

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: A22-00208E
Date Received: 10/ 6/1988
Receipt No: X777777
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: DARIN D. KERR 208-354-8683
Address: PO BOX 731
DRIGGS, ID 83422
AND
Name: MYRA C. KERR 208-354-8683
Address: PO BOX 731
DRIGGS, ID 83422



2. Date of Priority: JAN 18, 1905

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	46E	31	SW	NW			TETON
			NE	SE			TETON

5. Description of diverting works:
TWO DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	12/01	0.794		

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

8. Total consumptive use is 80.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

NOV 04 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	36	SW	SE		IRR	40.0
Section Acres							40.0
Total Acres							40.0

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:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Water Right Number: 220208

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRRIG. CO.
Decree Plaintiff

TETON IRRIG. CANAL
vs Decree 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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

NOV 04 1991

FILE

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: A22-00208B
Date Received: 10/06/1988
Receipt No: E002933
Received By: HWJ

AUG 22 1991

Department of Water Resources
Eastern District Office

RECEIVED
AUG 19 1991

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Department of Water Resources

- Name: VAUGHN C. NELSON 208-522-3560
Address: 845 NINETH
IDAHO FALLS, ID 83404
OR
Name: ROBERT BURGGRAF
Address: IDAHO FALLS, ID 83404
OR
Name: HOLLEN HILLER
Address: IDAHO FALLS, ID 83404
OR
Name: MORTON HILLER
Address: IDAHO FALLS, ID 83404

2. Date of Priority: JAN 18, 1905

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	46E	31	SW	NW			TETON
			NE	SE			TETON

5. Description of diverting works:
TWO DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	12/01	4.760		

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

A22-00208B

Page 1

Date: 10/06/88

NOV 04 1992

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	35	SE	SE		IRR	40.0
						Section Acres	40.0
		36	SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			→ SW	SE		IRR	40.0 ←
			SE	SE		IRR	40.0
						Section Acres	200.0
						Total Acres	240.0

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:
NONE

14. Remarks:
CLAIM A22-00208 SAYS 6.30 CFS USED . THE AMT. CLAIMED ON THESE
TWO CLAIMS EXCEEDS THE ORIGINAL DECREED AMOUNT.

15. Basis of Claim: DECREED
Water Right Number: 220208
Case Number:
Court :
Decree date: 12/16/1916

REXBURG IRRIG. CO.
Decree Plaintiff

vs

TETON IRRIG. CANAL
Decree 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 y wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Angela C. [Signature]* Date: 10.6.88
Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of Oct 19 88

Betty J. Thompson
Notary Public

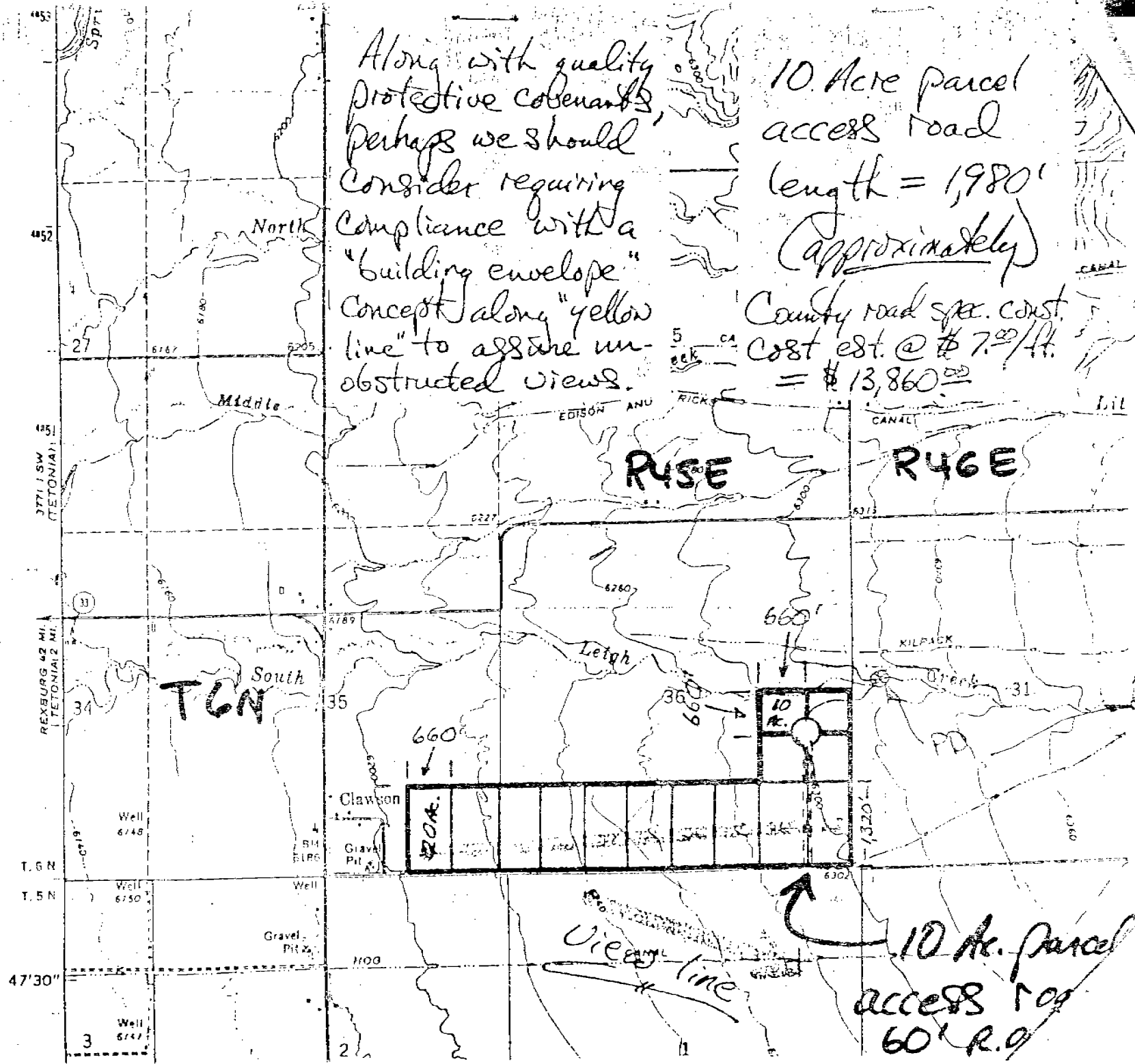
Seal

Residing at Idaho Falls

My Commission Expires 6-94

A22-002083

NOV 04 1987





NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

AUG 19 1991

DATE OF CLOSING: July 23, 1991

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 6North Range 45 East, Boise Meridian
Section 36, SW 1/4 of SE 1/4 of 1/4 Govt. Lot , BM.

Lot , Block, , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

RECEIVED

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) AUG 22 1991

☐ Water Right Number(s) Assigned by IDWR: 220208 ~~DB~~ Department of Water Resources
Eastern District Office

☐ Name and Address of Former Owner/Claimant(s)(Seller): Vaughn C. Nelson, 845 Nineth, Idaho Falls, ID. 83404
Robert Burggraf, Hollen Hiller, Morton Hiller
All of Idaho Falls, ID.

☐ New Owner/Claimant (Purchaser): Darin D. and Myra C. Kerr

☐ New Mailing Address: P.O. BOX 731, Driggs, ID 83422

☐ New Telephone Number: (208) 354- -8683

☐ Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
SW $\frac{1}{4}$ SE $\frac{1}{4}$, T6N, R 45 E.B.M., SEction 36, Teton County, ID.

☐ Attach proof of ownership, describe proof attached: Copy of Warranty Deed from July 23, 1991 closing.

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) *Myra C. Kerr* Date 8/14/91
☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

NOV 04 1992

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

COPY

108363

RECEIVED

FILED

AT THE REQUEST OF

First American

AT 55 MINUTES PAST 1 P M

DATE July 23, 1991

Asa J. Wike

CLERK OF RECORDER

BY

DEPUTY

For Value Received

RECEIVED
WARRANTY DEED

AUG 22 1991

Department of Water Resources
Eastern District Office

FILED
INDEXED
PLATTED

JUL 23 1991

TETON Co. Id.
Clerk Recorder

RECEIVED

AUG 19 1991

VAUGHN C. NELSON & ALICE H. NELSON, husband & wife
ROBERT V. BURGGRAF & MARJORIE S. BURGGRAF, husband & wife
HOLLEN J. HILLER & DONNA HILLER, husband & wife
MORTON B. HILLER & RITA L. HILLER, husband & wife

the grantors, do hereby grant, bargain, sell, and convey unto

DARIN D. KERR & MYRA C. KERR, husband & wife
P.O. Box 731
Driggs, Idaho 83422

the grantees, the following described premises, to-wit:

TOWNSHIP 6 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

SECTION 36: SW1/4/SE1/4

TOGETHER WITH all appurtenant mineral and water rights now owned by Grantors.

SUBJECT TO Declaration of Covenants, Conditions and Restrictions, recorded July 12, 1991, Recorder's No. 108277, records of Teton County, Idaho.

SUBJECT TO reservations in United States Patents; existing and recorded Right-of-ways, Easements, Zoning, Building and Subdivision ordinances; Taxes and Assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: July 23, 1991

Vaughn C. Nelson

Alice H. Nelson

Robert V. Burggraf

Marjorie S. Burggraf

Hollen J. Hiller

Donna Hiller

Morton B. Hiller

Rita L. Hiller

STATE OF IDAHO, COUNTY OF *Bonnerville*

On this *23rd* day of July, 1991 before me, a Notary Public in and for said State, personally appeared

VAUGHN C. NELSON & ALICE H. NELSON, husband and wife

Known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Shirley S. Storer

Notary Public

Residing at *Idaho Falls*, Idaho
Comm. Expires. *4-13-93*

STATE OF IDAHO, COUNTY OF *Bonnerville*

On this *23rd* day of July, 1991 before me, a Notary Public in and for said State, personally appeared

ROBERT B. BURGGRAF & MARJORIE S. BURGGRAF, husband and wife

Known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Shirley S. Storer

Notary Public

Residing at *Idaho Falls*, Idaho
Comm. Expires. *4-13-93*

STATE OF IDAHO, COUNTY OF *Bonnerville*

On this *23rd* day of July, 1991 before me, a Notary Public in and for said State, personally appeared

HOLLEN J. HILLER & DONNA HILLER, husband and wife

Known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Shirley S. Storer

Notary Public

Residing at *Idaho Falls*, Idaho
Comm. Expires. *4-13-93*

STATE OF IDAHO, COUNTY OF *Bonnerville*

On this *23rd* day of July, 1991 before me, a Notary Public in and for said State, personally appeared

MORTON B. HILLER & RITA L. HILLER, husband and wife

Known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Shirley S. Storer

Notary Public

Residing at *Idaho Falls*, Idaho
Comm. Expires. *4-13-93*