

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-11973B
Date Received: 9/28/1988
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: COLUMBINE TELEPHONE CO. 307-883-2411
Address: ATTN ALLEN R HOOPES
PO BOX 226
FREEDOM WY 83120

2. Date of Priority: OCT 31, 1903

3. Source: TETON CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	46E	20	SE	NE	NE		TETON

5. Description of diverting works:
HEADGATE TO DITCHES TO P/U FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.467		

7. Total Quantity Appropriated is:
0.467 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	23	SE	SW		IRR	20.0

A2211973B



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	20.0
					Total Acres	20.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

SHARES IN GRAND TETON CANAL CO. MAY OVERLAP.

14. Remarks:

This right is a portion of decreed right WR#22-00198. The original right was decreed in the name of Central Teton Canal Co. Priority date remains the same as WR#22-00198.

CHANGE OF OWNERSHIP AS SPLIT 24MAR97,ABR.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

TETON IRR. CANAL CO. ET AL
vs Decree Defendant

24 MARCH 1997

COLUMBINE TELEPHONE CO INC
ATTN ALLEN R HOOPES
PO BOX 226
FREEDOM WY 83120

RE: SPLIT OF RIGHT A22-11973

Dear Mr Hoopes:

The Notice of Change of Water Right Ownership showing your purchase of the N1/2SE1/4SW1/4 Sec. 23, T.5N., R.45E. has been processed. I have enclosed a copy of the water right claim (as split) indicating your portion, A22-11973B.

Should you have any questions regarding your water rights please feel free to contact this office.

. Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudications Bureau

CC:FILE

Enclosure

AR 3-17-97.
OE-609

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

MAR 14 1997

Department of Water Resources
Eastern Region

1. Water Right Number(s) A22-11973
Adjudication Claim Number(s) ~~AJ 0728 NP~~ ?

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Lowell B. Curtis or Julia Curtis

97 N. Hwy 33 Driggs, Id. 83422

4. New Owner/Claimant(s) COLUMBINE TELEPHONE COMPANY, INC

New Mailing Address P.O. Box 226 ATTN: ALLEN R. HOOPER

City, State and ZIP Code FREEDOM, WY 83120

New Telephone Number (307) 883-2411

5. Date you acquired the property December 6, 1996

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 20 Number and type of stock 20 shares of stock from original Central Teton Canal

Diversion rate in CFS _____ Number of homes 0 Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) COLUMBINE TELEPHONE COMPANY, INC.
by Allen R. Hooper, President Date 3/10/1997

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - A22-11973

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CURTIS

LOWELL B.

1 - 97 N HIWAY 33

2 -

3 -

City- DRIGGS

State- ID Zip- 83422

Phone - 208-354-2534

CURTIS

JULINA

1 - 97 N HIWAY 33

2 -

3 -

City- DRIGGS

State- ID Zip- 83422

Phone - 208-354-2534

+ - - Priority Date - - +
10/31/1903

+ - - - Region - - - +
ERROR IN REGION

+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - - +
TETON CREEK

+ - - - - Tributary - - - - - +
TETON RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

05N 46E 20 SE NE NE (81) TETON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/15 10/15 14.000

+ - Total Div. Rate - + + - Total Div. Volume - +
14.000

+ - Total Consumptive Use - + + - KW Usage - +
1200.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

05N	45E	22	NW NE		40.0	01	IRRIGATION	(81) TETON
05N	45E	22	SW NE		40.0	01	IRRIGATION	(81) TETON
05N	45E	22	NE SW		40.0	01	IRRIGATION	(81) TETON
05N	45E	22	NE SE		40.0	01	IRRIGATION	(81) TETON
05N	45E	22	NW SE		40.0	01	IRRIGATION	(81) TETON
05N	45E	22	SW SE		40.0	01	IRRIGATION	(81) TETON
05N	45E	22	SE SE		40.0	01	IRRIGATION	(81) TETON
05N	45E	23	SW SW		40.0	01	IRRIGATION	(81) TETON
05N	45E	23	SE SW	As N ²	40.0	01	IRRIGATION	(81) TETON
05N	45E	24	NE SE		40.0	01	IRRIGATION	(81) TETON
05N	45E	24	NW SE		40.0	01	IRRIGATION	(81) TETON
05N	45E	27	NW NE		40.0	01	IRRIGATION	(81) TETON
05N	45E	27	SW NE		40.0	01	IRRIGATION	(81) TETON
05N	46E	19	NE SW		40.0	01	IRRIGATION	(81) TETON
05N	46E	19	NW SW		40.0	01	IRRIGATION	(81) TETON

600 [14] 10.0233
x 20AC
0.467

20 of this
land sold →

central

RECEIVED

DEC 06 1996

Warranty Deed

ALLIANCE TITLE & ESCROW CORP., INC.
P.O. BOX 644 / 78 N. MAIN STREET
DRIGGS, IDAHO 83422TETON CO., ID
CLERK RECORDER

For Value Received

LOWELL B. CURTIS AND JULINA L. CURTIS, HUSBAND AND WIFE

COPY

the grantor s , do hereby grant, bargain, sell and convey unto

COLUMBINE TELEPHONE COMPANY, INC., A COLORADO CORPORATION, DBA TETON TELECOM

whose current address is P.O. BOX 226, FREEDOM, WYOMING 83120

the grantee , the following described premises, in TETON County Idaho, to wit:

A PORTION OF:

TOWNSHIP 5 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO.

SECTION 23: N $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$. EXCEPTING THEREFROM HIGHWAY RIGHT OF WAY.

FURTHER DESCRIBED BY SURVEY AS: (Survey recorded 12/5/96, instrument no. 125826, TETON COUNTY OFFICIAL RECORDS, IDAHO)

A PARCEL OF LAND IN THE S $\frac{1}{2}$ SW $\frac{1}{2}$ SECTION 23, TOWNSHIP 5 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:COMMENCING AT THE SOUTHEAST CORNER OF SAID S $\frac{1}{2}$ SW $\frac{1}{2}$, WHERE FOUND A RAILROAD SPIKE 0.3 FEET BELOW THE PAVEMENT SURFACE;THENCE NORTH 00°08'41" WEST, ALONG THE EAST LINE OF SAID S $\frac{1}{2}$ SW $\frac{1}{2}$, A DISTANCE OF 1326.09 FEET TO THE NORTHEAST CORNER OF SAID S $\frac{1}{2}$ SW $\frac{1}{2}$;THENCE SOUTH 89°44'26" WEST, ALONG THE NORTH LINE OF SAID S $\frac{1}{2}$ SW $\frac{1}{2}$, A DISTANCE OF 53.06 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 33 PER TETON COUNTY RECORDER'S INSTRUMENT NO. 27956 AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 00°17'59" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 660.00 FEET;

THENCE SOUTH 89°44'26" WEST, 1320.89 FEET;

THENCE NORTH 00°08'41" WEST, 660.00 FEET TO THE NORTH LINE OF SAID S $\frac{1}{2}$ SW $\frac{1}{2}$;THENCE NORTH 89°44'26" EAST, ALONG THE NORTH LINE OF SAID S $\frac{1}{2}$ SW $\frac{1}{2}$, 1319.11 FEET TO THE TRUE POINT OF BEGINNING

SUBJECT TO A 20 FOOT WIDE IRRIGATION DITCH EASEMENT LYING WESTERLY OF AND ADJACENT TO THE EASTERLY LINE OF THE HEREINABOVE DESCRIBED PARCEL.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,

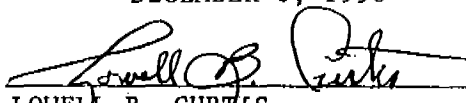
its heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee , that he is the owner in fee simple of said premises; that they are free from all incumbrances except;

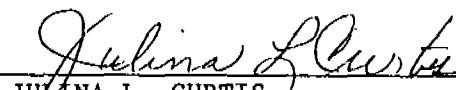
Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations

and that they will warrant and defend the same from all lawful claims whatsoever.

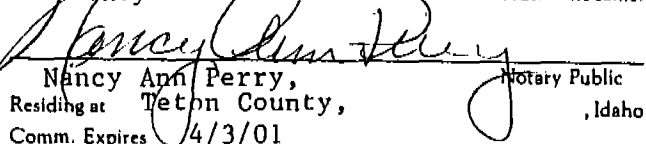
Dated: DECEMBER 6, 1996

SEE ATTACHED FOR ADDITIONAL CONDITIONS.


 LOWELL B. CURTIS


 JULINA L. CURTIS
OFFICIAL SEAL
NANCY ANN PERRY
NOTARY PUBLIC - IDAHO

TETON COUNTY

 State of Idaho, County of Teton
 On this 6th day of December, 1996
 before me, a notary public in and for said State, personally appeared
Lowell B. Curtis and
Julina L. Curtisknown to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

 Nancy Ann Perry,
 Residing at Teton County, Idaho
 Comm. Expires 4/3/01

Notary Public

125839

FILED

AT THE REQUEST OF
ALLIANCE TITLE AND ESCROW

AT 48 MINUTES PAST 3p M

DATE Dec. 6, 1996

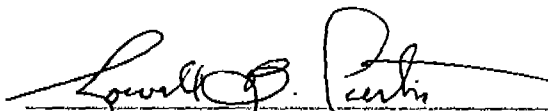

 Allison J. Drake
 CLERK OF RECORD
 DEPUTY

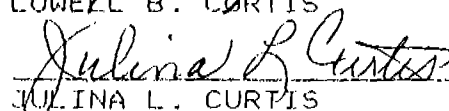
ATTACHMENT TO WARRANTY DEED DATED 12/6/96

Grantors retains the right to enter upon such easement for purposes of maintenance and repair of the ditch. Grantee agrees on behalf of Grantee and its successors that it shall not place a culvert in said irrigation ditch. This easement is for the benefit of and appurtenant to Grantor's adjoining property in said Section 23.

Seller also conveys the water rights appurtenant to said premises (represented by 20 shares of water in Central Teton Canal Company), except that said water conveyance is subject to all of the terms and conditions and ultimate determinations involved in the ongoing adjudication of water rights.

SELLER:



LOWELL B. CURTIS


JULINA L. CURTIS

BUYER:

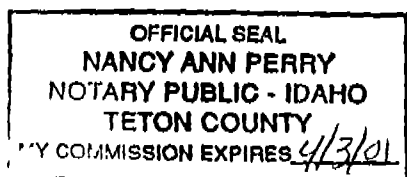
COLUMBINE TELEPHONE COMPANY, INC.
DBA TETON TELECOM

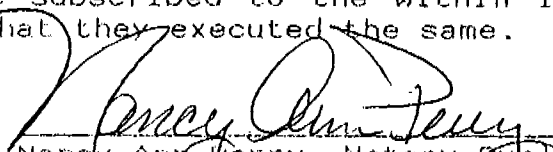
By: 

ALLEN R. HOOPES, VICE PRESIDENT

STATE OF IDAHO)
SS
COUNTY OF TETON)

On this 6th day of December, 1996, before me, Nancy Ann Perry, a Notary Public, personally appeared Lowell B. Curtis and Julina L. Curtis, and proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

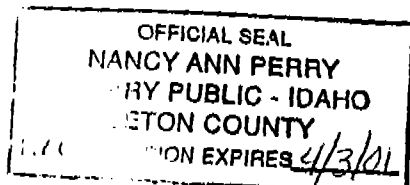


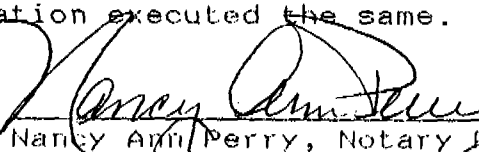


Nancy Ann Perry, Notary Public
My commission expires 4/3/01

STATE OF IDAHO)
SS
COUNTY OF TETON)

On this 6th day of December, 1996, before me, Nancy Ann Perry, a Notary Public, personally appeared Allen R. Hoopes known or identified to me to be the Vice President of the corporation that executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.





Nancy Ann Perry, Notary Public
My commission expires 4/3/01