

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: A22-00262
Date Received: 9/ 6/1988
Receipt No: E002061
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD K DUNN MD 801-533-9730
Address: 1231 CHANDLER CIRCLE
SALT LAKE CITY UT 84103

2. Date of Priority: JUN 1, 1893

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	45E	33	NW	SW	SE		TETON

5. Description of diverting works:
CONCRETE HEADING 8' WIDE WITH WOODEN FLASH BOARDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.800		

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

8. Total consumptive use is 247.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	45E	7	NW	NE		IRR	38.0
			NE	NW		IRR	27.0
			NW	NW	1	IRR	20.0
			SW	NW	2	IRR	38.5

10. Place of Use: Continued

Section Acres 123.5

Total Acres 123.5

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:
22-00263, 22-00264

14. Remarks:
P/D GALE-MOFFATT CANAL.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

REXBURG IRR. CO. ET AL
Decree Plaintiff

TETON IRR. CANAL CO.
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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A22-00262
Date Received: 9/02/1988
Receipt No: E002061
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. DARWIN BAXTER 208-237-8067
Address: 4910 TRENT
CHUBBUCK, ID 83202
AND
Name: MARJORIE J. BAXTER
Address: 4910 TRENT
CHUBBUCK, ID 83202

A2200262



2. Date of Priority: JUN 01, 1893
3. Source: SOUTH LEIGH CREEK Trib. to: TETON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	45E	33	NW	SW	SE		TETON

5. Description of diverting works:
CONCRETE HEADING 8' WIDE WITH WOODEN FLASH BOARDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.800		

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

8. Total consumptive use is 247.0 Acre Feet Per Annum.

9. Non-irrigation uses:

RECORDED

NOV 04 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	45E	7	NW		NE		IRR	38.0
			NE		NW		IRR	27.0
			NW		NW	1	IRR	20.0
			SW		NW	2	IRR	38.5
							Section Acres	123.5
							Total Acres	123.5

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:
22-00263, 22-00264

14. Remarks:
P/D GALE-MOFFATT CANAL.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO.
Decree Defendant

NOV 04 1992

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:

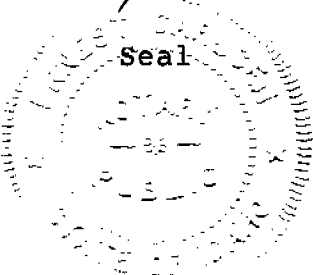
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Darwin Baxter* Date: 9-2-88
Margaret J. Baxter Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 2 day
of Sept. 19 88

Ernest Carlson
Notary Public



Residing at *Idaho Falls*

My Commission Expires 14 June 1994

T6N
R44E
T5N
R45E

33
South Leigh Creek

Headgate

Cole Mfg Co

A22-00762
A22-00263
A22-00264
A22-11488

Crane Crut Co



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

DECEMBER 17, 1992

KENT W FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 51030
IDAHO FALLS ID 83405

RE: CHANGE IN OWNERSHIP FOR A22-11488 (RENUMBERED TO
A22-00641E), 00262, 00263, 00264, AND 389A/HAROLD DUNN,
MD

Dear Mr. Foster:

The request for Change in Ownership concerning your
client's Notices of Claim in the above reference has
been processed and the Notices modified to reflect your
client as the new owner.

Review the enclosed forms and if there are other
corrections or questions, feel free to contact this
office.

If there are no questions or corrections, please keep
these Notices for your client's records.

Respectfully submitted,

Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: Copies Dunn's Notices

MICROFILMED

APR 08 1994

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
 KENT W. FOSTER
 ROBERT E. FARNAM
 WILLIAM D. FALER
 STEPHEN E. MARTIN
 CHARLES A. HOMER
 GARY L. MEIKLE
 MICHAEL D. CRAPO
 GAYLE A. SORENSON, P.A.
 DONALD L. HARRIS
 MARIE T. TYLER
 JOHN G. SIMMONS
 ROBERT M. FOLLETT
 KUMEN L. TAYLOR
 JAMES K. SLAVENS

WEST ONE BANK
 P.O. BOX 50130
 330 SHOUP AVENUE
 IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
 TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
 702 W. IDAHO SUITE 810
 BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
 TELEFAX (208) 343-8078

BOISE OFFICE

WM. LYMAN BELNAP, P.A.
 RANDALL B. REED
 RONALD D. CHRISTIAN
 FREDERICK J. HAHN III

ARTHUR W. HOLDEN
 (1877-1967)
 ROBERT B. HOLDEN
 (1911-1971)
 TERRY L. CRAPO
 (1939-1982)
 WILLIAM S. HOLDEN
 (1907-1988)

December 16, 1992

RECEIVED

DEC 16 1992

Department of Water Resources
 Eastern District Office

Ernest Carlsen, Adjudication Supervisor
 IDAHO DEPARTMENT OF WATER RESOURCES
 150 Shoup Avenue, #15
 Idaho Falls, Idaho 83402

Dear Mr. Carlsen:

00641E
 We have recently obtained and are enclosing for filing Assignment of Notice of Claims Nos. A22-~~11488~~, A22-00262, A22-00263, A22-00264, and A22-00389A. We have also enclosed executed Notices Concerning Water Rights for Property for each of such claims.

We had originally understood that this property and the water rights were sold to Dr. Dunn's Trust, rather than to him individually. However, the last Warranty Deed of record, a copy of which is enclosed, makes it clear that it was in fact in his personal capacity and so each of the Assignments and Notices have been corrected to strike the information regarding the trust. We certainly appreciate your filing of these documents.

Yours very truly,

Kent W. Foster
 Kent W. Foster

E002061

#8970.00/srs

Enclosure

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APR 08 1994

WARRANTY DEED

For Value Received J. Darwin Baxter and Marjorie B. Baxter, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto Harold Dunn, M.D.

whose current address is 1231 Chandler, Salt Lake City, Utah 84103

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

Lot 1, Lot 2, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ all of Section 7, Township 5 North, Range 45 East of the Boise Meridian.

Less that property described in indenture dated July 18, 1918, recorded as Instrument No. 4937, Book 37, page 603, records of Teton County, Idaho.

Together with all water, water rights, oil, gas and minerals and oil, gas and mineral rights of grantors.

Subject to:

- a. Easements and rights of way of record
- b. Zoning and use restrictions of lawful government authority.

COPY

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances except as set out above.

and that he will warrant and defend the same from all lawful claims whatsoever. THIS DEED RECORDED TO CORRECT WARRANTY DEED DATED AUGUST 3, 1989, AND RECORDED AUGUST Dated: 7, 1989 AS INSTRUMENT NO. 104587, BOOK, RECORDS OF TETON COUNTY, IDAHO.

November 2, 1989

J. Darwin Baxter

J. Darwin Baxter

Marjorie B. Baxter

Marjorie B. Baxter

STATE OF IDAHO, COUNTY OF Bannock
On this 2nd day of October, 1989,
before me, a notary public in and for said State, personally
appeared J. Darwin Baxter and Marjorie B.
Baxter, husband and wife,

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to
me that executed the same.

D. J. Manning

Notary Public

Residing at Pocatello

Comm. Expires Sept. 30, 1991

105104

FILMED ☒
INDEXED ☒
PLATTED ☒

FILED

AT THE REQUEST OF

First American

AT 30 MINUTES PAST 9 A M

DATE November 15, 1989

E. Wayne Schuss

CLERK OF RECORDER

NOTARY PUBLIC
STATE OF IDAHO
D. JAMES MANNING

BY Bonnie Seese

DEPUTY

State of Idaho

Department of Water Resources

ASSIGNMENT OF NOTICE OF CLAIM(S)

We, J. Darwin Baxter and Marjorie J. Baxter, hereby
assign to Harold K. Dunn Trust,
of 1231 Chandler Circle, Salt Lake City, Utah 84103.
Address

All my right, title, and interest in and to Notice of
Claim No(s). A22-00262.

to a Water Right Acquired Under State Law.

The following described portion of my right, title, and
interest in and to Notice of Claim No(s). _____

to a Water Right Acquired Under State Law.

(If assigning a portion, describe that portion of the
claim being assigned by listing the acreage within each
40-acre tract, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or
acre feet for storage)

Made this 23rd day of November, 1992.

Signature of Claimant(s) J. Darwin Baxter
J. DARWIN BAXTER

Marjorie J. Baxter
MARJORIE J. BAXTER

STATE OF IDAHO)
County of Bannock) ss.

On this 23rd day of November, 1992, personally appeared
before me the signers of the above instrument, who duly
acknowledged to me that they executed the same.

Notary Public James M. [Signature]
Residing at 200 Idaho St.
My Commission Expires 4/25/93

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APR 08 1994

NOTICE CONCERNING WATER RIGHTS FOR PROPERTY
(to be mailed to the Idaho Department of Water Resources)

DATE OF CLOSING: August 3, 1989.

LEGAL DESCRIPTION OF PROPERTY: See description on attached deed.

- [] Served Only by a Public Service Water Supply (domestic 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)
- [X] Water Right Number: A22-00262
- [X] Name and Address of Former Owner/Claimant(s): J. Darwin and Marjorie J. Baxter
4910 Trent
Chubbuck, Idaho 83202
- [X] New Owner/Claimant(s): Harold K. Dunn, M.D., ~~not individually, but as Trustee of the Harold K. Dunn Trust~~
- [X] New Mailing Address: 1231 Chandler Circle
Salt Lake City, Utah 84103
- [X] New Telephone Number: (801) 533-9730
- [X] Does the change in ownership result in a splitting of the water right claimed? yes x no

If yes, then describe the portion of the water right that is now claimed by the new owner:

[X] Signature of New Owner/Claimant(s):


Harold K. Dunn, Trustee

Date:

11-5-92

[X] Signature of Former Owner/Claimant(s):

J. Darwin Baxter

Marjorie J. Baxter

Date:

MICROFILMED

APR 08 1994

[X] Attach proof of
ownership, describe
proof attached:

See Attached Deed (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
claimant.

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Dated: By:

Final Review and Data-Entry

Dated: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources

Copies for Former Owner and New Owner

34231/srs