

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: **A22-00280C**
Date Received: 10/18/1988
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:	WILLIAM SCHULZ	208-456-3042
Address:	464 N 300 W	
	TETONIA ID	83452
AND/OR		
Name:	MELINDA SCHULZ	208-456-3042
Address:	464 N 300 W	
	TETONIA ID	83452

2. Date of Priority: JUN 10, 1897

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	45E	33	NE	SW	SE		TETON

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.360		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	5	SE	NE		IRR	18.0

A2200280C



10. Place of Use: Continued

Section Acres 18.0

Total Acres 18.0

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:

THIS CLAIM IS A PORTION OF DECREDD RIGHT 22-00280.

*THIS RIGHT ORIGINALLY NUMBERED A22-12535. RENUMBERED 5-17-96 GT.

*CHANGED OWNERSHIP 2-3-98 GT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 12, 1998

WILLIAM & MELINDA SCHULZ
464 N 300 W
TETONIA ID 83452

RE: CHANGE IN OWNERSHIP FOR A22-00281A, A22-00280A

Dear Mr. & Mrs. Schulz:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A22-00281B, .26 CFS, 13 ACRES, FELTON
A22-00281C, .36 CFS, 18 ACRES, SCHULZ

A22-00280B, .26 CFS, 13 ACRES, FELTON
A22-00280C, .36 CFS, 18 ACRES, SCHULZ

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure

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

DE LOG JH 11-17-97
DE LOG GT 12-13-97

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

1. Water Right Number(s) A2200280A A2200281A A2200568C
Adjudication Claim Number(s) AJ5809NP AJ5809NP AJ0749NP
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) DALE & MARGIE BURR
464 N 300 W, TETONIA, ID 83452
4. New Owner/Claimant(s) WILLIAM & MELINDA SCHULZ
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 464 N 300 W
City, State and ZIP Code TETONIA, ID 83452
New Telephone Number (208) 456-3042
5. Date you acquired the property 10/15/97
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 13 Number and type of stock _____
Diversion rate in CFS _____ Number of homes one 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) William Schulz Date 11/3/97
Melinda Schulz Date _____
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.

RECEIVED

NOV 10 1997

Department of Water Resources
Eastern Region

RECEIVED

35-9457-V

OCT 15 1997

128534

TETON CO., ID.
CLERK/RECORDER

Warranty Deed

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

For Value Received

DALE M. BURR AND MARGIE D. BURR, HUSBAND AND WIFE

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

WILLIAM R. SCHULZ AND MELINDA W. SCHULZ, HUSBAND AND WIFE

whose current address is 608 NORTH MILLER ROAD NORTH, VALRICO, FLORIDA 33594

COPY

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

Beginning at the center of Section 5, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 89 degrees 42'21" East, 1320.15 feet to the true point of beginning; thence North 00 degrees 33'17" West 717.0 feet; thence South 89 degrees 41'59" East, 1050.50 feet to the West boundary of the Union Pacific Railroad right-of-way; thence South 31 degrees 34'20" East 443.92 feet; thence South 00 degrees 40'27" East 339.84 feet; thence North 89 degrees 42'21" West 1279.99 feet to the true point of beginning. Also known as Lot 7 Autumn Leaf Estates, Teton County, Idaho.

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 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: OCTOBER 3, 1997

Dale M Burr

DALE M. BURR

Margie D Burr

MARGIE D. BURR

OFFICIAL SEAL
NANCY ANN PERRY
NOTARY PUBLIC - IDAHO
TETON COUNTY
MY COMMISSION EXPIRES 4/3/01

STATE OF IDAHO, COUNTY OF TETON
On this 8th day of October, 1997
before me, a notary public in and for said State, personally appeared

Dale M. Burr and
Margie D. Burr

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

Residing at
Comm. Expires

Notary Public
Idaho

128534

FILED

AT THE REQUEST OF

ALLIANCE TITLE AND ESCROW

AT 45 MINUTES PAST 11 a.m.

DATE Oct. 15, 1997

Asa J. Drake

BY *Nora Rigby* CLERK OF RECORD

DEPUTY

PROPERTY DESCRIPTION

A PART OF THE E 1/2 S 1040, BEING FURTHER FROM THE E 1/4 CORNER TO A 1" IRON PIN, THE THENCE N 89°44'23"W, THENCE N 00°32'49"W, THENCE S 89°44'22"E, RAILROAD RIGHT-OF-WAY, THENCE S 31°35'10"E, ON THE WESTERN RIGHT-THENCE S 00°44'08"E, POINT OF BEGINNING.

CONTAINS 20.04 ACRES.

SUBJECT TO A 30 FOOT PROPERTY LINE AND A LINE WHICH RUNS PARAL

OWNERS' CERTIFICATE

WE, THE UNDERSIGNED OF THE PROPERTY OF LAND

SW 1/4 NE 1/4

S 89°44'22"E 1049.71'

30' ACCESS AND UTILITY EASEMENT

60' ACCESS AND UTILITY EASEMENT

BURR PROPERTY

20.04 ACRES

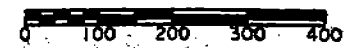
N 00°32'49"W 716.35'

S 31°35'10"E 339.77'

S 00°44'08"E

N 89°44'23"W 1279.42'

N 89°42'25"W 2647.78'
BASIS OF BEARING (SECTION 1/4 LINE)



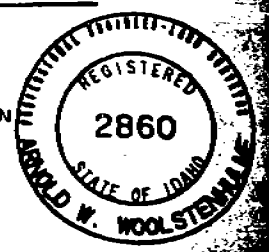
SCALE 1" = 200'



C 1/4 CORNER SECTION 5
FOUND IRON PIN

SURVEYOR'S CERTIFICATE

I, ARNOLD W. WOOLSTENHULME, BEING A REGISTERED LAND SURVEYOR / ENGINEER IN THE STATE OF IDAHO, No. 2860, DO HEREBY CERTIFY THAT I DID CAUSE THE SURVEY OF THE TRACT OF LAND AS HEREIN PLATTED AND DESCRIBED.



E 1/4 CORNER SECTION 5
FOUND 1/2" IRON PIN WITH
CAP INSCRIBED: AW ENG 2860
C.P.F.R. INDEX C-9
INSTRUMENT #95749

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

DE LOG JH 10-6-97
DE LOG GT 10-29-97

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

use for chain of title only.

1. Water Right Number(s) A2200280A A2200281A A2200568C
Adjudication Claim Number(s) AJ5809NP AJ5809NP AJ0749NP

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) C. FRANK FELTON, Route 1, Box 3740,
ALTA, WY VIA DRIGGS, ID 83422

4. New Owner/Claimant(s) DALE & MARGIE BURR
Name connector (Check one): ☐ AND, ☒ OR, ☐ AND/OR
New Mailing Address 464 N 300 W.

City, State and ZIP Code TETONIA, ID
New Telephone Number (208) 456-2266

5. Date you acquired the property NOV 30, 1989

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 _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes ONE 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) ⓧ Dale M Burr Date 9/29/97
ⓧ Margie Doreen Burr Date 9/29/97

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. 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.

RECEIVED

OCT 06 1997

Department of Water Resources
Eastern Region

WARRANTY DEED

For Value Received

FRANK L. FELTON & SUZANNE T. FELTON, husband and wife

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

DALE M. BURR & MARGIE D. BURR, husband and wife
464 North 300 West, Teton, Idaho 83452

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

Beginning at the center of Section 5, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 89 degrees 42'21" East, 1320.15 feet to the true point of beginning; running thence North 00 degrees 33'17" West 717.0 feet; thence South 89 degrees 41'59" East, 1050.50 feet to the West boundary of the Union Pacific Railroad Right-of-way; thence South 31 degrees 34'20" East 443.92 feet; thence South 00 degrees 40'27" East 339.84 feet; thence North 89 degrees 42'21" West 1279.99 feet to the true point of beginning. ALSO KNOWN AS Lot 7 Autumn Leaf Estates, Teton County, Idaho.

SUBJECT TO reservations in United States and State 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: November 28, 1989.


 Frank L. Felton


 Suzanne T. Felton

STATE OF IDAHO, COUNTY OF TETON
 On this 28th day of November, 1989
 before me, Notary Public in and for the State of Idaho, personally appeared

Frank L. Felton & Suzanne T. Felton, 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.

Notary Public
 residing at Driggs, Idaho
 Commission Expires 12-31-90

105158

FILED

AT THE REQUEST OF

First American

ATTESTED BY

Notary Public

Notary Public

FILED
 INDEXED
 PLAT

NE CORNER SECTION 5
FOUND 5/8" IRON PIN
WITH 2" CAP INSCRIBED:
AW ENG 2860
C.P.F.R. INDEX A-9
INSTRUMENT #95755

FOUND AS NOTED

CORNER: 1/2" IRON PIN
BED: AW ENG 2860

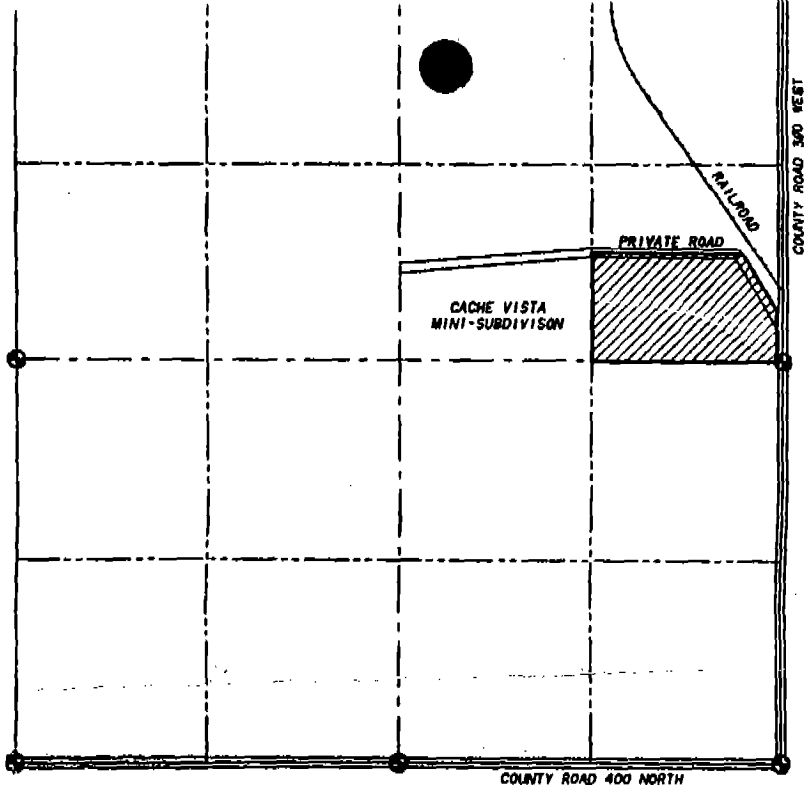
CORNER: 1" IRON PIN

IT - NOTHING FOUND OR SET

DOWN LINE

AND WIDTH AS NOTED

DISTANCE
36.63'



VICINITY MAP

SECTION 5, TWP. 5N., RNO. 45E., B.M.,
TETON COUNTY, IDAHO

SCALE 1" = 2000'

PROPERTY DESCRIPTION

A PART OF THE E 1/2 SECTION 5, TWP. 5N., RNO. 45E., B.M. TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS:
FROM THE E 1/4 CORNER OF SAID SECTION 5, THENCE S 84°08'24"W. 36.63 FEET TO A 1" IRON PIN, THE POINT OF BEGINNING;
THENCE N 89°44'23"W. 1279.42 FEET TO A 1" IRON PIN;
THENCE N 00°32'49"W. 716.35 FEET TO A POINT;
THENCE S 89°44'22"E. 1049.71 FEET TO A 1" IRON PIN ON THE SOUTHWESTERN RAILROAD RIGHT-OF-WAY LINE;
THENCE S 31°35'10"E. 443.29 FEET ALONG SAID RIGHT-OF-WAY TO A 1" IRON PIN ON THE WESTERN RIGHT-OF-WAY LINE OF THE COUNTY ROAD;
THENCE S 00°44'08"E. 339.77 FEET ALONG THE COUNTY ROAD RIGHT-OF-WAY TO THE POINT OF BEGINNING.

CONTAINS 20.04 ACRES, MORE OR LESS.

SUBJECT TO A 30 FOOT ACCESS AND UTILITY EASEMENT ALONG THE NORTHERNMOST PROPERTY LINE AND A 60 FOOT ACCESS AND UTILITY EASEMENT ALONG THE PROPERTY LINE WHICH RUNS PARALLEL WITH THE RAILROAD RIGHT-OF-WAY

OWNERS' CERTIFICATE

WE, THE UNDERSIGNED OWNERS, CERTIFY THAT WE DID CAUSE THE SURVEY OF THE PROPERTY OF LAND AS SHOWN ON THIS PLAT TO BE PERFORMED BY AW ENGINEERING.

RECORDER'S CERTIFICATE

STATE OF IDAHO)
COUNTY OF TETON) SS

I DO HEREBY CERTIFY THAT THIS PLAT WAS FILED THIS _____ DAY OF _____, 199__, AT _____
AT THE REQUEST OF _____
INSTRUMENT NUMBER _____

COUNTY RECORDER

RECORD OF SURVEY

THEN NE 1/4 SECTION 5, TWP. 5N., RNO. 45E., B.M.,
TETON COUNTY, IDAHO

SURVEYED FOR:

DALE BURR

AW ENGINEERING

P.O. BOX 139
VICTOR, IDAHO 83455
(208) 787-2952

DRAWN NLC

08/25/97

PROJECT 97 - 066

SURVEYED MRW/CLC

08/25/97

DBURR.GCD

SECTION 5

E 1/4 CORNER SECTION 5
FOUND 1/2" IRON PIN WITH
CAP INSCRIBED: AW ENG 2860
C.P.F.R. INDEX C-9
INSTRUMENT #95749

ERTY

60' ACCESS
AND UTILITY
EASEMENT

9.42'

525-7177
Paul

N 00°01'36"E 2651.59'

L 1 S 89°08'24"E 36.63'

S 00°02'31"E 2655.91'



SW 1/4 NE 1/4

0 100 200 300 400

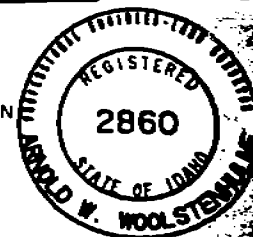
SCALE 1" = 200'

C 1/4 CORNER SECTION 5
FOUND IRON PIN

N 89°42'25"W 2647.78'
BASIS OF BEARING (SECTION 1/4 LINE)

SURVEYOR'S CERTIFICATE

I, ARNOLD W. WOOLSTEPHULME, BEING A
REGISTERED LAND SURVEYOR / ENGINEER
IN THE STATE OF IDAHO, No. 2860, DO
HEREBY CERTIFY THAT I DID CAUSE THE
SURVEY OF THE TRACT OF LAND AS HEREIN
PLATTED AND DESCRIBED.



BURR PROPERTY
20.04 ACRES

S 89°44'22"E 1049.71'

30' ACCESS AND
UTILITY EASEMENT

60' ACCESS
AND UTILITY
EASEMENT

S 31°35'10"E
443.27'

339.77'

S 00°44'08"E

N 89°44'23"W 1279.42'

E 1/4 CORNER SECTION 5
FOUND 1/2" IRON PIN WITH
CAP INSCRIBED: AW ENG 2860
C.P.F.R. INDEX C-9
INSTRUMENT #95749

PROPERTY DESC

A PART OF THE E 1/2
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FROM THE E 1/4 CORNER
TO A 1" IRON PIN, TH
THENCE N 89°44'23"W
THENCE N 00°32'49"W
THENCE S 89°44'22"E
RAILROAD RIGHT-OF-WAY
THENCE S 31°35'10"E
ON THE WESTERN RIGHT
THENCE S 00°44'08"E
POINT OF BEGINNING.

CONTAINS 20.04 ACRES.

SUBJECT TO A 30 FOOT
PROPERTY LINE AND A
LINE WHICH RUNS PARAL

OWNERS' CERTIF

WE, THE UNDERSIGNED O
THE PROPERTY OF LAND