

Water Supply Bank No. _____

Water Right No. _____

Please provide all correspondence to:

Scott L. Campbell
Moffatt Thomas Barrett Rock
& Fields, Chtd.
P.O. Box 829
Boise, ID 83701-0829

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 05 2007

DEPARTMENT OF
WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Name of Seller/Lessor Greene Tree, Inc. Phone (801) 375-8010

Post office address 129 Woodside Dr., Provo, UT 84604-4423

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. 63-2539 Decreed to Greene Tree, Inc.
(Name)
in case of In Re SRBA vs _____
dated July 29, 2003 in 5th District county of Twin Falls
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water
Resources.
- c. Permit No. _____ issued by the Idaho Department of Water
Resources.

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease,
show "all" on line a. below and skip the remainder of part 2.)

- a. Amount of water under right: all cubic feet per second &/or
_____ acre-feet per annum
- b. Point of diversion: _____ ¼ of _____ ¼ of Section _____ Township _____ Range
_____, B.M. in _____ County.
Additional points _____

c. Place of use:

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

If the right is for irrigation, show the number of acres for the part of the right to be put into the bank.

Total number of acres _____

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

- a. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right. If the right is not recorded in the name of the seller/lessor, attach a copy of a change of ownership form as required by Section 42-248 or 42-1409(6), Idaho Code, together with required documentation.

The previous owners of the Greene Tree property (Coors) obtained a water right license from the state of Idaho in 1940. Greene Tree's current president Alva D. Greene and his wife Ruth B. Greene purchased the property and water right from Coors in 1958 and subsequently conveyed them to Greene Tree in 1966. Both deeds are attached.

- b. Describe the frequency of water use under the right, or portion thereof, during the past five (5) years of use. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture. (This information is not required if a partial decree has been issued on the right within the last 5 years).

Partial decree was issued within last 5 years.

- c. If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.

April 15 - October 31

- d. Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe.

The present place of use will not continue to receive water.

- e. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

- f. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

4. REMARKS:

5. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale;

X For lease for a period from Acceptance to 12/31/2008
(Day, month, year) (Day, month, year)

(The lease period may be shown as "indefinite", if the total duration of lease is unknown); or

_____ As a gift to the state of Idaho.

2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate".

Current rental rate.

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

Aug. 28, 2007
Date

Alva D. Greene
Signature Alva D. Greene, President

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

STATE OF IDAHO,)
) SS.
County of Elmore)

I hereby certify that this instrument was filed for record at request of Perce Hall at 25 minutes past 4 o'clock P.M., this 10 day of Sept. A.D. 1958 in my office, and duly recorded in Book 51 of Warranty Deeds at Page 435

Fees \$2.00

James A. O'Neill
Ex Officio Recorder,

By R. B. Stein, Jr. Deputy

Instrument No. 98175

WARRANTY DEED

For Value Received H. F. COORS and JANET HELEN COORS, Husband and wife, the grantors, do hereby grant, bargain, sell and convey unto ALVA D. GREENE and RUTH B. GREENE, Husband and wife, the grantees, the following described premises, in Elmore County Idaho, to-wit:

Property located in Section 34 and 35 in Township 6 North, Range 11 East of the Boise Meridian, and in Sections 2 and 3 of Township 5 North, Range 11 East of the Boise Meridian, and further described as, H. E. Survey No. 39 embracing premises more particularly bounded and described as follows, to-wit:

Beginning at corner No. 1, a fir post, 4 x 6 x 40 inches, marked "Cor. No. 1, H.E.S. No. 39", from which U. S. Mineral Monument No. 2 bears south twenty-five minutes, thirty seconds west forty-one and sixty-two-hundredths chains distant; thence north eighty-three degrees, twenty-four minutes east ten and seventy-nine-hundredths chains to corner No. 2; thence north eighty-five degrees, twenty-four minutes, thirty seconds east twenty and sixteen-hundredths chains to corner No. 3; thence north sixty-nine degrees, thirty minutes, thirty seconds east thirteen and fifteen-hundredths chains to corner No. 4; thence north two degrees, fourteen minutes east two and twenty-six-hundredths chains to corner No. 5; thence North fifty-four degrees, twenty-two minutes, thirty seconds east Twenty-five and three-tenths chains to corner No. 6; thence north nineteen degrees, thirty minutes, thirty seconds west thirty-seven and two hundredths chains to corner No. 7; thence south thirty-seven degrees, sixteen minutes west thirty-eight and sixty-nine hundredths chains to corner No. 8; thence south twenty-three degrees, forty minutes west twenty-five and sixty-three-hundredths chains to corner No. 9; thence north fifty-one degrees, fifty-nine minutes, thirty seconds west seventeen chains to corner No. 10; thence north sixty-five degrees, thirteen minutes west twelve and thirty-seven hundredths chains to corner No. 11; thence south fifty minutes east sixteen and nineteen hundredths chains to corner No. 12; thence south fifty-five degrees, forty-three minutes, thirty seconds east eight and one-tenth chains to corner No. 1, the place of beginning, containing one hundred fifty-eight and seventeen-hundredths acres, according to the official plat of the Survey of the said land, returned to the General Land Office by the Surveyor-General;

Commencing at the United States Mineral Monument No. 2 in the Middle Boise Mining District, in the County of Elmore, State of Idaho, running thence south eighty-nine degrees forty minutes east 1215.06 feet to a point, being corner No. 1, thence north one degree twenty-minutes west 122.87 feet to a point being corner No. 2, thence north eighty-two degrees eight minutes thirty seconds east 215.10 feet to corner No. 3, thence north five degrees fifty-three minutes west 1,279.74 feet to corner No. 4, thence north twenty-four degrees eight minutes west 1,279.74 feet to corner No. 5, thence north one degree thirty minutes thirty seconds west 551.76 feet to corner No. 6, thence north eighty-five degrees forty-six minutes thirty seconds east 2,272.38 feet to corner No. 7, thence north nineteen degrees thirty-nine minutes thirty seconds east 420.42 feet to corner No. 8, thence north thirteen degrees eight minutes east 609.84 feet to corner No. 9, thence north sixty degrees twenty-nine minutes thirty seconds east 1011.12 feet to corner No. 10, thence south twenty-six degrees forty-eight minutes thirty seconds east 1059.96 feet to corner No. 11, thence south forty-four degrees three minutes thirty seconds west 583.44 feet to corner No. 12, thence south thirty degrees twenty-one minutes thirty seconds east 207.90 feet to corner No. 13, thence south forty-three degrees forty-eight minutes thirty seconds west 212.52 feet to corner No. 14, thence south thirty-four degrees fifty-nine minutes west 500.28 feet to corner No. 15, thence south fifty-four degrees five minutes thirty seconds west 801.24 feet to corner No. 16, thence south twenty-seven degrees twenty-seven minutes west 900.24 feet to corner No. 17, thence south sixty-seven degrees twelve minutes west 1403.82 feet to corner No. 18, thence south forty-one degrees twenty-four minutes west 193.38 feet to corner No. 19, thence south eighty-eight degrees fifty-one minutes west 118.80 feet to corner No. 20, thence north ten degrees ten minutes west 55.44 feet to corner No. 21, thence south eighty-eight degrees thirty-five minutes west 175.38 feet more or less to corner No. 1, the corner of beginning, excepting that portion of the above described premises particularly described as follows, to-wit: Beginning at a point being corner No. 18 referred to in the within and foregoing description, running thence north thirty-four degrees thirty-seven minutes west a distance of 16.56 feet, to a point being the real point of beginning, running thence north nineteen degrees twenty-four minutes west a distance of 165.04 feet to a point, thence north sixty-nine degrees twenty-seven minutes east a distance of 91.40 feet to a point, thence north sixty-seven degrees twelve minutes east a distance of 80 feet to a point, thence north thirty-nine degrees forty-five minutes west a distance of 50 feet to a

point, thence north sixty-seven degrees twelve minutes east a distance of 200 feet to a point, thence south thirty-nine degrees forty-five minutes east a distance of 50 feet to a point, thence north sixty-seven degrees twelve minutes east a distance of 100 feet to a point, thence south thirty-nine degrees forty-five minutes east a distance of 150 feet to a point, thence south sixty-seven degrees twelve minutes west a distance of 380 feet to a point, thence south thirty-nine degrees forty-five minutes east a distance of 20 feet to a point, thence south sixty-seven degrees forty-six minutes west a distance of 150.77 feet to a point being the point of the real place of beginning;

Beginning at corner No. 4 of Homestead Entry Survey No. 37; thence south 67 degrees 12 minutes west 554 feet; thence south 64 degrees 26 minutes east 322.74 feet; thence south 80 degrees 41 minutes 30 seconds east 492.01 feet; thence north 18 degrees 42 minutes east 485.43 feet; thence north 66 degrees 55 minutes west 363.09 feet; thence south 27 degrees 27 minutes west 190 feet to said Corner No. 4, the place of beginning;

Also property located in Sections 35 and 36 in Township 6 North Range 11 East of the Boise Meridian, and further described as H. T. Survey No. 106, described as follows, to-wit:

Beginning at Corner No. 1, from which U. S. Mineral Monument No. 2, Middle Boise Mining Dist, bears South 44 degrees 13 minutes west 91.41 chains distant; thence north 38 degrees 53 minutes east 10.9 chains to Corner No. 2; thence north 89 degrees 35 minutes east 21.37 chains to Corner No. 3; thence south 55 degrees 19 minutes east 10.46 chains to Corner No. 4; thence north 65 degrees 18 minutes east 4.46 chains to Corner No. 5; thence north 6 degrees 48 minutes east 24.76 chains to Corner No. 6; thence north 84 degrees 14 minutes west 56.56 chains to Corner No. 7; thence south 19 degrees 32 minutes east 37 chains to Corner No. 1, the real point of beginning.

Together with all water, water rights, ditch and ditch rights, appertaining thereto or used in connection therewith.

All of which lands are located in Elmore County, State of Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated - September 2nd, 1958.

H. F. Coors

Janet Helen Coors

STATE OF IDAHO, COUNTY OF ADA

On this 2nd day of September, 1958, before me, a notary public in and for said State, personally appeared H. F. COORS and JANET HELEN COORS, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

G. T. Benson

Notary Public for Idaho
Residing at Boise, Idaho
Comm. Expires 1/15/60

NOTARY SEAL

\$44.00 revenue stamps attached & cancelled.

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

I hereby certify that this instrument was filed for record at request of R. M. Wetherall at 5 minutes past 12 o'clock A.M., this 7 day of Oct. A.D., 1958 in my office, and duly recorded in Book 51 of Warranty Deeds at Pages 436-437.

James A. O'Neill
Ex-Officio Recorder,

Fees \$2.00

QUITCLAIM DEED

FOR VALUE RECEIVED ALVA D. GREENE and RUTH B. GREENE, husband and wife, do hereby convey, release, remise and forever quit claim unto GREENE TREE, INCORPORATED, a Nevada corporation, the following described premises, in Elmore County, Idaho, to-wit:

Property located in Section 34 and 35 in Township 6 North, Range 11 East of the Boise Meridian, and in Sections 2 and 3 of Township 5 North, Range 11 East of the Boise Meridian, and further described as, H. E. Survey No. 39 embracing premises more particularly bounded and described as follows, to-wit:

Beginning at corner No. 1, a fir post, 4 x 6 x 40 inches, marked "Cor. No. 1, H.E.S. No. 39", from which U. S. Mineral Monument No. 2 bears south twenty-five minutes, thirty seconds west forty-one and sixty-two-hundredths chains distant; thence north eighty-three degrees, twenty-four minutes east ten and seventy-nine-hundredths chains to corner No. 2; thence north eighty-five degrees, twenty-four minutes, thirty seconds east twenty and sixteen-hundredths chains to corner No. 3; thence north sixty-nine degrees, thirty minutes, thirty seconds east thirteen and fifteen-hundredths chains to corner No. 4; thence north two degrees, fourteen minutes east two and twenty-six-hundredths chains to corner No. 5; thence North fifty-four degrees, twenty-two minutes, thirty seconds east twenty-five and three-tenths chains to corner No. 6; thence north nineteen degrees, thirty minutes, thirty seconds west thirty-seven and two hundredths chains to corner No. 7; thence south thirty-seven degrees, sixteen minutes west thirty-eight and sixty-nine hundredths chains to corner No. 8; thence south twenty-three degrees, forty minutes west twenty-five and sixty-three-hundredths chains to corner No. 9; thence north fifty-one degrees, fifty-nine minutes, thirty seconds west seven-hundredths chains to corner No. 10; thence north sixty-five degrees, thirteen minutes west twelve and thirty-seven hundredths chains to corner No. 11; thence south fifty minutes east sixteen and nineteen hundredths chains to corner No. 12; thence south fifty-five degrees, forty-three minutes, thirty seconds east eight and one-tenth chains to corner No. 1, the place of beginning, containing one hundred fifty-eight and seventeen-hundredths acres, according to the official plat of the Survey of the said land, returned to the General Land Office by the Surveyor-General;

Commencing at the United States Mineral Monument No. 2 in the Middle Boise Mining District, in the County of Elmore, State of Idaho, running thence south eighty-nine degrees forty minutes east 1215.06 feet to a point, being corner No. 1, thence north one degree twenty minutes west 122.87 feet to a point being corner No. 2, thence north eighty-two degrees eight minutes thirty seconds east 215.10 feet to corner No. 3, thence north five degrees fifty-three minutes west 493.02 feet to corner No. 4, thence north twenty-four degrees eight minutes west 1,279.74 feet to corner No. 5, thence north one degree thirty minutes thirty seconds west 551.76 feet to corner No. 6, thence north eighty-five degrees forty-six minutes thirty seconds east 2,272.38 feet to corner No. 7, thence north nineteen degrees thirty-nine minutes thirty seconds east 420.42 feet to corner No. 8, thence north thirteen degrees eight minutes east 607.84 feet to corner No. 9, thence north sixty degrees twenty-nine minutes thirty seconds east 1011.12 feet to corner No. 10, thence south twenty-six degrees forty-eight minutes thirty seconds east 1059.96 feet to corner No. 11, thence south forty-four degrees three minutes thirty seconds west 583.44 feet to corner No. 12, thence south thirty degrees twenty-one minutes thirty seconds east 207.90 feet to corner No. 13, thence south forty-three degrees forty-

*See deed to Green Tree
from Forest Service
dated 6/10/91 giving
G.T. 9.98 acres*

*See copy of deed
to Forest Service
new description
transferring G.T. to F.S. dated 7/10/91*

eight minutes thirty seconds west 212.52 feet to corner No. 14, thence south thirty-four degrees fifty-nine minutes west 500.28 feet to corner No. 15, thence south fifty-four degrees five minutes thirty seconds west 801.24 feet to corner No. 16, thence south twenty-seven degrees twenty-seven minutes west 900.24 feet to corner No. 17, thence south sixty-seven degrees twelve minutes west 1403.82 feet to corner No. 18, thence south forty-one degrees twenty-four minutes west 193.38 feet to corner No. 19, thence south eighty-eight degrees fifty-one minutes west 118.80 feet to corner No. 20, thence north ten degrees ten minutes west 55.44 feet to corner No. 21, thence south eighty-eight degrees thirty-five minutes west 175.38 feet more or less to corner No. 1, the corner of beginning, excepting that portion of the above described premises particularly described as follows, to-wit: Beginning at a point being corner No. 18, referred to in the within and foregoing description, running thence north thirty-four degrees thirty-seven minutes west a distance of 16.56 feet, to a point being the real point of beginning, running thence north nineteen degrees twenty-four minutes west a distance of 165.04 feet to a point, thence north sixty-nine degrees twenty-seven minutes east a distance of 91.40 feet to a point, thence north sixty-seven degrees twelve minutes east a distance of 80 feet to a point, thence north thirty-nine degrees forty-five minutes west a distance of 50 feet to a point, thence north sixty-seven degrees twelve minutes east a distance of 200 feet to a point, thence south thirty-nine degrees forty-five minutes east a distance of 50 feet to a point, thence north sixty-seven degrees twelve minutes east a distance of 100 feet to a point, thence south thirty-nine degrees forty-five minutes east a distance of 150 feet to a point, thence south sixty-seven degrees twelve minutes west a distance of 360 feet to a point, thence south thirty-nine degrees forty-five minutes east a distance of 20 feet to a point, thence south sixty-seven degrees forty-six minutes west a distance of 150.77 feet to a point being the point of the real place of beginning;

Beginning at corner No. 4 of Homestead Entry Survey No. 37; thence south 67 degrees 12 minutes west 554 feet; thence south 64 degrees 25 minutes east 322.74 feet; thence south 80 degrees 41 minutes 30 seconds east 492.01 feet; thence north 18 degrees 42 minutes east 485.43 feet; thence north 66 degrees 55 minutes west 363.09 feet; thence south 27 degrees 27 minutes west 190 feet to said Corner No. 4, the place of beginning;

Also property located in Sections 35 and 36 in Township 6 North Range 11 East of the Boise Meridian, and further described as H.E. Survey No. 105, described as follows, to-wit:

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Beginning at Corner No. 1, from which U. S. Mineral Monument No. 2, Middle Boise Mining Dist, bears South 44 degrees 13 minutes west 91.41 chains distant; thence north 38 degrees 53 minutes East 10.9 chains to Corner No. 2; thence north 89 degrees 35 minutes east 21.37 chains to Corner No. 3; thence south 55 degrees 19 minutes east 10.46 chains to Corner No. 4; thence north 65 degrees 18 minutes east 4.46 chains to Corner No. 5; thence north 6 degrees 48 minutes east 24.76 chains to Corner No. 6; thence north 84 degrees 14 minutes west 56.56 chains to corner No. 7; thence south 19 degrees 32 minutes east 37 chains to Corner No. 1, the real point of beginning.

Together with all water, water rights, ditch and ditch rights, appertaining thereto or used in connection therewith.

All of which lands are located in Elmore County, State of Idaho.

together with their appurtenances.

DATED: This 1ST day of August, 1966.

Alva D. Greene
Ruth B. Greene

STATE OF IDAHO)
County of Ada) ss

On this 1ST day of August, 1966, before me, the undersigned, a Notary Public in and for said State, personally appeared ALVA D. GREENE and RUTH B. GREENE, 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.

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

Ronald J. Carter
Notary Public for Idaho
Residing at Boise, Idaho

130896

STATE OF IDAHO, }
County of Elmore }

I hereby certify that this instrument
was filed for record at request of

Russell & Carter
at 56 minutes past 11

o'clock 4 M., this 15

day of Nov A.D., 19 66

in my office, and duly recorded in Book

of Book

at Page W. J. Jami

By M. J. Jami Ex-Officio Recorder,

Deputy.

Fees \$ 3 ⁰⁰

Book 2156

Page 1

13701

STATE OF IDAHO }
County of Elmore }

I hereby certify that this instrument is
a true and correct copy of the original now
on file or of record in this office.

Dated October 11, 1991

RAMONA TRAZABAI

Clerk

Ex-officio Auditor and Recorder

by Linda Van Mosen

Deputy