

11/28/2006

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

RIGHT NUMBER: 22-13627
NAME AND ADDRESS: BOYD BOWLES
261 E 200 S
DRIGGS ID 83422

SOURCE: TETON CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.660 CFS

The quantity of water diverted under this water right shall be from the portion awarded to Wyoming and deducted there from as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

The rights listed below are limited to a total combined diversion rate of 2.08 cfs. Combined Right Nos.: 22-7096, 22-13627, 22-13629.

PRIORITY DATE: 09/01/1891

POINT OF DIVERSION:

T05N R46E S20 SWNE Lot 2 Within TETON County

The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 20 SESESE, 6PM.

The point of diversion shown above is where the conveyance system enters Idaho.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.660 CFS

PLACE OF USE:

IRRIGATION in TETON County

T05N R46E S29	SWNW	32.00	T05N R46E S29	SENE	12.00
T05N R46E S29	NESW	6.00	T05N R46E S29	NWSW	36.00

86 ACRES TOTAL

86

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-7096, 22-13627, 22-13629.

This right is limited to the irrigation of 77 acres within the place of use described above 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 water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 22-567.

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

Water is delivered through Waddell Ditch.

11/28/2006

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: 22-13627

BOYD BOWLES

261 E 200 S

DRIGGS ID 83422

Telephone Number: (208)313-2146

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:

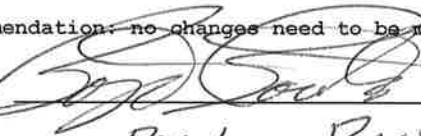
3. Give a brief explanation as to why you disagree with these portions:

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

DATE:

12/5/06

SIGNATURE:



Please print your name:

Boyd Bowles

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

Idaho Department of Water Resources

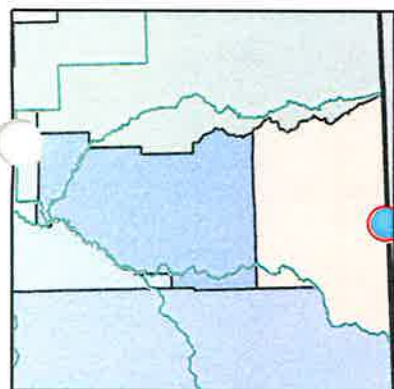
SRBA Recommendation:

22-13627

(Irrigation)

Legend

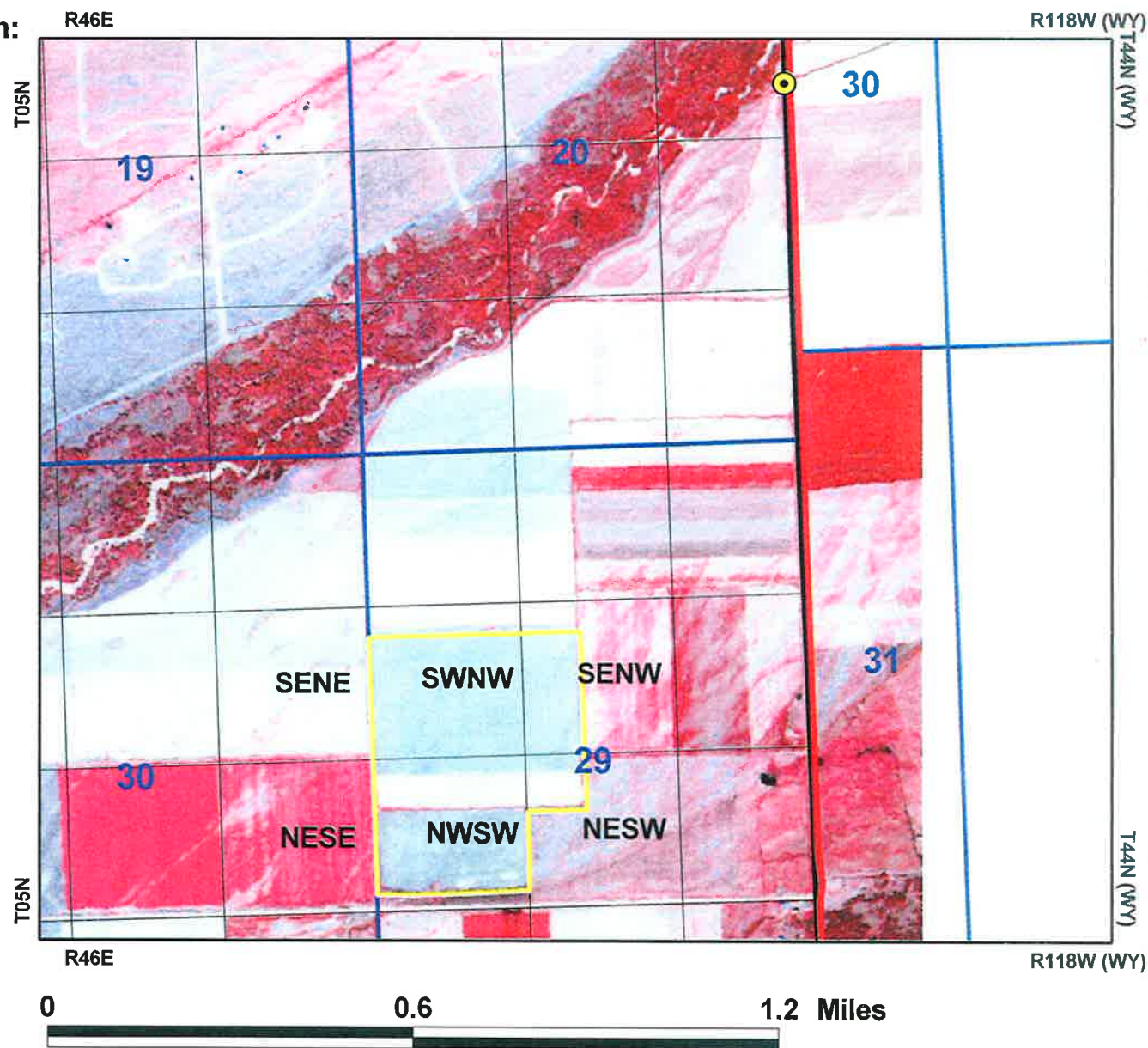
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



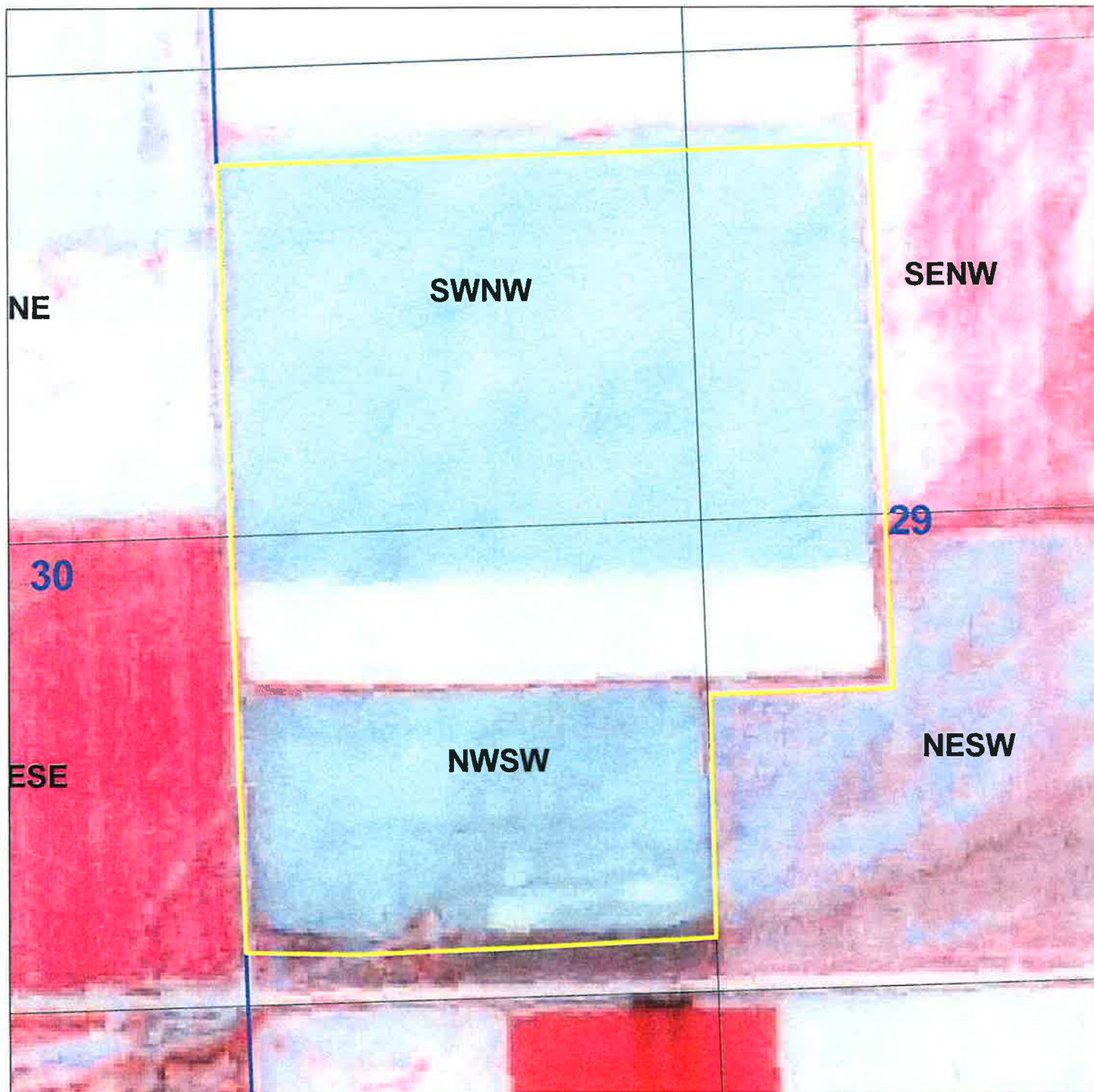
Teton County
IDWR Basin 22



Prepared by D. Carlson
On Tuesday, November 28, 2006
1987/88 Aerial Photography



22-13627



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
<u>22-13384</u>	<u> </u>	<u>XX</u>	<u> </u>	<u> </u>	<u> </u>
<u>22-13386</u>	<u> </u>	<u>XX</u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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) Boyd Bowles
261 East 200 South, Driggs, Idaho 83422
4. New Owner/Claimant(s) Targhee Hill Estates, LLC
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 1777 Sun Peak Drive
- City, State and ZIP Code Park City, Utah 84098
- New Telephone Number (435) 645-9005
5. Date you acquired the property October 19, 2006

RECEIVED
 NOV 20 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>22-13384</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>0.7 cfs</u>	<u>80 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>0.7 cfs</u>	

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>22-13386</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>1.32 cfs</u>	<u>80 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>1.32 cfs</u>	

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

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 _____

EXPLANATORY

Targhee Hill Estates, LLC acquired 101.94 acres in the S/2 of the S/2 of Section 20, T. 5 N., R. 46 E., B.M, in Teton County, Idaho (the "Ski Hill Road Property"). Of the 101.94 acres, 80 acres located east of Teton Creek are irrigated under Idaho Water Right Nos. 22-13384 and 22-13386 (the "Water Rights").

Idaho Department of Water Resources records show Boyd Bowles to be the owner of the Water Rights. However, deeds in the chain of title for the Ski Hill Road Property and appurtenant Water Rights include Ann B. Smith. Consequently, deeds included in this Notice of Change in Ownership begin with acquisition of the Ski Hill Road Property and appurtenant Water Rights by Boyd Bowles and Ann B. Smith and end with acquisition of the Ski Hill Road Property and appurtenant Water Rights by Targhee Hill Estates, LLC.

The Water Rights are authorized for the irrigation of a total of 166 acres and must be split by this Notice of Change in Ownership to reflect the portion used for irrigation of the Ski Hill Road Property. The portions of the Water Rights appurtenant to and used for the irrigation of 80 acres of the Ski Hill Road Property are split as follows:

Water Right No. 22-13384 has a maximum flow-rate of 1.27 cfs, and is limited to the irrigation of 144.9 acres, even though the described place of use includes 166 acres. The portion of this Water Right appurtenant to the Ski Hill Road Property is 0.7 cfs, calculated as follows: $80 \text{ acres} / 144.9 \text{ acres} \times 1.27 \text{ cfs} = 0.7 \text{ cfs}$.

Water Right No. 22-13386 has a maximum flow-rate of 2.74 cfs, and is limited to the irrigation of 166 acres. The portion of this Water Right appurtenant to the Ski Hill Road Property is 1.32 cfs, calculated as follows: $80 \text{ acres} / 166 \text{ acres} \times 2.74 \text{ cfs} = 1.32 \text{ cfs}$.

The combined flow available from both Water Rights for the irrigation of the portion of the Ski Hill Road Property located east of Teton Creek is 2.02 cfs.



Holme Roberts & Owen LLP
Attorneys at Law

SALT LAKE CITY

November 16, 2006

BOULDER

Idaho Dept. of Water Resources
Eastern Regional Office
ATTN: Ernie Carlsen
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-6105

returned
check # 052319
for \$200.00.
no fee needed.
JC
11-20-06

COLORADO SPRINGS

Re: Notice of Change in Ownership for Portions of Water Right Nos. 22-13384 and 22-13386

Dear Ernie:

DENVER

Enclosed for filing with IDWR on behalf of Targhee Hill Estates, LLC are a check in the amount of \$200.00 and a Notice of Change in Ownership and accompanying deeds and documents ("Change in Ownership"), for portions of Water Right Nos. 22-13384 and 22-13386.

LONDON

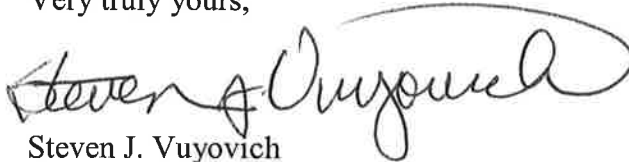
Please let us know if you see any problems with the Change in Ownership.

Thank you.

LOS ANGELES

Very truly yours,

MUNICH


Steven J. Vuyovich

SAN FRANCISCO

cc: Mike Stewart

Enclosures

RECEIVED

NOV 20 2006

Department of Water Resources
Eastern Region

Steven J. Vuyovich steven.vuyovich@hro.com

299 South Main Street, Suite 1800 Salt Lake City, Utah 84111-2263 tel/ 801.521.5800 fax 801.521.9639

#215799 v1

RECORDING REQUESTED BY
First American Title Company

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

181473

181473

Instrument # 181473

DRIGGS, TETON, IDAHO

2006-10-19

03:05:04 No. of Pages: 4

Recorded for : FIRST AMERICAN

NOLAN G. BOYLE

Ex-Office Recorder Deputy

Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 174943-T (tm)

Date: October 13, 2006

For Value Received, Rocky Mountain Greenhouses, Inc., a Wyoming Corporation, as to an undivided 50% interest and James B. Wark, presumptively subject to the community interest of his spouse if any, as to an undivided 50% interest, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Targhee Hill Estates, LLC, a Delaware Limited Liability Company, hereinafter called the Grantee, whose current address is 1777 Sun Peak Drive, Park City, UT 84098, the following described premises, situated in Teton County, Idaho, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

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.

181473

Date: 10/13/2006

Warranty Deed
- continued

File No.: 174943-T (tm)

By: _____

Harry Statter, President of Rocky Mountain
Greenhouses, Inc.

By: _____

James B. Wark

STATE OF _____)

SS.

COUNTY OF _____)

On this ____ day of October, 2006, before me, a Notary Public in and for said State, personally appeared **Harry Statter**, known or identified to me, to be the **President** of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.

Notary Public of

Residing at:

Commission Expires:

STATE OF New Jersey)

SS.

COUNTY OF Mountain)

On this 17 day of October, 2006, before me, a Notary Public in and for said State, personally appeared **James B. Wark**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.

STEVEN BROOKS
NOTARY PUBLIC OF NEW JERSEY
COMMISSION EXPIRES 12/23/2010

Notary Public of New Jersey

Residing at: Edison

Commission Expires: 12/2/2010

181473

By: _____

Harry Statter, President of Rocky Mountain
Greenhouses, Inc.

By: _____

James B. Wark

STATE OF

Idaho

)
SS.

COUNTY OF

Teton

)

On this 13th day of October, 2006, before me, a Notary Public in and for said State, personally appeared **Harry Statter**, known or identified to me, to be the **President** of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.



Notary Public of

Idaho

Residing at:

Teton, Id.

Commission Expires:

1-3-12

STATE OF

)
SS.

COUNTY OF

)

On this ____ day of October, 2006, before me, a Notary Public in and for said State, personally appeared **James B. Wark**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public of _____

Residing at:

Commission Expires:

EXHIBIT A

TOWNSHIP 5 NORTH, RANGE 46 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO.

SECTION 20: SW1/4SW1/4;

ALSO: BEGINNING AT THE NORTHEAST CORNER OF LOT 4 OF SAID SECTION 20; THENCE WEST 148 RODS; THENCE SOUTH 80 RODS; THENCE EAST 30.5 RODS; THENCE NORTH 17.5 RODS; THENCE EAST 117.5 RODS; THENCE NORTH 62.5 RODS TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THE EXISTING COUNTY ROAD RIGHT-OF-WAY ALONG THE EAST BOUNDARY OF THE ABOVE DESCRIBED PROPERTY.

177337

WARRANTY DEED

RECEIVED

MAY 31 2006

TETON CO., ID
CLERK RECORDED

FOR VALUE RECEIVED

Rocky Mountain Greenhouses, Inc., a Wyoming Corporation

the Grantor, for \$10.00 and good and valuable consideration, does hereby grant, bargain, sell and conveys and warrants unto

James B. Wark,

the Grantee, whose current address is

41 Wardell Avenue, Rumson, New Jersey 07760

a 50% (fifty percent) undivided interest as Tenant in Common, the following described real property, in Teton County, Idaho, TO WIT:

Township 5 North, Range 46 East, Boise Meridian, Teton County, Idaho
Section 20: The Southwest Quarter of the Southwest Quarter.

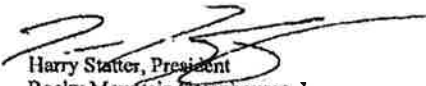
ALSO: Beginning at the Northeast Corner of Lot 4 of said Section 20; thence West 148 rods; thence South 80 rods; thence East 30.5 rods; thence North 17.5 rods; thence East 117.5 rods; thence North 62.5 rods to the point of beginning.

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 that it is the owner in fee simple of said premises; that it is free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that it will warrant and defend the same from all lawful claims whatsoever.

Dated: MAY 31, 2006

Grantor:


Harry Statter, President
Rocky Mountain Greenhouses, Inc.

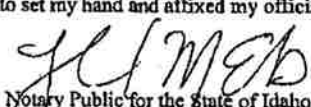
177337

State of Idaho }
County of Teton } ss.

On this 31st day of May, in the year 2006 before me, a Notary Public in and for the State of Idaho, personally appeared Harry Statter, President of Rocky Mountain Greenhouses, Inc. known or identified 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 WHEREFORE I have hereunto set my hand and affixed my official seal the day and year first above written.




Notary Public for the State of Idaho
Residing at: Driggs, ID
Commission Expires: 5/01/2012

177337

RECEIVED

JUL 15 2004

TETON CO. ID
CLERK RECORDER

Order No.: 3050412682-T

162235

WARRANTY DEED

3050412682-T
ALLIANCE TITLE & ESCROW CORP., INC.
P.O. BOX 644 / 78 N. MAIN STREET
DRIGGS, IDAHO 83422

FOR VALUE RECEIVED

Boyd Bowles, an unmarried person, Ann B. Smith, an unmarried person

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

Rocky Mountain Greenhouses, Inc., a Wyoming Corporation

whose current address is

P.O. Box 10586 Jackson, WY 83002

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 20: The Southwest Quarter of the Southwest Quarter.

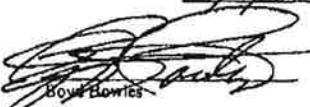
ALSO: Beginning at the Northeast Corner of Lot 4 of said Section 20; thence West 148 rods; thence South 80 rods; thence East 30.5 rods; thence North 17.5 rods; thence East 117.5 rods; thence North 62.5 rods to the point of beginning.

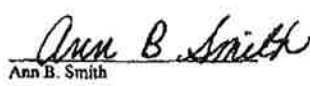
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: 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:

7/15/04


Boyd Bowles


Ann B. Smith

State of Idaho

County of Teton

On this 15 day of July, in the year 2004, before me, Notary Public in and for said state, personally appeared Boyd Bowles and Ann B. Smith known or identified to me to be the person whose name is 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 first above written.




Notary Public for the State of Idaho
Residing at: Driggs
Commission Expires: 11/18/05

Instrument # 162235

DRIGGS, TETON, IDAHO

2004-07-15

83:40:39 No. of Pages: 1

Recorded for: ALLIANCE TITLE & ESCROW

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: OREGON, WARRANTY

Fee: 3.00

162235

RECEIVED

149988

AUG 30 2002

TETON CO. ID
CLERK RECORDER

DEED OF DISTRIBUTION

THIS DEED, made this ____ day of March, 2002, between ANN B. SMITH, Personal Representative of the Estate of John Andrew Smith, deceased, of Bonneville County, State of Idaho, the Party of the First Part, and ANN B. SMITH of Victor, County of Teton, State of Idaho, Party of the Second Part, whose address is Post Office Box 61, Victor, Idaho 83455.

WHEREAS, Ann B. Smith, Party of the First Part, is the duly appointed and acting personal representative of the Estate of John Andrew Smith, deceased; and

WHEREAS, Ann B. Smith, Party of the Second Part, is entitled to receive distribution of the property hereafter described in this deed under the terms of the Last Will and Testament of the decedent and pursuant to the provisions of the Idaho Uniform Probate Code;

NOW, THEREFORE, WITNESSETH, that the said Party of the First Part, for a valuable consideration, and for the purpose of distributing certain real property from the Estate of John Andrew Smith, deceased, does by these presents hereby distribute, grant, bargain, sell, convey, and confirm unto the said Party of the Second Part, and to her heirs and assigns forever, a one-fourth (1/4) undivided interest in that certain parcel of land, situate, lying and being in Teton County, Idaho:

SW1/4 of the SW1/4 Section 20, Township 5 North, Range 46 East
Boise Meridian.

Ann B. Smith previously owned the other one-fourth (1/4) interest in the property as her half of the community property of herself and decedent. Therefore, by virtue of this deed, Ann B. Smith now is one-half (1/2) owner of the property set forth in this deed.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the Party of the Second Part, and to her heirs and assigns forever.

149988

Instrument # 149988

DRIGGS, TETON, IDAHO

2002-08-30

01:56:39 No. of Pages: 2

Recorded for: ANN B. SMITH

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED OF DISTRIBUTION

Fee: 8.00

[Signature]

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set her hand and seal the day and year first above written.

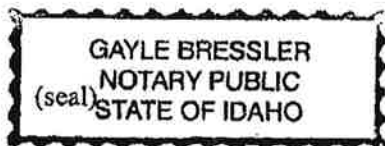
Ann B. Smith

Ann B. Smith, as Personal Representative of
the Estate of John Andrew Smith

STATE OF IDAHO)
)ss.
County of Idaho)

On the 30 day of ~~March~~ ^{August}, 2002, before me, the undersigned, a notary public, in and for said State, personally appeared Ann B. Smith, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of John Andrew Smith and acknowledged to me that she executed the same as such Personal Representative.

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



G:\WPDATA\REP0570\deedC10402.dle Em

Gayle Bressler
Notary Public for Idaho
Residing at: Victor
My Commission Expires: 3-1-07

PLEASE RETURN TO: R. FARNAM
HOLDEN, KIDWELL, HAHN & CRAPO
P.O. Box 50130
Idaho Falls, ID 83405

MAR 02 2001

TETON CO. ID
CLERK RECORDER

DEED OF DISTRIBUTION

141541

THIS DEED, made this 26th day of February, 2001, between ANN B. SMITH, Personal Representative of the Estate of John Andrew Smith, deceased, of Bonneville County, State of Idaho, the Party of the First Part, and ANN B. SMITH of Victor, County of Teton, State of Idaho, Party of the Second Part, whose address is Post Office Box 61, Victor, Idaho 83455.

WHEREAS, Ann B. Smith, Party of the First Part, is the duly appointed and acting personal representative of the Estate of John Andrew Smith, deceased; and

WHEREAS, Ann B. Smith, Party of the Second Part, is entitled to receive distribution of the property hereafter described in this deed under the terms of the Last Will and Testament of the decedent and pursuant to the provisions of the Idaho Uniform Probate Code;

NOW, THEREFORE, WITNESSETH, that the said Party of the First Part, for a valuable consideration, and for the purpose of distributing certain real property from the Estate of John Andrew Smith, deceased, does by these presents hereby distribute, grant, bargain, sell, convey, and confirm unto the said Party of the Second Part, and to his heirs and assigns forever, a one-fourth ($\frac{1}{4}$) undivided interest in that certain parcel of land, situate, lying and being in Teton County, Idaho located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ Section 20, Township 5 North, Range 46 East Boise Meridian, and more particularly described as follows:

Beginning at the NE Corner of Lot 4, Section 20, T5N R46EBM;
thence West 148 rods; thence South 80 rods; thence East 30.5 rods;
thence North 17.5 rods; thence East 117.5 rods; thence North 62.5
rods to the point of beginning. Contains 61.47 acres.

Ann B. Smith previously owned the other one-fourth ($\frac{1}{4}$) interest in the property as her half of the community property of herself and decedent. Therefore, by virtue of this deed, Ann B. Smith now is one-half ($\frac{1}{2}$) owner of the property set forth in this deed.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the Party of the Second Part, and to his heirs and assigns forever.

Instrument # 141541

DRIGGS, TETON, IDAHO

2001-03-02

12:50:28 No. of Pages: 2

Recorded for: HOLDEN, KIDWELL, HAHN & CRAPO

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to DEED OF DISTRIBUTION

141541

M. Wade

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his hand and seal the day and year first above written.

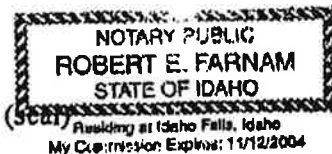
Ann B. Smith

Ann B. Smith, as Personal Representative of
the Estate of John Andrew Smith

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 26th day of February, 2001, before me, the undersigned, a notary public, in and for said State, personally appeared Ann B. Smith, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of John Andrew Smith and acknowledged to me that she executed the same as such Personal Representative.

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



[Signature]
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 11/12/2004

G:\WPDATA\LEP\9170\dev\0221.doc Rev

2 - DEED OF DISTRIBUTION

141541

WARRANTY DEED

For Value Received

RICH CHRISTENSEN and DELORES CHRISTENSEN, husband and wife;
 ROCKY TAYLOR and VALOY TAYLOR, husband and wife;
 CONLEY CHRISTENSEN and SHEILA CHRISTENSEN, husband and wife;
 the grantors do hereby grant, bargain, sell and convey unto

BOYD BOWLES, a single man and ANN B. SMITH, a married woman

whose current address is
 Driggs, Idaho 83422

the grantee, the following described premises, in Teton County Idaho, to wit:

Township 5 North, Range 46 East, Boise Meridian, Teton County, Idaho
 Section 20: Southwest Quarter of the Southwest Quarter
 ALSO: Beginning at the Northeast corner of Lot 4
 of said Section, thence West 148 rods; thence South
 80 rods; thence East 30.5 rods; thence North 17.5
 rods; thence East 117.5 rods; thence North 62.5 rods
 to the point of beginning...

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
 their heirs and assigns forever. And the said Grantors do hereby covenant to and
 with the said Grantee, that they are the owners in fee simple of said premises; that they are free
 from all incumbrances except matters of public record.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: January 30, 1979

V. Rich Christensen
 V. Rich Christensen as Attorney in fact for Delores Christensen, Valoy Taylor,
 Rocky Taylor, Conley Christensen, Sheila Christensen

V. Rich Christensen

STATE OF IDAHO, COUNTY OF Madison
 On this 30th day of January, 19 79,
 before me, a notary public in and for said State, personally
 appeared V. Rich Christensen as Attorney in
 fact for Delores Christensen, Valoy Taylor,
 Rocky Taylor, Conley Christensen, Sheila
 Christensen and V. Rich Christensen,
 individually

known to me to be the person whose name is
 subscribed to the within instrument, and acknowledged to
 me that he executed the same.

Richard D. Nyquist
 Notary Public
 Residing at Reidley, Idaho
 Comm. Expires August 1980

STATE OF IDAHO }
 COUNTY OF TETON }
 Filed for Record at the Request of
Christensen and
at 4:45 minutes past 8
A.M. day of August 1979
 and Microfilm or Recorded in
 Book _____
 Page _____
 Records of Teton County
 State of Idaho
Deborah L. Christensen
 County Clerk

83921

FILED
 INDEXED
 CLERK
 TETON

801-521-9639 ATTN: Rob Petersen

1/4 CORNER SECTION 20
FOUND 3/4" IRON PIN WITH CAP
C.P.F.R. INDEX R-5
INSTRUMENT #123468

EAGLE REST SUBDIVISION

EAGLE REST ROCK BOX
COVERING MONUMENT
LOCATION

N 00°02'52"E 1323.67'

N 00°02'52"E 1323.67'

SW CORNER SECTION 20
FOUND 5/8" IRON PIN WITH CAP
C.P.F.R. INDEX R-5
INSTRUMENT #95925

TETON CREEK

TETON CREEK

N 89°53'15"W 1843.60'

S 89°53'21"E 2646.27'

0 100 200 300 400

SCALE 1" = 200'

GPS BASIS OF BEARING

TETON CREEK RESORT, P.U.D.

E 1/4 CORNER SECTION 20
FOUND 3/4" IRON PIN
C.P.F.R. INDEX P-6
INSTRUMENT #123471

N 00°04'30"E 564.82'

N 00°04'30"E 564.82'

5/8" PIN
BOWLES F/C:
41.0' WEST
69.1' SOUTH

COUNTY ROAD AND
UTILITY EASEMENT

MILEPOST 191

GOVERNMENT LOT 4

F/C 26.0' WEST
68.3' SOUTH

N 89°53'15"W 1938.75'

MOSS PROPERTY

800.94'
S 89°53'15"E

1137.81'
S 89°53'15"E

S 1/4 CORNER SECTION 20
FOUND 3/4" IRON PIN WITH CAP
C.P.F.R. INDEX R-7
INSTRUMENT #123467

SE CORNER SECTION 20
FOUND 3/4" IRON PIN
C.P.F.R. INDEX R-9
INSTRUMENT #123470

F/C 36.0' WEST
71.4' SOUTH

LEGEND

- SECTION CORNER FOUND AS NOTED
- FOUND IDAHO/WYOMING MILEPOST MONUMENT
- FOUND SUBDIVISION CORNER AS NOTED
- SET 1/16 OR GOVERNMENT LOT CORNER -
5/8" IRON PIN WITH CAP INSCRIBED:
AW ENG 2860
- SET 1/2" IRON PIN WITH CAP INSCRIBED:
AW ENG 2860
- SET 30" OFFSET - 1/2" IRON PIN WITH
CAP INSCRIBED: AW ENG 2860
- FOUND 1/2" IRON PIN WITH CAP
- POWER BOX
- IRRIGATION PUMP
- SECTIONAL BREAKDOWN LINE
- IRRIGATION MAINLINE
- P/L OVERHEAD POWER LINE
- CANAL OR DITCH
- FENCE LINE
- EASEMENT - TYPE AND WIDTH AS NOTED

SCALED POSITION OF TETON CREEK BASED
ON 1977 USGS 1:24000 MAP

PROPERTY DESCRIPTION

A PART OF THE S 1/2 SW 1/4, AND A PART OF GOVERNMENT LOT 4, SECTION 20,
14" SW, RING 46E., B.M., TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS:
FROM THE SE CORNER OF SAID SECTION 20, THENCE N 00°25'50"W, 288.75 FEET ALONG
THE EASTERN SECTION LINE TO THE TRUE POINT OF BEGINNING;
THENCE N 89°53'15"W, 1938.75 FEET TO A POINT;
THENCE S 00°25'50"E, 288.75 FEET TO A POINT ON THE SOUTHERN SECTION LINE OF
SAID SECTION 20;
THENCE N 89°53'15"W, 1843.60 FEET ALONG THE SOUTHERN SECTION LINE TO THE
SW CORNER OF SAID SECTION 20;
THENCE N 00°02'52"E, 1323.67 FEET ALONG THE WESTERN SECTION LINE TO THE NW
CORNER OF THE S 1/2 SW 1/4 OF SAID SECTION 20;
THENCE S 89°53'21"E, 2646.27 FEET ALONG THE NORTH LINE OF THE S 1/2 SW 1/4
TO THE NW CORNER OF GOVERNMENT LOT 4 OF SAID SECTION 20;
THENCE S 89°53'15"E, 1128.51 FEET ALONG THE NORTH LINE OF GOVERNMENT LOT 4
TO THE NW CORNER OF GOVERNMENT LOT 4 OF SAID SECTION 20;
THENCE S 00°04'30"E, 564.82 FEET ALONG THE EASTERN SECTION LINE OF SAID
SECTION 20 TO MILEPOST 191;
THENCE S 00°25'50"E, 470.25 FEET FURTHER ALONG THE EASTERN SECTION LINE OF
SAID SECTION 20 TO THE POINT OF BEGINNING.

CONTAINS 101.94 ACRES, MORE OR LESS.

SUBJECT TO A COUNTY ROAD AND UTILITY EASEMENT ALONG THE EASTERN PROPERTY
LINE.

OWNERS' CERTIFICATE

WE, THE UNDERSIGNED OWNERS, CERTIFY THAT WE DID CAUSE THE SURVEY OF
THE PROPERTY OF LAND AS SHOWN ON THIS PLAT TO BE PERFORMED BY AW ENGINEERING.

SURVEYOR'S CERTIFICATE

I, ARNOLD W. WOOLSTENHULME, BEING A
REGISTERED LAND SURVEYOR / ENGINEER
IN THE STATE OF IDAHO, No. 2860, DO
HEREBY CERTIFY THAT I DID CAUSE THE
SURVEY OF THE TRACT OF LAND AS HEREIN
PLATTED AND DESCRIBED.



RECORDER'S CERTIFICATE

STATE OF IDAHO)
COUNTY OF TETON)

I DO HEREBY CERTIFY THAT THIS PLAT WAS FILED THIS 17th DAY
OF January 2001 AT 3:00 PM
AT THE REQUEST OF *AW Engineering*
INSTRUMENT NUMBER
Nolan G. Boyle
COUNTY RECORDER

RECORD OF SURVEY PROPERTY SURVEY

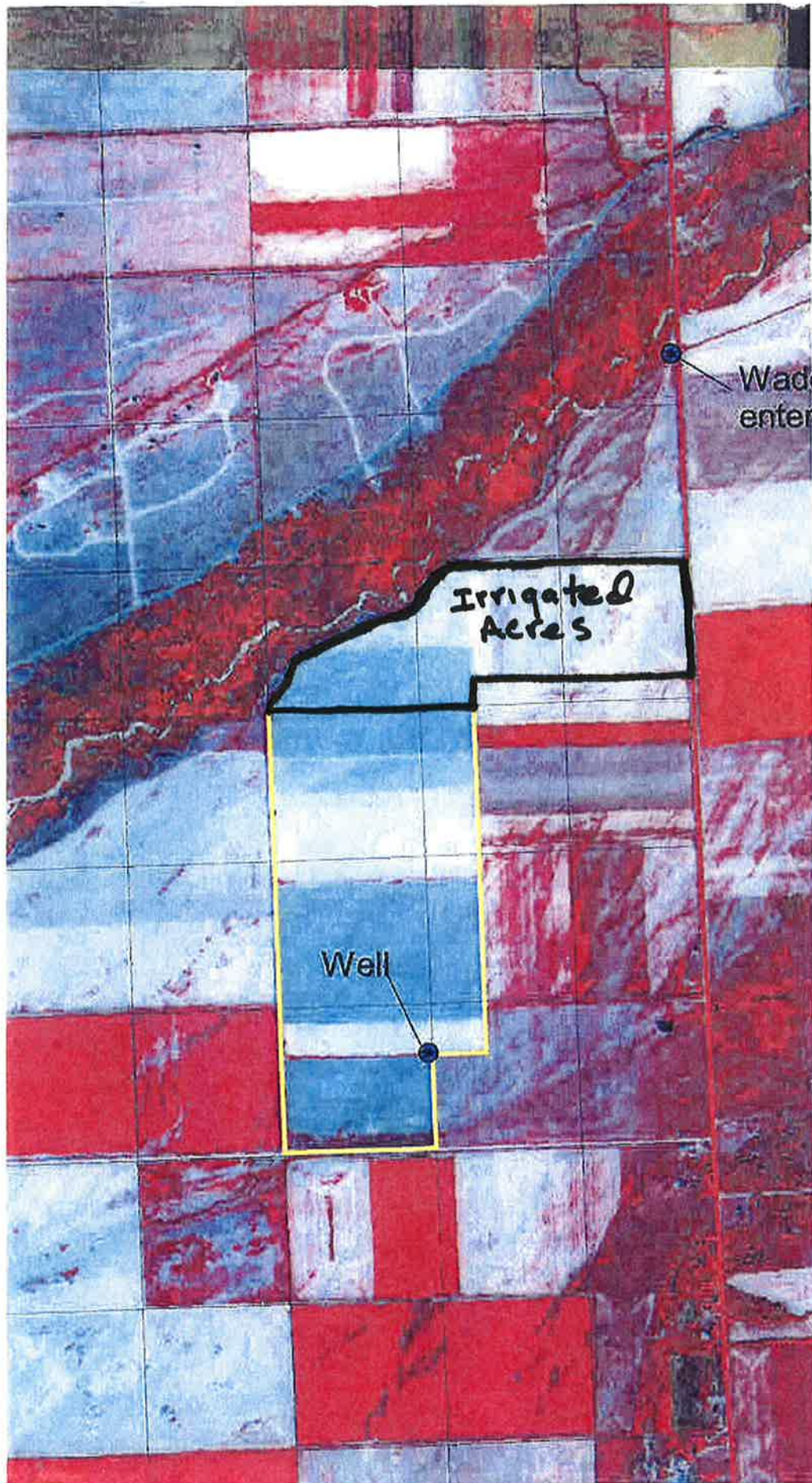
THE S 1/2 S 1/2 SECTION 20, TWP. 5N., RING. 46E.,
B.M., TETON COUNTY, IDAHO

SURVEYED FOR:

BOYD BOWLES

AW ENGINEERING
P.O. BOX 130
VICTOR, IDAHO 83455
(208) 787-2952

DRAWN	MLC	07/12/99	PROJECT	99 - 077
REVISED	MLC	07/13/99		
SURVEYED	CLC (GPS)	07/11/99	5-46 DAT BOWLES, BOB	SECTION 20

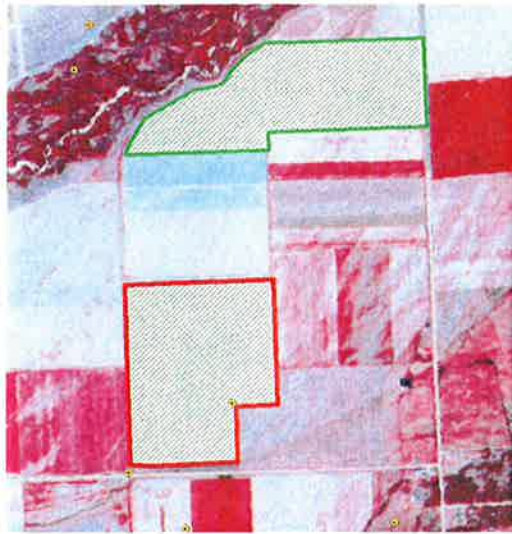


Wadell Ditch
enters Idaho

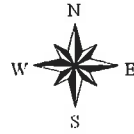
Irrigated
Acres

Well

22-7096, 22-13384, 22-13386



- Active Right POD
- 22-7096.shp
- 22-13386.shp
- 22-13384shp.shp



0.5 0 0.5 1 Miles



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

November 20, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

STEVEN J VUYOVICH
HOLME ROBERTS & OWEN LLP
299 S MAIN ST STE 1800
SALT LAKE CITY UT 84111-2263

RE: RETURNED CHECK NO. 052319 AND NOTICE OF CHANGE IN WATER
RIGHT OWNERSHIP FOR BOWLES-TARGHEE HILL ESTATES

Dear Mr. Vuyovich:

I am returning the above referenced check because a fee is not required to split an Idaho preliminary water right recommendation. Your client should receive an updated record in the next few weeks.

Respectfully,

A handwritten signature in cursive script that reads "Jennifer Crabtree".

Jennifer Crabtree
Technical Records Specialist

Enclosure



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

April 4, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

TREES INC
PO BOX 396
TETON VILLAGE WY 83025

RE: Notice of Change of Water Right Ownership (NCO) for 22-7096, 22-13627
& 22-13629 and Notice of Completed Administrative Proceeding (NCAP)

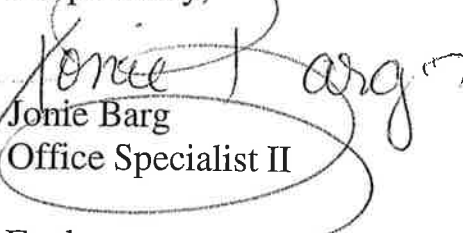
Dear Sir/Madam:

The Idaho Department of Water Resources (IDWR) acknowledges receipt of 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,


Jonie Barg
Office Specialist II

Enclosure

CC: BOYD BOWLES

SCANNED

APR 11 2008

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: 22-7096, 22-13627 &
22-13629

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party BOWLES-TREES 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: 4-9-08

Ernest Carlson

Signature of IDWR Representative

APR 11 2008

CERTIFICATE OF MAILING

I certify that on April 10, 2008, 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:
Boyd Bowles
261 E 200 S
Driggs ID 83422

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
Trees Inc
PO Box 396
Teton Village WY 83025

4. One copy to:

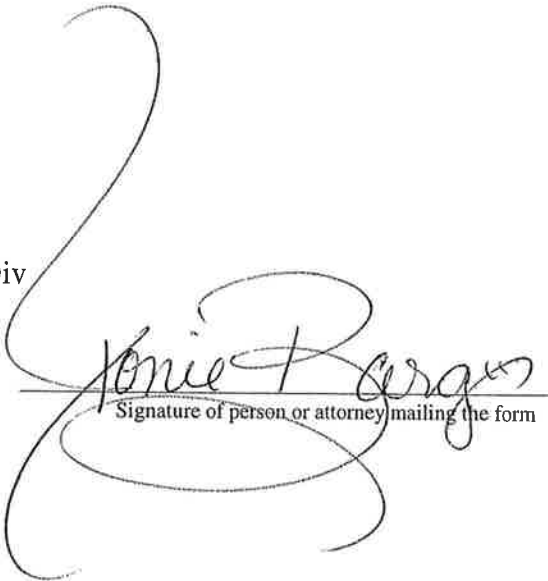
Each party in the subcase, or attorney of record

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

04/04/2008

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

RIGHT NUMBER: 22-7096

NAME AND ADDRESS: TREES, INC
P O BOX 396
TETON VILLAGE WY 83025

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.450 CFS
258.00 AFY

The rights listed below are limited to a total combined diversion rate of 2.08 cfs. Combined Right Nos.: 22-7096, 22-13627, 22-13629.

PRIORITY DATE: 07/15/1974

POINT OF

DIVERSION: T05N R46E S29 NWSW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	1.450 CFS 258.00 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 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 in TETON County

T05N R46E S29	SWNW	32.00	T05N R46E S29	SENW	12.00
T05N R46E S29	NESW	6.00	T05N R46E S29	NWSW	36.00

86 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 86 acres in a single irrigation season. Combined Right Nos.: 22-7096, 22-13627, 22-13629.

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

SCANNED
APR 11 2008

04/04/2008

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

RIGHT NUMBER: 22-13627

NAME AND ADDRESS: TREES, INC
P O BOX 396
TETON VILLAGE WY 83025

SOURCE: TETON CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.660 CFS

The quantity of water diverted under this water right shall be from the portion awarded to Wyoming and deducted there from as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

The rights listed below are limited to a total combined diversion rate of 2.08 cfs. Combined Right Nos.: 22-7096, 22-13627, 22-13629.

PRIORITY DATE: 09/01/1891

POINT OF
DIVERSION:

T05N R46E S20 SWNE Lot 2 Within TETON County

The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 20 SESESE, 6PM.

The point of diversion shown above is where the conveyance system enters Idaho.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.660 CFS

PLACE OF USE:

IRRIGATION in TETON County

T05N R46E S29

SWNW

32.00

T05N R46E S29

SENW

12.00

T05N R46E S29

NESW

6.00

T05N R46E S29

NWSW

36.00

86 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 86 acres in a single irrigation season. Combined Right Nos.: 22-7096, 22-13627, 22-13629.

This right is limited to the irrigation of 77 acres within the place of use described above 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 water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 22-567.

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

Water is delivered through Waddell Ditch.

SCANNED
APR 11 2003

04/04/2008

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

RIGHT NUMBER: 22-13629

NAME AND ADDRESS: TREES, INC
P O BOX 396
TETON VILLAGE WY 83025

SOURCE: TETON CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.420 CFS

The rights listed below are limited to a total combined diversion rate of 2.08 cfs. Combined Right Nos.: 22-7096, 22-13627, 22-13629.

The quantity of water diverted under this water right shall be from the portion awarded to Wyoming and deducted there from as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

PRIORITY DATE: 01/22/1916

POINT OF
DIVERSION:

T05N R46E S20 SWNE Lot 2 Within TETON County

The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 20 SESESE, 6PM.

The point of diversion shown above is where the conveyance system enters Idaho.

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	1.420 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T05N R46E S29 SWNW	32.00	T05N R46E S29 SENW 12.00
	T05N R46E S29 NESW	6.00	T05N R46E S29 NWSW 36.00
	86 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 86 acres in a single irrigation season. Combined Right Nos.: 22-7096, 22-13627, 22-13629.

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 water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Waddell Ditch.

This right is a split from former right 22-81.

SCANNED

APR 11 2008

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
22-7096	Adj. Needs NCAP				
22-13627	Adj. Needs NCAP				
22-13629	Adj. Needs NCAP				

OK
DJF

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 on file with the county Planning and Zoning or Recorder's Office).

OR

- D. 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 or equivalent **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)

Boyd Bowles

RECEIVED

APR 04 2008

Department of Water Resources
 Eastern Region

4. New Owner/Claimant(s)

X Trees Inc

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

New Mailing Address

PO Box 396

City, State and ZIP Code

Teton Village Wy 83025

New Telephone Number

(307) 733-6563

Email: heideshorts@msn.com

5. Date you acquired the property _____
6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s) _____

John R. Rents

Office manager

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

APR 11 2008

65 Acres

187965 MAY 29 07 AM 10:34

Alliance Title & Escrow Corp.
P.O. Box 644
Driggs, Idaho 83422

WARRANTY DEED

Order No.: 3050715378TD

FOR VALUE RECEIVED

Parcel 1: Boyd Bowles, an unmarried person

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

Trees, Inc., a Wyoming Corporation

whose current address is

P.O. Box 396 Teton Village Wyoming 83025

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

PARCEL 1:

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

Section 29: Beginning at a point 14 1/4 rods South of the Southwest corner of the Northwest Quarter Northwest Quarter and running thence East 110 1/4 rods; thence South 94 1/4 rods; thence West 110 1/4 rods; thence North 94 1/4 rods to the point of beginning.

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.

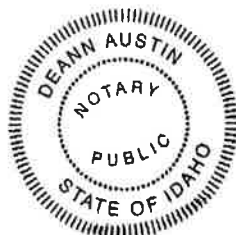
Dated: 5/16/07

Boyd Bowles

State of Idaho }
County of Teton } ss.

On this 16th day of May in the year 2007 before me, a Notary Public in and for said state, personally appeared Boyd Bowles known or identified 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 first above written.



Instrument # 187965

TETON COUNTY, IDAHO

2007-05-29 10:34:00 No. of Pages: 1

Recorded for: ALLIANCE TITLE & ESCROW

MARY LOU HANSEN Fee: 3.00

Ex-Officio Recorder Deputy M. Hansen

Index to: DEED, WARRANTY

Deann Austin
Notary Public for the State of

Residing at:

Commission Expires: Residing in Jefferson County
Commission Expires: 01-08-13

POC

MM

168120 168145

RECEIVED

MAY 19 2005

TETON CO., ID
CLERK RECORDER

WARRANTY DEED

Order No.: 3050513531-T Re-recorded to correct address of Grantee

FOR VALUE RECEIVED

RECEIVED

MAY 20 2005

TETON CO., ID
CLERK RECORDER

Boyd Bowles, an unmarried person

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

Trees, Inc., A Wyoming Coporation

whose current address is

PO Box 396
170 Rock/11 Teton Village, WY 83025

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 29: Beginning at the SE corner of the NW 1/4 SW 1/4 and running thence North 51 rods;
thence West 80 rods; thence South 51 rods; thence East 80 rods to the point of beginning.

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.

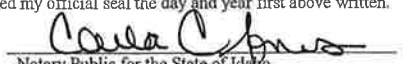
Dated: 5/16/2005


Boyd Bowles

State of Idaho }
County of Teton } ss.

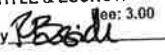
On this 17 day of May, in the year 2005 before me, a Notary Public in and for said state, personally appeared Boyd Bowles known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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


Notary Public for the State of Idaho
Residing at: Driggs
Commission Expires: 11/19/05

CARLA C. JONES
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES NOV. 19, 2005

Instrument # 168145
DRIGGS, TETON, IDAHO
2005-05-20 01:16:42 No. of Pages: 1
Recorded for : ALLIANCE TITLE & ESCROW
NOLAN G. BOYLE Fee: 3.00
Ex-Officio Recorder Deputy 
Index to: DEED, WARRANTY

Instrument # 168120
DRIGGS, TETON, IDAHO
2005-05-19 12:05:49 No. of Pages: 1
Recorded for : ALLIANCE TITLE & ESCROW
NOLAN G. BOYLE Fee: 3.00
Ex-Officio Recorder Deputy 
Index to: DEED, WARRANTY

168120 168145

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 22-13627
Date Received: 5/17/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

BOYD BOWLES Phone: (208) 313-2146
261 E 200 S
DRIGGS ID USA 83422

2. Date of Priority: 09/01/1891

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	SW NE 2	TETON	

5. Description of diverting works:

Wadell Ditch enters Idaho at the Point of Diversion described above. The actual heading is at T44N R118W Section 20 SESE in Wyoming.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.66	

7. Total Quantity Appropriated is:
0.66 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	29	SW	NW	IRRIGATION	30
			SE	NW	IRRIGATION	10
			NE	SW	IRRIGATION	5
			NW	SW	IRRIGATION	39
Section Acres						84
Total Acres						84

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 claim is based on a portion of decreed right 22-567.

This right is a split from former right 22-13213 .

See file 22-13213 for field exam and notes.

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 a split from former right 22-13384 .

15. Basis of Claim: Decreed