



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

February 24, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Elaine Johnson
310 W 4000 N
Driggs ID 83422

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP FOR WATER RIGHT
NUMBER(S) 22-13935 & 22-13936

Dear Interested Parties:

During our review of the documentation submitted with your applications on March 29, 2010 and September 8, 2010, the department cannot complete your Notice of Change in Water Right Ownership. The department's records currently list the current owner as Communications Investment Corp. In the chain of title Communications Investment Corp sold to Teton West Corporation; Teton West Corporation then sold to Meredith Vogel, however the water rights were specifically withheld on that deed, instrument number 115096, which reads as follows:

"Excepting therefrom any and all water rights, or any portions thereof, presently appurtenant to the real property above described, including, but not limited to all or any portion of Water Rights Nos. 22-0307, 22-2267 and 22-7255, which are hereby reserved to the seller and not conveyed hereby."

Copies of your ownership change request information will be kept in our files for reference.

If, at a later date, you wish to reinstate this request you may send the enclosed ownership change request form along with the required information and fees. Please note additional evidence will be required showing a transfer of ownership of the water rights from Teton West Corporation.

If you have any questions about this matter feel free to contact Jonie Barg at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Holden Kidwell Hahn & Crapo



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

rfarnam@holdenlegal.com

March 29, 2010

Idaho Dept. Of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402

Re: LaVell Johnson Estate ~ Water Right Transfer for Elaine Johnson

Dear Water Resources Agent:

Enclosed are the following documents to effect the transfer of the water rights indicated on your form to Elaine Johnson:

1. "Notice of Change of Water Right Ownership" Form;
2. Check from Elaine Johnson in the amount of \$200 for the filing fee;
3. Copy of Instrument No. 208788 transferring the property from the previous owners to the Estate of LaVell Johnson;
4. Copy of Instrument No. 210389 transferring the property from the estate to Elaine Johnson; and
5. An aerial photo indicating the irrigated acres.

Please complete the transfer of these water rights, forward the new certificate to Elaine, and forward a copy to us for our records in the envelope provided.

If you have any questions please let us know. Thank you for your assistance.

Very truly yours,

RECEIVED
MAR 30 2010
Department of Water Resources
Eastern Region

Robert E. Farnam

Encl.

c: Elaine Johnson
Steve Johnson

G:\WPDATA\REF\15644\Water Rights Dept.ltr.1.Transfer.wpd;jh

Established in 1896

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-13935		√			
22-13936		√			

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

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

3. Name and Address of Former Owner/Claimant Communications Investment Corp.
312 E. South Temple, Salt Lake City, UT 84111
4. New Owner/Claimant(s) Elaine L. Johnson
 Name connector (check one): [] and [] or, [] and/or
 New Mailing Address 310 W 4000 N,
 City, State and ZIP Code Driggs, ID 83422
 New Telephone Number (208) 354-2471
5. Date you acquired the property March 25, 2010

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 Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock,
Water right and/or Adjudication Claim Number 22-13935		
Irrigation	0.11 cfs; 41.3 afa	18.5
Stock		
Domestic		
Other		
Totals		
Water right and/or Adjudication Claim Number 22-13936		
Irrigation	0.16 cfs, 55.4 afa	18.5
Stock		
Domestic		
Other		
Totals		
COMBINED LIMITATION		
Irrigation	0.27 cfs, 55.4 afa	18.5
Stock		
Domestic		
Other		
Totals		

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

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

For IDWR Office Use Only

Received by JPB Date 3-30-10 Fee \$200.-
 Receipted by JPB Date 3-30-10 Receipt No. E035693
 Processed by _____ Date _____ WR _____ Date _____

PLEASE RETURN TO:

Robert E. Farnam, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.
P.O. Box 50130
Idaho Falls, Idaho 83405

210069 MAR 25 10 AM 11:13

This area for Recorder's use only.

DEED OF DISTRIBUTION

THIS DEED is made this 23rd day of March, 2010, by and between Steven L. Johnson, the personal representative of the Estate of LaVell H. Johnson, deceased, "Grantor", and Elaine L. Johnson, a single woman, whose mailing address is 310 W 4000 N, Driggs, ID, 83422, "Grantee".

WHEREAS, Steven L. Johnson, Grantor, is the duly appointed and acting personal representative of the Estate of LaVell H. Johnson, deceased; and

WHEREAS, Elaine L. Johnson, Grantee, is entitled to receive distribution of the property hereafter described in this deed under the terms of the Codicil to the Last Will and Testament of the decedent, the Agreement for Distribution of Property to Elaine L. Johnson in Satisfaction of Cash Bequest, and pursuant to the provisions of the Idaho Uniform Probate Code;

NOW, THEREFORE, WITNESSETH, that the Grantor, for a valuable consideration, and for the purpose of distributing certain real property from the Estate of LaVell H. Johnson, deceased, does by these presents hereby distribute, grant, bargain, sell, convey, and confirm unto the Grantee, and to her heirs and assigns forever, all that certain parcel of land, situate, lying and being in Teton County, Idaho, and more particularly described as follows:

Parcel 1A

A part of W1/2 SE1/4 Section 2, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as:
From the S1/4 Corner of said Section 2, thence North 89°54'38" East, 677.17 feet along the southern section line to the Point of Beginning; thence North 0°08'50" East, 1343.06 feet to a point; thence South 89°56'59" East, 649.05 feet to a point on the east line of the W1/2 SE1/4 of said Section 2; thence South 0°08'50" West, 1341.47 feet along the east line of the W1/2 SE1/4 to the SE corner of the W1/2 SE1/4 of said Section 2; thence South 89°54'38" West, 649.06 feet along the southern section line to the Point of Beginning.

TOGETHER WITH all water rights appurtenant thereto.

Instrument # 210389

TETON COUNTY, IDAHO

3-25-2010 11:13:00 No. of Pages: 3

Recorded for: HOLDEN, KIDWELL

MARY LOU HANSEN

Ex-Officio Recorder Deputy

Fee: 9.00



ALSO 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;

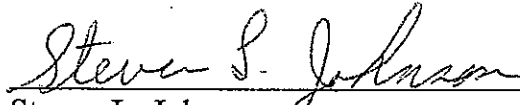
SUBJECT TO:

1. Grant of right-of-way for County Road, recorded December 15, 1953, in Book 77 at Page 396, Records of Teton County, Idaho.
2. Agreement and Cross-Conveyance recorded May 13, 1987, Recorder's No. 100811, Records of Teton County, Idaho.
3. Grant of Easement recorded January 31, 1994, Recorder's No. 115199, Records of Teton County, Idaho.
4. Electric line right-of-way easement granted by Meredith A. Vogel, to Fall River Rural Electric Cooperative, Inc., recorded August 24, 1994, Recorder's No. 117328, Records of Teton County, Idaho.
5. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded June 17, 1996, as Instrument Number 124187, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
6. Agreement for electrical service between Dwayne T. Montoya, and Fall River Rural Electric Cooperative, Inc., recorded March 8, 2007, Recorder's No. 185682, Records of Teton County, Idaho.

ALSO SUBJECT TO all real property taxes and assessments, all existing patent reservations, easements, rights of way, protective covenants and other matters of record, all applicable zoning ordinances, building codes, laws and regulations, and all encroachments, overlaps, boundary line disputes, claims of easements and other matters that would be disclosed by an accurate survey or inspection of the property.

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

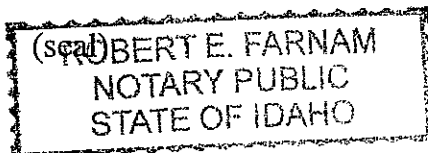
IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.


Steven L. Johnson

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 23rd of March, 2010, before me, the undersigned, a notary public, in and for said State, personally appeared **Steven L. Johnson**, known or identified to me to be the person whose name is subscribed to the within instrument, as personal representative of the Estate of LaVell H. Johnson and acknowledged to me that he 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.




Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 11/12/10

G:\WPDATA\REF\15644\Deed.Dist.House.Est to Elaine.wpd;jh

After recording return to and send all tax statements to the following address
LaVell H Johnson Estate
1019 Lee Creek Road
Leadore, ID 83464

208788 DEC 22 09 PM 4 04

Instrument # 208788

TETON COUNTY, IDAHO
12-22-2009 04:04:00 No. of Pages: 1
Recorded for : FIRST AMERICAN TITLE
MARY LOU HANSEN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: DEED, CORPORATION WARRANTY

First American Title Company

317033-T

SPECIAL CORPORATE WARRANTY DEED

FOR VALUE RECEIVED HSBC Bank USA, National Association, as Trustee for WFHET2007-2, its successors and assigns organized and existing under the laws of the United States of America a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey to Steven L Johnson, Personal Representative of the estate of LaVell H Johnson, deceased. Whose address is: 1019 Lee Creek Road Driggs, ID 83422
Grantee, the following described real estate, to-wit:
Property commonly known as 310 W 4000 N, Driggs ID 83422

Parcel 1A

A part of W1/2 SE1/4 Section 2, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as:
From the S1/4 Corner of said Section 2, thence North 89 degrees 54'38" East, 677.17 feet along the southern section line to THE POINT OF BEGINNING;
thence North 0 degrees 08'50" East, 1343.06 feet to a point;
thence South 89 degrees 56'59" East, 649.05 feet to a point on the east line of the W1/2 SE1/4 of said Section 2; thence South 0 degrees 08'50" West, 1341.47 feet along the east line of the W1/2 SE1/4 to the SE corner of the W1/2 SE1/4 of said Section 2; thence South 89 degrees 54'38" West, 649.06 feet along the southern section line to THE POINT OF BEGINNING.

RP05N45E028401A

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision restrictions and U.S. patent reservations.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in a fee simple of said premises; that they are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever, except as to the reservations from and exceptions to warranty when the claim is by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President this _____ day of November, 2009.

HSBC Bank USA, National Association, as Trustee for WFHET2007-2,

Jennifer Presley
VP Loan Documentation

By: Wells Fargo Bank, N.A. as Attorney in Fact

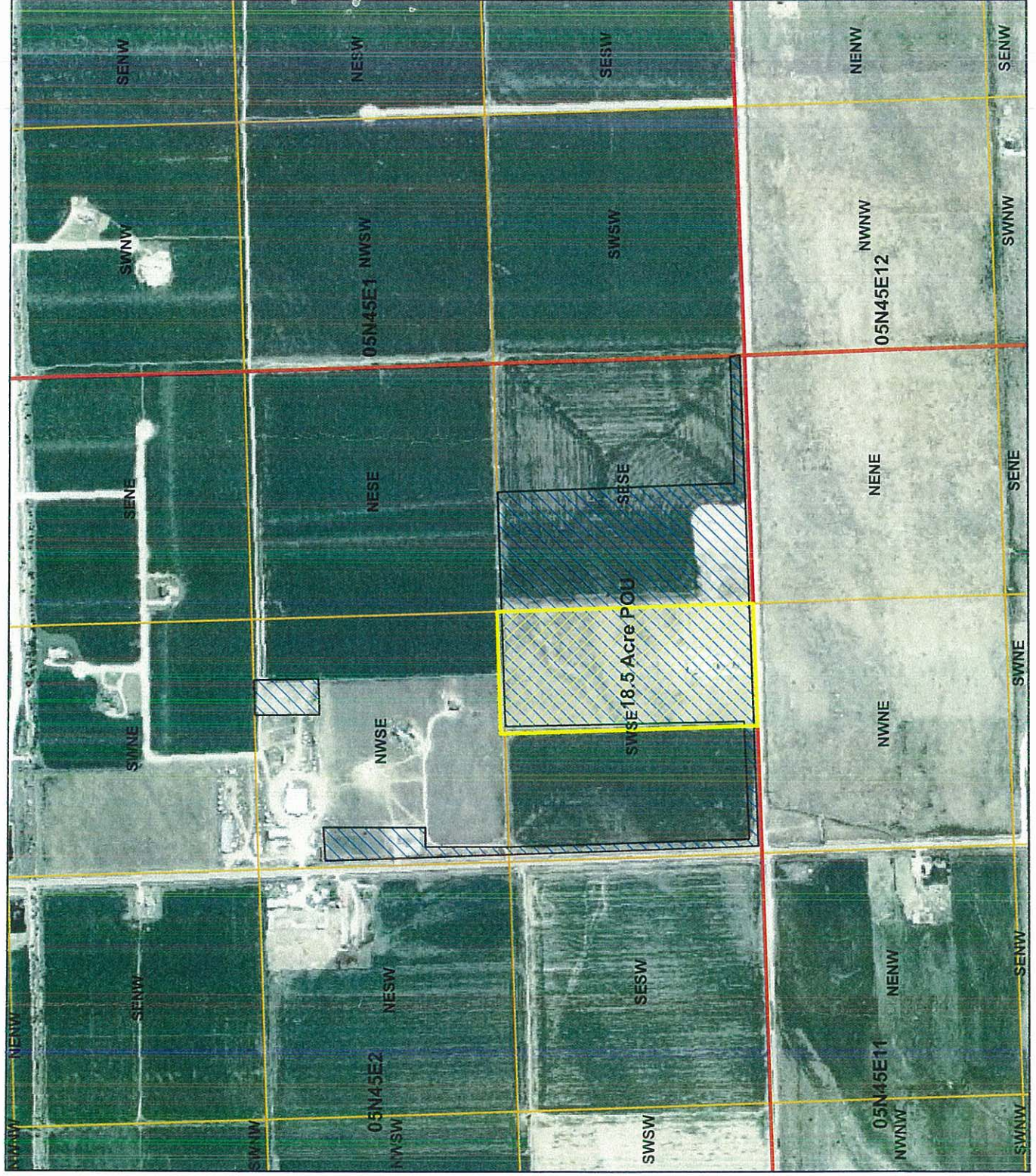
STATE OF MD }
County of Washington } ss.

On this 18 day of December, 2009, before me personally appeared Jennifer Presley (NAME), as VP (TITLE) of Wells Fargo Bank, NA, to me known to be the individual who executed the foregoing instrument as Attorney in Fact for HSBC Bank USA, National Association as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificates, Series 2007-1 and acknowledged that he/she signed the same as his/her free and voluntary act and deed as Attorney in Fact for said principal for the uses and purposes therein mentioned, and on oath states that the Power of Attorney authorizing the execution of this instrument has not been revoked and that the said principal is now living and is not incompetent.
Given under my hand and official seal the day and year last above written.

Joseph Mansfield Smith
Notary name printed or typed:
Notary Public in and for the State of _____
Residing at _____
My appointment expires _____



Lavell Johnson Property



Legend

- Property Line
- Water Right POU on Property
- 22-13935, 22-13936 POU
- Sections
- Quarter Quarters

2006 NAIP Photo



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

RECEIVED

SEP 08 2010

Department of Water Resources
Eastern Region

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

E-mail: rharris@holdenlegal.com

September 7, 2010

22-13981
22-13982
22-13983
22-13984

Idaho Department of Water Resources
ATTN: Joni Barg
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

RE: Notice of Change of Water Right Ownership for Split of Water Right Nos. 22-13935 and 22-13936.

Dear Joni:

Enclosed for processing is a Notice of Change of Water Right Ownership for a portion Water Right Nos. 22-13935 and 22-13936. My client, Elaine Johnson, recently purchased a portion of the place of use associated with these water rights. Because the rights will be split, we have included a \$200.00 filing fee as requested, and also included a map depicting in yellow the boundary of the parcel now owned by Ms. Johnson.

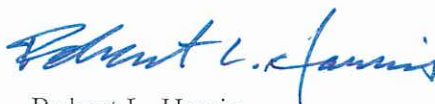
Additionally, we have included a somewhat lengthy chain of title, as it was some time ago that the property and water rights were owned by Communications Investment Corp. In order to provide a brief overview, I have included the attached deeds, with the oldest deeds on top commencing to the latest deed, which is the deed that vested title of the property and water rights to Elaine Johnson.

Beginning with the earliest deed, the Rammell family conveyed to Communications Investment Corporation approximately 400 acres of land. Included within this property is the property now owned by Ms. Johnson. Communications Investment Corporation then conveyed the property to Teton Valley Ranches, Inc., a Nevada Corporation. Thereafter, Teton West Corporation conveyed its property to Meredith A. Vogel. Ms. Vogel thereafter conveyed the property to a Dennis Troy Shore. The same day, Mr. Shore and his wife Angela Shore conveyed the entirety of the property to Dennis Shore as his sole and separate property, as it appears that this was an attempt to entirely vest title in the name of Mr. Shore given his wife's community property interest in the property. In order to finance the property, it appears that Standard Federal Savings Bank obtained a Trustee's Deed against the property, as it financed the property for Mr. Shore. Thereafter it appears that Mr. Shore defaulted on the mortgage, which would indicate why the Trustee's Deed was eventually recorded and the bank owned the property. As the bank was the new owner of the property, Standard Federal Bank conveyed the property to Danny and Kevin Green in 1999. Collectively, these two gentlemen thereafter conveyed the property to only Mr. Green. In 2006, Mr. Green conveyed the property to Dwayne Montoya who financed the purchase through HSBC Bank

USA. After apparently defaulting on the mortgage, HSBC Bank USA recorded its Trustee's Deed and thereafter became owner of the property. The property was then conveyed to Steven L. Johnson, who is the personal representative of the Estate of LaVell H. Johnson. Elaine Johnson is the widow of LaVell H. Johnson. Thereafter, the Estate of LaVell H. Johnson conveyed the property to Elaine Johnson, who now currently lives on the property. I hope this brief summary provides some assistance as you process this Notice of Change of Water Right Ownership.

It is certainly understandable if you have any questions or concerns, and we will be happy to answer any questions you may have should they arise.

Best Regards,



Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

c: Elaine Johnson

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

RECEIVED

SEP 08 2010

Department of Water Resources
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
22-13935	Yes ☒		Yes ☐		Yes ☐
25-13936	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Communications Investment Corp.
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Elaine L. Johnson
Name of each new owner as listed on the conveyance document

New owner Continued Name Connector ☐ and ☐ or ☐ and/or

310 W. 4000 N.
Mailing Address

Driggs ID 83422
City State Zip

208-709-4727
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above. March 23, 2010

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature: Robert L. Jarvis - Attorney for Elaine L. Johnson Sept. 7, 2010
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by Blane Date 9/8/2010 Receipt No. E036105 Receipt Amt. \$200.00
Approved by _____ Processed by _____ Date _____

G:\WPDATA\REF3757\NCO_090710.wpd:cdv

Receipt Status VR

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/24/2010

WATER RIGHT NO. 22-13935

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	COMMUNICATIONS INVESTMENT CORP 312 E S TEMPLE SALT LAKE CITY, UT 84111

Priority Date: 03/14/1966

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	0.27 CFS	98.5 AFA
Total Diversion			0.27 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNWSW	Sec. 01	Township 05N	Range 45E	TETON County
--------------	--------	---------	--------------	-----------	--------------

Place(s) of use:

Place of Use Legal Description: IRRIGATION TETON County

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	45E	2		NWSE	4.1		SWSE	20		SESE	20			

Total Acres: 44.1

Conditions of Approval:

1.	C18	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.
2.	P21	This right is a split from former right 22-2267A.
3.	F06	The following rights are diverted through point of diversion described above: 22-13390, 22-13391, 22-13392, 22-13393, 22-13394, 22-13396, 22-13397, 22-13398, 22-13399, 22-13400, 22-13935, and 22-13936.
4.	C03	Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5.	S37	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 late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
6.	E53	Right Nos. 22-13935 and 22-13936 are limited to a total combined annual diversion volume of 132 AF.
7.	E55	Right Nos. 22-13935 and 22-13936 are limited to the irrigation of a combined total of 44.1 acres in a single irrigation season.

Dates:

Licensed Date:

Decreed Date: 12/21/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 44.1

20.3 20.2

Combined Volume Limit: 132

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

WATER RIGHT NO. 22-13936

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	COMMUNICATIONS INVESTMENT CORP 312 E S TEMPLE SALT LAKE CITY, UT 84111

Priority Date: 08/22/1977

Basis: Decreed

Status: Active

<u>Source</u> GROUND WATER	<u>Tributary</u>
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<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	0.39 CFS	132 AFA
Total Diversion			0.39 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNWSW	Sec. 01	Township 05N	Range 45E	TETON County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION TETON County

[illegible]

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	45E	2		NWSE	4.1		SWSE	20		SESE	20			

Total Acres: 44.1

Conditions of Approval:

1.	C18	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.
2.	P21	This right is a split from former right 22-7255A.
3.	F06	The following rights are diverted through point of diversion described above: 22-13390, 22-13391, 22-13392, 22-13393, 22-13394, 22-13396, 22-13397, 22-13398, 22-13399, 22-13400, 22-13935, and 22-13936.
4.	S37	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 late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
5.	E53	Right Nos. 22-13935 and 22-13936 are limited to a total combined annual diversion volume of 132 AF.
6.	E55	Right Nos. 22-13935 and 22-13936 are limited to the irrigation of a combined total of 44.1 acres in a single irrigation season.

Dates:

Licensed Date:

Decreed Date: 12/21/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 44.1

Combined Volume Limit: 132

Combined Rate Limit:

Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

Property Line

22-13935, 22-13936 POU

Quarter Quarters



2006 NAIP Photo

7
EDM
WAS MOBILE
SYSTEMS

FILED
DEC 21 1973
SALT LAKE CITY, UTAH

Recorded at Request of Security Title Company, 330 East 4th South, Salt Lake City, Utah
at 11:04 A.M. Fee Paid \$1.00 Jan 3, 1974
By *Barbara Ditch* Dep. Book *Microfilm* Page Ref. 18865 73704
Mail tax notice to _____ Address _____

WARRANTY DEED

MAX H. RAMMELL AND DENICE K. RAMMELL, HUSBAND AND WIFE AND
MERRILL R. RAMMELL AND ROBERTA L. RAMMELL, HUSBAND AND WIFE grantors
of _____ County of _____ State of _____ hereby
CONVEY and WARRANT to _____ of _____ State of _____
IDAHO.

COMMUNICATIONS INVESTMENT CORPORATION, A CORPORATION
of SALT LAKE CITY, UTAH
TEN _____ Granted
for the sum of _____
DOLLARS.
AND OTHER GOOD AND VALUABLE CONSIDERATION
the following described tract- of land in _____
State of _____ IDAHO: _____ County,

Township 5 North, Range 45 East
Section 1: Southwest 1/4; West 1/2 of the Southeast 1/4
Section 2: Southeast 1/4
Approximately 400 acres

Together with all water and water rights, ditch and ditch rights
appurtenant to or in any way belonging to said property, including
one-half of the mineral and oil rights.

WITNESS, the hand of said grantor, this _____ 21st _____ day of
DECEMBER, A. D. 1973

Signed in the Presence of

Max H. Rammell
MAX H. RAMMELL
Denice K. Rammell
DENICE K. RAMMELL
Merrill R. Rammell
MERRILL R. RAMMELL
Roberta L. Rammell
ROBERTA L. RAMMELL

STATE OF UTAH,
County of *Salt Lake* _____

On the _____ 21st _____ day of _____ DECEMBER, A. D. 19 _____
personally appeared before me MAX H. RAMMELL AND DENICE K. RAMMELL, HUSBAND
AND WIFE AND MERRILL R. RAMMELL AND ROBERTA L. RAMMELL, HUSBAND & WIFE
the signer of the within instrument, who duly acknowledged to me that they executed the
same.

Gordon D. Dick
Notary Public
Residing in *Salt Lake City, Utah*
My commission expires *7-6-76*

SWINGLINE



10/10/87

When recorded, mail to:

Kate Lahey
Van Cott, Bagley, Cornwall & McCarthy
P. O. Box 45340
Salt Lake City, Utah 84145

WARRANTY DEED

COMMUNICATIONS INVESTMENT CORPORATION, a Delaware corporation, grantor, of Salt Lake City, County of Salt Lake, State of Utah, hereby conveys and warrants to TETON VALLEY RANCHES, INC., a Nevada corporation with its offices at 2185 South 3600 West, Salt Lake City, Utah 84119 (hereinafter referred to as "TVR"), grantee, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, all of the surface and an undivided one-half of the oil, gas and other minerals in those certain lands located in Teton County, State of Idaho, which are more particularly described in Exhibit "A" attached hereto, together with all water and water rights appurtenant thereto, and together with all of the executive rights to all of the oil, gas and other minerals in said lands, it being the intent of the parties that TVR shall be the sole owner of said executive rights and that TVR shall have sole discretion to determine whether to grant leases, exploration rights or other rights of entry upon said lands, and that TVR shall have the right to prevent any and all exploitation of said oil, gas and other minerals in said lands.

IN WITNESS WHEREOF, the undersigned executed this Warranty Deed on the 22 day of June, 1987.

COMMUNICATIONS INVESTMENT CORPORATION

10 0 2

By George C. Hatch
Its President

By Patrick A. Shea
Its Assistant Secretary

First American
45 11 a
July 9, 1987
E. Wayne Schuess
Nora Hill

5608L
031987



EXHIBIT "A"
(continued)

Parcel 2

Township 5 North, Range 45 East, Boise Meridian

Section 1: N $\frac{1}{2}$

Section 2: E $\frac{1}{2}$ NE $\frac{1}{2}$; and BEGINNING 33 1 3 rods East from the Southwest corner of the Northeast Quarter of said Section 2; and running thence East 46-1/2 rods; thence North 126-1/2 rods; thence West 46-1/2 rods; thence South 126-1/2 rods to the point of beginning.

Township 5 North, Range 46 East, Boise Meridian

Section 6: NW $\frac{1}{4}$ NW $\frac{1}{4}$ (also known as Lot 4);
N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$

(containing 516.76 acres, more or less)

Parcel 3

Township 5 North, Range 45 East, Boise Meridian

Section 1: SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 2: SE $\frac{1}{4}$

Subject to a road right of way held by the State of Idaho over and across a portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, granted by an instrument recorded July 13, 1935 in Book 62 at Page 523, as Instrument No. 27833, and an instrument recorded August 26, 1935 in Book 62 at Page 559, as Instrument No. 27995.

(containing 400.00 acres, more or less)

EXHIBIT "A"

Parcel 1

Township 5 North, Range 45 East, Boise Meridian
Section 1: E $\frac{1}{2}$ SE $\frac{1}{2}$

Township 5 North, Range 46 East, Boise Meridian
Section 6: S $\frac{1}{2}$ SE $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ EXCEPTING THEREFROM:
BEGINNING at the South quarter corner
of said Section and running thence
North 800 feet; thence West 700 feet;
thence South 800 feet; thence East
700 feet to the point of beginning;
AND LESS: BEGINNING at a point 66
feet North and 1035 feet East of the
Southwest corner of said Section,
running thence North 200 feet; thence
North 65° East 1000 feet, more or
less, to the West line of the Idaho
State gravel pit; thence South 600
feet to the County road right of way;
thence West 900 feet to the point of
beginning.

Subject to the interest, if any, owned by the State of
Idaho to the South $\frac{1}{4}$ rods of the West 1940 feet of the
SW $\frac{1}{4}$ of Section 6 in Township 5 North, Range 46 East,
as evidenced by a deed recorded December 15, 1953 in
Book 77, at Page 396, as Instrument No. 52108.

(containing 248.88 acres, more or less)

...continued on next page...

MICROFILM
SYSTEMS

SMITHSONIAN
7112082

STATE OF UTAH

ss.

COUNTY OF SALT LAKE

On the 2nd day of June, in the year 1987,
before me James A. [illegible], personally appeared
GEORGE C. HATCH and PATRICK A. SHEA, known or identified to me
(or proved to me on the oath of GEORGE C. HATCH and PATRICK A.
SHEA) to be the President and Assistant Secretary of
Communications Investment Corporation, the corporation that
executed the above instrument or the persons who executed the
instrument on behalf of said corporation and acknowledged to me
that such corporation 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.

James A. [illegible]
Notary Public, residing at Frank
Smith
My commission expires on June 2nd,
1991

5608L
031987

MICROFILM
SYSTEMS
WE

RECEIVED

JAN 25 1994

115096

CORPORATION WARRANTY DEED

TETON Co 43
Cott. Rm 100

THIS INDENTURE is made this day of December, 1993, between TETON WEST CORPORATION, a Nevada corporation duly authorized to do business in the State of Idaho, and having its principal office in Idaho at Driggs in the County of Teton, State of Idaho, the "GRANTOR", and MEREDITH A. VOGEL, a single woman, whose mailing address is 26166 East Jamison Circle South, Aurora, Colorado 80016, the "GRANTEE".

WITNESSETH, that GRANTOR, having been duly authorized by resolution of its Board of Directors, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to it in hand paid by GRANTEE, receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto GRANTEE and to GRANTEE's heirs and assigns forever, all the following described property in the County of Teton, State of Idaho, to-wit:

A portion of the SE 1/4 of Section 2, Township 5 North, Range 45 East of the Boise Meridian, being further described as: Beginning at the S 1/4 Corner of said Section 2, thence North 89° 54'38" East, 39.24 feet to a point on the Eastern right-of-way of State Highway 33, the true point of beginning; thence North 00° 44'14" West, 1344.74 feet along said highway right-of-way to a point; thence South 89° 56'59" East, 1307.74 feet to a point; thence South 00° 08'50" West, 1341.47 feet to a point on the Section Line; thence South 89° 54'38" West, 1286.99 feet to the point of beginning.

EXCEPTING therefrom any and all water rights, or any portions thereof, presently appurtenant to the real property above described, including, but not limited to all or any portion of Water Rights Nos. 22-0307, 22-2267 and 22-7255, which are hereby reserved to the Seller and not conveyed hereby.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, also any reversions, remainders, rents, issues and profits, and all estate, right, title and interest in and to said property, as well in law as in equity, of the GRANTOR.

TO HAVE AND TO HOLD, the above described premises and appurtenances unto the GRANTEE and to GRANTEE's heirs and assigns forever. The GRANTOR shall warrant and defend said premises in the quiet and peaceable possession of the GRANTEE against GRANTOR and GRANTOR's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the GRANTOR has caused its corporate name to be affixed by its duly authorized officer.

TETON WEST CORPORATION by

George C. Hatt
Its President

ATTEST: James G. Orr
Assistant Secretary

(Corporate Seal)

115096

FILED

AT THE REQUEST OF

First American

AT 35 MINUTES PAST 4 P.M.

DATE Jan 25 1994

Dea J. Drake

CLERK OF RECORDER

BY Nora Rigby

DEPUTY

Indexed
Filed

115096

STATE OF UTAH)
) ss.
County of Salt Lake)

On this 20th day of December, in the year 1983, before me, the undersigned, a notary public in and for said state, personally appeared George S. Hays and James H. Hays, known or identified to me to be the President and Secretary, respectively, of Teton West Corporation, and the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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.

(seal)

Norm R. Hays
Notary Public for Utah
Residing at 2040 S. Lake Utah
My Commission Expires: 2/1/84

5012m/KWF:kep
0852.00

RECEIVED

124233

T-5979

JUN 21 1996

WARRANTY DEED

First American Title Company

TETON CO. ID
CLERK RECORDER

For Value Received MEREDITH A. VOGEL, a single woman

Has sold the land for, namely, grants, bargains, sells and conveys unto

DEANIS TROY SHORE, a married man as his sole and separate property.
Address: P.O. BOX 9291, JACKSON, WY. 83001

Having first called the grantee, the following described premises situated in Teton County, Idaho, to-wit:

Parcel 1A

A part of W1/2 SE1/4 Section 2, Township 5 North, Range 45 East, B-100 Meridian, Teton County, Idaho, being further described as:
From the SE1/4 Corner of said Section 2, thence North 89 degrees 54'38" East, 677.17 feet along the southern section line to THE POINT OF BEGINNING;
thence North 0 degrees 08'50" East, 1343.06 feet to a point;
thence South 89 degrees 56'59" East, 649.05 feet to a point on the east line of the W1/2 SE1/4 of said Section 2;
thence South 0 degrees 08'50" West, 1341.47 feet along the east line of the W1/2 SE1/4 to the SE corner of the W1/2 SE1/4 of said Section 2;
thence South 89 degrees 54'38" West, 649.06 feet along the southern section line to THE POINT OF BEGINNING.

SUBJECT TO a county road and utility easement along the southern property line.

Subject to reservations in United States and State Patents; existing and recorded Right-of-ways, Easements, Zoning, Building and Subdivision ordinances; Taxes and Assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with then 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, the said Grantor is the owner of fee simple of said premises, that said premises are free from all encumbrances except certain state 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:

Meredith A. Vogel
MEREDITH A. VOGEL

STATE OF IDAHO)
COUNTY OF TETON) ss

On this 14th day of June, in the year 1996, before me, a Notary Public in and for said State, personally appeared MEREDITH A. VOGEL, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.

124233

FILED

AT THE REQUEST OF

AT 46 MINUTES PM 1996

DATE June 21 1996

BY Alvin D. Hinkle

CLERK OF RECORDS

DEPUTY

Terence J. Browner
Notary Public
Residing at Teton ID
Commission Expires 9-27-98
NOTARY PUBLIC
STATE OF IDAHO

RECEIVED

JUN 21 1996

124234

T-5979
First American Title Company

TETON CO. ID
CLERK RECORDER

QUITCLAIM DEED

To: None Received DENNIS TROY SHORE and ANGELA MARIE SHORE, husband and wife,
do hereby convey, release, remise and forever quit claim unto

DENNIS TROY SHORE, a married man as his sole and separate property
whose address is P.O. BOX 7291, JACKSON, WY, 83001

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

Parcel 1A

A part of W1/2 SE1/4 Section 2, Township 5 North, Range 45 East, Boise
Meridian, Teton County, Idaho, being further described as:
From the SE 1/4 Corner of said Section 2, thence North 89 degrees 54'38"
East, 677.17 feet along the southern section line to THE POINT OF
BEGINNING;

thence North 0 degrees 08'50" East, 1343.06 feet to a point;
thence South 89 degrees 56'59" East, 649.06 feet to a point on the east
line of the W1/2 SE1/4 of said Section 2;
thence South 0 degrees 08'50" West, 1341.47 feet along the east line of
the W1/2 SE1/4 to the SE corner of the W1/2 SE1/4 of said Section 2;
thence South 89 degrees 54'38" West, 649.06 feet along the southern
section line to THE POINT OF BEGINNING.

SUBJECT TO a county road and utility easement along the southern
property line.

together with their appurtenances

Dated:

DENNIS TROY SHORE

ANGELA MARIE SHORE

STATE OF

COUNTY OF

On this 11th day of June, in the year 1996, before me, a Notary Public in and for said State, personally
appeared DENNIS TROY SHORE, 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.



Brenda J. Schellack
Notary Public of
Residing at
Commission Expires
124234

FILED

AT THE REQUEST OF

AT 47 MINUTES PAST 1 P.M.

DATE June 21, 1996

WITNESSES: First American

WITNESSES: First American

WITNESSES: First American



Brenda J. Schellack
Notary Public of
Residing at
Commission Expires

133644

ALL-57067652 OF YOUR NO. 135-9366-6

APR 20 1999

TETON CO. CO.
CLERK RECORDS

TRUSTEE'S DEED

ALLIANCE TITLE & ESCROW CORP. (Trustee) as TRUSTEE under the Deed of Trust (hereinafter referred to as the "Deed of Trust") made between the undersigned and STANDARD FEDERAL BANK, A FEDERAL SAVINGS BANK

at its address: 2600 W. BIG BEAVER ROAD, TROY MT 48084

and of the undersigned and the undersigned as follows: TETON

It is shown that the undersigned as TRUSTEE under the Deed of Trust between DENNIS LINDY GORDON, A MARRIED MAN

and the undersigned as STANDARD FEDERAL BANK, A FEDERAL SAVINGS BANK

as Beneficiary, recorded June 11th 1996

as Instrument No. 126235

County: Teton Mortgage Records and after the fulfillment of the conditions specified in said Deed of Trust authorizing and conveying as follows:

(a) Default occurring in the payments for which said Deed of Trust was given as security and the Beneficiary made demand upon the said Trustee to sell said property pursuant to the terms of said Deed of Trust. Notice of default was recorded as Instrument No. 127872 Teton County Mortgage Records and in the office of the Recorder of each other county in which the property described in said Deed of Trust, or any part thereof, is situated, the nature of such default being as set forth in said Notice of Default. Such default still existed at the time of sale.

(b) After recording of said Notice of Default, Trustee gave notice of the time and place of the sale of said property by registered or certified mail, by personal service upon the occupants of said real property, by posting in a conspicuous place on said property and by publishing in a newspaper of general circulation in each of the counties in which the property is situated as more fully appears in affidavits recorded at least 20 days prior to date of sale as Instrument No. (s) 133117, 133128 and 133129 Teton County, Idaho Mortgage Records

(c) The provisions, recitals and contents of the Notice of Default referred to in paragraph (a) supra and of the Affidavits referred to in paragraph (b) supra shall be and they are hereby incorporated herein and made an integral part hereof for all purposes as though set forth herein at length.

(d) All requirements of law regarding the mailing, personal service, posting, publication and recording of Notice of Default, and notice of sale and of all other notices have been complied with.

(e) Not less than 120 days elapsed between the giving of notice of sale by registered or certified mail and the sale of said property.

(f) Trustee, at the time and place of sale to be by said notice, at public auction, in one parcel struck off to the highest bidder thereof, the property herein described, for the sum of \$335,301.18 subject however to all prior liens and encumbrances. No person or corporation offers to take any part of said property less than the whole except for the amount of principal, interest, advances and costs.

IN WITNESS WHEREOF, The Trustee, pursuant to a resolution of the Board of Directors, has caused its corporate name to be hereunto subscribed by its Agent, Vice President and its corporate seal to be placed by its Agent, Secretary this 20th day of April 1999.

ALLIANCE TITLE & ESCROW CORP., TRUSTEE

BY: *[Signature]* ASSOCIATE VICE PRESIDENT
ATTEST: *[Signature]* SECRETARY

STATE OF IDAHO }
COUNTY OF ADA }

Given and Subscribed this 20th day of April 1999

Witnessed by: *[Signature]* and *[Signature]* RELY PETERSEN

Attest: My hand and the seal of the Notary Public for the State of Idaho, this 20th day of April 1999.



133644

FILED

AT THE REQUEST OF

ALLIANCE TITLE & ESCROW CORP.

AT 15 MINUTES PAST 12 O'CLOCK

DATE April 20, 1999

Notary Public for the State of Idaho

BY: *[Signature]*

ALLIANCE
TITLE & ESCROW CORP.

1000 N. 10TH ST. SUITE 200, TROY, MT 48084-1000 TEL: (406) 261-1000 FAX: (406) 261-1001

ALLIANCE

33-10140-5-9
ALLIANCE TITLE & ESCROW CORP., INC.
P.O. BOX 844 / 78 N. MAIN STREET
GRACE, IDAHO 83422

134297

RECEIVED

JUN 29 1999

TETON CO. ID
CLERK RECORDER

WARRANTY DEED

For Value Received

STANDARD FEDERAL BANK, A FEDERAL SAVINGS BANK

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

DANNY C. GREENE, a single person and KEVIN C. GREENE, a single person

whose current address is

3160 BURSHY MTN. ROAD

WILKESBORO, NC 28659

the grantee(s), the following described premises, in TETON County IDAHO, to wit:

PARCEL 1A

A PART OF THE WEST HALF, SOUTHEAST QUARTER, SECTION 2, TOWNSHIP 5 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS:

FROM THE SOUTH QUARTER CORNER OF SAID SECTION 2, THENCE NORTH 89°54'38" EAST, 677.17 FEET ALONG THE SOUTHERN SECTION LINE TO THE POINT OF BEGINNING; THENCE NORTH 0°08'50" EAST, 1,343.06 FEET TO A POINT; THENCE SOUTH 89°56'59" EAST, 649.05 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF SOUTHEAST QUARTER OF SAID SECTION 2; THENCE SOUTH 0°08'50" WEST, 1341.47 FEET ALONG THE EAST LINE OF THE WEST HALF SOUTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE WEST HALF SOUTHEAST QUARTER OF SAID SECTION 2; THENCE SOUTH 89°54'38" WEST, 649.06 FEET ALONG THE SOUTHERN SECTION LINE TO THE POINT OF BEGINNING.

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

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor do 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: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 25, 1999
Federal National Mortgage Association
Attorney-in-fact for:

STANDARD FEDERAL BANK

Stacey Parker
Vice President

134297

FILED

AT THE REQUEST OF

ALLIANCE TITLE AND ESCROW

AT 23 MINUTES PAST 10 AM

DATE June 29, 1999

BY Cheryl Fungerson

CLERK OF RECORD

DEPUTY

STATE OF TEXAS COUNTY OF DALLAS
On this 28 day of June, 1999 Cheryl Fungerson
before me, a Notary Public in and for said State, personally
appeared

STANDARD FEDERAL BANK

Stacey Parker
Vice President

Known to me to be the person(s) whose name(s)
subscribed to the within instruments and acknowledged to
me that they executed the same on behalf of said

Notary Public,

Residing at
Comm Expires



147728

WARRANTY DEEDInstrument# 147729

DRIGGS, TETON, IDAHO
2002-04-18 04:28:14 No. of Pages: 1
Recorded for DANNY C GREENE
NOLAN G. BOYLE Fee: 3.00
EX-Office Recorder Deputy *[Signature]*
THIS IS DEED WARRANTY

Ex-Officio Recorder: Deputy *[Signature]*
 NOTICE DEED WARRANTY

NOT TO BE USED ANYMORE

A **B**

single person

1997



1992

179754

OW
Alliance Title & Escrow Corp.
P.O. Box 620
Driggs, Idaho 83422

Instrument # 179754

DRIGGS, TETON, IDAHO
2006-08-28 09:53:36 No. of Pages: 1
Recorded for: ALLIANCE TITLE
NOLAN G. BOYLE
Ex-Officio Recorder Deputy
Index to DEED WARRANTY

RECEIVED

AUG 28 2006

TETON CO. ID.
CLERK OF COUNTY

WARRANTY DEED

Order No. 3080614597TD

FOR VALUE RECEIVED

Kevin C. Greene, an unmarried person

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

Dwayne T. Mootz, an unmarried person

whose current address is

12 West 400 N. Driggs, ID 83422

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

Parcel 1A: A part of the West Half Southeast Quarter Section 2, Township 8 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as: From the South Quarter corner of said Section 2, thence North 89°54'38" East 677.17 feet along the Southern Section line to the point of beginning; thence North 0°08'50" East 1,343.05 feet to a point; thence South 89°56'59" East 649.05 feet to a point on the East line of the West Half Southeast Quarter of said Section 2; thence South 0°08'50" West 1,341.47 feet along the East line of the West Half Southeast Quarter to the Southeast corner of the West Half Southeast Quarter of said Section 2, thence South 89°54'38" West 649.06 feet along the Southern Section line to the point of beginning. Subject to a county road and utility easement along the Southern property line.

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 signs of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 8/18/2006

179754

Kevin C. Greene
Kevin C. Greene

State of ~~Idaho~~ *NC*
County of *Wilkes*

ss. 241-51-4733

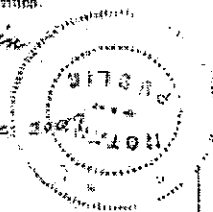
On this 18 day of Aug, in the year 2006, before me, a Notary Public in and for said state, personally appeared Kevin C. Greene known or identified to me to be the person whose name is subscribed to the within instrument and (s)he acknowledged to me that he executed the same.

[N]OTICE WHEREOF I have been to set my hand and affixed my official seal this day and year first above written.

Virginia S. McMillin
Notary Public for the State of *NC*
Residing at *NC*
Commission Expires

My Commission Expires

179754



First American Title Company

267690

After Recording, Return to:
Post Sale Dept.
Northwest Trustee Services, Inc.
P.O. Box 997
Bellevue, WA 98009-0997

204612 MAY 15 '09 PM 2:46

Instrument # 204812

TETON COUNTY, IDAHO
5/15/2009 02:16:00 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE
MARY LOU HANSEN Fee: \$6.00
EX-Office Recorder Deputy
JANET DEER, TRUSTEE'S

M. Hansen

TRUSTEE'S DEED

7023.17486

Northwest Trustee Services, Inc.
P.O. Box 997
Bellevue, WA 98009-0997

Grantor's Name and Address

HSBC Bank USA, National Association, as Trustee for
WFHET 2007-2
3476 Stateview Blvd.
Fort Mill, SC 29715

Grantee's Name and Address

Until a change is required all tax statements shall be sent to the following address:

HSBC Bank USA, National Association, as Trustee for
WFHET 2007-2
3476 Stateview Blvd.
Fort Mill, SC 29715

Northwest Trustee Services, Inc. ("Trustee"), as successor trustee under the Trust Deed (identified below), bargains, Sells and Conveys, without representation or warranty, to HSBC Bank USA, National Association, as Trustee for WFHET 2007-2 ("Grantee") all of the real property situated in Teton County, Idaho, ("Property"), described as follows:

Parcel 1A: A part of the West half Southeast quarter Section 2, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as: From the South quarter corner of said Section 2, thence North 89 degrees 34'38" East 677.17 feet along the Southern section line to the Point of Beginning; Thence North 0 degrees 08'50" East 1,343.05 feet to a point; Thence South 89 degrees 56'59" East 649.05 feet to a point on the East line of the West half Southeast quarter of said Section 2; Thence South 0 degrees 08'50" West 1,341.47 feet along the East line of the West half Southeast quarter to the Southeast corner of the West half Southeast quarter of said Section 2; Thence South 89 degrees 54'38" West 649.06 feet along the Southern section line to the Point of Beginning. Subject to a County Road and Utility Easement along the Southern property line.

This conveyance is made pursuant to the powers conferred upon the Trustee by the trust deed between Dwayne T. Montoya, an unmarried man, as grantor, for the benefit and security of Wells Fargo Bank, N.A., as beneficiary, recorded on February 5, 2007, as Instrument No. 184814, Mortgage Records of Teton County, Idaho ("Trust Deed") and after the fulfillment of the following conditions specified in the Trust Deed:

(a) The obligations secured by the Trust Deed were in default and the beneficiary made demand upon Trustee to sell the Property pursuant to the terms of the Trust Deed. Notice of default was recorded as Instrument No. 199491, Mortgage Records of Teton County, Idaho ("Notice of Default") and in the office of the Recorder of every other county in which any part of the Property is situated. The nature of default was stated in the Notice of Default. The default still existed at the time of the trustee's sale.

(b) After the Notice of Default was recorded, the Trustee provided a notice of the trustee's sale ("Notice of Sale") giving notice of the time and place of the trustee's sale by i) mailing (registered/certified mail, return receipt requested); ii) personal service and/or posting (upon an adult occupant of the Property and/or by posting in a conspicuous place on the Property, in the manner provided by statute) and iii) by publishing in a newspaper of general circulation in each of the counties in which the Property is situated. Affidavits of mailing, service/posting

and publication ("Affidavits") were recorded in each county where the Property is situated at least 20 days prior to the trustee's sale as Instrument No. 203349, 203350, 203351, Mortgage Records of Teton County, Idaho.

(c) The provisions, recitals and contents of the Notice of Default and Affidavits are incorporated by this reference and made a part of this Trustee's Deed.

(d) All requirements of law regarding the mailing, personal service, posting, publication and recording of the Notice of Default, Notice of Sale and all other notices have been complied with.

(e) Not less than 120 days elapsed between the giving of Notice of Sale by registered or certified mail and the date the Trustee's Sale was conducted.

(f) Trustee, on May 11, 2009, at the time and place of sale fixed by the Notice of Sale or by publicly proclaimed postponement, sold the Property in one parcel at public auction to Grantee, the highest bidder, for the sum of \$500,000.00. The trustee's sale to Grantee was made subject to all prior liens and encumbrances. No person or corporation offered to take any part of the Property constituting less than the Property's whole for the amount of principal, interest, advances and costs.

IN WITNESS WHEREOF, Trustee, pursuant to a resolution of its Board of Directors (if required by its Bylaws), has caused its corporate name to be hereunto subscribed by its Assistant Vice President, this 14 day of May, 2009.

Northwest Trustee Services, Inc., Trustee

BY: _____

Its: Assistant Vice President

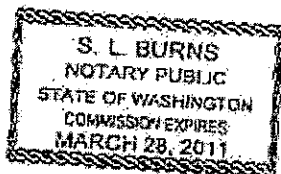
STATE OF WASHINGTON)

) ss

COUNTY OF KING)

On this 14 day of May, 2009, before me, a Notary Public in and for said State, personally appeared Jef Stenman, known to me to be the Assistant Vice President of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



NOTARY PUBLIC in and for the State of
Washington, residing at King Co
My commission expires 3/28/2011

After recording return to and send all tax statements to the following address:
LaVell H Johnson Estate
1019 Lee Creek Road
Lewiston, ID 83444

208788 DEC 22 09 PM 4 34

First American Title Company

317033-T

Instrument # 208788

TETON COUNTY, IDAHO

12-22-2009 04:04:00 No. of Pages: 1

Recorded for FIRST AMERICAN TITLE

MARY LOU HANSEN

Fee: 3.00

Ex-Officio Recorder, Deputy
WORTH DEED CORPORATION WARRANTY

SPECIAL CORPORATE WARRANTY DEED

FOR VALUE RECEIVED HSBC Bank (USA, National Association, as Trustee for WHITEPINE-2, its successors and assigns organized and existing under the laws of the United States of America a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey to Steven L. Johnson, Personal Representative of the estate of LaVell H. Johnson, decedent. White address at 1019 Lee Creek Road (Page 1) ID 83442

Grantor, the following described real estate, to-wit:

Property commonly known as 110 W 4000 N, Driggs ID 83422

Parcel 1A

A part of W1/2 SE1/4 Section 2, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as:
From the SE 1/4 Corner of said Section 2, thence North 89 degrees 54'38" East, 677.17 feet along the southern section line to THE POINT OF BEGINNING;
thence North 0 degrees 08'50" East, 1342.06 feet to a point;
thence South 89 degrees 54'59" East, 649.05 feet to a point on the east line of the W1/2 SE1/4 of said Section 2; thence South 0 degrees 06'50" West, 1342.47 feet along the east line of the W1/2 SE1/4 to the SE corner of the W1/2 SE1/4 of said Section 2; thence South 89 degrees 54'38" West, 649.06 feet along the southern section line to THE POINT OF BEGINNING.

WARRANTY

SUBJECT TO certain force laws, irrigation ditches, easements, public utility easements, subdivision restrictions and U.S. patent restrictions.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantee does hereby covenant and warrant unto the said Grantee, that s/he is the owner in fee simple of said premises, that they are free from all encumbrances and that s/he will warrant and defend the same to the said Grantee and his heirs forever, except as to the reservations hereon and except as to warranty when furnished to by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President this _____ day of November, 2009.

HSBC Bank (USA, National Association, as Trustee for WHITEPINE-2,

Jennifer Proseley

VP Loan Documentation

By _____, as Attorney in Fact

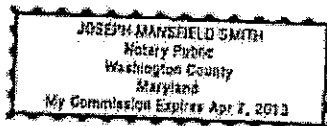
STATE OF

County of

Washington

On this 18 day of December, 2009, before me personally appeared Jennifer Proseley, (NAME), as _____, (TITLE) of Wells Fargo Bank, N.A. Inc. known to be the individual who executed the foregoing instrument as Attorney in Fact for HSBC Bank (USA, National Association) as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificate, Series 2007-1 and acknowledged that he/she signed the same as his/her free and voluntary act and deed as Attorney in Fact for said principal for the uses and purposes therein mentioned, and on oath states that the Power of Attorney authorizing the execution of this instrument has not been revoked and that the said principal is now living and is not incompetent. Given under my hand and official seal the day and year last above written.

Notary Public in and for the State of
Residing at _____
My appointment expires _____



PLEASE RETURN TO:

Robert E. Fernam, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.
P.O. Box 50130
Idaho Falls, Idaho 83405

210087 MAR 25 10 04 11-13

This area for Recorder's use only.

DEED OF DISTRIBUTION

THIS DEED is made this 23rd day of March, 2010, by and between Steven L. Johnson, the personal representative of the Estate of LaVell H. Johnson, deceased, "Grantor", and Elaine L. Johnson, a single woman, whose mailing address is 310 W 4000 N, Driggs, ID, 83422, "Grantee".

WHEREAS, Steven L. Johnson, Grantor, is the duly appointed and acting personal representative of the Estate of LaVell H. Johnson, deceased; and

WHEREAS, Elaine L. Johnson, Grantee, is entitled to receive distribution of the property hereafter described in this deed under the terms of the Codicil to the Last Will and Testament of the decedent, the Agreement for Distribution of Property to Elaine L. Johnson in Satisfaction of Cash Bequest, and pursuant to the provisions of the Idaho Uniform Probate Code;

NOW, THEREFORE, WITNESSETH, that the Grantor, for a valuable consideration, and for the purpose of distributing certain real property from the Estate of LaVell H. Johnson, deceased, does by these presents hereby distribute, grant, bargain, sell, convey, and confirm unto the Grantee, and to her heirs and assigns forever, all that certain parcel of land, situate, lying and being in Teton County, Idaho, and more particularly described as follows:

Parcel 1A

A part of W1/2 SE1/4 Section 2, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as:
From the S1/4 Corner of said Section 2, thence North 89°54'38" East, 677.17 feet along the southern section line to the Point of Beginning; thence North 0°08'50" East, 1343.06 feet to a point; thence South 89°56'59" East, 649.05 feet to a point on the east line of the W1/2 SE1/4 of said Section 2; thence South 0°08'50" West, 1341.47 feet along the east line of the W1/2 SE1/4 to the SE corner of the W1/2 SE1/4 of said Section 2; thence South 89°54'38" West, 649.06 feet along the southern section line to the Point of Beginning.

TOGETHER WITH all water rights appurtenant thereto.

1 - DEED OF DISTRIBUTION - Estate to Elaine Johnson
Estate of LaVell H. Johnson

Instrument # 210389
TETON COUNTY, IDAHO
3-25-2010 11:13 AM No. of Pages: 3
Recorded for HOLDEN, KIDWELL,
MARY LOU HANSEN Fee: \$9.00
Ex-Officio Recorder Deputy
IDAHO DEED OF DISTRIBUTION

ALSO 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;

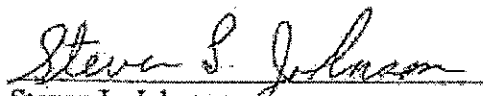
SUBJECT TO:

1. Grant of right-of-way for County Road, recorded December 15, 1953, in Book 77 at Page 396, Records of Teton County, Idaho.
2. Agreement and Cross-Conveyance recorded May 13, 1987, Recorder's No. 100811, Records of Teton County, Idaho.
3. Grant of Easement recorded January 31, 1994, Recorder's No. 115199, Records of Teton County, Idaho.
4. Electric line right-of-way easement granted by Meredith A. Vogel, to Fall River Rural Electric Cooperative, Inc., recorded August 24, 1994, Recorder's No. 117328, Records of Teton County, Idaho.
5. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded June 17, 1996, as Instrument Number 124187, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
6. Agreement for electrical service between Dwayne T. Montoya, and Fall River Rural Electric Cooperative, Inc., recorded March 8, 2007, Recorder's No. 185682, Records of Teton County, Idaho.

ALSO SUBJECT TO all real property taxes and assessments, all existing patent reservations, easements, rights of way, protective covenants and other matters of record, all applicable zoning ordinances, building codes, laws and regulations, and all encroachments, overlaps, boundary line disputes, claims of easements and other matters that would be disclosed by an accurate survey or inspection of the property.

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

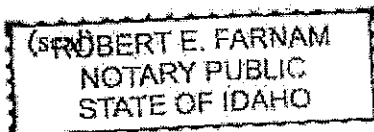
IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.

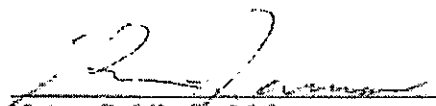

Steven L. Johnson

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 23rd of March, 2010, before me, the undersigned, a notary public, in and for said State, personally appeared Steven L. Johnson, known or identified to me to be the person whose name is subscribed to the within instrument, as personal representative of the Estate of LaVell H. Johnson and acknowledged to me that he 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.




Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 11/12/10

G:\WFDATA\REF\15644\Deed Dist House Est to Elaine.wpd\jh