

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 22-13264
Date Received: 2/20/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A2213264



1. Name of Claimant(s)

TETON VALLEY HOLDINGS LLC Phone: (208) 367-3924

PO BOX 335
SOUTH HARWICH MA USA 02114

2. Date of Priority: 07/13/1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	45E	10	NE NE SW	TETON	

5. Description of diverting works:

HISTORIC DIVERSION WAS WOODEN EXISTING DIVERSION CONSISTS OF WOOD PIERS AND
PLASTIC SHEETING THAT RUNS WATER DOWN A MAINTAINED DITCH. SEE ATTACHED PHOTO

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	11/01	0.44	

7. Total Quantity Appropriated is:
0.44 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4 Lot	Use	Acres
04N	45E	9	SE	NE	IRRIGATION	6
					Section Acres	6
04N	45E	10	NW	SW	IRRIGATION	9
			SW	NW	IRRIGATION	7
					Section Acres	16
					Total Acres	22

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:

14. Remarks:

ATTACHED PLEASE FIND AFFIDAVITS FROM MR GORDON ALLEN AND RODNEY LEWIS. BOTH INDIVIDUALS ARE PAST LANDOWNERS AT THIS PARCEL.

15. Basis of Claim:

RECEIVED

FEB 5 - 2003

Form No. 42-1409 (2) a 1/88 (Internet)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE Department of Water Resources
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

Date Received

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22-13264
FEB 5 - 2003
C067246

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) TETON VALLEY HOLDINGS LLC Phone (617) 367-3924Mailing Address P.O. Box 335, South Harwich, MA 02661 Zip 021142. Date of Priority (Only one (1) per claim) July 13 19163. Source of water supply (a) DICK CREEK
which is tributary to (b) TETON RIVER4. a. Location of existing point of diversion is: Township 4N Range 45E Section 10.
NE 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of TETON

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Historic diversion was
wooden; existing diversion consists of wood piers
and plastic sheeting that runs water down a
maintained ditch. SEE ATTACHED photo exhibit

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from MAY 1 to Nov. 1 amount 0.44 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.44 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	45E	9				6													6
4N	45E	10										9							9
4N	45E	10						7											7

Total number of acres irrigated 22

11. In which county (ies) are lands listed above as place of use located? TETON

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None ☒

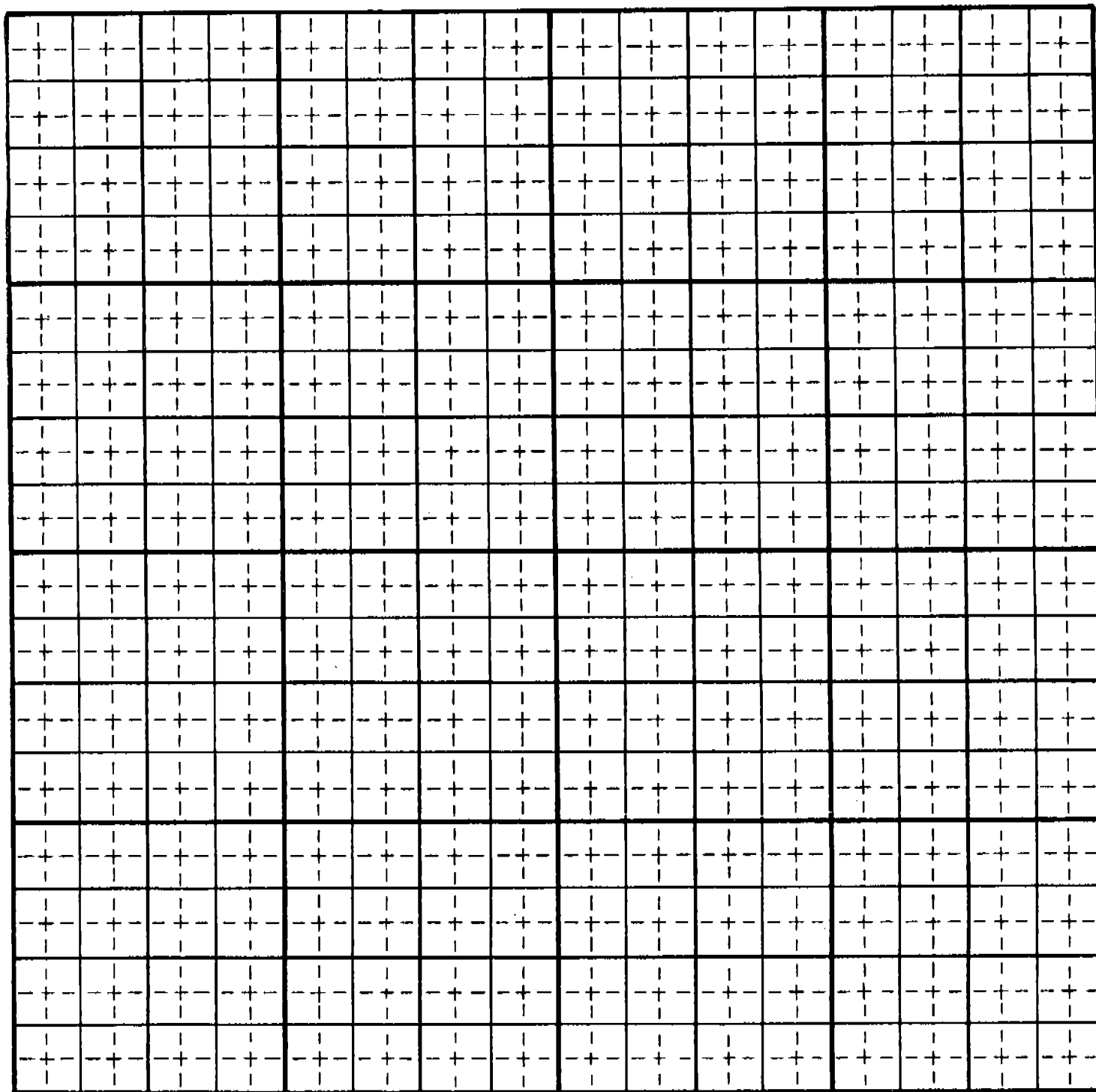
14. Remarks: Attached please find affidavits from MR GORDON Allen and Rodney Lewis. Both individuals are past landowners of this parcel

Last Name _____ Ident No. _____

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

Scale: 2 inches equals 1 mile

Please see ATTACHED photo



Last Name _____ Ident No. _____

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Manager _____ Title _____

of Teton Valley Holdings, LLC _____, that I have signed the foregoing
Organization

document in the space below as member _____ of Knight Brothers LLC _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Dean Knight _____

Title and Organization member of Knight Brothers LLC Date 1/24/03

State of Idaho/or Massachusetts)
County of Barnstable) SS.

Subscribed and sworn (or affirmed) before me this 24th day of January 2003

SEAL

Notary Public Valerie G. Perry

Residing at Framingham MA

My Commission Expires _____ VALERIE G. PERRY

Please Print Name

NOTARY PUBLIC

My Commission Expires Oct. 8, 2004

17. Notice of Appearance:

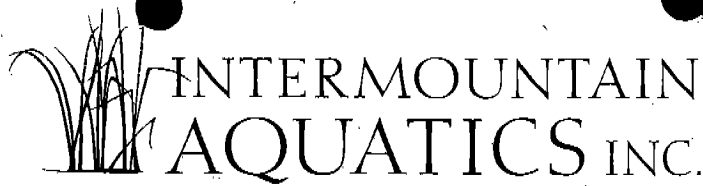
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____



ENVIRONMENTAL CONSULTING & HABITAT RESTORATION

December 15, 2002

Mr. Gordon Allen
4226 E 400 N
Rigby, ID 83442

RE Water Use on a Portion of the old Allen Ranch

Dear Mr. Allen:

I am sending forth the facts surrounding historic water use on a portion of the old Allen Ranch. The facts are as I understand them after you explained them to me at our meeting on November 19, 2002.

The old Allen Ranch is located near Driggs, ID and described here as 160 acres composed of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and portions of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10; T 4 N, R 45 E, Boise Meridian. You formerly owned this property from 1995 until the summer of 2002. During that time you irrigated the property for cattle pasture. Prior to your ownership your uncle Mr. Keith Clements owned the property from 1986 until his death in 1995. You also said that your uncle had purchased the property from Mr. Bill Lewis.

I understand that you irrigated approximately 22 acres of pasture located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, T 4N R 45E and that prior to that your uncle Keith Clements also irrigated this same ground while he owned it. I also understand that he had told you that Mr. Bill Lewis, the landowner before your uncle did exactly the same. The irrigation water was diverted from Dick Creek in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sect. 10. Historic diversion works consisted of a wooden headgate but more recently the diversion has been replaced with wood piers and plastic tarping. The rate of diversion averages approximately 2 - 4 cfs and is conveyed by a well-maintained ditch. Of this amount approximately 0.5 cfs is used to flood the pasture and the remainder flows to the downstream neighbor and eventually makes it back into Dick Creek. To keep the ditch clean the diversion was historically left in place year round but water was typically only used from early May until mid-October when the diversion ditch was regularly checked with canvas or plastic dams to flood the pasture. The attached aerial photograph shows the point of diversion and place of use you described to me please verify that it is correct.

If you are in complete agreement with the above facts please sign this letter in the presence of a Notary of the Public and return it to me. Thank you for your cooperation regarding this matter.

Sincerely,

Jeffrey Klausmann, *environmental consultant*

By signing below, I Gordon Allen, solemnly swear that the statements contained in the foregoing document are true and correct.



Signature

Gordon Allen

Date

12-27-02

State of Idaho

County of

Bonneville

Subscribed and affirmed before me this

27th

day of

December

20

02

Notary Public

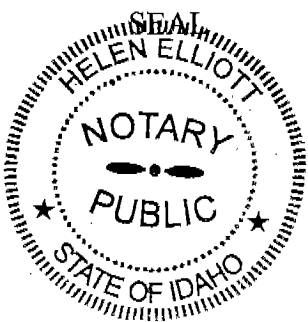
Helen Elliott

Residing at

Idaho Falls, Idaho

My Commission Expires

9/26/06





ENVIRONMENTAL CONSULTING & HABITAT RESTORATION

December 15, 2002

Mr. Rodney Lewis
202 N. 4100 E.
Rigby, ID 83442

RE Water Use on a Portion of the old Allen Ranch

Dear Mr. Lewis:

I am sending forth the facts surrounding historic water use on a portion of the old Allen Ranch. The facts are as I understand them after you explained them to me at our meeting on November 21, 2002.

The old Allen Ranch is located near Driggs, ID and described here as 160 acres composed of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and portions of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10; T 4 N, R 45 E, Boise Meridian. Your Dad Bill Lewis formerly owned this property from 1942 to 1986 and this was the place you grew up on. During that time your family irrigated the property for cattle pasture. Prior to your dad's ownership his uncle Eli Lewis owned the property.

I understand that your dad irrigated approximately 22 acres of pasture located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, T 4N R 45E and that prior to that Eli Lewis also irrigated this same ground while he owned it. The irrigation water was diverted from Dick Creek in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sect. 10 (formerly Murdock Property). Historic diversion works consisted of a wooden headgate. The rate of diversion averages approximately 2 cfs and is conveyed by a well-maintained ditch. To keep the ditch clean the diversion was historically left in place year round but water was typically only used from early May until mid-October when the diversion ditch was regularly checked with canvas or earthen sod dams to flood the pasture. The attached aerial photograph shows the point of diversion and place of use you described to me please verify that it is correct.

If you are in complete agreement with the above facts please sign this letter in the presence of a Notary of the Public and return it to me. Thank you for your cooperation regarding this matter.

Sincerely,

Jeffrey Klausmann, *environmental consultant*

By signing below, I Rodney Lewis, solemnly swear that the statements contained in the foregoing document are true and correct.

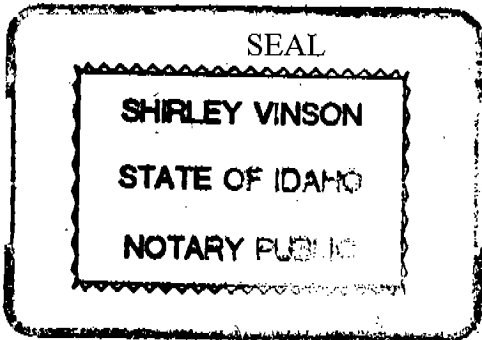


Signature Rodney Lewis Date 1-07-03

State of Idaho _____)

County of Jefferson)

Subscribed and affirmed before me this 7th day of January 2003



Notary Public Shirley Vinson

Residing at Bigluy, Idaho

My Commission Expires 10-5-04

Idaho Department of Water Resources Receipt

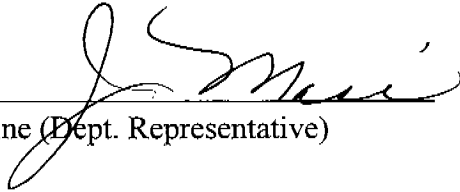
Receipt ID C067246

Payment Amount \$122.00 Date Received 2/5/2003 1:28:42 PM Region State Status
Payment Type Check Check Number 1045

Payer TETON VALLEY HOLDINGS LLC
Comment DICK CREEK TETON RIVER

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$122.00	ADJUDICATION FILING FEE	0337	41503	1155	


Signature Line (Dept. Representative)



