

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: A22-00276A

Date Received: 9/12/1988

Receipt No: ~~E002207~~

Received By: 777777 80

11-20-92

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD K DUNN TRUST
Address: 1231 CHANDLER CIRCLE
SALT LAKE CITY UT

84103

NOV 15 1988

Department of Water Resources
Eastern District Office

A2200276A



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	SW	SE			TETON

5. Description of diverting works:
HEADGATE AND OPEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.600		

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

A.F.A.

8. Total consumptive use is 200.0 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	8	NE	SW		IRR	40.0
			SE	SW		IRR	40.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	80.0
					Total Acres	80.0

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: _____

14. Remarks:

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 Organizations:

I do solemnly swear or affirm that I am Trustee of
Title
Harold K. Dunn Trust, that I have signed the foregoing
Organization
document in the space below as Trustee of
Title
Harold K. Dunn Trust and that the statements contained in the
Organization
foregoing document are true and correct.

Harold K. Dunn Trustee
Signature of Authorized Agent

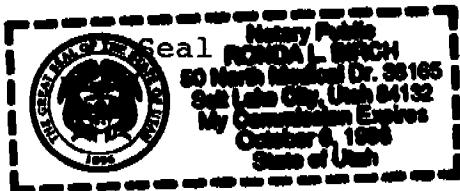
Trustee, Harold K. Dunn Trust
Title and Organization

11-18-92
Date

Utah
State of ~~Idaho~~)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 18 day
of November 19 92

Ronda L. Birch
Notary Public



Residing at University of Utah
My Commission Expires October 6, 1996

17. Notice of Appearance:

Notice is hereby given that I, Charles A. Homer will be
Print Name

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 Charles A. Homer

Address P.O. Box 50130, Idaho Falls, Idaho, 83405

Date 11/19/92

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DECEMBER 2, 1992

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

CHARLES A HOMER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 51030
IDAHO FALLS ID 83405

RE: CHANGE IN OWNERSHIP FOR HAROLD K DUNN TRUST
A22-00410, 00409, 00276, 00408, 11521, AND 11520

Dear Mr. Homer:

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.

A22-00408 was split as follows: To Talmage Michelsen & Sons, 0.10 cfs on 20 acres; to Harold K Dunn, 0.70 cfs on 140 acres.

A22-00409 was split as follows: To Talmage Michelsen & Sons, 0.125 cfs on 20 acres; to Harold K Dunn, 0.875 cfs on 140 acres.

A22-00410 was split as follows: To Talmage Michelsen & Sons, 0.175 cfs on 20 acres; to Harold K Dunn 1.225 cfs on 140 acres.

As regards to A22-11521 and A22-11520, the entire water right for A22-11521 was transferred to Harold K Dunn, as was A22-11520, except that A22-11520 was renumbered to reflect the old Decreed water right number, A22-00641D.

As regards to A22-00276, this Notice was returned to your office on Augst 27, 1992, for clarification, changes, and signatures. It has since been returned and a copy of A22-00276A is included with the above Notices.

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

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Charles A Homer
Page - 2 -

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

Respectfully submitted,

Jo Thompson
Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: Copies of Harold K Dunn Notices

cc: Talmage Mickelsen & Sons/Change Ownership
Letter/Copies of Notices of Claim

File: P

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LAW OFFICES

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
 IDAHO FALLS, IDAHO 83405

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

KEY FINANCIAL CENTER
 702 W. IDAHO SUITE 610
 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)

November 19, 1992

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

Department of Water Resources
 Eastern District Office

RE: Notice of Claim A22-00276A -- Harold K. Dunn Trust

Dear Mr. Carlsen:

We are enclosing the completed Notice of Claim to a Water Right Acquired under State Law which you prepared and sent to our office last August 27th. It has been executed by Dr. Dunn as trustee of the Harold K. Dunn Trust and by Charles A. Homer of our law firm.

There was no mention of a filing fee in your August 27th letter and we have not enclosed one. If there is anything else we need to do, please let us know.

Yours very truly,



Kent W. Foster

#8970.00/srs

Enclosure

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State of Idaho

Department of Water Resources

ASSIGNMENT OF NOTICE OF CLAIM

Talmage Mickelsen & Sons and Thelma W. Mickelsen, individually and as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage M. Mickelsen, deceased, hereby assign to Harold K. Dunn, not individually but as Trustee of the Harold K. Dunn Trust, of 1231 Chandler Circle, Salt Lake City, Utah 84103.

The following described portion of our right, title, and interest in and to Notice of Claim No. A22-00276 to a Water Right Acquired Under State Law.

This is a partial transfer and there is only being transferred the water rights which are appurtenant to the following described property:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 5 North, Range 45 E.B.M.

Pursuant to this transfer only 1.6 cfs of the total amount of 3.2 cfs shown on the above referred to claim is being transferred.

Made this 12th day of March, 1992.

TALMAGE M. MICKELSEN & SONS

BY:

Ted Mickelsen

Thelma W. Mickelsen

Thelma W. Mickelsen, individually and as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage M. Mickelsen, deceased.

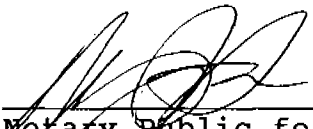
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DEC 09 1992

STATE OF IDAHO)
) ss.
County of Bingham)

On this 12th day of March, in the year 1992, before me the undersigned, a Notary Public in and for the State of Idaho, personally appeared Ted Mickelsen, known or identified to me to be one of the partners in the partnership of Talmage Mickelsen & Sons, and the partner or one of the partners who subscribed said partnership to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

(Seal)



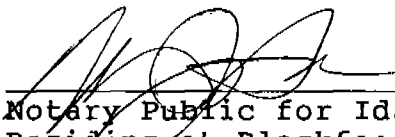
Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires 09-97

STATE OF IDAHO)
) ss.
County of Bingham)

On this 12th day of March, in the year 1992, before me, the undersigned Notary Public in and for said state, personally appeared THELMA W. MICKELSEN, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage Mickelsen, deceased, and acknowledged to me she executed the same as such Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(Seal)



Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires 09-97

STATE OF IDAHO)
) ss.
County of Bingham)

On this 12th day of March, in the year 1992, before me,
the undersigned Notary Public in and for said state, personally
appeared THELMA W. MICKELSEN, known or identified to me to be
the person whose name is subscribed to the within instrument
and acknowledged to me she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this certificate
first above written.



Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires 09-97

(Seal)

CAH/7162j/rfs

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

DATE OF CLOSING: March 10, 1992.

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: A22-00276

[X] Name and Address of Former Owner/Claimants: Talmage Mickelsen & Sons and
Thelma W. Mickelsen
1008 West 500 North
Blackfoot, Idaho 83221

[X] New Owner/Claimant : 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? X yes _____ no

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

This is a partial transfer and there is only being transferred the water rights which are appurtenant to the following described property:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 5 North, Range 45 E.B.M.

Pursuant to this transfer only 1.6 cfs of the total amount of 3.2 cfs shown on the above referred to claim is being transferred.

[X] Signature of New Owner/Claimant:

X 
Harold K. Dunn, Trustee

Date:

3-23-92

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DEC 09 1992

[X] Signature of Former
Owner/Claimants:

TALMAGE MICKELSEN & SONS

By:

Ted Mickelsen

Thelma Mickelsen

Thelma Mickelsen, Individually and as
Trustee of the Testamentary Trust
established under the Last Will and
Testament of Talmage M. Mickelsen,
deceased.

Date:

3-12-92

[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

CAH/7163j/rfs

FILED

AT THE REQUEST OF

100735

MAR 13 1992

TETON Co. Id.
Clerk/Recorder

FILMED

INDEXED

PLATED

WARRANTY DEED

AT 30 MINUTES PAST 2 P.

DATE March 13, 1992

Asa J. Drake

THIS INDENTURE is made this 12th day of March, 1992, by THELMA W. MICKELSEN, acting individually, and THELMA W. MICKELSEN, acting not individually but as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage M. Mickelsen, deceased, the Grantor, and HAROLD K. DUNN, M.D., not individually but as Trustee of the Harold K. Dunn Trust, whose mailing address is 1231 Chandler Circle, Salt Lake City, Utah 84103, the Grantee.

WITNESSETH, that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's successors and assigns forever, all of the following described property in the County of Teton, State of Idaho, to-wit:

TRACT I:

Township 5 North, Range 45 East Boise Meridian
Section 8:
E 1/2 SW 1/4
SE 1/4

Section 9:
SW 1/4

TRACT II:

Township 5 North, Range 45 East Boise Meridian
Section 18:
Lots 1, 2, 3, and 4
E 1/2 NW 1/4
E 1/2 SW 1/4
SE 1/4
S 1/2 NE 1/4

Township 5 North, Range 44 East Boise Meridian
Section 13:
N 1/2 SE 1/4

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SUBJECT TO Electric Line Right-of-Way Easement granted by Talmage Mickelsen and Thelma Mickelsen, husband and wife, to Fall River Rural Electric Cooperative, Inc., a corporation, recorded August 27, 1973, as Instrument No. 73194, Records of Teton County, Idaho.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor. ALSO TOGETHER with all ditch rights and water rights appurtenant to such property including, but not limited to, any such water rights which are evidenced by water stock certificates issued by the Cache Canal Company and the Leigh Creek Canal Company.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor and the Grantor's successors shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Thelma W. Mickelsen

Thelma W. Mickelsen, individually

Thelma W. Mickelsen

Thelma W. Mickelsen, not individually but as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage Mickelsen, deceased.

STATE OF IDAHO)
)ss.
County of Bingham)

On this 12th day of March, in the year 1992, before me, the undersigned Notary Public in and for said state, personally appeared THELMA W. MICKELSEN, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage Mickelsen, deceased, and acknowledged to me she executed the same as such Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(Seal)



Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires 8-9-97

STATE OF IDAHO)
)ss.
County of Bingham)

On this 12th day of March, in the year 1992, before me, the undersigned Notary Public in and for said state, personally appeared THELMA W. MICKELSEN, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(Seal)



Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires 8-9-97

CAH/7161j/rfs

LAW OFFICES

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
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JAMES K. SLAVENS

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

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

KEY FINANCIAL CENTER
702 W. IDAHO SUITE 610
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
(1877-1867)
ROBERT B. HOLDEN
(1911-1971)
TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

November 2, 1992

NOV 03 1992

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

Department of Water Resources
Eastern District Office

RE: Notice of Appearance for Harold K. Dunn Trust

Dear Ernie:

You wrote to Chuck Homer of our office on September 23, 1992, enclosing a Notice of Appearance Form for his signature. He has recently asked me to assist with completing the items that need to be taken care of in connection with Dr. Dunn's water rights. We have secured Chuck's signature on the Notice of Appearance and are returning it with this letter.

We are also in the process of obtaining proper assignments of some other water rights purchased in connection with the purchase of real estate from some people named Baxter. We are also obtaining Dr. Dunn's signature on the Notice of Claim to a Water Right A22-00276A which you sent to our office. When those items are complete, we will forward them as well.

Yours very truly,



Kent W. Foster

#8970.00/srs

Enclosure

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RECEIVED

NOV 03 1992

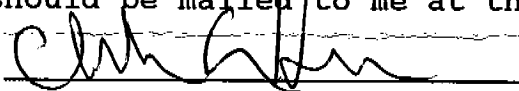
Department of Water Resources
Eastern District Office

RE: Notice of Appearance
Harold K Dunn Trust

NOTICE OF APPEARANCE

Notice is hereby given that I, Charles A. Homer will be acting as attorney at law on behalf of Harold K. Dunn Trust for Notices of Claim A22-00410B, A22-00409B, A22-00408B, A22-00641D, A22-11521, and that all notices required by law to be mailed by the director to the claimant should be mailed to me at the address listed below.

Signature



Address HOLDEN, KIDWELL, HAHN & CRAPO
P.O. Box 50130
Idaho Falls, Idaho 83405

Date November 2, 1992

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DEC 09 1992

Rec. 5002207 - Tel. [unclear] - 22-00276
Dunn 22-00276 - [unclear]

Receipt already
exists

AUGUST 27, 1992

CHARLES A HOMER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

RE: Notice of Claim A22-00276A
Harold K Dunn Trust

Dear Charles:

Enclosed for review and signature is the above referenced
Notice of Claim.

The Notice is supposed to reflect that portion of decreed
right 22-00276, appurtenant to land purchased by M.D.
Dunn. Based on the information you submitted and the
water right record, this appears to be half of the
original right. To make changes on the Notice simply line
through the information to be changed, write in the
correct information, and have M.D. Dunn initial each
change.

When signing the Notice, M.D. Dunn will need to fill in
the "organizational signature" block and have his
signature notarized. You will need to complete the Notice
of Appearance at the bottom of page 3.

Naturally, feel free to contact me if there are questions
concerning this Notice.

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

FILE:

Attach
to claim
EC

9-22-92
claim 22-00276A was
mailed to claimant.
1-27-92 for S. J.
Contact 9-21-92 / sec.
Homer not in

9-21
Spoke to Susan at Homer's office.
She will check / Homer on this
letter. Co

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