

RECEIVED

FEB 17 2004

Page 1 of 5

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES Eastern Region

Transfer No. 71076

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant JRG Partners Phone 408-930-1966
Post Office address Attn. Mr. Gregory S. Young, 22050 Regnart Road, Cupertino, CA 95014
Contact John M. Marshall, Givens Pursley LLP, 601 W. Bannock, Boise, ID 83702

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes The irrigation use authorized by this right is now authorized under permit no. 22-13220. The domestic use is covered by right 22-12272. This right no. 22-7641 and its associated well are now being used to supply water for aesthetic and storage purposes in connection with a man-made pond. The purpose of this transfer is to make the elements of this right consistent with its current use. Maintain Domestic use change the IRRIGATION USE.

B. DESCRIPTION OF RIGHT(S) OR PORTION HEREOF, AFTER THE REQUESTED CHANGE

1.	Right Number	Priority	Amount (cfs / ac-ft)	Nature of Use	Period of Use		
	22-7641	5/31/1989	0.10 cfs	Diversion to Storage	1/1	to	12/31
			0.10 cfs	Aesthetic	1/1	to	12/31
			7.5 8.3 AF	Wildlife Storage	1/1	to	12/31
			7.5 8.3 AF	Recreation Storage	1/1	to	12/31
			0.02	Domestic use	1/1	to	12/31

2. Total amount of water being transferred 0.10 cubic feet per second and/or 18.7 acre-feet per annum.

3. Source of water Ground water tributary to N/A

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	17	4N	45E	Teton	Art. well N/A
		SW	NE	17	4N	45E	Teton	Domestic well

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	45E	17				J,R,W D													

Total acres N/A

ORIGINAL

PART 1

6. General Information:

- a. Description of diversion system Water from an existing 265-foot deep well, flowing artesian at the surface, is diverted to an existing pond with a surface area of approximately 1.5 acres, an average depth of 5 feet, and a storage capacity of approximately 7.5 AF. Licensed right no. 22-7660 authorizes storage of 1.2 AF of water in this same pond. Permit 22-13220 also authorizes storage in the pond. Overflow from the pond flows into a wetland swale adjacent to the Teton River. The artesian well is equipped with a control device to regulate its flow.

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

 Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

No change. The five acres authorized by this right are now being irrigated under permit no. 22-13220.

5 acres will be dry.

- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____.

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19_____.

T71076

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 71076

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 22-7641 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Ground water tributary to N/A

4. Date or priority 5/31/1989

5. Water is used for the following purpose:

amount 0.10 cfs for irrigation purposes from 1/1 to 12/31
(cfs/ac-ft)
amount 0.02 cfs for domestic purposes from 1/1 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.10 cubic feet per second and/or 18.7 acre-feet per annum

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	17	4N	45E	Teton	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
						5.0, D													

Total acres 5.0

9. Describe any other water rights used for the same purpose as described above 22-12330, 22-12272

T71076

GREG YOUNG PROPERTY DRIGGS, IDAHO SEC 17, R45E, T4N

PROPOSED:
 Pond enlargement

Prepared by Inter-Fluve, Inc.
 25 N. Wilson Ave. Suite 5
 Bozeman, MT 59715
 (406) 586-6926

Driggs, Idaho 4 miles

NW 1/4, NE 1/4
 SW 1/4, NE 1/4

Earthen Berm

Emergency Spillway

Proposed Pond

24 in. Standpipe
 and Outlet Pipe

Existing Pond

Pond Outlet

Buried 4 in. pipe

Existing wetland swale for drainage

8 in. Well

House



LEGEND	
	Dry Land
	Wetland
	Open Water
	Existing Pond
	Proposed Pond

PART 3

B. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount (cfs / ac-ft)	Hours/days/year	Period of Use		
	Diversion to storage	0.10 cfs	max of 18.7 AF	1/1	to	12/31
	Storage	0.10 cfs	365 days	1/1		12/31
	Aesthetic	0.10 cfs	max of 18.7 AF	1/1	to	12/31

2. Quantity and quality of return flows and location of discharge:

All water that is not consumed through evaporation from the pond either returns to the ground through seepage from the pond or flows to the Teton River.

3. Describe effects on other water uses resulting from the proposed change:

None. The existing maximum diversion volume of 18.7 AF will be preserved to. Consumptive use will go down as 5 acres of irrigation is replaced by evaporation from only 1.5 acres of pond surface.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

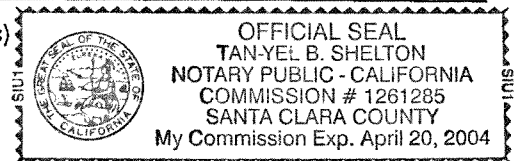
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Greg Young
GENERAL PARTNER
(Signature of Applicant)

Subscribed and sworn to before me this 04th day of February 18 2004

Tan-Yel B. Shelton
(Notary Public)

My commission expires 20 April 2004.



FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 4 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by DE Date 2/18/2004 E029541

Published in Teton Valley News (Thurs) Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECEIVED

132646

FIRST AMERICAN

JAN 04 1999

WARRANTY DEED

T-7073

TETON CO., ID.
CLERK RECORDER

For Value Received RANDALL G. HARMSSEN and SHARON HARMSSEN, husband and wife

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

JRG PARTNERS II, a partnership composed of JOHN A. YOUNG and ROSEMARY M. YOUNG

whose address is: ~~22050 REGENT ROAD, CUPERTINO, CA 95014~~
26 Arastradero Road, Portola Valley CA 94028

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

A parcel of land situated in Teton County, State of Idaho, Township 4 North, Range 45 East of the Boise Meridian, Section 17, more particularly described as follows: Beginning at the Northwest Corner of Sec. 17, Township 4 N., Range 45 East Boise Meridian, thence S 89°57'45" E. for a distance of 2639.53 feet, to the North Quarter Corner of Section 17; thence S 0°02'38" W. for a distance of 1327.22 feet; thence N 89°54'41" E. for a distance of 998.69 feet, to the true point of beginning. Thence S 0°03'57" W. for a distance of 462.00 feet; thence N 89°54'41" E. for a distance of 320.57 feet, thence N 0°03'57" E. for a distance of 462.00 feet; thence S 89°54'41" W. for a distance of 320.57 feet, to the true point of beginning.

TOGETHER with an Easement for ingress and egress, commencing at the Southwest corner of the South half of the Northwest quarter of Section 17, Township 4 North, Range 45, E.B.M. and running thence East 160 rods, North 10 feet, West 160 rods, South 10 feet to the place of beginning; and said easement to follow the present existing road.

SUBJECT TO a right of way easement recorded November 10, 1966 Recorder's No. 67695, Records of Teton County, Idaho

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, and restrictions, and that Grantor will warrant and defend the same from all claims whatsoever.

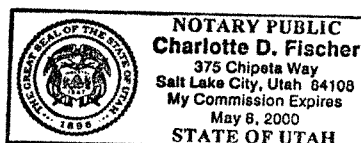
Dated: Jan 2, 1999

Randall G. Harmsen
RANDALL G. HARMSSEN

Sharon E. Harmsen
SHARON HARMSSEN

STATE OF Utah)
: ss
COUNTY OF Salt Lake

On this 2nd day of January, in the year 1999, before me, a Notary Public in and for said State, personally appeared RANDALL G. HARMSSEN and SHARON HARMSSEN, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.



Charlotte D. Fischer

Notary Public of
Residing at Salt Lake City, UT
Commission Expires May 8, 2000

FILED

AT THE REQUEST OF

First American

AT 57 MINUTES PAST 1 P.M.

DATE Jan. 4, 1999Nora R. Ruff

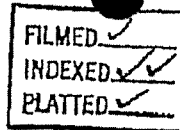
CLERK OF RECORD

BY Nora R. Ruff DEPUTY

132646

First American Title Company

T 71076
ATTACHMENT 1 OF 4



97766

FILED

AT 50 MINUTES PAST 4
DATE July 30, 1985
E. Wayne Schier
CLERK OF DIST. CO.
BY Nora Hill
DEPUTY

WHEN RECORDED MAIL TO:

CHARLES A. HOMER, ESQ.
HOLDEN, KIDWELL, HAHN & CRAPO
P. O. Box 129
Idaho Falls, Idaho 83402
(802) 523-0173

SPECIAL WARRANTY DEED

ZIONS FIRST NATIONAL BANK, National Association, a corporation organized and existing under the laws of the State of Utah, with its principal office at Salt Lake City, of the County of Salt Lake, State of Utah, grantor, hereby CONVEYS AND WARRANTS against all claiming by, through or under it to JRG Partners, A General Partnership, having as its General Partners John A. Young, Rosemary M. Young and Gregory S. Young, of Portola Valley, California, grantee, for the sum of TEN and NO/100 (\$10.00) DOLLARS, and other good and valuable considerations, the following described tract of land in Teton County, State of Idaho:

Beginning at the NE corner of the SW1/4NE1/4 of Section 17, T4N., Range 45 E.B.M., Teton County, Idaho, and running thence W. 80 rods; thence S. 37 rods; thence E. 80 rods; thence N. 37 rods to the point of beginning.

LESS a parcel more particularly described as follows: Beginning at the NW corner of Section 17, T4N., R 45 E.B.M., thence S89°57'45" E. for a distance of 2639.53 feet to the N1/4 corner of Section 17; thence S. 0°02'38" W. for a distance of 1327.22 feet; thence N. 89°54'41" E. for a distance of 998.69 feet to the true point of beginning; thence S. 0°03'57" W. for a distance of 462.00 feet; thence N. 89°54'41" E. for the distance of 320.57 feet; thence N. 0°03'57" E. for a distance of 462.00 feet; thence S. 89°54'41" W. for a distance of 320.57 feet to the true point of beginning.

TOGETHER WITH an Easement described as: Commencing at the SW corner of the S1/2NW1/4 of Section 17, T4N., Range 45 E.B.M., and running thence E. 160 rods; thence N. 10 feet; thence W. 160 rods; thence S. 10 feet to the place of beginning.

TOGETHER WITH an Easement 20 feet wide described as follows: Commencing 462 feet S. of the NW corner of the SE1/4NE1/4 in Section 17, T4N., Range 45 E.B.M., and running thence E. 1320 feet.

Original recorded
warranty deed
for Zions Bank
Property

T 71076
ATTACHMENT 2 OF 4

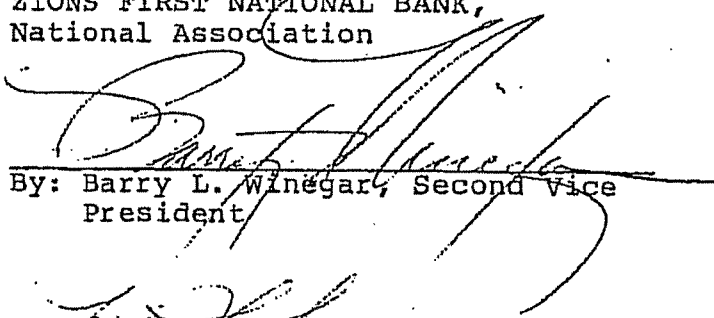
SUBJECT TO THE FOLLOWING:

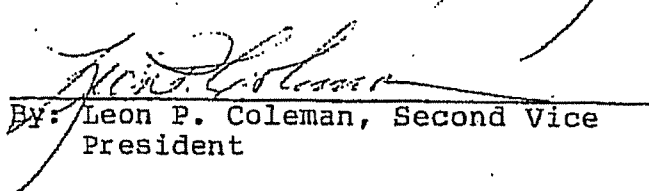
1. Existing easements for roads, highways, ditches, canals, laterals, power and transmission lines, also zoning, building and subdivision ordinances of Teton County, Idaho.
2. An Easement executed by Ruth Pehrson and others to West American Finance Corporation, recorded September 12, 1980, Recorder's No. 86159, records of Teton County, Idaho.
3. Road Right-of-way Easement, executed by Lyle Kunz and others to C. L. Smith and Ann Gallagher Smith, husband and wife, recorded November 10, 1969, Recorder's No. 67695, records of Teton County, Idaho.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 25th day of July, 1985.

ZIONS FIRST NATIONAL BANK,
National Association


By: Barry L. Winegar, Second Vice
President


By: Leon P. Coleman, Second Vice
President

STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

On the 25th day of July, 1985, before me, the undersigned, a Notary Public in and for said state, personally appeared Barry L. Winegar, Second Vice President, and Leon P. Coleman, Second Vice President, of ZIONS FIRST NATIONAL BANK, National Association, the corporation that executed the instrument as the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

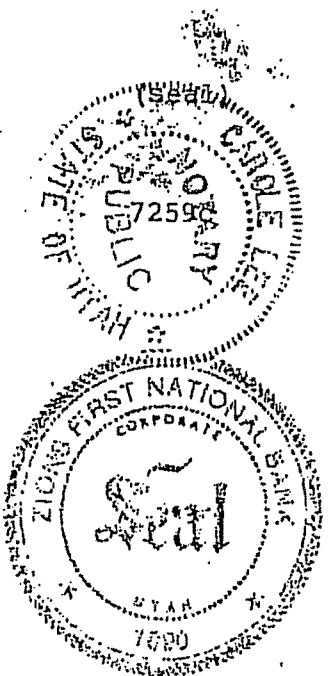
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Barbara Lee

Notary Public for Utah

My commission expires: 5.24.87

Residing at: Salt Lake City, Utah



3 - SPECIAL WARRANTY DEED

T 71076
ATTACHMENT 4 OF 4

POND CONSUMPTIVE USE CALC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTALS
ANNUAL FWS EVAP (inches)	35	35	35	35	35	35	35	35	35	35	35	35	35
MONTHLY DISTRIBUTION (%)	1	2	4	7	12	15	19	16	11	6	4	3	100
Monthly FWS evap--(in/month)	0.35	0.7	1.4	2.45	4.2	5.25	6.65	5.6	3.85	2.1	1.4	1.05	35
AVE TOTAL precip-- (in/month)	1.35	1.13	1.12	1.23	1.81	1.82	1.04	1.15	1.24	1.19	1.08	1.37	15.53
Pond Loss	0	0	0.28	1.22	2.39	3.43	5.61	4.45	2.61	0.91	0.32	0	
POND SURFACE ACRES	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
Total Pond Loss --(acre-in)	0	0	0.42	1.83	3.585	5.15	8.42	6.675	3.915	1.37	0.48	0	31.83
Total Pond Loss-- (acre-ft)													2.6525

IRRIGATION CONSUMPTION CROP
 MEAN IRRIGATION REQ (mm/season) 442 CORN
 MEAN IRRIGATION REQ (FT/season) 1.45

ACRES TO DRY UP FOR POND USE 1.83



Idaho Secretary of State Viewing Business Entity

[[New Search](#)] [[Back to Summary](#)]

JRG PARTNERS II, AN IDAHO GENERAL PARTNERSHIP

26 ARASTRADERO RD
PORTOLA VALLEY, CA 94028

Type of Business: ASSUMED BUSINESS NAME

Status: CURRENT 23 Dec 1998

State of Origin: IDAHO

Date of 23 Dec 1998

Origination/Authorization:

File Number: D21274

Amendments:

Amendment filed 23 Dec 1998 ORIGINAL FILING

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Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us



JRG PARTNERS

John A. Young
Rosemary M. Young
415/854-3174
Gregory S. Young
415/941-6565

LIST OF PARTNERS

GREGORY S. YOUNG
GENERAL PARTNER

ROSEMARY YOUNG
GENERAL PARTNER

JOHN A. YOUNG
GENERAL PARTNER

Idaho Address: 335 South 350 West Driggs, Idaho 83422

Billing Address: 26 Arastradero Road Portola Valley, California 94025