

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

RIGHT NUMBER: 22-13879

NAME AND ADDRESS:

TETONIA PROPERTIES LLC
C/O PETE FREYMAN
394 S 100 W
VICTOR ID 83455

SOURCE:

Source:
BADGER CREEK

Tributary:
TETON RIVER

QUANTITY:

0.390 CFS

~~0.310 CFS~~

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION:

T06N R45E S8 NWNESE
Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/15 10/31

0.390 CFS

~~0.310 CFS~~

PLACE OF USE:

IRRIGATION within TETON County

T06N R45E S17 NWNW 17.0

~~T06N R45E S17 NWNW 14.8~~

17 ACRES TOTAL

~~14.8 ACRES TOTAL~~

Right Nos. 22-13879 and 22-13882 are limited to the irrigation of a combined total of 17 acres in a single irrigation season.

~~The rights listed below are limited to the irrigation of a combined total of 14.8 acres in a single irrigation season. Combined Right Nos.: 22-13879, 22-13882, and 22-13885.~~

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 - Decreed

This right is a split from former right 22-174B.

Water is delivered through Stewart Ditch.

~~This right is a split from former right 22-13374.~~

09/10/2008

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

RIGHT NUMBER: 22-13879

NAME AND ADDRESS: TETONIA PROPERTIES LLC
C/O PETE FREYMAN
394 S 100 W
VICTOR ID 83455

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.310 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE 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	0.310 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S17 NWNW 14.80

14.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 14.8 acres in a single irrigation season. Combined Right Nos.: 22-13879, 22-13882, and 22-13885.

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 - Decreed

Water is delivered through Stewart Ditch.

This right is a split from former right 22-13374 .



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 25, 2008

SHANNON DEE HUMBLE
PO BOX 506
VICTOR ID 83455-0506

RE: Notice of Change of Water Right Ownership (NCO) for
22-13374 (Split into 22-13878, 22-13879, 22-13899, 22-13900, 22-13901, & 22-13902); 22-13377 (Split into
22-13881, 22-13882, 22-13903, 22-13904, 22-13905, & 22-13906); and 22-13380 (Split into 22-13884, 22-
13885, 22-13907, 22-13908, 22-13909, & 22-13910) and Notice of Completed Administrative Proceeding
(NCAP)

Dear SIR/MADAM:

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). Once IDWR processes the change of ownership, IDWR mails a copy of the updated water right record(s) (Director's Report) to each party listed on the NCAP. Enclosed please find the relevant NCAP(s) for your right(s). The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

You may recall the initial hearings held in Rexburg on August 19, 2008. During those hearings the present parties discussed changes that needed to be made to resolve issues related to place of use, acreage and diversion rate for the aforementioned water rights. You may notice that the changes discussed at the initial hearings are not reflected in the enclosed Director's Report. Those changes were excluded from this version of the Director's Report solely because the purpose of the NCAP is simply to inform the parties and the SRBA Court of the changes in ownership. A Standard Form 5 (SF5) settlement document will follow shortly under separate cover. The SF5 will incorporate the corrections that we discussed at the initial hearings. Once the parties sign the SF5 settlement documents for these water rights, the SF5s will be sent to Special Master Bilyeu for her review and then to Judge Melanson for partial decree.

Please feel free to contact me at 525-7161 if you have any questions concerning this matter.

Respectfully,


Michael Holliday

Water Resource Agent, Sr.

Enclosure

cc: W REID BROWER
MARGENE BROWER
EDWARD BROWER
KOLENE LATER C/O JERRY RIGBY

SCANNED

DEC 03 2008



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 25, 2008

AARON POWERS
MEGHAN HANSON
PO BOX 669
VICTOR ID 83455

RE: Notice of Change of Water Right Ownership (NCO) for
22-13374 (Split into 22-13878, 22-13879, 22-13899, 22-13900, 22-13901, & 22-13902); 22-13377 (Split into
22-13881, 22-13882, 22-13903, 22-13904, 22-13905, & 22-13906); and 22-13380 (Split into 22-13884, 22-
13885, 22-13907, 22-13908, 22-13909, & 22-13910) and Notice of Completed Administrative Proceeding
(NCAP)

Dear SIR/MADAM:

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). Once IDWR processes the change of ownership, IDWR mails a copy of the updated water right record(s) (Director's Report) to each party listed on the NCAP. Enclosed please find the relevant NCAP(s) for your right(s). The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

You may recall the initial hearings held in Rexburg on August 19, 2008. During those hearings the present parties discussed changes that needed to be made to resolve issues related to place of use, acreage and diversion rate for the aforementioned water rights. You may notice that the changes discussed at the initial hearings are not reflected in the enclosed Director's Report. Those changes were excluded from this version of the Director's Report solely because the purpose of the NCAP is simply to inform the parties and the SRBA Court of the changes in ownership. A Standard Form 5 (SF5) settlement document will follow shortly under separate cover. The SF5 will incorporate the corrections that we discussed at the initial hearings. Once the parties sign the SF5 settlement documents for these water rights, the SF5s will be sent to Special Master Bilyeu for her review and then to Judge Melanson for partial decree.

Please feel free to contact me at 525-7161 if you have any questions concerning this matter.

Respectfully,


Michael Holliday
Water Resource Agent, Sr.

Enclosure

cc: W REID BROWER
MARGENE BROWER
EDWARD BROWER
KOLENE LATER C/O JERRY RIGBY

SCANNED
DEC 08 2008



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 25, 2008

BEULAH BROWER
947 HWY 32
TETONIA ID 83452

RE: Notice of Change of Water Right Ownership (NCO) for
22-13374 (Split into 22-13878, 22-13879, 22-13899, 22-13900, 22-13901, & 22-13902); 22-13377 (Split into
22-13881, 22-13882, 22-13903, 22-13904, 22-13905, & 22-13906); and 22-13380 (Split into 22-13884, 22-
13885, 22-13907, 22-13908, 22-13909, & 22-13910) and Notice of Completed Administrative Proceeding
(NCAP)

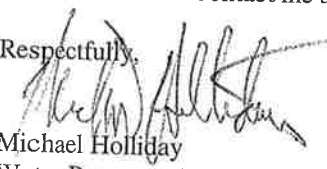
Dear SIR/MADAM:

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). Once IDWR processes the change of ownership, IDWR mails a copy of the updated water right record(s) (Director's Report) to each party listed on the NCAP. Enclosed please find the relevant NCAP(s) for your right(s). The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

You may recall the initial hearings held in Rexburg on August 19, 2008. During those hearings the present parties discussed changes that needed to be made to resolve issues related to place of use, acreage and diversion rate for the aforementioned water rights. You may notice that the changes discussed at the initial hearings are not reflected in the enclosed Director's Report. Those changes were excluded from this version of the Director's Report solely because the purpose of the NCAP is simply to inform the parties and the SRBA Court of the changes in ownership. A Standard Form 5 (SF5) settlement document will follow shortly under separate cover. The SF5 will incorporate the corrections that we discussed at the initial hearings. Once the parties sign the SF5 settlement documents for these water rights, the SF5s will be sent to Special Master Bilyeu for her review and then to Judge Melanson for partial decree.

Please feel free to contact me at 525-7161 if you have any questions concerning this matter.

Respectfully,


Michael Holliday
Water Resource Agent, Sr.

Enclosure

cc: W REID BROWER
MARGENE BROWER
EDWARD BROWER
KOLENE LATER C/O JERRY RIGBY

SCANNED

DEC 08 2008



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 25, 2008

W REID & MARJEAN BROWER
FAMILY TRUST
881 HWY 32
TETONIA ID 83452

RE: Notice of Change of Water Right Ownership (NCO) for
22-13374 (Split into 22-13878, 22-13879, 22-13899, 22-13900, 22-13901, & 22-13902); 22-13377 (Split into
22-13881, 22-13882, 22-13903, 22-13904, 22-13905, & 22-13906); and 22-13380 (Split into 22-13884, 22-
13885, 22-13907, 22-13908, 22-13909, & 22-13910) and Notice of Completed Administrative Proceeding
(NCAP)

Dear SIR/MADAM:

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). Once IDWR processes the change of ownership, IDWR mails a copy of the updated water right record(s) (Director's Report) to each party listed on the NCAP. Enclosed please find the relevant NCAP(s) for your right(s). The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

You may recall the initial hearings held in Rexburg on August 19, 2008. During those hearings the present parties discussed changes that needed to be made to resolve issues related to place of use, acreage and diversion rate for the aforementioned water rights. You may notice that the changes discussed at the initial hearings are not reflected in the enclosed Director's Report. Those changes were excluded from this version of the Director's Report solely because the purpose of the NCAP is simply to inform the parties and the SRBA Court of the changes in ownership. A Standard Form 5 (SF5) settlement document will follow shortly under separate cover. The SF5 will incorporate the corrections that we discussed at the initial hearings. Once the parties sign the SF5 settlement documents for these water rights, the SF5s will be sent to Special Master Bilyeu for her review and then to Judge Melanson for partial decree.

Please feel free to contact me at 525-7161 if you have any questions concerning this matter.

Respectfully,


Michael Holliday
Water Resource Agent, Sr.

Enclosure

cc: W REID BROWER
MARGENE BROWER
EDWARD BROWER
KOLENE LATER C/O JERRY RIGBY

SCANNED

DEC 08 2008



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 25, 2008

STATE OF IDAHO
IDAHO TRANSPORTATION DEPARTMENT
PO BOX 97
RIGBY ID 83442-0097

RE: Notice of Change of Water Right Ownership (NCO) for
22-13374 (Split into 22-13878, 22-13879, 22-13899, 22-13900, 22-13901, & 22-13902); 22-13377 (Split into
22-13881, 22-13882, 22-13903, 22-13904, 22-13905, & 22-13906); and 22-13380 (Split into 22-13884, 22-
13885, 22-13907, 22-13908, 22-13909, & 22-13910) and Notice of Completed Administrative Proceeding
(NCAP)

Dear SIR/MADAM:

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). Once IDWR processes the change of ownership, IDWR mails a copy of the updated water right record(s) (Director's Report) to each party listed on the NCAP. Enclosed please find the relevant NCAP(s) for your right(s). The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

You may recall the initial hearings held in Rexburg on August 19, 2008. During those hearings the present parties discussed changes that needed to be made to resolve issues related to place of use, acreage and diversion rate for the aforementioned water rights. You may notice that the changes discussed at the initial hearings are not reflected in the enclosed Director's Report. Those changes were excluded from this version of the Director's Report solely because the purpose of the NCAP is simply to inform the parties and the SRBA Court of the changes in ownership. A Standard Form 5 (SF5) settlement document will follow shortly under separate cover. The SF5 will incorporate the corrections that we discussed at the initial hearings. Once the parties sign the SF5 settlement documents for these water rights, the SF5s will be sent to Special Master Bilyeu for her review and then to Judge Melanson for partial decree.

Please feel free to contact me at 525-7161 if you have any questions concerning this matter.

Respectfully,


Michael Holliday
Water Resource Agent, Sr.

Enclosure

cc: W REID BROWER
MARJEAN BROWER
EDWARD BROWER
KOLENE LATER C/O JERRY RIGBY

SCANNED

DEC 08 2008



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 25, 2008

TETONIA PROPERTIES LLC
C/O PETE FREYMAN
394 S 100 W
VICTOR ID 83455

RE: Notice of Change of Water Right Ownership (NCO) for
22-13374 (Split into 22-13878, 22-13879, 22-13899, 22-13900, 22-13901, & 22-13902); 22-13377 (Split into
22-13881, 22-13882, 22-13903, 22-13904, 22-13905, & 22-13906); and 22-13380 (Split into 22-13884, 22-
13885, 22-13907, 22-13908, 22-13909, & 22-13910) and Notice of Completed Administrative Proceeding
(NCAP)

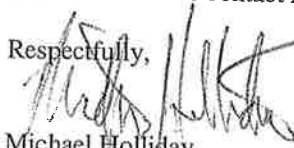
Dear SIR/MADAM:

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). Once IDWR processes the change of ownership, IDWR mails a copy of the updated water right record(s) (Director's Report) to each party listed on the NCAP. Enclosed please find the relevant NCAP(s) for your right(s). The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

You may recall the initial hearings held in Rexburg on August 19, 2008. During those hearings the present parties discussed changes that needed to be made to resolve issues related to place of use, acreage and diversion rate for the aforementioned water rights. You may notice that the changes discussed at the initial hearings are not reflected in the enclosed Director's Report. Those changes were excluded from this version of the Director's Report solely because the purpose of the NCAP is simply to inform the parties and the SRBA Court of the changes in ownership. A Standard Form 5 (SF5) settlement document will follow shortly under separate cover. The SF5 will incorporate the corrections that we discussed at the initial hearings. Once the parties sign the SF5 settlement documents for these water rights, the SF5s will be sent to Special Master Bilyeu for her review and then to Judge Melanson for partial decree.

Please feel free to contact me at 525-7161 if you have any questions concerning this matter.

Respectfully,


Michael Holliday
Water Resource Agent, Sr.

Enclosure

cc: W REID BROWER
MARGENE BROWER
EDWARD BROWER
KOLENE LATER C/O JERRY RIGBY

SCANNED

DEC 08 2008



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 25, 2008

THOMAS HANSON
KATHERINE HANSON
PO BOX 1750
MISSOULA MT 59806

RE: Notice of Change of Water Right Ownership (NCO) for
22-13374 (Split into 22-13878, 22-13879, 22-13899, 22-13900, 22-13901, & 22-13902); 22-13377 (Split into
22-13881, 22-13882, 22-13903, 22-13904, 22-13905, & 22-13906); and 22-13380 (Split into 22-13884, 22-
13885, 22-13907, 22-13908, 22-13909, & 22-13910) and Notice of Completed Administrative Proceeding
(NCAP)

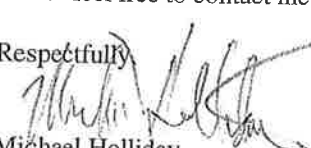
Dear SIR/MADAM:

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). Once IDWR processes the change of ownership, IDWR mails a copy of the updated water right record(s) (Director's Report) to each party listed on the NCAP. Enclosed please find the relevant NCAP(s) for your right(s). The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

You may recall the initial hearings held in Rexburg on August 19, 2008. During those hearings the present parties discussed changes that needed to be made to resolve issues related to place of use, acreage and diversion rate for the aforementioned water rights. You may notice that the changes discussed at the initial hearings are not reflected in the enclosed Director's Report. Those changes were excluded from this version of the Director's Report solely because the purpose of the NCAP is simply to inform the parties and the SRBA Court of the changes in ownership. A Standard Form 5 (SF5) settlement document will follow shortly under separate cover. The SF5 will incorporate the corrections that we discussed at the initial hearings. Once the parties sign the SF5 settlement documents for these water rights, the SF5s will be sent to Special Master Bilyeu for her review and then to Judge Melanson for partial decree.

Please feel free to contact me at 525-7161 if you have any questions concerning this matter.

Respectfully,


Michael Holliday
Water Resource Agent, Sr.

Enclosure

cc: W REID BROWER
MARGENE BROWER
EDWARD BROWER
KOLENE LATER C/O JERRY RIGBY

SCANNED

DEC 08 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: 22-13374
(Split into 22-13878, 22-13879, 22-
13899, 22-13900, 22-13901 & 22-13902)

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

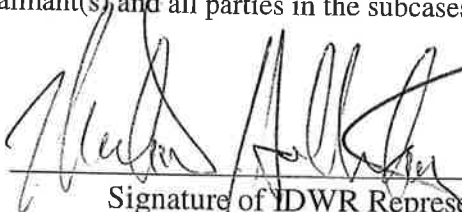
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party BROWER & LATER-HANSON & POWERS, TETONIA PROPERTIES
LLC, BROWER, BROWER FAMILY TRUST, HUMBLE, IDAHO DEPARTMENT OF
TRANSPORTATION
- ☐ 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: 11/25/2008


Signature of IDWR Representative

SCANNED
DEC 03 2008

CERTIFICATE OF MAILING

I certify that on Nov. 26, 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:

W Ried Brower	Edward Brower	Kolene Later
Marjean Brower	947 N Hwy 32	C/O Jerry Rigby
881 N Hwy 32	Tetonia ID 83452	25 N 2 nd E
Tetonia ID 83452		PO Box 250
		Rexburg ID 83440-0250

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

Thomas Hanson	Tetonia Properties LLC	W Reid & Marjean Brower
Katherine Hanson	C/O Pete Freymann	Family Trust
PO Box 1750	394 S 100 W	881 Hwy 32
Missoula MT 59806	Victor ID 83455	Tetonia ID 83452

Aaron Powers	Beulah Brower	Shannon Dee Humble
Meghan Hanson	947 Hwy 32	PO Box 506
PO Box 669	Tetonia ID 83452	Victor ID 83455-0506
Victor ID 83455		

State of Idaho
Idaho Department of Transportation
PO Box 97
Rigby ID 83442-0097

SCANNED
DEC 03 2008

CERTIFICATE OF MAILING (Cont)

4. One copy to:

Each party in the subcase, or attorney of record

Thomas Hanson Beulah Brower

C/O Barton J Birch Kolene Later

81 N Main St Ste B C/O Jerry R Rigby

Driggs ID 83442 25 N 2nd E

PO Box 250

Rexburg ID 83440-0250

5. One copy each to:

Chief Natural Resources Division

Office of the Attorney General

PO Box 44449

Boise ID 83711-4449

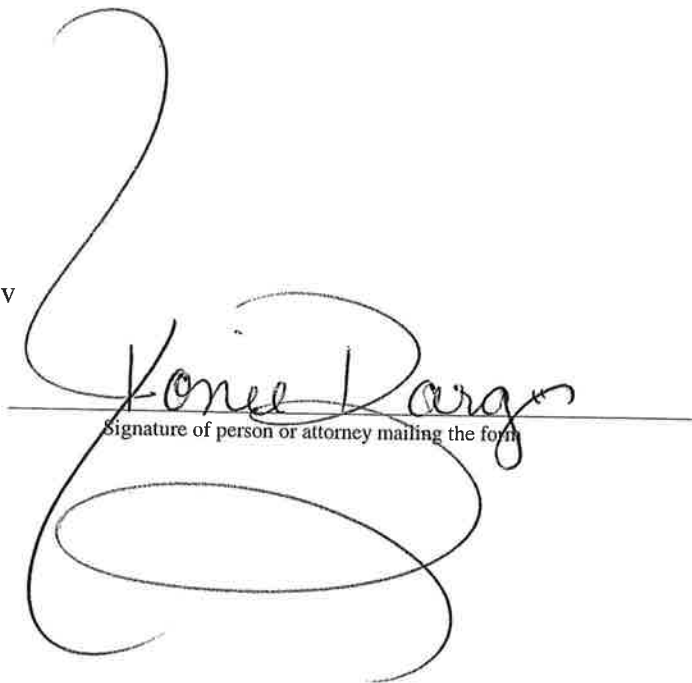
6. One Copy to:

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
DEC 03 2008

11/3/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

W.R. NUMBER NAME AND ADDRESS

22-13374

CLAIM DISPOSITION REASON

Disallowed

Split into: 22-13878, 22-13879, 22-13899, 22-13900,
22-13901 & 22-13902

SCANNED
DEC 03 2008

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

RIGHT NUMBER: 22-13878
NAME AND ADDRESS: THOMAS HANSON
PO BOX 1750
MISSOULA MT 59806

KATHERINE HANSON
PO BOX 1750
MISSOULA MT 59806

MEGHAN HANSON
PO BOX 669
VICTOR ID 83455

AARON POWERS
PO BOX 669
VICTOR ID 83455

SOURCE: BADGER CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.390 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE 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	0.390 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S08	SWSW	2.00	T06N R45E S17	NWNW	17.00
---------------	------	------	---------------	------	-------

19 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 19 acres in a single irrigation season. Combined Right Nos.: 22-13878, 22-13881, and 22-13884.

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 - Decreed

This right is a split from former right 22-13374 .

Water is delivered through Stewart Ditch.

SCANNED
DEC 03 2008

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

RIGHT NUMBER: 22-13879

NAME AND ADDRESS: TETONIA PROPERTIES LLC
C/O PETE FREYMAN
394 S 100 W
VICTOR ID 83455

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.310 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.310 CFS

PLACE OF USE:

IRRIGATION in TETON County

T06N R45E S17

NWNW

14.80

14.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 14.8 acres in a single irrigation season. Combined Right Nos.: 22-13879, 22-13882, and 22-13885.

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 - Decreed

Water is delivered through Stewart Ditch.

This right is a split from former right 22-13374 .

SCANNED
DEC 03 2008

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

RIGHT NUMBER: 22-13899

NAME AND ADDRESS: BEULAH BROWER
947 HWY 32
TETONIA ID 83452

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.760 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.760 CFS

PLACE OF USE:

IRRIGATION in TETON County

T06N R45E S08	NESW	7.90	T06N R45E S08	NWSW	26.00
T06N R45E S08	SWSW	2.20	T06N R45E S08	SESW	0.90

37 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 37 acres in a single irrigation season. Combined Right Nos.: 22-13899, 22-13903, and 22-13907.

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 - Decreed

Water is delivered through Stewart Ditch.

This right is a split from former right 22-174B.

SCANNED
DEC 03 2008

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

RIGHT NUMBER: 22-13900

NAME AND ADDRESS: W REID AND MARJEAN BROWER FAMILY TRUST
881 HWY 32
TETONIA ID 83452

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.720 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.720 CFS

PLACE OF USE:

IRRIGATION in TETON County

T06N R45E S17

NWNW

2.50

T06N R45E S17

SWNW

34.00

36.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 36.5 acres in a single irrigation season. Combined Right Nos.: 22-13900, 22-13904, and 22-13908.

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 - Decreed

Water is delivered through Stewart Ditch.

This right is a split from former right 22-174B.

SCANNED
DEC 03 2008

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

RIGHT NUMBER: 22-13901

NAME AND ADDRESS: SHANNON DEE HUMBLE
PO BOX 506
VICTOR ID 83455-0506

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.170 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.170 CFS

PLACE OF USE:

IRRIGATION in TETON County

T06N R45E S17

NWNW

0.20

T06N R45E S17

SWNW

3.90

T06N R45E S17

SENW

4.70

8.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 8.8 acres in a single irrigation season. Combined Right Nos.: 22-13901, 22-13905, and 22-13909.

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 - Decreed

This right is a split from former right 22-174B.

Water is delivered through Stewart Ditch.

SCANNED
DEC 03 2008

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

RIGHT NUMBER: 22-13902

NAME AND ADDRESS: STATE OF IDAHO
IDAHO TRANSPORTATION DEPT
PO BOX 97
RIGBY ID 83442-0097

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.090 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNES Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.090 CFS

PLACE OF USE:

IRRIGATION in TETON County

T06N R45E S17 SENW 4.30

4.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 4.3 acres in a single irrigation season. Combined Right Nos.: 22-13902, 22-13906, and 22-13910.

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 - Decreed

This right is a split from former right 22-174B.

Water is delivered through Stewart Ditch.

SCANNED
DEC 03 2008



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 10, 2007

TETONIA PROPERTIES LLC
394 S 100 W
VICTOR ID 83455

Dear Kelly:

Earlier this year you filed a change of ownership form for water right claims 22-13374, 22-13377, and 22-13380 in the Snake River Basin Adjudication (SRBA). As you may recall, it was discovered that the Director's Report for these claims, as well as other claims filed on the property of former owner Edward W. Brower, was in error. The errors were discovered while attempting to process the ownership change you submitted. There were problems with IDWR's recommendations in regards to ownership, place of use, acreage, and diversion rate. The primary cause of these problems was that earlier ownership changes had not been processed to accurately reflect the deeds.

If these issues are not resolved, these rights will be decreed with significant errors. That will make administration and any future transactions associated with these rights very challenging. The purpose of this letter is to solicit your help in the resolution of these issues. Apart from objections being filed with the court, we cannot correct these errors. Please consider filing an objection to these recommendations if they appear to you to be in error. From my perspective, the benefits for you would include an accurate place of use description and additional water for your property.

Enclosed you will find a map illustrating the Brower Place rights as shown in the Director's Report and another map illustrating what I believe should be the proper place of use of the Brower Place rights. I have also enclosed an objection form and instructions.

Please feel free to contact me at 208-525-7161 if you have any questions or concerns regarding this matter.

Sincerely,

Michael Holliday
Water Resource Agent
Adjudication Bureau

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)
	22-13374	✓			
	22-13377	✓			
	22-13380	✓			

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) EDWARD BROWER

947 N HWY 32, TETONIA, ID 83452

4. New Owner/Claimant(s) TETONIA PROPERTIES LLC

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

New Mailing Address 394 S 100 W

City, State and ZIP Code VICTOR, ID 83455

New Telephone Number ()

68625 8-13-70

THIS INDENTURE, Made this 13th day of August, between
 in the year of our Lord one thousand nine hundred and Seventy
 WILLIAM EARL BROWER and HAZEL BROWER, his wife;
 of Driggs, , County of Teton , State of Idaho
 the parties of the first part, and

EDWARD WALTON BROWER and BEULAH BROWER, his wife;
 of Felt , County of Teton , State of Idaho
 the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
 Ten Dollars and other valuable consideration --- DOLLARS,
 lawful money of the United States of America,

to them in hand paid by the said
 parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained
 and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties
 of the second part, and to their heirs and assigns forever, all of the following described real estate,
 situated in , County of Teton , State of Idaho, to-wit:

Beginning 350 feet East and 100 feet North of the Northeast corner of
 the Southeast quarter of the Southwest Quarter of Section 9, Township
 7 North, Range 45, E. B. M.; thence West 2150 feet; thence North 600
 feet; thence East 2200 feet; thence South 600 feet to the point of
 beginning;

Beginning 1360 feet North of the West quarter corner of Section 17,
 Township 6 North, Range 45, E. B. M.; thence East 1170 feet; thence
 North 1360 feet; thence West 1170 feet; thence South 1360 feet to the
 point of beginning; and
 subject to all existing right-of-ways, easements, pipelines, etc.

The intent is to convey all our right, title, and interest in said
 above described property, together with our life estate which estate
 we now terminate.

IN WITNESS WHEREOF, The said part ~~ies~~ of the first part ha ve hereunto set their hands and seal s the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

William Earl Brower [Seal]

Hazel Brower [Seal]

[Seal]

[Seal]

STATE OF IDAHO

} ss.

County of Teton

On this

day of August

in the year 1970 , before me

, a Notary Public

the undersigned,

in and for said State, personally appeared

William Earl Brower and Hazel Brower, his wife,

known to me to be the persons whose name s 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.

KLB: Tabin 12

Notary Public for the State of Idaho,
Residing at Driggs, , Idaho

My Commission expires: Dec. 21, 1973

APR 10 2000

NOTICE OF CONTRACT OF SALE

TETON CO., ID
CLERK RECORDER

NOTICE IS HEREBY GIVEN, that **EDWARD "TED" WALTON BROWER** and **BEULAH PEARL BROWER**, husband and wife, of 947 North Highway 32, Felt, Idaho 83424, hereinafter called, hereinafter called "Sellers", are selling on written Contract of Sale, dated August 23, 1999, to **DAVE L. OVESON** and **MARGARET L. OVESON**, husband and wife, of P. O. Box 189, Tetonia, Idaho, 83452, hereinafter called "Buyers", the following described real property in Teton County, State of Idaho, to-wit:

A part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 17, Twp. 6 N., Rge. 45 E., Boise Mer., being further described, as follows:

From the SW Corner of NW $\frac{1}{4}$ of said Sec. 17, run N 01° 22' 28" E 1360.51 feet along the West Section Line, thence N 89° 43' 54" E 22.89 feet to a point on the Eastern right-of-way line of State Highway 32, and thence along said right-of-way line N 00° 15' 51" E 26 feet to a point more or less 10 feet North of a fence line, which is the true point of beginning; and running thence along said right-of-way N 00° 13' 58" E 82.25 feet to a 6" concrete highway monument; thence along said right-of-way N 00° 16' 02" E 1072.64 feet to a point on the West Section line of said Sec. 17; thence N 01° 22' 28" E 129.38 feet along the West Section line to the NW corner of said Sec. 17; thence East along the Section Line 1170.00 feet, more or less, to a point; thence S 01° 22' 28" W 1286.77 feet to a point; thence S 89° 43' 54" W, 1147.57, to the point of beginning.

Containing 34.224 acres, more or less.

Together with all irrigation water rights appurtenant thereto from Badger Creek, tributary of Teton River¹; together with a One-Fourth ($\frac{1}{4}$) interest in the pump in Badger Creek and mainline extending next to the South boundary of the property, with access thereto, with the duty to share in the same proportion in power bills in operating the pump and expenses of maintenance, repairs and replacement of the pump and appurtenances and the mainline (subject to the duty to negotiate terms of co-use with the other two co-owners); and together with thirty-three (33) pieces of irrigation lateral line, at a price of \$330.00 which is included in the above purchase price.

Together with any and all improvements and appurtenances thereto, rents, issues and profits thereof, and reversions and remainders.

¹ This may be 0.7288 cfs with priority dates of June 1, 1891 and January 18, 1905, under A22-00254A, A22-00174B, A22-02189 and A22-11975, but the actual water rights appurtenant to this land, are to be split off and shall be transferred through the Idaho Department of Water resources.

137298

Subject to any and all easements of record or in existence for roads, ditches, pipelines and utilities, and to all applicable zoning, subdivision and land use restrictions, including but not limited to any scenic corridor restrictions as to State Highway No. 32 adjacent to the West boundary of the property, and applicable building codes and environmental restrictions.

The Contract of Sale is payable with a down payment and with a contract balance of \$40,760.00, payable in amortized installments of \$1,000.00 each with the first installment due on September 26, 1999, and a like installment due on the 26th day of each month thereafter until August 26, 2003, when the final installment of \$722.20 shall be paid. Reference is made to the Contract of Sale, as amended by Amendments to Contract of Sale, dated January 6, 2000 for further particulars.

IN WITNESS WHEREOF, the parties have executed this contract.

SELLERS:


Edward Ted Walton Brower


Beulah Pearl Brower

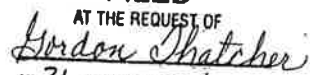
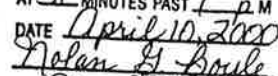
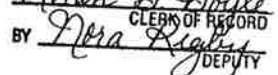
BUYERS:


Dave L. Oveson


Margaret L. Oveson

Notice of Contract of Sale -- Page 2 of 3
BROWER.NCS

137298

FILED
AT THE REQUEST OF

AT 31 MINUTES PAST 1 P.M.
DATE April 10, 2000

CLEAN OF RECORD
BY  DEPUTY ✓

137298

137298

Acknowledgment

STATE OF IDAHO)

ss.

County of MADISON)

On this 30th day of March, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared **Edward "Ted" Walton Brower** and **Beulah Pearl Brower**, husband and wife, and **Dave L. Oveson** and **Margaret L. Oveson**, husband and wife, known to me to be the persons whose names are subscribed to the within Notice of Contract of Sale and acknowledged to me that they executed the same.



A handwritten signature in cursive script, appearing to read "Gordon S. Thatcher".

Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission expires: 1/03/2003

137298

RECEIVED

DEC 31 2001

TETON CO., ID
CLERK RECORDER

146113

WARRANTY DEED

Instrument # 146113

DRIGGS, TETON, IDAHO

2001-12-31

02:28:46 No. of Pages: 2

Recorded for: RIGBY, THATCHER, ANDRUS

NOLAN G. BOYLE

Fee: 6.00

Ex-Officio Recorder Deputy *A. Duen*

Index to: DEED, WARRANTY

FOR VALUE RECEIVED, EDWARD "TED" WALTON BROWER and BEULAH

PEARL BROWER, husband and wife, of 947 North Highway 32, Felt, Idaho 83424, hereinafter called "Grantors", do hereby grant, bargain, sell, warrant and convey unto **DAVE L. OVESON** and **MARGARET L. OVESON**, husband and wife, of P. O. Box 189, Teton, Idaho, 83452, hereinafter called "Grantees", the following described real property in Teton County, Idaho, to-wit:

A part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 17, Twp. 6 N., Rge. 45 E., Boise Mer., being further described, as follows:

From the SW Corner of NW $\frac{1}{4}$ of said Sec. 17, running N 01° 22' 28" E 1360.51 feet along the West Section Line, thence N 89° 43' 54" E 22.89 feet to a point on the Eastern right-of-way line of State Highway 32, and thence along said right-of-way line N 00° 15' 51" E 26 feet to a point more or less 10 feet North of a fence line, which is the true point of beginning; and running thence along said right-of-way N 00° 13' 58" E 82.25 feet to a 6" concrete highway monument; thence along said right-of-way N 00° 16' 02" E 1072.64 feet to a point on the West Section line of said Sec. 17; thence N 01° 22' 28" E 129.38 feet along the West Section line to the NW corner of said Sec. 17; thence East along the Section Line 1170.00 feet, more or less, to a point; thence S 01° 22' 28" W 1286.77 feet to a point; thence S 89° 43' 54" W, 1147.57, to the point of beginning.

Containing 34.224 acres, more or less.

Together with all irrigation water rights appurtenant thereto from Badger Creek, tributary of Teton River¹; together with a One-Fourth ($\frac{1}{4}$) interest in the pump in Badger Creek and mainline extending next to the South boundary of the property, with access thereto, with the duty to share in the same proportion in power bills in operating the pump and expenses of maintenance, repairs and replacement of the pump and appurtenances and the mainline (subject to the duty to negotiate terms of co-use with the other two co-owners); and together with thirty-three (33) pieces of irrigation lateral line, at a price of \$330.00 which is included in the above purchase price.

Together with any and all improvements and appurtenances thereto, rents, issues and profits thereof, and reversions and remainders.

Subject to any and all easements of record or in existence for roads, ditches, pipelines and utilities, and to all applicable zoning, subdivision and land use restrictions, including but not limited to any scenic corridor restrictions as to State Highway No. 32 adjacent to the West boundary of the property, and applicable building codes and environmental restrictions.

¹ This may be 0.7288 cfs with priority dates of June 1, 1891 and January 18, 1905, under A22-00254A, A22-00174B, A22-02189 and A22-11975, but the actual water rights appurtenant to this land, are to be split off and shall be transferred through the Idaho Department of Water resources.

146113

Grantors covenant and warrant that fee simple title to the above described property is conveyed to Grantees by this Deed free from all encumbrances except those listed above and accruing year 2000 property taxes.

DATED This 30th day of March, 2000.

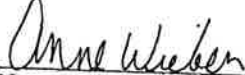

Edward "Ted" Walton Brower

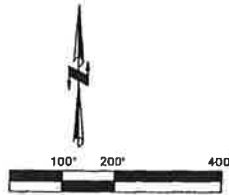

Beulah Pearl Brower

STATE OF IDAHO,)
County of Madison) ss.

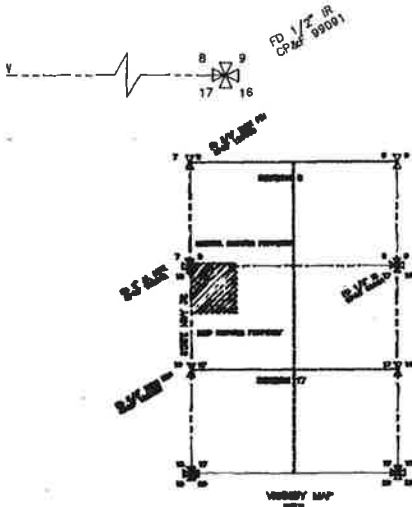
On this 30th day of March, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared, **Edward "Ted" Walton Brower and Beulah Pearl Brower**, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.




Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission Expires: 7/21/01



LEGEND
SCALE: 1" = 200'
SECTION CORNER
QUARTER CORNER
1/2" ROD WITH YELLOW CAP L.S. 826
5/8" ROD WITH YELLOW CAP L.S. 826
1/2" ROD, FOUND
5/8" ROD, FOUND
X-X-X EXISTING FENCE



RECEIVED

APR - 4 2005
TETON CO., ID
CLERK RECORDER

OWNER'S CERTIFICATE

THE UNDERSIGNED OWNERS, AND PROPRIETORS OF LANDS SHOWN AND DESCRIBED HEREIN HEREBY CERTIFY THAT THE FOREGOING ADJUSTMENT OF BOUNDARIES OF SAID LANDS AS SHOWN HEREON IS WITH THEIR FREE CONSENT AND IN ACCORDANCE WITH THEIR DESIRES.

DAVE OVESON 3/28/05
DATE
Merrill Brower, deceased 3/29/05
DATE
By Harry Brown President 3/29/05
DATE
MERRILL BROWER & Sons, Inc. Co.

RECORDERS'S CERTIFICATE

INSTRUMENT # 167263
DWIGGS, TETON, IDAHO
2008-04-04 01:48:38 No. of Pages: 1
Recorded for: OVESON, DAVE
NOLAN G. BOYLE
Ex-Officio Recorder Deputy
I DO HEREBY CERTIFY THAT THIS INSTRUMENT WAS RECORDED AT THE REQUEST OF INSTRUMENT NUMBER _____

COUNTY RECORDER

PLANNING AND ZONING APPROVAL

PRESENTED TO THE TETON COUNTY PLANNING AND ZONING COMMISSION ON THE FOLLOWING DATE AT WHICH TIME THIS BOUNDARY ADJUSTMENT WAS APPROVED AND ACCEPTED.

Shirley Boone
CHAIRMAN PLANNING AND ZONING
By Tatiana Lynette

4.4.05
DATE

BOUNDARY ADJUSTMENT PROPERTY DESCRIPTION
REFERENCE WARRANTY DEEDS 146113 AND 146111

PART OF THE NORTHWEST 1/4 NORTHWEST 1/4 OF SECTION 17, AND THE SOUTHWEST 1/4 SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 8 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, BEING DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 17, RUNNING N1°22'28"E 1360.51 FEET ALONG THE WEST SECTION LINE, THENCE N89°43'54"E 22.89 FEET TO A POINT ON THE EASTERN RIGHT OF WAY LINE OF STATE HIGHWAY 32, AND THENCE ALONG SAID RIGHT OF WAY LINE N0°15'51"E 26.00 FEET TO A POINT MORE OR LESS 10 FEET NORTH OF A FENCE LINE, WHICH IS THE TRUE POINT OF BEGINNING; AND RUNNING THENCE ALONG SAID RIGHT OF WAY N0°13'58"E 82.25 FEET TO A 6" CONCRETE HIGHWAY MONUMENT; THENCE ALONG SAID RIGHT OF WAY N0°16'02"E 1072.64 FEET TO A POINT ON THE WEST SECTION LINE OF SAID SECTION 17; THENCE N1°22'28"E 129.38 FEET ALONG THE WEST SECTION LINE TO THE NORTHWEST CORNER OF SAID SECTION 17; THENCE CONTINUING N1°22'28"E 69.78 FEET; THENCE N89°57'10"E 1170.00 FEET; THENCE S1°22'28"W 88.78 FEET TO THE SOUTH SECTION LINE OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO; THENCE CONTINUING S1°22'28"W 1286.77 FEET TO A POINT; THENCE S89°43'54"W 1147.57 FEET TO THE POINT OF BEGINNING. CONTAINS 38.07 ACRES.

GRANT DEED TED BROWER TO RED BROWER - INSTRUMENT NO. 135056

A PART OF THE NORTHWEST 1/4 NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 8 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, BEING DESCRIBED AS FOLLOWS:

FROM THE WEST 1/4 CORNER OF SAID SECTION 17, THENCE N1°22'28"E 1360.51 FEET ALONG THE WESTERN SECTION LINE AND THENCE N89°43'54"E 22.89 FEET TO A POINT ON THE EASTERN RIGHT OF WAY LINE OF STATE HIGHWAY 32, THE TRUE POINT OF BEGINNING; THENCE ALONG SAID RIGHT OF WAY N0°15'51"E 26.00 FEET TO A POINT MORE OR LESS 10 FEET NORTH OF A FENCE LINE; THENCE S89°57'10"E 1147.57 FEET MORE OR LESS PARALLEL WITH SAID FENCE LINE TO A POINT; THENCE S1°22'28"W 19.42 FEET TO A POINT; THENCE S89°43'54"W 1147.23 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATE

I, JOHN P. BARNES, A REGISTERED LAND SURVEYOR IN THE STATE OF IDAHO, LICENSE #826, DO HEREBY STATE THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THE DRAWING IS A TRUE REPRESENTATION OF THE SAME.

JOHN P. BARNES

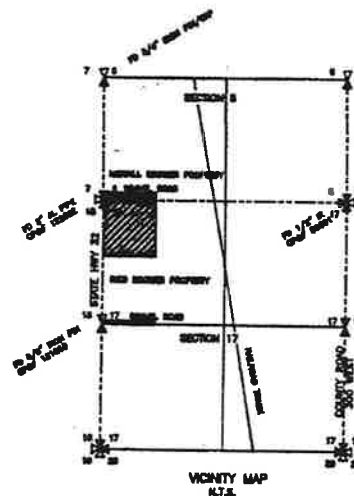


BY	DATE
DRAWN	REW 12/04
RECORD OF SURVEY	
BOUNDARY ADJUSTMENT	
SEC. 17 & 8, 17N, R45E, B. M., TETON COUNTY, ID	
DAVE L. OVESON	
J. P. BARNES & ASSOC.	
133 W. 1ST. S. REXBURG, IDAHO (208) 358-5804	

SEC. 17 & 8, T6N, R45E, B. M., TETON COUNTY, ID



- LEGEND
SCALE 1" = 80'
SECTION CORNER
QUARTER CORNER
1/2" ROD WITH YELLOW CAP L.S. 826
5/8" ROD WITH YELLOW CAP L.S. 826
1/2" ROD, FIDING
3/4" ROD, FIDING
EXISTING FENCE



FROM THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 17, BLANKING 21°27'N, 128.45S FEET ALONG THE WEST SECTION LINE, THENCE S89°24'N, 22.37 FEET TO THE POINT OF BEGINNING SAID POINT IS ON THE EASTERLY BENT OF BAY LINE OF STATE HIGHWAY 32, AND S89°08'N THENCE ALONG SAID BENT OF BAY N15°13'W, 82.34 FEET TO A HENRY MONUMENT, THENCE CONTINUING ALONG SAID BENT OF BAY N15°13'W, 863.25 FEET, THENCE S89°21'N, 1180.11 FEET, THENCE N1°22'30"E, 848.51 FEET, THENCE CONTINUING ALONG SAID BENT OF BAY N14°25'W FEET TO THE POINT OF BEGINNING, CORNER 17.11 ACRES.

BEINGING AT THE NORTHEAST CORNER OF SAID SECTION 17 AND
BEINGING THENCE S01°32'30" E 128.38 FEET TO THE INTERSECTION OF
THE SECTION LINE AND THE EAST 1/4 CORNER RIGHT OF WAY LINE OF SAID
HIGHWAY; THENCE ALONG SAID RIGHT OF WAY S01°50'00" E 50.00
FEET; THENCE S89°12'11" E 118.11 FEET; THENCE S02°02'00" E 64.67
FEET TO THE NORTH CORNER OF SAID SECTION 17; THENCE S89°12'11"
W 127.22 FEET; THENCE S89°12'11" W 127.22 FEET TO THE
WEST SECTION LINE OF SECTION 17; THENCE S22°12'30" E 82.50 FEET
ALONG SAID SECTION LINE TO THE SOUTHWEST CORNER OF SAID SECTION
6 AND THE POINT OF BEGINNING. CONTAINS 18.86 ACRES.

THE UNDERSIGNED OWNERS AND PROPRIETORS OF LANDS SHOWN AND
DESCRIBED HEREON HEREBY CERTIFY THAT THE FOREGOING
ADJUSTMENT OF DELINEATIONS OF SAID LANDS AS SHOWN HEREON IS
WITH THEIR FREE CONSENT AND IN ACCORDANCE WITH THEIR
DESIRE.

PRESENTED TO THE HIRON COUNTY PLANNING AND ZONING COMMISSION ON
THE FOLLOWING DATE AT WHICH TIME THIS LAND SPLIT WAS APPROVED
AND ACCEPTED:

MAGNATE CERTIFICATE
 BOOK OF EASES }
 COUNTY OF TARRANT }

I DO HEREBY CERTIFY THAT THIS PLAN WAS FILED THIS _____ DAY OF _____, 200____, AT _____
AT THE REQUEST OF _____
REGISTERED MAILMAN _____

I, JOHN P. BARNES, A REGISTERED LAND SURVEYOR IN THE STATE OF IDAHO, LICENSE NO. 8886, DO HEREBY STATE THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THE DRAWING IS A TRUE REPRESENTATION OF THE SAME.

JOHN B. BARNES

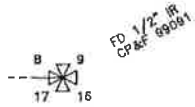
NOTE

[illegible]

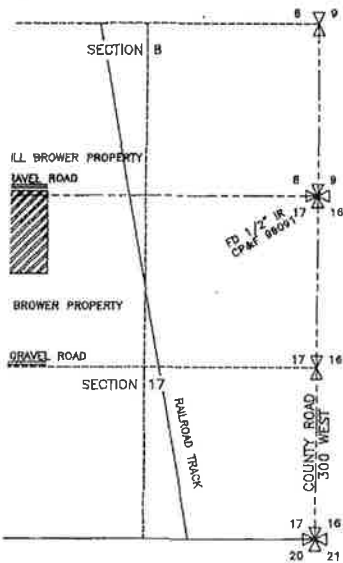
One Time Only



300'
2NER
2NER
TH YELLOW CAP L.S. 826
ITH YELLOW CAP L.S. 826
JUND
JUND
ISTING FENCE



0 3/4\"/>



VICINITY MAP
N.T.S.

PARCEL 1
PART OF THE NORTHWEST 1/4 NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 6 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, BEING DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 17, RUNNING N1°22'28\"/>

PARCEL 2
A PART OF THE NORTHWEST 1/4 NORTHWEST 1/4 OF SECTION 8 AND 17, TOWNSHIP 6 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 17 AND RUNNING THENCE S01°22'28\"/>

OWNERS' CERTIFICATE

THE UNDERSIGNED OWNER(S), AND PROPRIETORS OF LANDS SHOWN AND DESCRIBED HEREON HEREBY CERTIFY THAT THE FOREGOING ADJUSTMENT OF BOUNDARIES OF SAID LANDS AS SHOWN HEREON IS WITH THEIR FREE CONSENT AND IN ACCORDANCE WITH THEIR DESIRES.

Dave Oveson 8/10/05
DATE

PLANNING AND ZONING APPROVAL

PRESENTED TO THE TETON COUNTY PLANNING AND ZONING COMMISSION ON THE FOLLOWING DATE AT WHICH TIME THIS LAND SPLIT WAS APPROVED AND ACCEPTED.

L. Larry Boethie 8/9/05
CHAIRMAN, PLANNING AND ZONING
by *Janet Sanger* DATE

Instrument # 170127

RECORDERS'S CERTIFICATE

STATE OF IDAHO }
COUNTY OF TETON } SS

DRIGGS, TETON, IDAHO
2005-08-10 12:34:02 No. of Pages: 1
Recorded for: J.P. BARNES & ASSOCIATES
NOLAN G. BOYLE Fee: \$8.00
Ex-Officio Recorder Deputy *Boyle*
Index for: PROPERTY SURVEYS

I DO HEREBY CERTIFY THAT THIS PLAT WAS FILED THIS _____ DAY OF _____, 200____, AT _____
INSTRUMENT NUMBER _____

COUNTY RECORDER

170127

SURVEYOR'S CERTIFICATE

I, JOHN P. BARNES, A REGISTERED LAND SURVEYOR IN THE STATE OF IDAHO, LICENSE #826, DO HEREBY STATE THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THE DRAWING IS A TRUE REPRESENTATION OF THE SAME.

JOHN P. BARNES

DATE

8/23/05

One Time Only

BY	DATE
DRAWN	REW 4/05
RECORD OF SURVEY	
One Time Only LAND SPLIT	
SEC. 17 & 8, T6N, R45E, B. M., TETON COUNTY, ID	
DAVE L. OVESON	
J. P. BARNES & ASSOC.	
133 W. 1ST. S. REXBURG, IDAHO (208) 358-5804	
DRAWING NO. 20512	

170129

RECEIVED

AUG 10 2005

TETON CO., ID
CLERK/RECORDER

Warranty Deed

FOR VALUE RECEIVED, DAVE L. OVESON and MARGARET L. OVESON, husband and wife, of P. O. Box 189, Teton, Idaho, 83452, herein after called "Grantors", do hereby grant, bargain, sell, warrant and convey unto, **DAVE L. OVESON and MARGARET L. OVESON**, husband and wife, of P. O. Box 189, Teton, Idaho, 83452, herein after called "Grantees", the following described real property in Teton County, Idaho, to-wit:

Restriction: This property falls under the One Time Only Split of One Parcel of Land Ordinance 9 as amended through 9/25/2000, and the property cannot be split again under provisions of this title.

PART OF THE NORTHWEST 1/4 NORTHWEST 1/4 OF SECTION 17,
TOWNSHIP 6
NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO,
BEING
DESCRIBED AS FOLLOWS;

FROM THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 17, RUNNING N1 $\rightarrow$ 22'28"E 1386.65 FEET ALONG THE WEST SECTION LINE, THENCE N89 $\rightarrow$ 56'21"E 22.37 FEET TO THE POINT OF BEGINNING SAID POINT IS ON THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 32, AND RUNNING THENCE ALONG SAID RIGHT OF WAY N0 $\rightarrow$ 13'58"E 82.24 FEET TO A HIGHWAY MONUMENT; THENCE CONTINUING ALONG SAID RIGHT OF WAY N0 $\rightarrow$ 16'03"E 563.80 FEET; THENCE N89 $\rightarrow$ 56'21"E 1160.11 FEET; THENCE S1 $\rightarrow$ 22'28"W 646.21 FEET; THENCE N89 $\rightarrow$ 56'21"W 1147.58 FEET TO THE POINT OF BEGINNING.

CONTAINS 17.11 ACRES.

Together with any and all other improvements and appurtenance thereto, rents, issues and profits thereof, and reversions and remainders.

Subject to any and all easements of record or in existence for road, ditches, pipelines and utilities, and to all applicable zoning, subdivision and land use restrictions, including but not limited to and scenic corridor restrictions as to State Highway No. 32 adjacent to the west boundary of the property, and applicable building codes and environmental restrictions

Grantors covenant and warrant that fee simple title to the above described property is conveyed to Grantees by this Deed free from all encumbrances except those listed above and accruing property taxes.

Dated This 5 day of August, 2005

Instrument # 170129

DRIGGS, TETON, IDAHO

2005-08-10

12:34:02 No. of Pages: 2

Recorded for : J.P. BARNES & ASSOCIATES

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Fee: 0.00

170129

Dave L. Oveson

Dave L. Oveson

Acknowledgment

Margaret L. Oveson

Margaret L. Oveson

STATE OF IDAHO,)

ss.

County of Teton,)

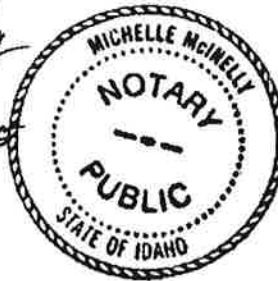
On this 5th Day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared, **DAVE L. OVESON** and **MARGARET L. OVESON**, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Michelle McInelly

Notary Public for Idaho

Residing at Driggs, Idaho

My Commission Expires: 10/11/09



176245

WARRANTY DEED

APR 21 2006

TETON CO., ID.
CLERK OF DISTRICT CLERK

For Value Received **Dave L. Oveson and Margaret L. Oveson, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Dave L. Oveson and Margaret L. Oveson, husband and wife

whose address is: **PO Box 189, Tetonia, Idaho 83452,**

Instrument # 176245

BRIGGS, TETON, IDAHO

2006-04-21

03:11:17 No. of Pages: 2

Recorded for: FIRST AMERICAN TITLE CO

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Fee: 6.00

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

A part of the NW $\frac{1}{4}$ /NW $\frac{1}{4}$ of Sec. 17, Twp. 6N, Rge. 45 E, Boise, Meridian, Teton County, Idaho being further described, as follows:

From the SW Corner of NW $\frac{1}{4}$ of said Sec. 17, running N 01°22'28" E 1386.65 feet along the West Section Line, thence N 89°56'21" E 22.37 feet to THE POINT OF BEGINNING said point is on the Easterly right-of-way line of State Highway 32, and running thence along said right-of-way N 00°13'58" E 82.24 feet to a highway monument; thence continuing along said right-of-way N 00°16'03" E 563.80 feet; thence N 89°56'21" E 1160.11 feet; thence S 01°22'28" W 646.21 feet; thence N 89°56'21" W, 1147.58 feet to the point of beginning.

Together with irrigation water rights appurtenant thereto from Badger Creek, tributary of Teton River, together with 1/8 interest in the pump in Badger Creek and mainline extending next to the south boundary of the property, with access thereto, with the duty to share in the same proportion in power bills in operating the pump and expenses of maintenance, repairs and replacement of pump and appurtenances and the mainline (subject to the duty to negotiate terms of co-use with the other co-owners); and together with 16 pieces of irrigation lateral line.

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.

Dated: April 20, 2006

Dave L. Oveson
Dave L. Oveson

Margaret L. Oveson
Margaret L. Oveson

STATE OF Idaho

176245

COUNTY OF Teton

:ss

On this 20 day of April, 2006, before me a Notary Public, personally appeared **Dave L. Oveson and Margaret L. Oveson**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Laurie L. Milner
Notary Public of:
Residing at: Tetonia
Commission Expires: 8/19/2011

LAURIE L. MILNER
NOTARY PUBLIC
STATE OF IDAHO

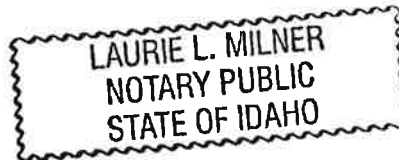
STATE OF Idaho

:ss

COUNTY OF Teton

On this 21 day of April, 2006, before me a Notary Public, personally appeared Dave L. Oveson, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Laurie L. Milner
Notary Public of: Idaho.
Residing at: *Tetona*
Commission Expires: *8/19/2011*



176245

RECORDING REQUESTED BY
First American Title Company

179124

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

Instrument # 179124

DRIGGS, TETON, IDAHO

2006-08-01

04:17:48 No. of Pages: 3

Recorded for : FIRST AMERICAN TITLE

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **160995-T (km)**

Date: **July 26, 2006**

For Value Received, **Dave L. Oveson and Margaret L. Oveson, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Anthony A. Millette, a single man**, hereinafter called the Grantee, whose current address is

PO Box 507 Driggs, ID 83422, Tetonia, ID 83452, 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.

179124

Date: 07/26/2006

Warranty Deed
- continued

File No.: 160995-T (km)

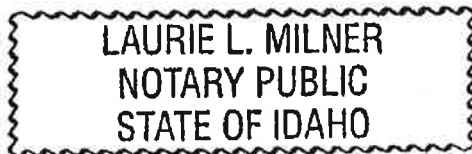
Dave L. Oveson
Dave L. Oveson

Margaret L. Oveson
Margaret L. Oveson

STATE OF Idaho)
SS.

COUNTY OF Teton)

On this 1 day of August, 2006, before me, a Notary Public in and for said State, personally appeared **Dave L. Oveson and Margaret L. Oveson**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Laurie L. Milner
Notary Public for the State of Idaho
Residing at: Tetonia
My Commission Expires: 8/19/2011

179124

EXHIBIT A

A part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, Twp. 6N., Rge. 45 E., Boise, Meridian, Teton County, Idaho being further described, as follows; From the Southwest corner of the Northwest $\frac{1}{4}$ of said Section 17, running N 01°22'28"E, 1386.65 feet along the West section line, thence N 89°56'21"E, 22.37 feet to the POINT OF BEGINNING said point is on the Easterly right-of-way line of State Highway 32, and running thence along said right-of-way N 00°13'58"E, 82.24 feet to a Highway monument; thence continuing along said right-of-way N 00°16'03"E, 563.80 feet; thence N 89°56'21"E, 1160.11 feet; thence S 01°22'28"W, 646.21 feet; thence N 89°56'21"W, 1147.58 feet to the POINT OF BEGINNING.

Together with irrigation water rights appurtenant thereto from Badger Creek, tributary of Teton River; together with 1/8th interest in the pump in Badger Creek and mainline extending next to the South boundary of the above described property, with access thereto, with the duty to share in the same proportion in power bills in operating the pump and expenses of maintenance, repairs and replacement of pump and appurtenances and the mainline (subject to the duty to negotiate terms of co-use with the other co-owners); and together with 16 pieces of irrigation lateral line.

179124

RECORDING REQUESTED BY
First American Title Company

179124

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

RECEIVED

JUL 26 2006

TETON CO., ID

Instrument # 179124

DRIGGS, TETON, IDAHO

2006-08-01 04:17:48 No. of Pages: 3

Recorded for : FIRST AMERICAN TITLE

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **160995-T (km)**

Date: **July 26, 2006**

For Value Received, **Dave L. Oveson and Margaret L. Oveson, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Anthony A. Millette, a single man**, hereinafter called the Grantee, whose current address is

PO Box 507 Driggs, ID 83422, **Tetonia, ID 83452**, 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.

179124

Date: 07/26/2006

Warranty Deed
- continued

File No.: 160995-T (km)

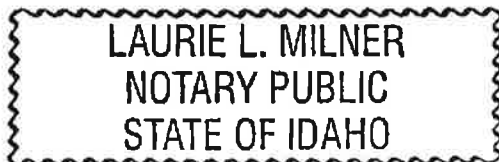
Dave L. Oveson
Dave L. Oveson

Margaret L. Oveson
Margaret L. Oveson

STATE OF Idaho)
ss.

COUNTY OF Teton)

On this 1 day of August, 2006, before me, a Notary Public in and for said State, personally appeared **Dave L. Oveson and Margaret L. Oveson**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Laurie L. Milner
Notary Public for the State of Idaho
Residing at: *Tetonia*
My Commission Expires: *8/11/2011*

179124

EXHIBIT A

A part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, Twp. 6N., Rge. 45 E., Boise, Meridian, Teton County, Idaho being further described, as follows; From the Southwest corner of the Northwest $\frac{1}{4}$ of said Section 17, running N 01°22'28"E, 1386.65 feet along the West section line, thence N 89°56'21"E, 22.37 feet to the POINT OF BEGINNING said point is on the Easterly right-of-way line of State Highway 32, and running thence along said right-of-way N 00°13'58"E, 82.24 feet to a Highway monument; thence continuing along said right-of-way N 00°16'03"E, 563.80 feet; thence N 89°56'21"E, 1160.11 feet; thence S 01°22'28"W, 646.21 feet; thence N 89°56'21"W, 1147.58 feet to the POINT OF BEGINNING.

Together with irrigation water rights appurtenant thereto from Badger Creek, tributary of Teton River; together with 1/8th interest in the pump in Badger Creek and mainline extending next to the South boundary of the above described property, with access thereto, with the duty to share in the same proportion in power bills in operating the pump and expenses of maintenance, repairs and replacement of pump and appurtenances and the mainline (subject to the duty to negotiate terms of co-use with the other co-owners); and together with 16 pieces of irrigation lateral line.

179124

180281

RECEIVED

SEP 11 2006

TETON CO., ID
CLERK RECORDER

First American Title Company

176885

WARRANTY DEED

Anthony Millette, a single man, of 1 South Main Street, Driggs, Idaho 83422, as GRANTOR, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Tetonia Properties LLC, an Idaho limited liability company, of 394 S. 100 W., Victor, Idaho 83455, as GRANTEE, and to GRANTEE'S successors and assigns forever, all of the following described property situated in Teton County, Idaho:

Part of the Northwest 1/4 Northwest 1/4 of Section 17, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho being described as follows:

From the Southwest Corner of the Northwest 1/4 of said Section 17, running N1°22'28"E 1386.65 feet along the West Section Line, thence N89°56'21"E 22.37 feet to the point of beginning said point is on the Easterly right of way line of State Highway 32, and running thence along said right of way N0°13'58"E 82.24 feet to a highway monument; Thence continuing along said right of way N0°16'03"E 563.80 feet; Thence S89°56'21"E 1160.11 feet; Thence S1°22'28"W 646.21 feet; Thence continuing N89°56'21"W 1147.58 feet to the point of beginning. Contains 17.11 acres.

TOGETHER with all improvements, easements, hereditaments and appurtenances thereto.

SUBJECT to all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record.

GRANTOR, for itself, its successors and assigns does hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the GRANTEE, its successors and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, GRANTOR has hereunto subscribed its name to this instrument this 7 day of September, 2006.

GRANTOR

Anthony Millette

State of Idaho)

)ss.

County of Teton)

Instrument # 180281

DRIGGS, TETON, IDAHO

2006-09-11

02:57:19 No. of Pages: 1

Recorded for : FIRST AMERICAN TITLE

NOLAN G. BOYLE

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

I do hereby certify that on this 7 day of September, 2006, personally appeared before me Anthony Millette, 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.



Katie L. Mason
Notary Public Idaho
Residing at: Victor, ID
My Commission Expires: 8-19-2010

180281