

01/26/2008

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

RIGHT NUMBER: 22-13801

NAME AND ADDRESS: JAMES E HATCH
PO BOX 2
DRIGGS ID 83422

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.780 CFS
171.00 AFY

PRIORITY DATE: 05/09/1978

POINT OF
DIVERSION:

T05N R44E S2 NWSESW 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	0.780 CFS 171.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 15 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 31 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 R44E S02	SESW	39.00	T05N R44E S02	SWSE	18.00
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57 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 22-7279B.



Idaho Department of Water Resources

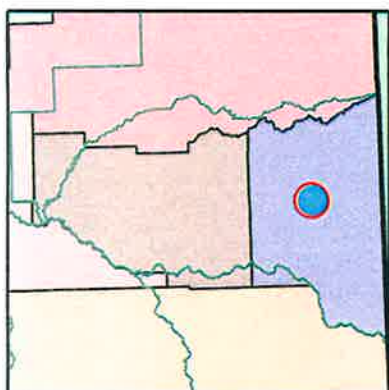
SRBA Recommendation:

22-13801

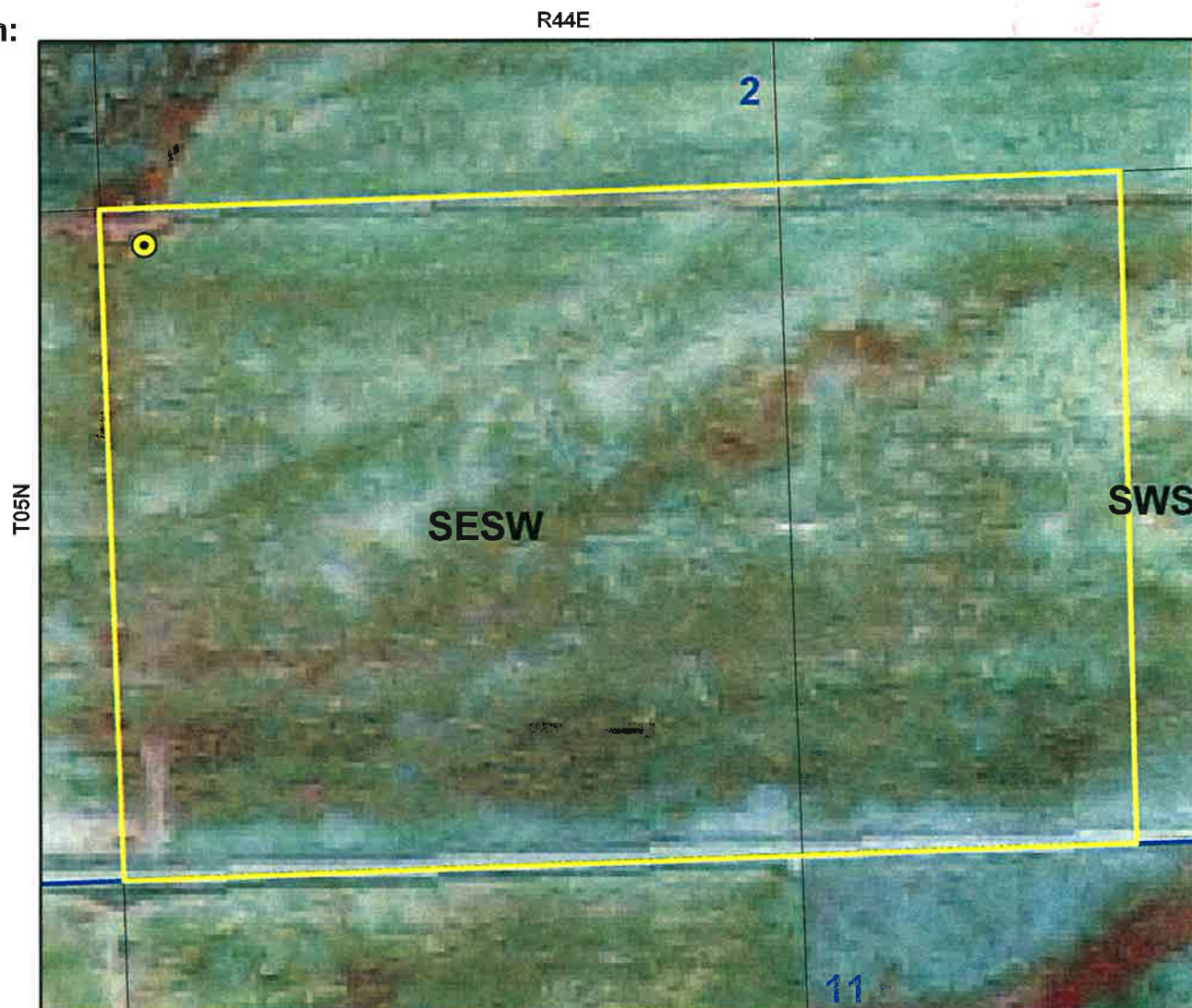
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



0 0.1 0.2 Miles

Prepared by J. Crabtree
On Thursday, December 13, 2007
1987/88 Aerial Photography

INUED
JUL 25 2003



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

January 26, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

JAMES HATCH
PO BOX 2
DRIGGS ID 83422

RE: Notice of Change of Water Right Ownership (NCO) for
22-7279B and Notice of Completed Administrative Proceeding
(NCAP)

Dear Mr. Hatch:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

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 the 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

SCANNED
JAN 25 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: 22-7279B SPLIT
INTO 22-13801 & 22-13802

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

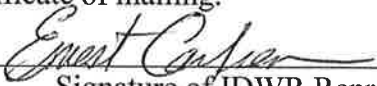
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party (SPLIT) HATCH – HATCH & FISH REVOCABLE TRUST
- ☐ 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: Jan. 15, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Jan 28, 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:
JAMES E HATCH
PO BOX 2
DRIGGS ID 83422

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
JAMES E HATCH
PO BOX 2
DRIGGS ID 83422

ENRICA CHERNEY FISH REVOCABLE TRUST
1208 W MINNEHAHA PARKWAY
MINNEAPOLIS, MN 55419-1163

4. One copy to:

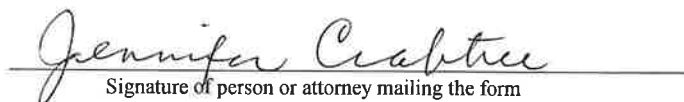
Each party in the subcase, or attorney of record
N/A

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

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)
~~22-1279B~~	22-7279B	X			

RECEIVED

DEC 03 2007

Department of Water Resources
Eastern Region

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JUL 13 2007

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

Department of Water Resources
Eastern Region

- 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)

James E. Hatch 115N Hwy 33, DRIGGS ID 83422
 Michael Witt + Brooke Blackwelder, 2904 Starview Ave., BOISE ID 83712

4. New Owner/Claimant(s)

SEE BELOW (*)

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

New Mailing Address

1208 W Minnehaha Pkwy

City, State and ZIP Code

MINNEAPOLIS MN 55419-1165

New Telephone Number

(612) 823 5005

612 210 9788 (cell)

RECEIVED

SEP 25 2007

Department of Water Resources
Eastern Region



ENRICA CHERNEY FISH AND ALFRED JOSEPH FISH, AS TRUSTEES, AND THE SUCCESSOR TRUSTEES OF THE ENRICA CHERNEY FISH REVOCABLE TRUST DATED JULY 16, 1991



5. Date you acquired the property

July 3, 2007

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)

Ernie Cherry, Trustee
(title if applicable)
Alfred Joseph Fish, Trustee
(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 _____
 Receipted by _____ Date _____
 Processed by _____ AJ Date _____

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

SCANNED

JAN 25 2008

return the "Notice of Change of Ownership" form, James Hatch's letter, and the Warranty Deed to Exchange 07-3755 LLC.

2. To convey the water to James Hatch and Enrica Cherney Fish Revocable Trust, re-submit the "Notice of Change of Ownership" form, James Hatch's letter, and the Purchase and Sale Agreement.
3. If you want this Water Right in the name of Enrica Cherney Fish Revocable Trust we must have the "Notice of Change of Ownership" form, James Hatch's letter, the Warranty Deed to Exchange 07-3755 LLC, and a recorded Deed from Exchange 07-3755 LLC to Enrica Cherney Fish Revocable Trust.

If you have any questions regarding this matter please contact Jennifer Crabtree, Technical Records Specialist or myself at (208) 525-7161.

Respectfully Submitted,


Jonie Barg
Office Specialist II
Enclosure

11/26/07

ATT: Ms Barg,
Please find enclosed the items
requested above in item #3.
Thank you for your kind
attention to this matter.

Enrica Fish

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JAN 23 2008

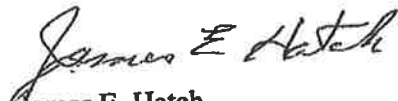
James Hatch
115 N. Hwy 33
Driggs, ID 83422

April 27, 2007

RE: Water Rights for E1/2 SW1/2 SE1/4 of Sec 2 T5N, R44E, Boise Meridian, Teton
County, Idaho

This letter serves to state that the water rights for the above parcel of approximately 20
acres was included in the sale of the property to Brooke Blackwelder & Michael Witt
and can be transferred on to any new owner of this property for no further charge for the
water rights from myself.

If required by the State of Idaho, I will assist in the transfer of these rights to current or
future owners of property listed above.


James E. Hatch

1 800

SCANNED

JAN 25 2008

193148 NOV 7 '07 11:01B

Instrument # 193148

TETON COUNTY, IDAHO

2007-11-07 10:18:00 No. of Pages: 1

Recorded for: TARGHEE TITLE

MARY LOU HANSEN

Ex-Officio Recorder Deputy

Index for: DDD, SPECIAL WARRANTY

Fee: 3.00
[Signature]

TNT
TARGHEE NATIONAL TITLE
A MOTHER LOAN COMPANY

SPECIAL WARRANTY DEED

For Value Received EXCHANGE 07-3755, LLC., an Idaho Limited Liability Company

Hereinafter called Grantor, hereby grants, bargains, sells and conveys unto Erica Cheney Fish

Revocable Trust, Purchaser whose address is: 1208 W. Minnehaha Pkwy., Minneapolis, MN

55419. Hereinafter called the Grantee, the following described premises situated in Teton
County, Idaho, to-wit:

The East Half of the Southwest Quarter of the Southeast Quarter of Section 2, Township
5 North, Range 44 East, Boise Meridian, Teton County, Idaho.
Less and excepting therefrom a County Road along the South and Boundary.

Grantor does hereby covenant with Grantee, his heirs, successors and assigns, that
Grantor will warrant and defend the said granted premises against the lawful claims and
demands of all persons claiming by, through and under Grantor, but against no other
claims and no other persons, including predecessors in title.

Dated: November 2, 2007

Exchange 07-3755, LLC., an Idaho Limited Liability Company

Exchange Services, Inc., Member

[Signature]
By: Shauna Romrell,
It's President

STATE OF IDAHO

:66

COUNTY OF Bingham

On this 2nd day of November, 2007, before me, the undersigned personally appeared Shauna
Romrell, known or identified to me to be the President of the corporation who executed the
instrument on behalf of said corporation as member of Exchange 07-3755, LLC., an Idaho
Limited Liability Company, and acknowledged to me that she executed the same as President of
the corporation, as member of Exchange 07-3755, LLC., an Idaho Limited Liability Company.



Pamela Winters
Notary Public for Idaho
Residing at Blackfoot
Commission Expires 8/16/10

SCANNED

JAN 25 2008

Instrument Number

189170 JUL 3 07 PM 12:02

Escrow No.: 6301-140-S.S.



WARRANTY DEED

FOR VALUE RECEIVED,

BROOKE BLACKWELDER AND MICHAEL WITT, WIFE AND HUSBAND,

Hereinafter called Grantor, does hereby grant, bargain, sell and convey unto

EXCHANGE 07-3755 LLC, AN IDAHO LIMITED LIABILITY COMPANY

Grantee, whose address is: PO Box 339, Blackfoot, ID 83221, the following described premises, County of TETON to-wit:

THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 5 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO.

LESS AND EXCEPTING THEREFROM A COUNTY ROAD ALONG THE SOUTH BOUNDARY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever, and the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT CURRENT TAXES AND EASEMENTS OF RECORD OR IN VIEW.

And that he/she/they will warrant and defend the same from all lawful claims whatsoever.

DATED, June 27, 2007

By: Brooke Blackwelder
BROOKE BLACKWELDER

By: Michael Witt
MICHAEL WITT

Instrument # 189170
TETON COUNTY, IDAHO
2007-07-03 12:02:00 No. of Pages: 1
Recorded for: TARGHEE NATIONAL TITLE
MARY LOU HANSEN Fee: 3.00
Ex-Officio Recorder Deputy M. Hansen
Index to: DEED, WARRANTY

State of Idaho
County of Teton

On this 2nd day of July, 2007, before me, Samantha L. Schulteis
a Notary Public in and for said State, personally appeared Brooke Blackwelder
and Michael Witt

known or identified to me to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Samantha L. Schulteis
Notary Public in and for County and State

Residing at Victor
My commission expires 2/25/08

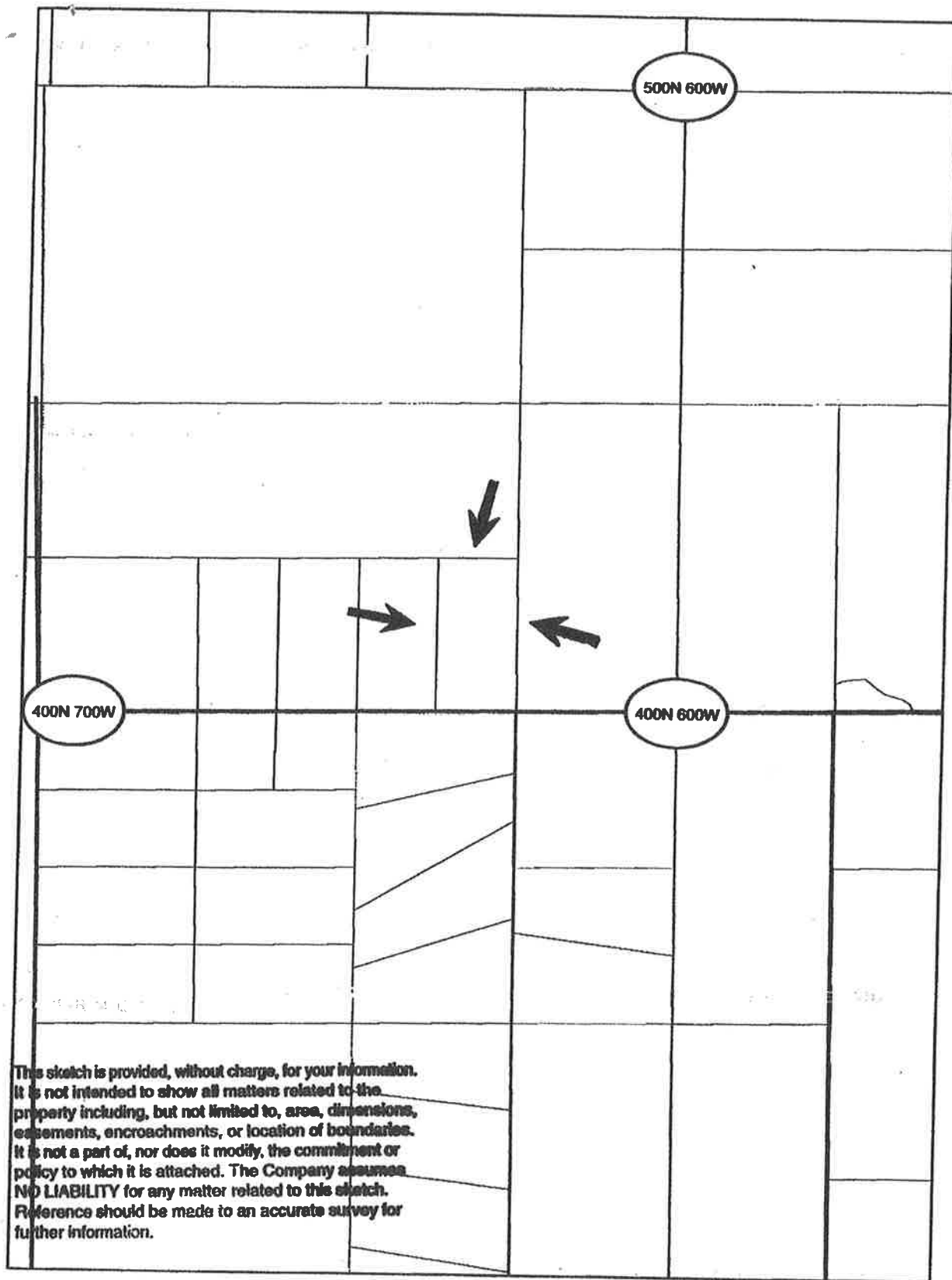
SAMANTHA L. SCHULTEIS
Notary Public
State of Idaho

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SEP 25 2007

Department of Water Resources
Eastern Region

JAN 25 2008



16081-33

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JAN 25 2003