

RECEIVED

MAR 29 2004

Water Supply Bank No. _____

Water Right No. 36-2684

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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

Name of Seller/Lessor Douglas E Grant JR. Phone 208-339-0677 208-551-5149 *D.E.GJR.*

Post office address 425 N. 10TH AVE., POLATELLO, ID. 83201

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. 36-2684 Decreed to Douglas E Grant JR.
(Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(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: .79 cubic feet per second &/or
188 acre-feet per annum
- b. Point of diversion: NE 1/4 of NE 1/4 of Section 28 Township 07 S Range
29 E B.M. in Minidoka 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	
			6.4	5.6	5.8	6.1									6.1	5.8	6	5.3	47.1

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 47.1

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.

Water right was decreed in adjudication. We
still own the land. See attached deed

- 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).

NR 12/19/01

- 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.

NA

- 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.

There are A&B water rights on this Section. A&B
Does not service this section.

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

NA

- 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:

NA

5. SALE/LEASE AGREEMENT

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

_____ For sale; 12-31-08 DEGR.

X For lease for a period from 3-19-04 to Indefinite
(Day, month, year) (Day, month, year)

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

NO 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".

DEGR. Current rental rate. Owner reserves right to rent out
47.1
55 shares on an annual basis.

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.

3-19-04
Date

Doyle E. Smith
Signature
Samuel A. Grant

3-19-04

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

470123

For Value Received

RAYMOND H. LINDAUER, a married man; AND DAN LINDAUER, a married man, and FRED LINDAUER, a married man, and IRENE SECHRIST, a widow, and ELMA YANEY, a single woman, by and through RAYMOND H. LINDAUER, their Attorney-in-Fact

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto DUANE R. GRANT and LAURA GRANT, husband and wife DOUGLAS E. GRANT, JR. and LAUREL A. GRANT, husband and wife whose current address is: Route 4 - Box 253 Rupert, Idaho 83350

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

TOWNSHIP 7 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 28: E½

SUBJECT TO:
Taxes for 1990 and subsequent year.

(Dan) This deed is executed
PURSUANT TO SPECIAL Power of Attorney, dated January 04, 1983,
and recorded January 19, 1983 as Document No. 330011, records
of Minidoka County, Idaho.

(Irene) This deed is executed
PURSUANT TO SPECIAL Power of Attorney, dated January 10, 1989,
and recorded January 19, 1983 as Document No. 330012, records
of Minidoka County, Idaho.

(Elma) This deed is executed
PURSUANT TO SPECIAL Power of Attorney, dated January 06, 1983,
and recorded January 19, 1983 as Document No. 330013, records
of Minidoka County, Idaho.

(Fred) This deed is executed
PURSUANT TO SPECIAL Power of Attorney, dated January 05, 1983,
and recorded January 19, 1983 as Document No. 330014, records
of Minidoka County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: December 14, 1989

Raymond H. Lindauer
Raymond H. Lindauer

(See Attached "Exhibit A")

STATE OF IDAHO, COUNTY OF Minidoka

On this 14th day of December, 1989
before me, a notary public in and for said
State, personally appeared

Raymond H. Lindauer

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

Instrument # 470123

MINIDOKA COUNTY, RUPERT, IDAHO
2004-01-07 03:45:02 No. of Pages: 2
Recorded for: BURLEY LAND TITLE
DUANE SMITH Fee: 6.00
Ex-Officio Recorder Deputy

SA

Steve B. Porch

Notary Public

Residing at Rupert, Idaho.



Irene Sechrist
Irene Sechrist

By: Raymond H. Lindauer
Raymond H. Lindauer
Attorney-in-Fact

Elma Yaney
Elma Yaney

By: Raymond H. Lindauer
Raymond H. Lindauer
Attorney-in-Fact

Fred Lindauer
Fred Lindauer

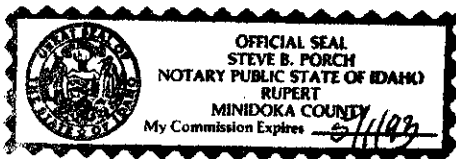
By: Raymond H. Lindauer
Raymond H. Lindauer
Attorney-in-Fact

Dan Lindauer
Dan Lindauer

By: Raymond H. Lindauer
Raymond H. Lindauer
Attorney-in-Fact

STATE OF IDAHO)
) SS.
County of Minidoka)

On this 14th day of December, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Raymond H. Lindauer, known or identified to me to be the person whose name is subscribed to the within instrument, as the Attorney-in-Fact of Irene Sechrist, Elma Yaney, Fred Lindauer and Dan Lindauer, and acknowledged to me that Raymond H. Lindauer subscribed the names of Irene Sechrist, Elma Yaney, Fred Lindauer and Dan Lindauer thereto as principal, and his own name as Attorney-in-Fact.



Steve B. Porch
Notary Public for Idaho
Residing at Rupert, Idaho
My Commission Expires: 5/1/93

396113

QUITCLAIM DEED

FOR VALUE RECEIVED DUANE R. GRANT and LAURA GRANT, husband and wife, do hereby release, remise, grant, bargain, sell, convey and forever quitclaim unto DOUGLAS R. GRANT, JR. and LAUREL A GRANT, husband and wife, whose present address is: Route # 4, Rupert, Idaho 83350, the following described premises, located in Minidoka County, Idaho, to-wit:

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE
MERIDIAN, MINIDOKA COUNTY, IDAHO

SECTION 28: E4

together with the following described personal property:

12 Hand Lines
Pump
200 H.P. G.E. Motor
50 H.P. Booster Pump

SUBJECT TO the Contract Sellers' interest
of Raymond H. Lindauer, Irene Sechrist, Elma
Yaney, Fred Lindauer and Dan Lindauer under a
Contract of Sale dated December 14, 1909.

together with their appurtenances.

DATED 25 day of February, 1991.

396113

RECEIVED AT REQUEST OF
Duane R. Grant
FEB 21 3 52 PM '91

HAR 21 3 52 PM '91

MIN IDAHO

FEE 3

Duane R. Grant
Duane R. Grant

Laura A. Grant
Laura Grant

STATE OF IDAHO

County of Minidoka

ss.

On 25th day of February, 1991, before me, a Notary Public in and for said State personally appeared Duane R. Grant and Laura Grant 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 affixed my official seal the day and year first above written.

(SEAL)

James Allen
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 3-2-92

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that on this 14th day of December, 1989, RAYMOND H. LINDAUER, IRENE SECHRIST, ELMA YANEY, FRED LINDAUER and DAN LINDAUER, of Minidoka, County of Minidoka, State of Idaho, the parties of the first part, for the sum of ONE AND NO/100 DOLLARS (\$1.00) and other valuable consideration, to them in hand paid by DUANE R. GRANT and LAURA GRANT, husband and wife and DOUGLAS E. GRANT, JR., and LAUREL A. GRANT, husband and wife, of Rupert, County of Minidoka, State of Idaho, the parties of the second part, the receipt whereof is hereby acknowledged, do by these presents Grant, Bargain, Sell and Convey unto the said parties of the second part, their executors, administrators and assigns:

12 Hand Lines

One and one-eighth mile Main Line 8"-10"

Pump

200 H.P. G.E. Motor

RHL 50 H.P. Booster Pump

To have and to hold the same to the said parties of the second part, their executors, administrators and assigns, forever; and the said parties of the first part do for their heirs, executors and administrators, covenant and agree to and with the said parties of the second part, their executors, administrators or assigns to WARRANT and DEFEND the sale of said property, goods and chattels hereby made, unto the said parties of the second part, their executors, administrators and assigns against all and every person and persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the said parties of the first part has hereunto set their hands and seals the day and year first above written.

Raymond H Lindauer
Raymond H. Lindauer

Irene Sechrist
Irene Sechrist

By: Raymond H Lindauer
Raymond H. Lindauer

Elma Yaney
Elma Yaney

By: Raymond H Lindauer
Raymond H. Lindauer

Fred Lindauer
Fred Lindauer

By: Raymond H Lindauer
Raymond H. Lindauer

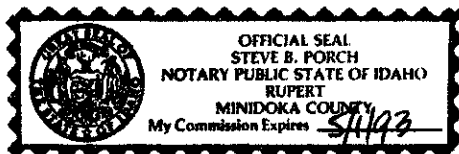
Dan Lindauer
Dan Lindauer

By: Raymond H Lindauer
Raymond H. Lindauer

STATE OF IDAHO)
)
County of Minidoka.)

On this 14th day of December, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Raymond H. Lindauer, known or identified to me to be the person whose name is subscribed to the within instrument, as the Attorney-in-Fact of Irene Sechrist, Elma Yaney, Fred Lindauer and Dan Lindauer, and acknowledged to me that Raymond H. Lindauer subscribed the names of Irene Sechrist, Elma Yaney, Fred Lindauer and Dan Lindauer thereto as principal, and his own name as Attorney-in-Fact.

(SEAL)



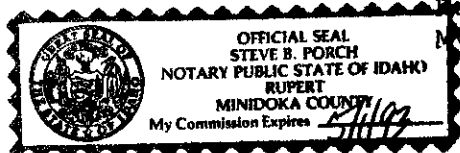
Steve B. Porch
Notary Public for Idaho
Residing at Rupert, Idaho
My Commission Expires: 5/1/93

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

On this 14th day of December, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Raymond H. Lindauer, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL)



Steve B. Porch
Notary Public for Idaho
Residing at Rupert, Idaho
My Commission Expires: 5/1/93

21

28

S.6

b.4

L-1

S.8

S.8

b.1

b.1

L-2

Y-1

b

S.3