

George A. Robethan, Receiver.

Recorded at the request of W. H. Carbine, June 22nd 1903, at 5:20 P. M. Victor Hegsted, Recorder, Transcribed from Book A of Deeds page 614, Fremont County Records Transcribed from Book 15 of deeds page 169, Madison County Records.

No 597 Final Receivers Receipt No 3936 Homestead, Application No 5358

Receiver's office, Blackfoot, Idaho Sept 4th, 1902.

Received of Jacob Ronech, the sum of six dollars no cents, being the balance of payment required by law for the entry of E ¼ NW ¼ N ¼ SW ¼ of section 26, in township 6N of range 45 E. containing 160 acres, under section 2291 of the Revised Statutes of the United States.

\$6.00

George A. Robethan Receiver.

\$1.10 Testimony fee received, Number of written words 490, rate per 100 words, 22½ cents Filed for record July 2, 1903, at 9:45 A. M. request of M. M. Hammond, Victor Hegsted, Recorder, Transcribed from Book A of deeds page 616, Fremont County Records. Transcribed from Book 15 of deeds page 170, Madison County Records.

Price

###(In above description give legal subdivision of land or describe the place w. to some prominent landmark) 3rd. The purpose for which said water is intended Agricultural and domestic, the place of intended use is N2 NE4 Sec. 5 Twp. 5 and Twp. 6 N. R. 44 E. B. M. 4th. It is intended to divert said water by means of a hold high water from the Lake, and a ditch, 3 feet wide, and 1 ft. deep. The gen the proposed canal is Northerly. The length of the proposed canal is about one intended to use said water for irrigating the following described land: North E East quarter Sec. 5 Twp. 5 N. and South half SE4 Sec. 32 Twp. 6 N. Range 44 E. B

said water at or near the point where acopy of this notice is posted, and mo described as follows: Beginning at a point near the NE corner of Hyrum Stev 7260 in Sec. 20 Tp. 5 North Range 46 E. B. M. (In Above description give le of land or describe the place with reference to some prominent landmark) 3r for which said water is intended to be used is for domestic and agricultura of intended use is Driggs Fremont County, Idaho. 4th. It is intended to water by means of a dam headgate and ditch, eight feet wide by 1 1/2 feet deep. course of the proposed canal is Southwest. The length of the proposed canal three miles. It is intended to use said water for irrigating the following land; N1/2 of SW1/4 and NE1/4 Sec. 26 NE1/4 of NW4 Sect. 27 NE1/4 of Sec4 Sec. 22, T.

E. Boise Meridian. 5th. It is intended to have the works for diversion and water as aforesaid completed within 5 years. (This must in no case exceed Witness our hands at St. Anthony, Idaho, this 13" day of March, 1900.

State of Idaho, County of Fremont, ss

J. W. Price,
Cecilia Anderson,
Dan Bruce.

J. W. Price, being first duly sworn, deposes and says that he is of lawfu claimant of the Water Right mentioned in the foregoing notice and whose nam thereto. That the statements in said notice are true, and that the original which the foregoing is a true copy, was posted in a conspicuous place at or of intended diversion (as provided by law) on the 10 day of May 1899, at 30 10 o'clock A. M.

J. W. Price.

Subscribed and sworn to before me this 13" day of March, 1900. Rose E. Davi Seal. NOTE-The above certificate may, where there are several claimants, sworn to by one of them. Filed for record this 13" day of March 1900 1900 o'clock P. M. By.....Deputy. A. M. Carter, Recorder.

Transcribed from Book "B" of Water Rights, page 211, Fremont County Recor Transcribed from Book 58 of Water Rights, page 59, Madison County Records.

Posted Notice

PRICE

----- WATER RIGHT BOOK 17
NOTICE OF WATER RIGHT.

Water Right Book
Page 4

STATE OF IDAHO, County of Fremont, ss. TO ALL CONCERNED, NOTICE IS HEREBY GIVEN:

1st. That J. W. Price, Cecilia Anderson, Dan Bruce, of Driggs, hereby claim the use Teton Creek, to the extent of eight, cubic feet per second. 2nd. It is intended to di

Price Bros

R45E

TSN R46E

SECTION 20

NW NE SW

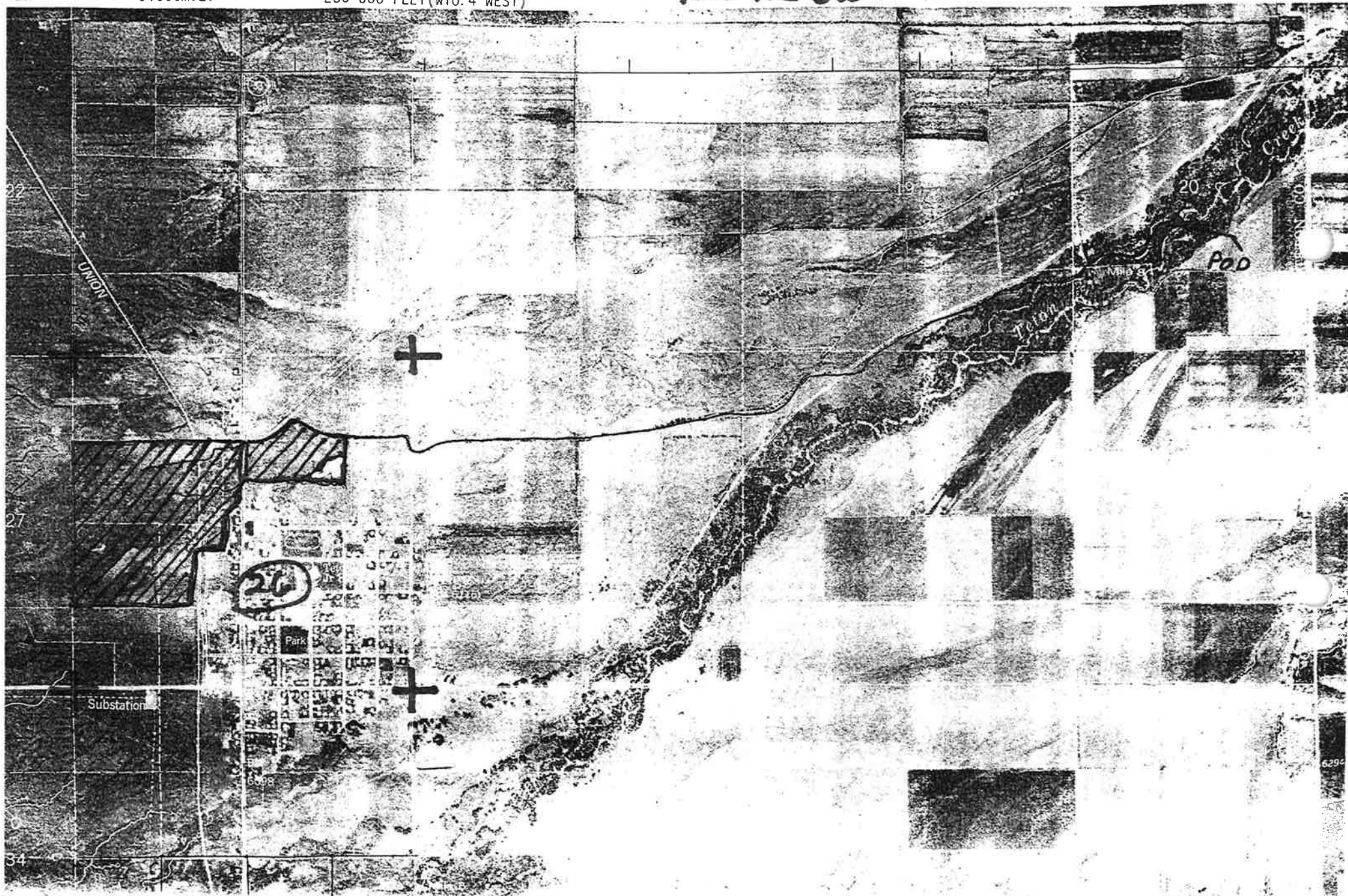
R46E

7

'30"

4 91000m.E.

230 000 FEET(WYO. 4 WEST)



111394

FILED

AT THE REQUEST OF

First American

35 OCT 30 1992

Ass. J. Drake

T 1: Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Section 26: SW1/4NW1/4

NW1/4SW1/4

ALSO TAX NO. 841 being described as follows: Beginning at the NW Corner of the SE1/4NW1/4 of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 80 rods; thence East 581.4 feet to the Railroad Right-of-way; thence North 80 rods along the Railroad Right-

OLD PRICE & BUTLER
PLACES

of-way; thence West 560 feet to the point of beginning.

ALSO TAX NO. 146 being described as follows: Beginning at the SW Corner of the NE1/4SW1/4 of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence East 578 feet; thence North 1320 feet; thence West 581 feet, thence South 1320 feet to the point of beginning.

ALSO TAX NO. 514 being described as follows: Beginning at a point 313.5 feet West of the SE corner of the NW1/4 of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence North 880 feet; thence West 326.5 feet; thence South 880 feet; thence East 326.5 feet to the point of beginning.

ALSO DEED NO. 101400 being described as follows: All of that certain strip of land heretofore acquired by Yellowstone Park Railroad Company (predecessor to Oregon Short Line Railroad Company) from Pratt Rge. Company, et al., by Warranty Deed dated May 12, 1910, filed for record December 3, 1912, in Book 10 of Deeds at Page 569 of the records of Fremont County, Idaho, being described in said deed as follows:

A strip of land 100 feet wide, being 50 feet in width on each side of the center line of main tract of the Teton Basin Branch of the Yellowstone Park Railroad as located across the SE1/4NW1/4 of Section 26, Township 5 North, Range 45 East of the Boise Meridian.

The course of said center line of main track being more particularly described as follows to wit: Beginning at a point in the north line of the S1/2NW1/4 of Section 26 and 1953.2 feet, more or less, easterly from the northwest corner thereof; thence southerly along a spiralled curve to the right with a radius of 1910.1 feet for a distance of 575 feet, more or less; thence S. 0 degrees 7'W, 765 feet to a point in the south line of said SE1/4NW1/4 of said Section 26 and 1977.7 feet easterly from the southwest corner of said NW1/4 of said Section 26.

AKE C. PAYABLE TO:
ETON COUNTY TAX COLLECTOR
ONNIE C HATCH 208-354-2254
9 N MAIN #3
RIGGS ID 83422

2003 TAX BILL/RECEIPT

PARCEL NUMBER
RP05N45E263600A
9,763

9

BILL# 7589 CODE AREA 5-0000 L

1ST HALF DUE ?

28.38

2ND HALF DUE

28.38

FULL DUE

56.76

TOT MV

9,763

AX
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TAX
LATE
INT
COST
TOT

TAX
LATE
INT
COST
TOT

TOT ACS

66.870

12-3-03
#223

PRICE JAMES W & MARLENE
P O BOX 212
DRIGGS ID 83422

TAXING DISTRICT	RATE	AMOUNT
COUNTY	.001612444	15.74
SCH DIST 401	.004055183	39.58
CEM ORI-DAR	.000054257	.52
FIRE PROTECTION	.001033730	
LIBRARY	.000093743	.92
AMOUNT DUE	.006899357	56.76

TAX #841-#514, SW4NW4
SEC 26 T5N R45E

Butler place

- 2.17

*** IMPORTANT ***

PLEASE READ BOTH FRONT AND BACK

*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

PLEASE READ THE BACK OF THIS NOTICE
OUR RETURNED CHECK IS YOUR RECEIPT

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.

RICE, JAMES W & MARLENE

2003
7589

AKE CHECK PAYABLE TO:
ETON COUNTY TAX COLLECTOR
ONNIE C HATCH 208-354-2254

2003 TAX BILL/RECEIPT

PARCEL NUMBER
RP05N45E265400A
5,840

9 N MAIN #3

RIGGS ID 83422

BILL# 7592 CODE AREA 5-0000 L

1ST HALF DUE

AX 16.98

ATE

NT

UST

OT

2ND HALF DUE

TAX 16.98

LATE

INT

COST

TOT

FULL DUE

TAX 33.96

LATE

INT

COST

TOT

TOT MV

5,840

TOT ACS

40.000

PRICE JAMES W & MARLENE
P O BOX 212
ORIGGS ID 83422

TAXING DISTRICT	RATE	AMOUNT
COUNTY	.001612444	9.42
SCH DIST 401	.004055183	23.68
CEM DRI-DAR	.000054257	.32
FIRE PROTECTION	.001083730	
LIBRARY	.000093743	.54
AMOUNT DUE	.006899357	33.96

NW4SW4

SEC 26 T5N R45E

*west 40 ole price
place below TRACS*

- 1.28

*** IMPORTANT ***

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PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.

RICE, JAMES W & MARLENE

2003
7592

AKE CHECK PAYABLE TO:
ETON COUNTY TAX COLLECTOR
ONNIE C HATCH 208-354-2254
9 N MAIN #3
RIGGS ID 83422

2003 TAX BILL/RECEIPT

PARCEL NUMBER
RPA00000264850A
3,432

BILL# 811 CODE AREA 1-0000 L

1ST HALF DUE	2ND HALF DUE	FULL DUE	TOT MV	3,432
AX 12.50	TAX 12.50	TAX 25.00		
ATE	LATE	LATE		
NT	INT	INT		
GST	COST	COST		
UT	TOT	TOT	TOT ACS	17.600

PAID
12-3-03
#223

PRICE JAMES W & MARLENE
P O BOX 212
DRIGGS ID 83422

TAXING DISTRICT	RATE	AMOUNT
COUNTY	.001612444	5.52
DRIGGS	.001474356	5.06
SCH DIST 401	.004055183	13.92
CEN DRI-DAR	.000054257	.18
FIRE PROTECTION	.001083730	
LIBRARY	.000093743	.32
AMOUNT DUE	.008373713	25.00

TAX #146
SEC 26 T5N R45E

20 acres below TRACKS
at PRICE place

- .16 &

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
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APPLIED TO THE OLDEST DELINQUENT YEAR.
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RICE, JAMES W & MARLENE

2003
811

Butterfield Original Patent LOUISE C. DRIGGS

SYNTHETIC CO. PRINTERS & BINDERS, NEW YORK 35521

THE UNITED STATES OF AMERICA

Desert Lands

Certificate No. 916

To all to Whom these Presents shall Come GREETING:

WHEREAS, Louise C. Driggs, of Fremont County, Idaho has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Blackfoot, Idaho whereby it appears that full payment has been made by the said Louise C. Driggs 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

South half of the north west quarter of section twenty-six and the south east quarter of the north east quarter ~~of the north east quarter~~ and the north east quarter of the south east quarter of section ~~twenty seven~~²⁷ in Township five North of Range forty five East of Boise Meridian in Idaho, containing one hundred and sixty 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 Louise C. Driggs

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 Louise C. Driggs and to her heirs, 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 Louise C. Driggs

and to her heirs 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.

IN TESTIMONY WHEREOF, I, William McKinley 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 twelfth 1900 day of April, in the year of our Lord one thousand nine hundred and twenty-fourth and of the Independence of the United States the one

BY THE PRESIDENT: William McKinley

By F. M. McKoon Secretary.

Recorded 22 Idaho Vol. 371 Page C. H. Brush Recorder of the General Land Office. Transcribed from Book A of Patents, page 624, Fremont County Records.

Filed for Record at 1-30 o'clock P M., December 27 A. D. 1901, and recorded at the request of Mathoni W. Pratt

By Deputy. A. M. Carter Recorder. Transcribed from Book 42, patents, page 261, Madison County Records.

95

Christian Larsen and his wife Katrine M Larsen known to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Seal A. M. Carter, Clerk By D. C. Driggs, Deputy Clerk.

Filed for record at request of Henry M. Todd, August 5, 1899, at 3:10 o'clock P. M.
A. M. Carter, Recorder. Transcribed from Book H of deeds page 273, Fremont County Records. Transcribed from Book 15 of deeds page 60, Madison County Records.

8-21-1899 Date 1899

This indenture made the twenty first day of August, in the year of our Lord one thousand eight hundred and ninety nine, between Apollos P. Driggs, and Louise C. Driggs his wife of the County of Salt Lake and State of Utah, parties of the first part, and Elizabeth S. Pratt of the same place the party of the second part.

Witnesseth, that the said parties of the first part, for and in consideration of the sum of Five hundred dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged have granted, bargained sold, aliened remise, released conveyed and confirmed, and by these presents do grant, bargain, sell, alien remise, release convey and confirm unto the said party of the second part, and to her heirs and assigns forever, all that certain piece or parcel of land known and described as follows, to wit. South half of the northwest quarter of section twenty six (26) and south half of northeast quarter section twenty seven (27) in township 5 north range 46 East of Boise Meridian in Idaho containing 160 acres and three hundred inches or one fiftieth (1/50) of the water of Teton Canal in the County of Fremont, State of Idaho, said canal being the ditch or canal built by Mathoni W. Pratt and other conducting water from Teton Creek as per location notice, recorded April 26, 1889 Record of E. L. page 306, Record of the B. County of Bingham.

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents issues and profits thereof, and also all the estate, right, interest of in and to said property, possession claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

To have and to hold all and singular the said premises together with the appurtenances unto the said party of the second part, and to her heirs and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said party of the second part her heirs and assigns, against the said parties of the first part, and their heirs lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

In Witness whereof the said parties of the first part have hereunto set their

hands and seal the day and year first above written. (50¢ revenue hereon)

Signed sealed and delivered in the presence of
John M Cannon, Lewis M Cannon

Apollos S. Driggs, Seal
Louise C. Driggs, Seal

United State of America.

State of Utah

SS

County of Salt Lake.

On this 21st day of August A. D. one thousand eight hundred and ninety nine before me John M Cannon a Notary Public in and for Salt Lake County, Utah Territory duly elected, commissioned and qualified personally appeared Apollos P. Driggs, and

WARRANTY DEED

THIS INDENTURE, Made the 12th day of June, in the year of Our Lord, One Thousand Nine Hundred and fifty, between Elvira Butler, a widow, of the County of Teton, and State of Idaho, the part 1st of the first part, and Milton W. Butler and Betty Lou Butler, his wife, of the County of Teton, and State of Idaho, the part 1st of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Two Thousand and No/100 ----- DOLLARS lawful money of the United States of America to her in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said parties of the second part and to their heirs and assigns forever all that certain lot, piece or parcel of land situate, lying and being in the County of Teton, and the State of Idaho, and bounded and described as follows, to-wit:

The Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 26, Twp. 5 North, Range 45 E. B. M. and Tax No 841, described: Beginning at the NW corner of SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 26, Twp. 5 N. R. 45 E.B.M. running thence South 80 rods; thence East 581.4 feet to the Railroad Right of Way, thence North 80 rods, along said Railroad Right of Way; thence West 560 feet to beginning, containing 17.5 acres, more or less, east corner of the Northwest Quarter of Sec. 26 Tax No. 514: Beginning at a point 313.5 Feet West of the South 2 $\frac{1}{4}$ 45 E.B.M. thence North 880 feet, thence South 880 feet, thence East 326.5 feet to place of beginning

\$220 Revenue Stamps Attached

D.C. Butler and Cancelled

12-14-50

together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any wise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises together with all appurtenances and privileges thereunto incident, unto the said parties of the second part, to their heirs and assigns forever. And the said party of the first part and her heirs, the said premises in the quiet and peaceful possession of the said parties of the second part their heirs and assigns, against the said party of the first part, and her heirs, and against all and every person or persons whosoever, lawfully claiming or to claim the same, shall and will warrant any, or by these presents forever defend.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of

ELVIRA BUTLER

(SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO, }
 County of Teton, } ss.

On the 12th day of June, in the year 1950, before me, Dwight W. Loosli, a notary public, in and for said County and State, personally appeared Elvira Butler, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

-(Notarial seal)

DWIGHT W. LOOSLI

Warrenty Deed: From Milton & Betty Lou Butler

To James & Marlene Price

Dale & Virginia Price

of Butler Place

copy

11

WARRANTY DEED

THIS INDENTURE, Made this 8th day of August, 1979, between MILTON W. BUTLER and BETTY LOU BUTLER, husband and wife, of 415 North Fifth East, Driggs, Idaho 83422, the parties of the first part, and DALE K. PRICE and VIRGINIA PRICE, husband and wife, of 73 Harper Avenue, Driggs, Idaho 83422, and JAMES W. PRICE and MARLENE PRICE, husband and wife, of 410 North First East, Driggs, Idaho 83422, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten and no/100 Dollars, lawful money of the United States of America, and other valuable consideration, to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold and by these presents, do grant, bargain, sell and convey and confirm unto the said party of the second part, its successors and assigns, forever, all the following described real estate, situated in Teton County, State of Idaho, to-wit:

Section 26, Township 5 North, Range 45 East, Boise Meridian:

ALSO:

The Southwest Quarter of the Northwest Quarter; Beginning at a point 313.5 feet West of the Southeast Corner of the Northwest Quarter and running thence North 880 feet, thence West 326.5 feet, thence South 880 feet, thence East 326.5 feet to the point of beginning. Containing approximately 6.32 acres, more or less.

ALSO:

Beginning at the Northwest corner of the Southeast Quarter of the Northwest Quarter and running thence South 80 Rods; thence East 581.4 feet to the railroad right-of-way, thence North 80 Rods along said railroad right-of-way, thence West 560 feet to the point of beginning, containing approximately 17.5 acres more or less.

Subject to easements of records or in existence for roads, streets, ditches, canals, pipelines and utilities.

Together with 60 shares of the capital stock of the Grand Teton Canal Company.

Certificate # 479

Together with any and all other water and water rights, ditch and ditch rights appurtenant thereto.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well as in law as in equity of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the said party of the second part, and to its successors and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, its successors and assigns, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

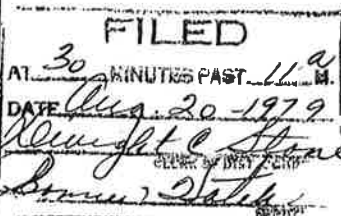
IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Milton W. Butler
Milton W. Butler
Betty Lou Butler
Betty Lou Butler

STATE OF IDAHO,
County of Teton.

)
ss.
)

On this 13th day of August, 1979, before me, the undersigned, a Notary Public in and for said State, personally appeared MILTON W. BUTLER and BETTY LOU BUTLER, known to me to be the person whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



82908



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


Notary Public for Idaho
Residing at: Boise Idaho
My Commission expires: life

OCT 30 1992

Virginia & Family
James & Marlene

TETON Co. Id.
Clerk Recorder

WARRANTY DEED

THIS INDENTURE, Made this 28th day of October, 1992, between VIRGINIA P. PRICE, of 73 E. Harper Ave., POB 563, Driggs, ID 83422; LINDA BINGHAM, of 3032 W. 3000 S., Weston, ID 83286; MARILYN ANDERSON, of 125 E. 2nd N., Rexburg, ID 83440; DALE K. PRICE, JR., of 18631 SE 277th Place, Kent, WA 98042; KENNETH P. PRICE of Box 51, Driggs, ID 83422, and R. VANDES PRICE, of 970 W. 450 S., Layton, UT 84041, the parties of the first part, and JAMES W. PRICE and MARLENE PRICE, husband and wife, of 410 N. 1 E., Driggs, ID 83422, the parties of the second part,

This deed shall be simultaneously executed and delivered in two or more counterparts, each of which shall be deemed to be an original, and all shall constitute but one and the same instrument.

WITNESSETH, That the said parties of the first part, in consideration of the transfer by the parties of the second part to the parties of the first part of like property with like value, and in furtherance of a division of partnership assets (Price Brothers, of Driggs, Idaho), do hereby grant, convey and confirm unto the said parties of the second part their one-half interest in and to the following described real estate, situated in Teton County,

State of Idaho, to-wit:

TRACT 1: Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Section 26: SW1/4NW1/4
NW1/4SW1/4

ALSO TAX NO. 841 being described as follows: beginning at the NW Corner of the SE1/4NW1/4 of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 80 rods; thence East 581.4 feet to the Railroad Right-of-way; thence North 80 rods along the Railroad Right-

111393

FILED

AT THE REQUEST OF

First American

35 MINUTES PAST 12 P M

DATE *October 30, 1992*

Ass J. Drake

CLERK OF RECORDER

BY *Donnie Steele*

*Below Town
Price - Barber*

of-way; thence West 560 feet to the point of beginning.

ALSO TAX NO. 146 being described as follows: Beginning at the SW Corner of the NE1/4SW1/4 of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence East 578 feet; thence North 1320 feet; thence West 581 feet, thence South 1320 feet to the point of beginning.

ALSO TAX NO. 514 being described as follows: Beginning at a point 313.5 feet West of the SE corner of the NW1/4 of Section 26, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence North 880 feet; thence West 326.5 feet; thence South 880 feet; thence East 326.5 feet to the point of beginning.

ALSO DEED NO. 101400 being described as follows: All of that certain strip of land heretofore acquired by Yellowstone Park Railroad Company (predecessor to Oregon Short Line Railroad Company) from Pratt Rge. Company, etal., by Warranty Deed dated May 12, 1910, filed for record December 3, 1912, in Book 10 of Deeds at Page 569 of the records of Fremont County, Idaho, being described in said deed as follows:

A strip of land 100 feet wide, being 50 feet in width on each side of the center line of main tract of the Teton Basin Branch of the Yellowstone Park Railroad as located across the SE1/4NW1/4 of Section 26, Township 5 North, Range 45 East of the Boise Meridian.

The course of said center line of main track being more particularly described as follows to wit: Beginning at a point in the north line of the S1/2NW1/4 of Section 26 and 1953.2 feet, more or less, easterly from the northwest corner thereof; thence southerly along a spiralled curve to the right with a radius of 1910.1 feet for a distance of 575 feet, more or less; thence S. 0 degrees 7'W, 765 feet to a point in the south line of said SE1/4NW1/4 of said Section 26 and 1977.7 feet easterly from the southwest corner of said NW1/4 of said Section 26.

Danby Area

TRACT 2: Township 4 North, Range 45 East, Boise Meridian, Teton County Idaho.
Section 1: S1/2NW1/4

TOGETHER WITH a 30 foot Easement for ingress and egress along the West side of the SW1/4 of Section 1, Township 4 North, Range 45 East Boise Meridian, Teton County, Idaho.

Section 2: SE1/4SE1/4
N1/2SE1/4
S1/2NE1/4

LESS: Railroad and State Highway Right-of-ways

ALSO LESS: Commencing at a point 540 feet West of the NE corner of the SW1/4NE1/4 of Section 2, Township 4 North, Range 45 East, Boise Meridian, and running thence South 300 feet; thence West 290 feet; thence North 300 feet; thence East 290 feet to the point of beginning.

Savage Ranch

TRACT 3: Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.
Section 34: SW1/4

ALSO: That portion of the NW1/4NW1/4 (Lot 4) of Section 3, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho, lying North of the South Bates Road being described as follows:

Beginning at the Northwest Corner of said Section 3 and running thence South 82.22 feet more or less to the right-of-way line of the South Bates Road; and running thence Northeasterly along said right-of-way line 183 feet, more or less, to the North Section Line of said Section 3; running thence West 164 feet, more or less, along the North Section line of said Section 3 to the point of beginning.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging and all estate,

right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises together with the appurtenances unto the said parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Virginia P. Price
Virginia P. Price

Linda Bingham
Linda Bingham

Marilyn Anderson
Marilyn Anderson

Dale K. Price, Jr.
Dale K. Price, Jr.

Kenneth P. Price
Kenneth P. Price

R. Vandes Price

STATE OF WASHINGTON,)
) ss.
 County of KING)

On this 28th day of October, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared DALE K. PRICE, JR., known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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.

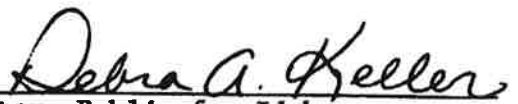

 Notary Public for Washington
 Residing at PARUEN, Washington
 My Commission Expires: 5-15-94

STATE OF IDAHO,)
) ss.
 County of Madison.)

On this 30th day of October, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared VIRGINIA P. PRICE; LINDA BINGHAM; MARILYN ANDERSON; AND KENNETH P. PRICE, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they 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.




 Notary Public for Idaho
 Residing at Rexburg, Idaho
 My Commission Expires: 11-15-93

Claim no. 2211943

Claimant Contact Log

Date	Remarks	Agent initials
------	---------	----------------

19 March 04	mailed Request For priority evidence	
-------------	--------------------------------------	--

7/14/04

visited with James Price

This claim is the same as A 2200461 + 67 Acres
please refer to that claim.

Will send change of ownership papers with
proof.

Contacts Data Entry Form

Claim Number: 2211943

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: DALE K. PRICE. Phone No.: 208-354-2252

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

DD
7/14/04
B. U. This includes an additional 67 acres in SWNW and SENW of Section 26 that is in decree A22 00461, ⇒ ENLARGED... CLAIM

The ground east of highway 33 in NE of Sec 26 is still jointly owned by all claimants,

① These Water Rights used 22-00461

Also has 208 shares of Grand Teton Canal that can be used on this ground.

Please refer to A220461 for map of field exam & POD info.

SBB 22-461 FOR FIELD EXAM NOTES

FE pod./pou. CONVEYANCE/SYSTEM

Reviewer: _____ Date: _____

Priority Date Data Entry Form

Claim Number: 2211943

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 1 June 1899 Claimed Basis: B.URecommended Priority Date: 1/25/1938 Recommended Basis: BU

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

CLAIMS A DATE THAT PREDATES THE 1910 ROXBURG VS TETON
DECREES IN WHICH 22-461 WAS DECURED (568 Pg. 42, #184, PRICE J. W.
JUNE 1, 1899, TETON CREEK). THIS CLAIM TO A RIGHT AS A
BENEFICIAL USE CLAIM CANNOT BY PRIORITY DATE PREDATE
THE ROXBURG VS TETON DECREES.

THERE IS ARE VARIOUS SUBSEQUENT DECREES ON TETON CREEK - MOST
OF WHICH ARE IN 1958. SOME AS LATE AS 1988. 22-461 NOR
THIS CLAIM ARE ADDRESSED IN ANY.

EVIDENCE SUBMITTED IN SUPPORT OF THIS CLAIM DISCUSSES
ORIGINAL PATENT OF LANDS AND USE OF WATER CIRCA 1899 -
THIS EVIDENCE SUPPORTS 22-461 AS DECURED TO THOSE LANDS IN
1910 UNDER ROXBURG VS TETON DECREES -

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: 2211 943Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
514	45E	26	NW	NE	Teton		5	Irrigation
"	"	"	SW	NE	"		18	"
"	"	"	SE	NE	"		2	"
"	"	"	SW	NW	"		40	"
"	"	"	SE	NW	"		39	"
"	"	"	NE	SW	"		20	"
"	"	"	NW	SW	"		40	"

Total acres 162Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

6/28/04 Field exam
 DO Please refer to claim R22 00421 for maps

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry FormClaim Number: 2211943**Water Right Period of Use and Diversion Rate**

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/15		

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:IPWR, S7d SOU 4/15 - 10/31

Reviewer: _____

Date: _____

mailed
19-march 04

March 19, 2004

**DALE K PRICE
73 HARPER BOX 563
DRIGGS ID 83422**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11943

Dear Claimant (s):

The Idaho Department of Water Resources is beginning water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

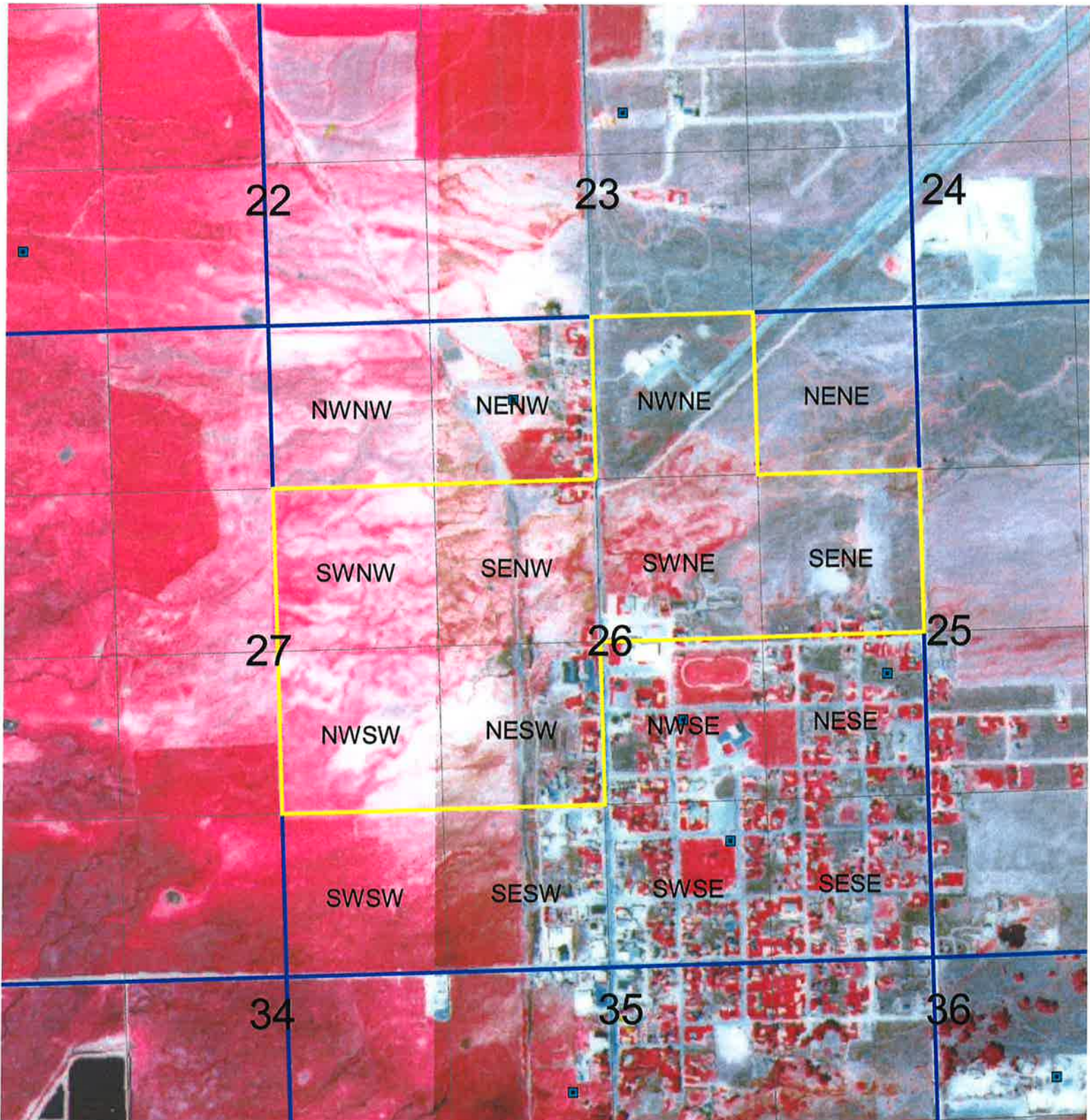
Your claim, as referenced above, claims a Priority Date of JUNE 01, 1899, from TETON CREEK.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

22-11943



22 23
27 26

T5N, R45E

Air Strip

T #841

Deed #101400

T #514

SWNW

SENW

TRACT 1.

NWSW

NESW

T #146

City of Driggs

26 25
35 36

T5N, R45E

T4N, R45E

TRACT 2.

Creek

Texas

16

127

33

TRACT 3.

Bates Road

T5N, R45E

T4N, R45E

34 35
32

33 34
43

5 January 2005

Mr. Ken Price
PO Box 51
Driggs ID 83422

Re: Change of Ownership

Dear Mr. Price:

In review of the water right claims filed by Price Bros., et al, I understand the properties have been split and that some family members have passed on leaving portions to other relatives.

To date, I have received documents from James Price indicating portions retained by him; however, I have not received documentation directing the disposition of the remaining property. My contractor, Mr. Dee O'Brien, apparently has spent some time discussing the split and disposition of the overall properties with certain family members and has directed me to you.

If you are the recipient of the Dale Price portions of the property or could enlighten me on the current disposition of those properties I would be most grateful. I am enclosing a Notice of Change of Water Right Ownership form for your use, should it apply. Please sign as indicated and return to my attention with the documents directing the disposition of the remaining Dale Price properties.

I look forward to your timely response and thank you for your attention to this important matter.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

Cc: files

Need s/o forms - Change of address.
Gave them to James Price.

For Dale Price kids claims

Send to

Kenneth P. Price

Ken Price

PO Box 51

Driggs ID 83422

Claim no. _____

Claimant Contact Log

Date

Remarks

Agent initials

6/24/04

Visited with James Price

Need Change of ownership,

~~This right belongs solely to James Price.~~

7/14/04

This right has been divided by Prices.

The ground east of highway 33 still is owned by the listed claimants.

The ground west of highway 33 is owned by James Price.

James Price is sending change of ownership and proof.

Need c/o - most of this is
James Price

Start form to James Price
James Price's address:

James Price
PO Box 212
Burgess, ID 83422

11/07/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13613

NAME AND ADDRESS: HUNTSMAN SPRINGS INC
97 N HWY 93
DRIGGS ID 83422

SOURCE: TETON CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.210 CFS
21.20 AFY

Right Nos. 22-13611 and 21-13613 are limited to a total combined diversion rate of 1.13 cfs.

PRIORITY DATE: 04/01/1987

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T05N R46E S19 NESESE 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	0.210 CFS 21.20 AFY

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S26	SWNW	40.00	T05N R45E S26	SENW	16.00
T05N R45E S26	NESW	17.00	T05N R45E S26	NWSW	40.00

113 ACRES TOTAL

Right Nos. 22-13611 and 22-13613 are limited to the irrigation of a combined total of 113 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 based upon an enlargement of Right No. 22-13611 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 16 acres within the place of use described for this right.

This right is a split from former right 22-11943.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

November 5, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

HUNTSMAN SPRING INC
97 N HWY 33
DRIGGS ID 83422

RE: Notice of Change of Water Right Ownership (NCO) for 22-153, 22-10649, 22-11981, 22-13611, 22-13613 and Notice of Completed Administrative Proceeding (NCAP)

Dear Claimant:

On September 7, 2007, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree

Technical Records Specialist

Enclosure

cc: Blackfoot Farms LLC.

SCANNED
NOV 29 2007

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Water Rights: 22-153, 22-10649, 22-
11981, 22-13611, 22-13613

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party BLACKFOOT FARMS – HUNTSMAN SPRINGS INC
- ☐ I.C. § 42-222 transfer
- ☐ point of diversion ☐ place of use
- ☐ period of use ☐ nature of use
- ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 13 November 2007

Ernest Carlson

Signature of IDWR Representative

SCANNED

NOV 29 2007

CERTIFICATE OF MAILING

I certify that on Nov 16, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
BLACKFOOT FARMS LLC
500 HUNTSMAN WAY
SALT LAKE CITY UT 84108

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
HUNTSMAN SPRINGS INC
97 N HWY 33
DRIGGS ID 83422

4. One copy to:

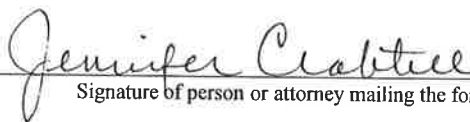
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

SCANNED
NOV 29 2007

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 22-13613
Date Received: 9/27/1988
Receipt No:
Received By:

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

1. Name of Claimant(s)

BLACKFOOT FARMS LLC Phone: (801)589-5864
500 HUNTSMAN WAY
SALT LAKE CITY UT USA 84108

2. Date of Priority: 06/01/1899

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	46E	20	NW NE SW	TETON	

5. Description of diverting works:

HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	2.62	

7. Total Quantity Appropriated is:
2.62 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	45E	26	SW NW	IRRIGATION	40
			SE NW	IRRIGATION	37
			NE SW	IRRIGATION	20
			NW SW	IRRIGATION	40

Section Acres 137
Total Acres 137

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 22-11943 .

15. Basis of Claim: Beneficial Use

PRICE Bros

R45E

TSN R46E
SECTION 20
NW NE SW

R46E

07'30" 491000m.E. 230 000 FEET (WYO. 4 WEST)

