

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 22-297D
Date Received: 3/18/1991
Receipt No: X777777
Received By:

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

1. Name of Claimant(s)

KATHERINE M MILLER Phone: (208)456-2112
PO BOX 112
DRIGGS ID USA 83422

2. Date of Priority: 06/01/1898

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	Type
06N	46E	32	NW SW	TETON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.2	

7. Total Quantity Appropriated is:
0.2 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
06N	46E	31	SW SW	IRRIGATION	10
				Section Acres	10
				Total Acres	10

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:

P/U UNSURVEYED AT TIME OF DECREE. P/D DESERT DITCH, WD01 RECORDS NOTICE IS
RESULT IN CHANGE OF OWNERSHIP FOR A PORTION OF A22-00297B, PAID FOR UNDER E015807.
GJT 6-7-91

15. Basis of Claim: Decreed

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: A22-00297D
Date Received: 3/18/1991
Receipt No: X77777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICHAEL C. GALLAGHER 208-232-4487
Address: 1338 E. WHITMAN
POCATELLO, ID 83201
AND/OR
Name: FLOYCE M. GALLAGHER 208-232-4487
Address: 1338 E. WHITMAN
POCATELLO, ID 83201

A2200297D



2. Date of Priority: JUN 1, 1898

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	32	NW	SW			TETON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.200		

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

A.F.A.

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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NOV 04 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	46E	31	SW	SW		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
					Total Acres	10.0

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:

P/U UNSURVEYED AT TIME OF DECREE. P/D DESERT DITCH, WD01 RECORDS
NOTICE IS RESULT IN CHANGE OF OWNERSHIP FOR A PORTION OF
A22-00297B, PAID FOR UNDER E015807. GJT 6-7-91

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): Michael A. Delany Date: 6/11/91
Maureen M. Gallagher Date: 6/11/91

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 11th day

of June 19 91

Barbara A. Gorman
Notary Public

Seal

Residing at Pocatello

My Commission Expires 9/27/94

MICROFILMED

NOV 04 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 8, 2002

KATHERINE M MILLER
PO BOX 112
DRIGGS ID 83422

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-297D

Dear Ms. Miller:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

OK JC 4-5-02

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

RECEIVED
MAR 28 2002

Department of Water Resources
 Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-297 D					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Floyce M. & Michael C. Gallagher
1338 E Whitman, Pocatello 83201
4. New Owner/Claimant(s) Katherine M. Miller
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 112
- City, State and ZIP Code DRIGGS, Id 83422
- New Telephone Number (208) 456-2112
5. Date you acquired the property 2-4-1997

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Katherine M. Miller

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

RECEIVED

FEB 21 1997

Warranty Deed

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

TETON CO., ID
CLERK RECORDER

For Value Received

MICHAEL GALLAGHER AND FLOYCE M. GALLAGHER, HUSBAND AND WIFE

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

KATHERINE M. MILLER, AN UNMARRIED PERSON

whose current address is P.O. BOX 101, DRIGGS, IDAHO 83422

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

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER ALSO DESCRIBED AS LOT 4 OF SECTION 31, TOWNSHIP 6 NORTH, RANGE 46 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, AND RUNNING THENCE NORTH 660 FEET; THENCE EAST 660 FEET; THENCE SOUTH 660 FEET; THENCE west 660 FEET TO THE POINT OF BEGINNING.

SUBJECT TO A 30 FOOT WIDE EASEMENT ALONG THE EAST SIDE OF THE ABOVE DESCRIBED PROPERTY TO BE USED IN COMMON WITH OTHERS FOR INGRESS AND EGRESS.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that she 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: FEBRUARY 4, 1997

Michael C. Gallagher Floyce M. Gallagher
MICHAEL GALLAGHER FLOYCE M. GALLAGHER

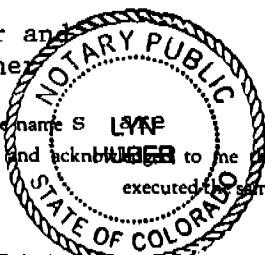


STATE OF Colo. COUNTY OF Mesa
On this 10 day of February, 1997,
before me, a notary public in and for said State, personally appeared

Michael Gallagher and
Floyce M. Gallagher

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

Lyn Huber
Residing at Grand Jet., Colorado
Comm. Expires Idaho



126550

FILED

AT THE REQUEST OF
ALLIANCE TITLE AND ESCROW

AT 35 MINUTES PAST 4 P. M.

DATE Feb 21, 1996

BY Asa J. Drake
CLERK OF RECORD
DEPUTY

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ACRES

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CHANGE IN OWNERSHIP

RECEIVED

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

JUN 5 1991

[✓] Water Right Number(s): A22-00297

Department of Water Resources
Eastern District Office

[] Name and Address of Former Claimant(s): Teton West Corporation

2185 South 3600 West

West Valley City, UT 84119

[] New Claimant(s): MICHAEL C. GALLAGHER AND

FLOYCE M. GALLAGHER

[] New Mailing Address: 1338 E. WHITMAN

POCATELLO, IDAHO 83201

New Telephone Number: (208) 232-4487

[] Does the change in ownership result in a splitting of the water right claimed? ✓ yes no
If yes, then describe the portion of the water right that is now claimed by the new owner:

10 Acres in the SW 1/4, SW 1/4 SEC. 31 TOWN R46E

[*] Attach proof of ownership

Describe proof attached: WARRANTY DEED (12/13/90)
(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.)

[] Signature of New Claimant(s): Michael C. Gallagher

Floyce M. Gallagher

Date: 6/3/91

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NOV 04 1992

CHANGE IN OWNERSHIP

Page 2

[] Signature of Former 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:

After form has been completed, please return to the nearest IDWR office below:

WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705
(208) 334-2190

EASTERN REGIONAL OFFICE
150 SHoup SUITE #15
IDAHO FALLS, IDAHO 83402
(208) 525-7161

STATE OFFICE

1301 N. ORCHARD ST.
STATEHOUSE MAIL
BOISE, IDAHO 83720
(208) 327-7906

SOUTHERN REGIONAL OFFICE
222 SHOSHONE STREET EAST
TWIN FALLS, ID 83301
(208) 734-3578

NORTHERN REGIONAL OFFICE
1910 NORTHWEST BLVD. SUITE 210
COEUR D'ALENE, IDAHO 83814
(208) 765-4639

MICROFILM

NOV 04 1992

WARRANTY DEED

For Value Received

Rita Simonson and Judy C. Simonson, both single persons
the grantors, do hereby grant, bargain, sell and convey unto

Department of Water Resources
Eastern District Office

Michael C. Gallagher and Floyce M. Gallagher, HUSBAND AND WIFE,
whose current address is

1338 East Whitman, Pocatello, ID 83201

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

Commencing at the Southwest corner of the Southwest Quarter also described
as Lot 4 of Section 31, Township 6 North, Range 46 East, Boise Meridian,
Teton County, Idaho, and running thence North 660 feet; thence East 660
feet; thence South 660 feet; thence West 660 feet to the point of beginning.
SUBJECT TO a 30 foot wide easement along the East side of the above
described property to be used in common with others for ingress and egress.

Containing approximately 10 acres, more or less.

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 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: December 13, 1990

Rita Simonson
Rita Simonson

Judy C. Simonson
Judy C. Simonson

STATE OF IDAHO, COUNTY OF Teton

On this 13th day of DECEMBER, 1990,
before me, a notary public in and for said State, personally
appeared

Rita Simonson
Judy C. Simonson, both single persons

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

R. Lothman
Notary Public
Residing at Rexburg, Idaho
Comm. Expires 06/15/91

107186

FILED

AT THE REQUEST OF

American Land

45 MINUTES PAST 11 a.m.

DATE Dec. 13, 1990

E. Wayne Schiess

Nora Hill

FILMED
INDEXED
ELATED