

06/02/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-11319

NAME AND ADDRESS: TROUT CREEK LLC
C/O SPENCER WARNER
PO BOX 45
SWAN VALLEY ID 83449

SOURCE: RAINEY CREEK

TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 1.150 CFS

USE OF THIS RIGHT WITH RIGHT NO. 23-11323 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.64 CFS.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 23-11323 SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 06/01/1893

POINT OF DIVERSION:

T01N R44E S7 SWNE NE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.150 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R43E S01	NESE	12.0	T01N R43E S01	NWSE	36.9
T01N R43E S01	SWSE	33.0			

81.9 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 23-11319, 23-11321, 23-11323 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 81.9 ACRES IN A
SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 57.5 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL:

RIGHT NOS. 23-11319, 23-11321, 23-11323 ARE ALSO DIVERTED
THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-00048E.

5/28/04

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

RECEIVED

MAY 28 2004

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Department of Water Resources
 Incomplete forms will be returned. Eastern Region

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
23-48E		✓			
23-16B	252E	✓	File for Documents		
23-97E					

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

- A. The appropriate FILING FEE. See instructions for fee amounts.
- B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, WITH ATTACHED LEGAL DESCRIPTION.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

Trout Creek, LLC % Spencer Warner

4. New Owner/Claimant(s)

Ely N M. Simonet

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

337 E. Center St

City, State and ZIP Code

Shelley, ID 83274

New Telephone Number

(208) 521-2975

5. Date you acquired the property

3/2/04

02/24/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-48E

NAME AND ADDRESS: TROUT CREEK LLC
C/O SPENCER WARNER
PO BOX 45
SWAN VALLEY ID 83449

SOURCE: RAINEY CREEK

TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 1.210 CFS

USE OF THIS RIGHT WITH RIGHT NO. 23-16B IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.73 CFS.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 23-16B SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 06/01/1893

POINT OF DIVERSION:

T01N R44E S7 SWNE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

1.210 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R43E S01 NESE 15.0 T01N R43E S01 NWSE 37.0

T01N R43E S01 SWSE 33.0 T01N R44E S06 Lot 6 NWSW 1.2

86.2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 23-16B, 23-48E, 23-98E IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 86.2 ACRES IN A SINGLE
IRRIGATION SEASON.

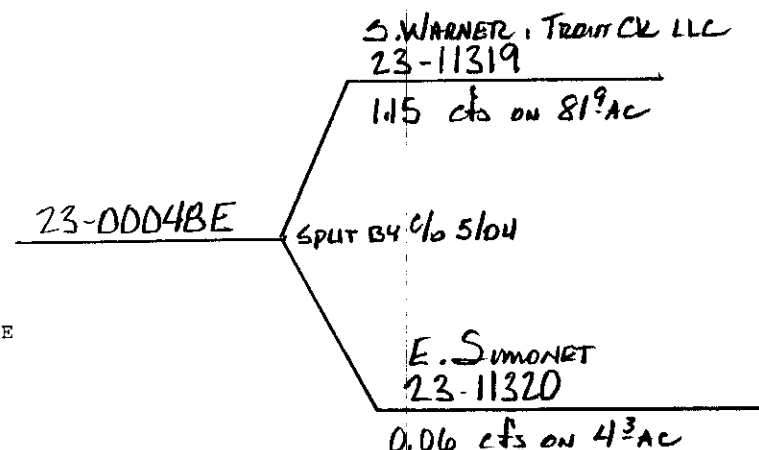
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60.5 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Decreed

RIGHT NOS. 23-16B, 23-48E, 23-98E ARE ALSO DIVERTED THROUGH POINT
OF DIVERSION DESCRIBED ABOVE.



Water Right 23-48E

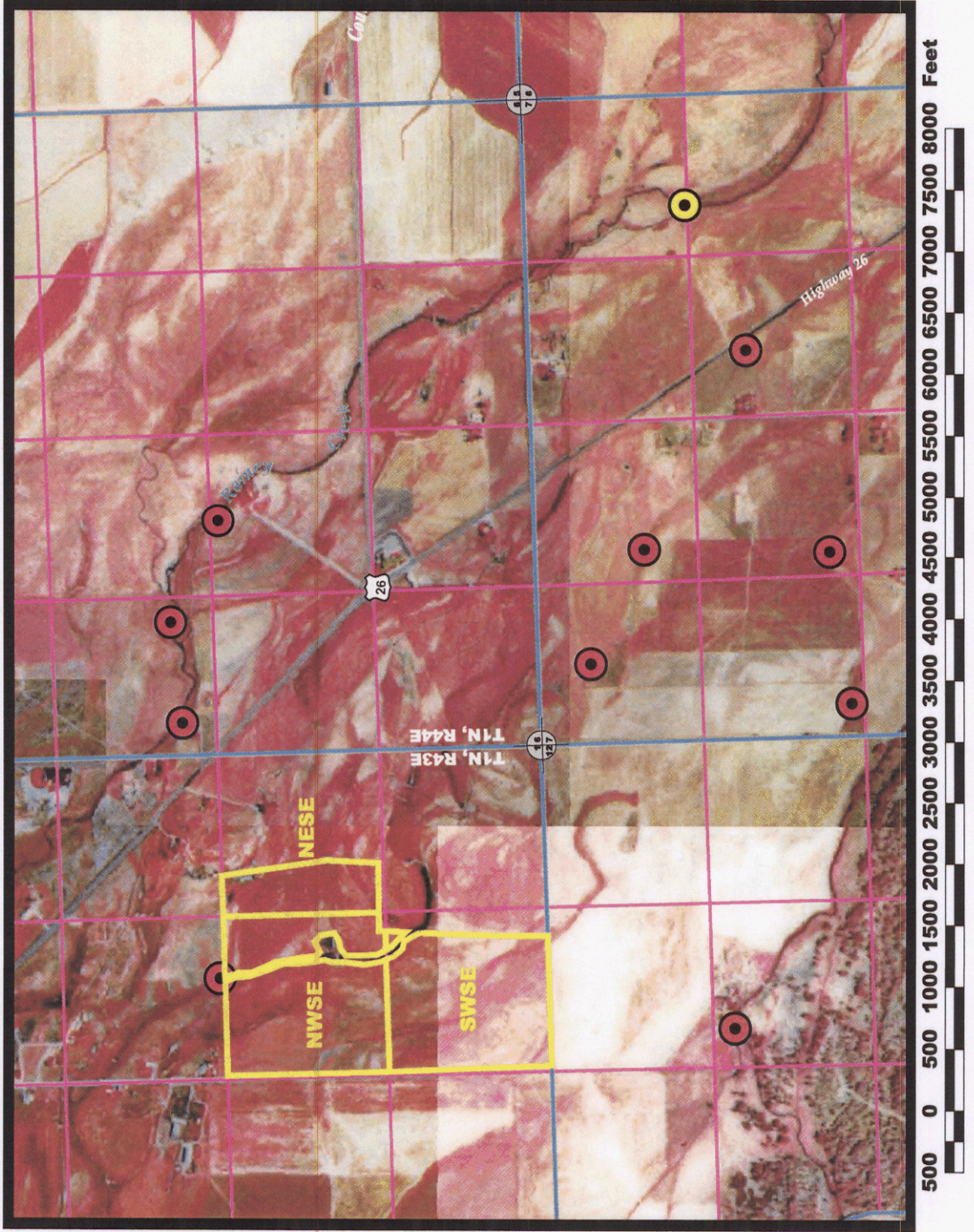
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State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

23-11319
23-11321
23-11323

Place of Use: (parts of)

T1N, R43E
Sec. 1 N2SE, SWSE

Point(s) of Diversion:

T1N, R44E
Sec. 7 SWNE

LEGEND



Point of Diversion



SESE



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: June 2004