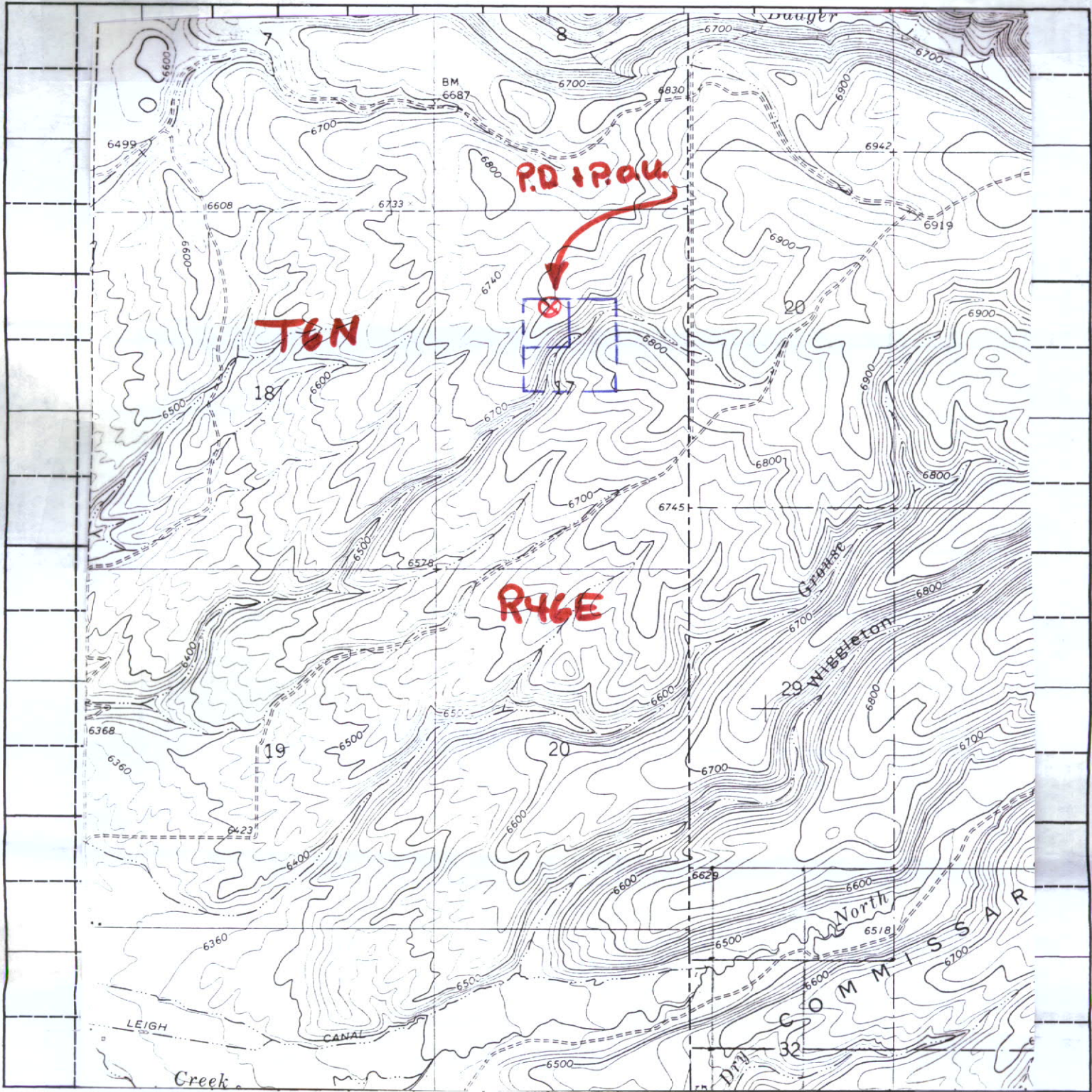


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



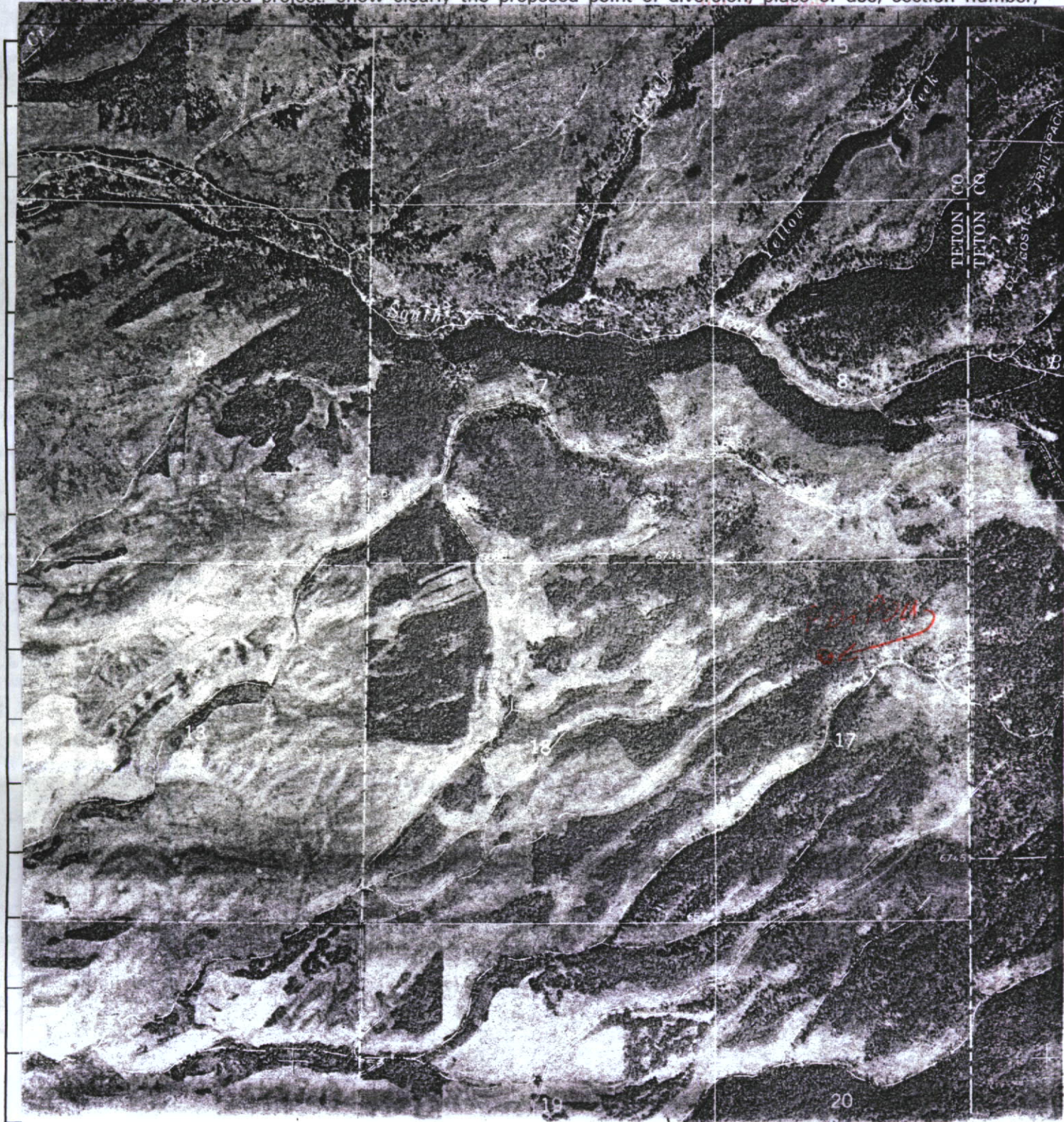
Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

JUL 17 1989

X Albert J. III
(Applicant)

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number,



T4N 46E sec 17 NW SW NE

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

JUL 17 1989

Albi-Jill TR

(Applicant)

$$h, l, i, Y, k, l,$$


JUL 17 1989



54

See

۵۰

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
 County of Teton)

1. Nadine Soose.....
 being first duly sworn depose and
 say that I am the secretary
 of the Teton Valley News, a
 newspaper as defined by Idaho
 Codes Annotated, Section 58-106,
 as amended, and that said
 newspaper is a weekly newspaper
 printed and published at Driggs, in
 Teton County, Idaho, having a
 general circulation in said county,
 and that said newspaper has been
 printed in said county for more
 than 78 consecutive weeks prior to
 the first publication of the attached
 notice, advertisement or
 publication of

notice of Correction

And affiant further says that
 said attached notice, adver-
 tisement, or publication, as per
 clipping attached, was published in
 said newspaper, in the regular and
 entire issue thereof, and not in any
 supplement issue thereof, for two
 consecutive issues thereof; first
 publication having been made on
 the 16 day of Feb, 1989.

And affiant further says that at
 the times herein mentioned said
 newspaper was made up of at least
 eight pages of at least five columns
 each, printed from type matter, of
 at least sixteen inches deep.

Nadine Soose

Subscribed in my presence and
 sworn to before me this 3rd day of
March, 1989
 (SEAL) Notary Public for the state
 of Idaho, residence and postoffice
 address, Driggs, Idaho.

Needs A. Rink

My Commission expires

12-2, 1991

NOTICE OF CORRECTION

Notice is hereby given that ap-
 plication No. 22-7589 in the name

of TETON RIDGE
 ASSOCIATES—A GENERAL
 PARTNERSHIP was advertised in-
 correctly on NOVEMBER 3 and
 10, 1988. The diversion point was
 advertised as being
 NW1/4SW1/4NW1/4, Sec. 17,
 T. 6N, R. 46E. Whereas, the ac-
 tual diversion point is
 NW1/4SE1/4NW1/4, Sec. 17, T.
 6N, R. 46E, B.M.

Any protests against the gran-
 ting of this application as a result
 of this correction must be filed
 with the Idaho Department of
 Water Resources, 150 Shoup Ave.,
 Suite 15, Idaho Falls, Idaho,
 83402 on or before MARCH 6,
 1989.

R. Keith Higginson
 Director

Published in the Teton Valley
 News on February 16 and 23,
 1989.

MICROFILMED

JUL 17 1989

MAR 7 1989

Department of Water Resources
 Eastern District Office

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	22-07589	Teton Ridge Associates	0.08
Full Assignment	22-07589	Kona Residence Trust	0.08

RECEIVED
WATER DIVISION

OCT 18 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

I, ALBERT TILT III, one of the partners of Teton Ridge Associates, a general partnership, on my own behalf and, as attorney in fact for all other partners, namely: Paul Bancroft III, Monica Bancroft, Richard D. Irwin and Charles Lea, hereby assign to KONA RESIDENCE TRUST, a Washington trust, whose address is c/o Allen D. Israel, Esq., Suite 3400, 1111 3rd Avenue, Seattle, WA 98101.

☒ All my right, title and interest in and to Permit No. 22-7589 to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho. (Describe that portion of the permit beign assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 3rd day of September, 1993.

TETON RIDGE ASSOCIATES, a general partnership

Albert Tilt III, Partner
Albert Tilt III, Partner

Paul Bancroft III, Partner
Paul Bancroft III, Partner
By: Albert Tilt III, Attorney in Fact POA

Monica Bancroft, Partner
Monica Bancroft, Partner
By: Albert Tilt III, Attorney in Fact POA

Richard D. Irwin, Partner
Richard D. Irwin, Partner
By: Albert Tilt III, Attorney in Fact POA

Charles Lea, Partner
Charles Lea, Partner
By: Albert Tilt III, Attorney in Fact POA

STATE OF IDAHO)
) ss.
County of Teton)

On this 3rd day of September, 1993, before me, C. Timothy Hopkins, a Notary Public in and for said State, personally appeared Albert Tilt III, known or identified to me to be one of the partners of Teton Ridge Associates, a general partnership, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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)

C. Timothy Hopkins
Notary Public for Idaho
Residing at: Idaho Falls
My Commission Expires: 4/1/97

STATE OF IDAHO)
) ss.
County of Teton)

On this 3rd day of September, 1993, before me C. Timothy Hopkins, a Notary Public in and for said State, personally appeared Albert Tilt III, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact for Paul Bancroft III, Monica Bancroft, Richard D. Irwin and Charles Lea, and acknowledged to me that he subscribed the name of Paul Bancroft III, Monica Bancroft, Richard D. Irwin and Charles Lea thereto as principals, and his own name as attorney in fact.

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)

C. Timothy Hopkins
Notary Public for Idaho
Residing at: Idaho Falls
My Commission Expires: 4/1/97

OCT 18 1993

database updated 9/29/93 c

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR PERMIT

AMENDED

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Teton Ridge Associates-A General Partnership Phone 456-2650
Post office address Rt. 1, Box 1732 (200 Valley View Rd), Tetonia, ID 83452
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW* $\frac{1}{4}$, Govt. Lot _____
Sec. 17 Township 6N Range 46E B.M. Teton County; additional
points of diversion if any: *change as per telecon with Mr. Tilt, 10-06-88/HWJ
4. Water will be used for the following purposes:
Amount 0.08* for Domestic purposes from 01/10 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.08* and/or (b) _____
cubic feet per second acre feet per annum
*kw 4/25/89
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 680', 8" casing
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 8" inches; proposed depth of well is 680' feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

MICROFILMED

JUL 17 1989

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. 16 beds; lodge
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
06N	46E	17								D									

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? Applicants

b. Who owns the land to be irrigated or place of use? Applicants

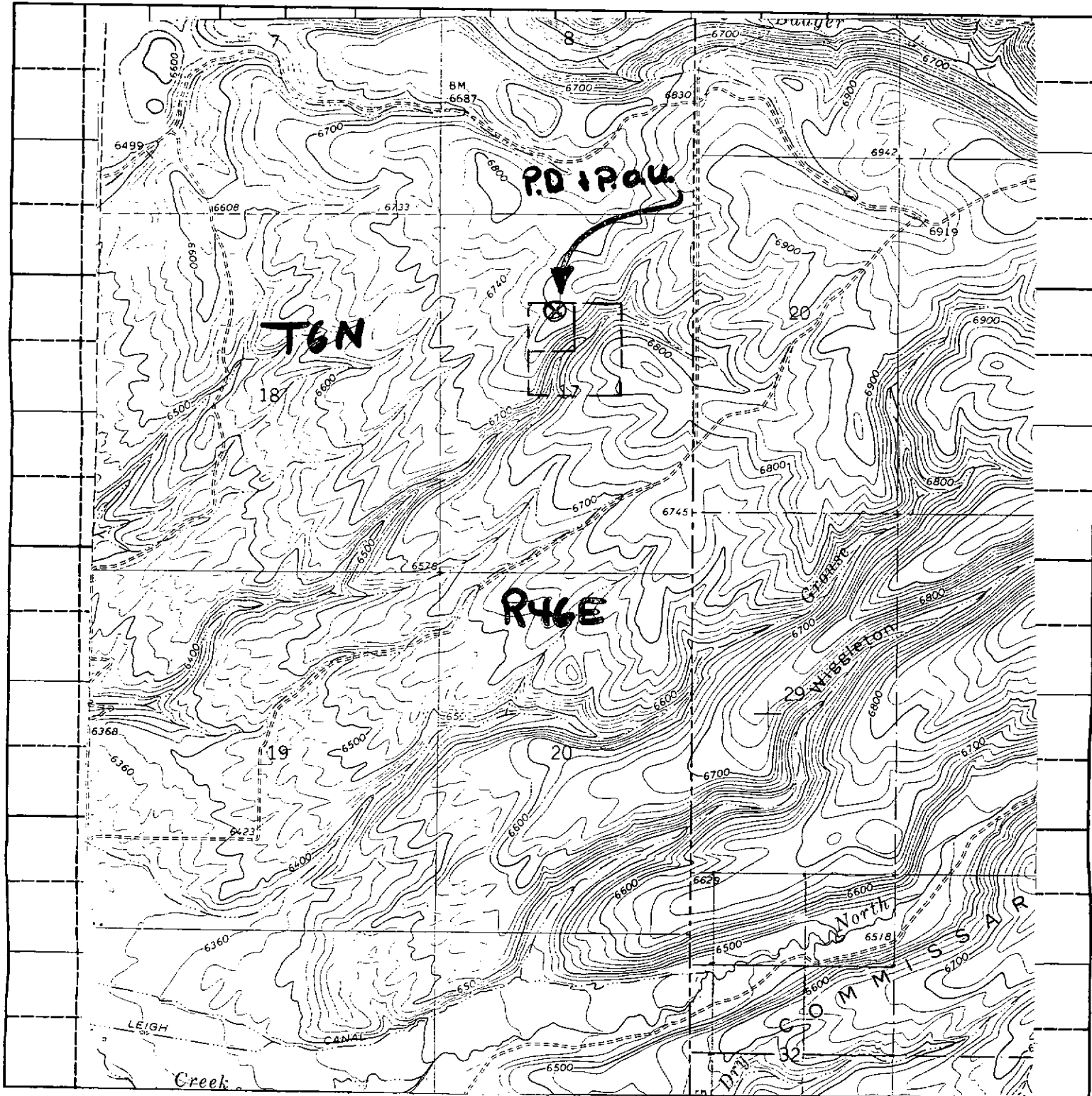
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: General partners are: Albert Tilt; Paul Bancroft, Charles Legg;
Richard Irwin

RECEIVED
 JUL 17 1989

JUL 17 1989

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

JUL 17 1989

X Calvin J. III
(Applicant)

Proposed Priority 9/27/88 (9) 1-31-89
Received by CW Date 09/27/88 Time 12:30 P. Preliminary check by _____
Fee \$ 30.00 Received by JDC # M001440 Date 09/27/88
Publication prepared by Rita Bodell Date 10/27/88 Published in 11/03 and 11/10/88 Teton Valley News
Publication approved CW CW Date 11/29/88 3-13-89 Noc

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7589 and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 90.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Witness my hand this 9th day of May, 1989.

J. Glen Saxton

APPROVED

MAY 7 1989

VOID

Ident. No. 22-7589

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant TETON Ridge ASSOCIATES - PHOTOGRAPHY Phone 456-2650
Post office address RT 1, Box 1732 (200 VALLEY VIEW RD) TETON, ID 83450
2. Source of water supply Ground water which is a tributary of _____
3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW* $\frac{1}{4}$, Govt. Lot _____
Sec. 17 Township 6N Range 46E B.M. TETON County; additional
points of diversion if any: * Change as per tel-con with Mr. Tilt 10-6-88 HWJ
4. Water will be used for the following purposes:
0.08*
Amount 12 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.08* and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. 680 FT 8" CASING
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
- c. Proposed well diameter is 8" inches; proposed depth of well is 680 feet.
- d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

MICROFILMED

JUL 17 1989

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 16 BED Lodge
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	46E	17			D				D	D									

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. N.A.

11. a. Who owns the property at the point of diversion? APPLICANTS

b. Who owns the land to be irrigated or place of use? APPLICANTS

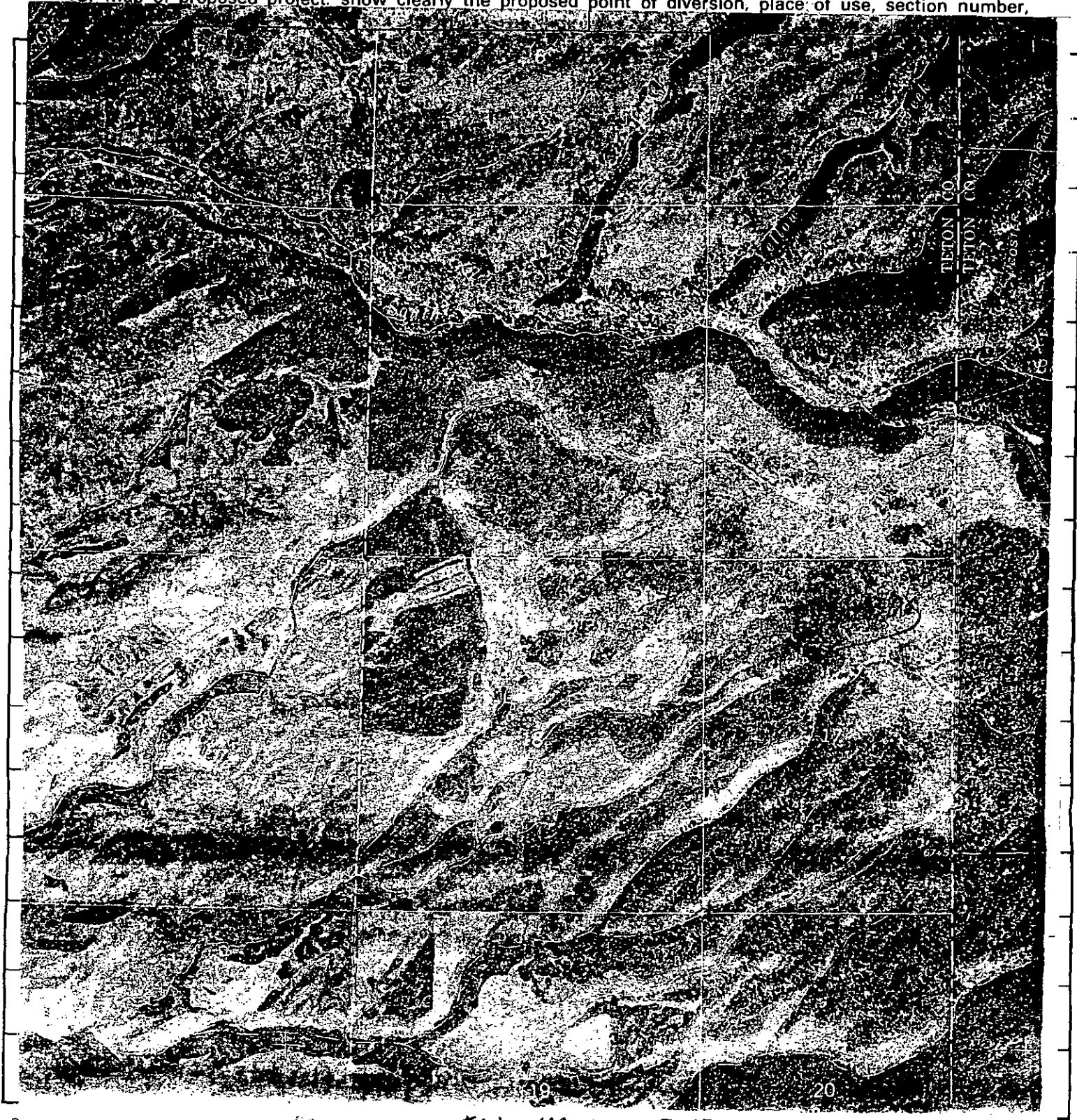
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: General Partners are; Albert Tilt; Paul Bancroft; Charles Lee; Richard Irwin

WATER RIGHTS

JUL 17 1989

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number,



T6N 46E sec 17 NW SW NE

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth

JUL 17 1989

Albi J. J. III

(Applicant)

Received by He Date 7-2-88 Time _____ Preliminary check by HWT
Fee \$ 30⁰⁰ Receipted by g ne # MO01440 Date 9/27/88
Publication prepared by RB Date 10-27-88 Published in Teton Valley News
Publication approved OW Date 11-29-88

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

JUL 17 1989

AFFIDAVIT OF PUBLICATION

State of Idaho)
County of Teton)

1. Nadine Soze.....
being first duly sworn depose and
say that I am the secretary
of the Teton Valley News, a
newspaper as defined by Idaho
Codes Annotated, Section 58-106,
as amended, and that said
newspaper is a weekly newspaper
printed and published at Driggs, in
Teton County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed in said county for more
than 75 consecutive weeks prior to
the first publication of the attached
notice, advertisement or
publication of

notice of Correction

And affiant further says that
said attached notice, adver-
tisement, or publication, as per
clipping attached, was published in
said newspaper, in the regular and
entire issue thereof, and not in any
supplement issue thereof, for two
consecutive issues thereof; first
publication having been made on
the 16 day of Feb, 1989

And affiant further says that at
the times herein mentioned said
newspaper was made up of at least
eight pages of at least five columns
each, printed from type matter, of
at least sixteen inches deep.

Nadine Soze

Subscribed in my presence and
sworn to before me this 21 day of
March 1989
(SEAL) Notary Public for the state
of Idaho, residence and postoffice
address, Driggs, Idaho.

Reed A. Risk

My Commission expires

12-2 1991.

NOTICE OF CORRECTION

Notice is hereby given that ap-
plication No. 22-7589 in the name
of TETON RIDGE
ASSOCIATES—A GENERAL
PARTNERSHIP was advertised in-
correctly on NOVEMBER 3 and
10, 1988. The diversion point was
advertised as being
NW1/4SW1/4NW1/4, Sec. 17,
T. 6N, R. 46E. Whereas, the ac-
tual diversion point is
NW1/4SE1/4NW1/4, Sec. 17, T.
6N, R. 46E, B.M.

Any protests against the gran-
ting of this application as a result
of this correction must be filed
with the Idaho Department of
Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho,
83402 on or before MARCH 6,
1989.

R. Keith Higginson
Director

Published in the Teton Valley
News on February 16 and 23,
1989.

MICROFILMED

JUL 17 1989

MAR 7 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT OF PUBLICATION

State of Idaho

County of Teton

I, Nadine Soose, being first duly sworn depose and say that I am the Secretary of the Teton Valley News, a newspaper as defined by Idaho Codes Annotated, Section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at Driggs, in Teton County, Idaho, having a general circulation in said county, and that said newspaper has been printed in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement or publication of

Notice of Application for Water Right

And affiant further says that said attached notice, advertisement, or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for two consecutive issues thereof, first publication having been made on the 3 day of Nov, 1988.

And affiant further says that at the times herein mentioned said newspaper was made up of at least eight pages of at least five columns each, printed from type matter, of at least sixteen inches deep.

Nadine Soose

Subscribed in my presence and sworn to before me this 14 day of Nov, 1988.

(SEAL) Notary Public for the state of Idaho, residence and postoffice address, Driggs, Idaho.

Nedra A. Rink
My Commission expires

12-2-1991

NOV 17 1988

Department of Water Resources
Eastern District Office

22-07590
ARNOLD, DENNIE K.

1045 N HWY 32
FELT, ID 83424
Source: GROUNDWATER
Diversiton Pt.: NWSW Sec 5

T 06N R 45E
Use: DOMESTIC (0.60 CFS)
IRRIGATION (0.20 CFS)
COMMERCIAL (0.20 CFS)
STOCKWATER (0.20 CFS)
Date Filed: 9/30/1988
In: T06N R45E S05 NWSW
NWSW
S06
0.7 ACRES TOTAL

22-07591

HANSON, THEO
HANSON, RUTH
3836 E. 620 N.
RIGBY, ID 83442
Source: GROUNDWATER
Diversiton Pt.: SESW Sec 23

T 06N R 44E
Use: DOMESTIC (0.40 CFS)
STOCKWATER (0.40 CFS)
Date Filed: 9/30/1988
In: T06N R44E S23 SESW

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

22-07587
TETON RIDGE ASSOCIATES
200 VALLEY VIEW ROAD
TETONIA, ID 83452
Source: SPRING Tributary: SINKS
Diversiton Pt.: NESWSW Sec 7

T 06N R 46E
Use: STOCKWATER (0.50 CFS)
Date Filed: 9/27/1988
In: T06N R46E S07 SWSW

22-07588
TETON RIDGE ASSOCIATES
200 VALLEY VIEW ROAD
TETONIA, ID 83452
Source: SPRING Tributary: SINKS
Diversiton Pt.: NENESW Sec 18

T 06N R 46E
Use: STOCKWATER (0.20 CFS)
STOCKWATER STORAGE (2.00 AF)
STOCKWATER FROM STORAGE (2.00 AF)
Date Filed: 9/27/1988
In: T06N R46E S18 NESW

22-07589
TETON RIDGE ASSOCIATES
100 VALLEY VIEW ROAD
TETONIA, ID 83452
Source: GROUNDWATER
Diversiton Pt.: NWSWNW Sec 17

T 06N R 46E
Use: DOMESTIC (0.80 CFS)
Date Filed: 9/27/1988
In: T06N R46E S17 SENW

22-07592
TETON VALLEY SEED
POTATO MARKETING, ASSN
BOX 171
DRIGGS, ID 83422

Source: GROUNDWATER
Diversiton Pt.: NENESW Sec 11
T 04N R 45E
Use: COMMERCIAL (0.040 CFS)
Date Filed: 10/06/1988
In: T04N R45E S11 NESW

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before NOVEMBER 21, 1988.

R. Keith Higginson, Director
Published in the Teton Valley News on November 3 and 10, 1988.

MICROFILMED

JUL 17 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 5, 1993

KONA RESIDENCE TRUST
C/O ALLEN D ISRAEL ESQ
1111 3RD AVE STE 3400
SEATTLE WA 98101

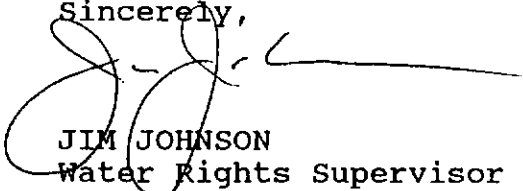
RE: Permit Nos. 22-07525, 22-07587, 22-07588 and 22-07589.

Dear Water Rights Holder:

We acknowledge receipt of the correspondence assigning the ownership of the above referenced water rights to you. We have modified our computer records to reflect these changes in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

RECEIVED
OCT 18 1993

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

RECEIVED

SEP 10 1993

Department of Water Resources
BOISE OFFICE

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS
MARIE T. TYLER
JOHN G. SIMMONS, P.A.
ROBERT M. FOLLETT
KUMEN L. TAYLOR
JAMES K. SLAVENS

WEST ONE BANK
P.O. BOX 50130
330 SHOUP AVENUE
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
702 W. IDAHO SUITE 810
BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
TELEFAX (208) 343-8078

RANDALL B. REED
FREDERICK J. HAHN III
RONALD D. CHRISTIAN

ARTHUR W. HOLDEN
(1877-1967)
ROBERT B. HOLDEN
(1911-1971)
TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

September 7, 1993

RECEIVED

SEP 08 1993

Idaho Department of Water Resources
900 N. Skyline
Idaho Falls, Idaho 83402-1718

Department of Water Resources
Eastern District Office

Gentlemen:

Our client, Kona Residence Trust, has recently purchased some property in Teton County near Tetonina from Teton Ridge Associates. In connection with the closing of that transaction we secured assignments of four permits from the partnership to the new purchaser. They are permits #22-7525, #22-7587, #22-7588, and #22-7589. The original assignment documents are enclosed with this letter for filing.

We were also advised that because proof of beneficial use was submitted on permit #22-7525 prior to 1987, it would be desirable for us to file an SRBA claim. We are in the process of preparing that document, and as soon as it is complete we will send it in for filing.

Thank you for your kind and continued assistance.

Yours very truly,



Kent W. Foster

#3078.00/kep
Enclosures

RECEIVED
OCT 18 1993

DATE: 09/29/93
PAGE: 1

Audit: 09/29/93 ZIMMERMA

RECEIVED
JUL 19 1989

Department of Water Resources

July 12, 1989

Permit No. 22-07589

Teton Ridge Associates- A General Partnership
200 Valley View Road
Tetonia, ID 83452

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161, or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:lk

RECEIVED

OCT 18 1993

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 22-7589

Date: 6-28-1989

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
Y Address change _____ If yes, prepare a data entry
Y Proof received timely _____
_____ Reinstated

Source of Water:

Y Surface water
Y Groundwater
Nb 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

N/A Is a measuring device or access port required?
N/A Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks: *No well log found, well drilled more than 3 years ago
Proof acceptable*

N/A Priority Calculation:
Date proof received _____
Date proof due _____
No. of days late _____
Priority date _____
NEW PRIORITY DATE _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

WHITE - State Auditor
 YELLOW - Remittance Advice
 PINK - State Auditor (with Agency)
 GOLDENROD - Agency Copy

EXPENDITURE VOUCHER

STATE OF IDAHO
 Office of State Auditor

AUDITOR USE

AGENCY USE

6000	
Date	06/14/89
Code	193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	06 30 122	1238	9831		REFUND #22-7589 PER R.FLECK 6/ 9/89 50.00	50.00	
TOTAL						50.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

June 9, 1989

Teton Ridge Associates
200 Valley View Road
Tetonia, ID 83452

Gentlemen:

Re: Permit No. 22-7589

The department received the proof of beneficial use form submitted on May 17, 1989. After a brief review, I find that you have paid too much fee.

The licensing exam fee for the rate of diversion of 0.08 cfs is \$50. Our record shows that you've paid \$100. I have initiated the paperwork to request a \$50 refund. The refund will be sent to you within a couple of weeks.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

c: Acct. Sec.

RECEIVED

JUL 17 1989

RECEIVED

MAY 17 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

\$50 refunded
6/16/89

For Office Use Only

Fee Received 100.00

Date 5/17/89

Receipt # 6816851

Receipt by R. Young

Reviewed by

Sent to region 6-28-1989

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 22-07589Name(s) of Permit Holder: TETON RISE ASSOCIATES - A GENERAL PARTNERSHIPPost Office Address: 200 VALLEY VIEW ROAD, TETONIA, ID 83451Telephone No. 208-456-265Source of Water: GROUNDWATER

Extent of Use:

Domestic LOSCE-16 BE (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remark _____

Total rate and/or volume for which proof is submitted .08 cfs _____ acre-feetShow the date water was first diverted and beneficially used under this permit: 6/84

Measuring Device: Required? ☐ Yes ☒ No
 Installed? ☐ Yes ☒ No

Fee enclosed \$ 100.00
 (See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☐ No
 Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

ALBERT TILT - GEN PARTNER
 (Name)

208-456-265
 (Telephone Number)

SAME
 (Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

JUL 17 1989

Date

5/14/89

Albert Tilt
 Signature of Permit Holder (and title, if appropriate)

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
May 10, 1989

TETON RIDGE ASSOCIATES
A GENERAL PARTNERSHIP
RT.1, BOX 1732
200 VALLEY VIEW RD.
TETONIA, ID 83452

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 22-07589

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also

RECEIVED

MAY 17 1989

enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

JUL 17 1989

Form No. 202a
1/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWS DATE 10-4-88 APPLICATION NUMBER 22-7589Teton Ridge Area.REQUIRED INFORMATION☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)☒ Address☒ Source (See USGS Quad for names of water sources)☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)☒ County☒ Quantity (flow and/or volume)☒ Period of Use☒ Nature of proposed use (Include description of use.)☒ Description of diverting works☒ Time required for beneficial use of water☒ Place of use or acres irrigated☒ Map☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)☒ Fee☒ Yes ☐ No* In form to receiptADDITIONAL INFORMATION☐ Overlapping place of use (Describe source & relationship to present application on the back.)☐ Overlapping point of diversion☐ Yes ☒ No Field check required

Field check by _____

☐ Yes ☒ No Field report attached☐ Yes ☒ No Critical groundwater area☐ Yes ☒ No Groundwater management area☐ Yes ☒ No Send dam safety information☐ Yes ☒ No Send power requirement letter☐ Yes ☒ No Send fish farm requirement letter☐ Yes ☒ No Power residency affidavit☐ Yes ☒ No Power efficiency form☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)☐ See reverse side for additional informationRECEIVED
MAR 22 1989Department of Water Resources
RECEIVED
MAY 05 1988

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____

Department of Water Resources

PROCESSING

☒ Yes ☒ No Form for advertising
☒ Yes ☒ No Statewide advertising
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 11-21-88 3-6-89 O/C
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01-P05
☐ Yes ☐ No Special conditions of approval or cover letter below.

☐ See below for additional information
Date of priority recommended 10-27-88 9-27-1988
By HWT Date 12-1-1988 3-20-1989

STATE OFFICE REVIEW P05, P23 Pile 484946 WONASTA, D. DANA

☐ See below for additional information
By KW 4/25/89 Date [REDACTED]

ADDITIONAL INFORMATION

App. in NONTRUST area -

February 13, 1989

Teton Ridge Associates - A General Partnership
Rt. 1, Box 1732
200 Valley View Rd.
Tetonia, ID 83452

Application for Permit No. 22-07589

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 22-07589. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Teton Valley News. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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JUL 17 1989

NOTICE OF CORRECTION

Notice is hereby given that application No. 22-7589 in the name of TETON RIDGE ASSOCIATES - A GENERAL PARTNERSHIP was advertised incorrectly on NOVEMBER 3 & 10, 1988. The diversion point was advertised as being NW1/4SW1/4NW1/4, Sec. 17, T. 6N, R. 46E. Whereas, the actual diversion point is NW1/4SE1/4NW1/4, Sec. 17, T. 6N, R. 46E, B.M.

Any protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before MARCH 6, 1989.

R. KEITH HIGGINSON
DIRECTOR

Published in the TETON VALLEY NEWS February 16 & 23, 1989

RECORDED

JUL 17 1989

ACTION REQUIRED

FROM: H.W. Jones - IDWR

TO: Albert Tilt

The Base office returned your application indicating I had not correctly listed your legal description. I had your application retyped & I believe everything is correct. Please review it and if you agree with the amended application sign & send it back to my attention at the Idaho Falls office.

Harold W. Jones

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.08* and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 680', 8" casing

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

c. Proposed well diameter is 8" inches; proposed depth of well is 680' feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is _____ years (minimum 1 year).

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JUL 17 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 27, 1988

TETON VALLEY NEWS
P.O. BOX 509
DRIGGS, ID 83422

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 21, 1988.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

JUL 17 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

RECEIVED

JUL 17 1989

22-07589

TETON RIDGE ASSOCIATES
200 VALLEY VIEW ROAD
TETONIA, ID 83452

Source: GROUNDWATER

Diversion Pt: NWSWNW Sec 17 T 06N R 46E

Use: DOMESTIC (.080 CFS)

Date Filed: 9/27/1988

In: T06N R46E S17 SENW

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JUL 17 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before NOVEMBER 21, 1988.

R. Keith Higginson, Director

Published 11/03/1988 & 11/10/1988

RECORDED
JUL 17 1989