

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: **A22-00426A**
Date Received: 9/22/1988
Receipt No: M001391
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DON ATKINSON
Address: BOX 365
DRIGGS ID

208-354-8170

83422

2. Date of Priority: JUN 1, 1895

3. Source: DARBY CREEK

Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	46E	17	NW	NE			TETON

5. Description of diverting works:
HEADGATE/DITCH - CHERRY GROVE CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.500		

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

A.F.A.

8. Total consumptive use is 160.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	45E	13	SW	SE		IRR	40.0
			SE	SE		IRR	40.0

NOV 06 1990

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:
A22-11810, CHERRY GROVE CANAL CO.

14. Remarks:
THIS CLAIM IS BASED ON 1/2 OF DECREED RIGHT 22-00426.
*THIS RIGHT ORIGINALLY CLAIMED AS A22-11809. RENUMBERED 5-7-96 GT

15. Basis of Claim: DECREED

Water Right Number: 00426

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

TETON CANAL CO.
vs Decree Defendant

MICROFILMED
NOV 06 1996

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Received By: J.O.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON ATKINSON 208-354-8170
Address: BOX 365
DRIGGS, ID 83422

2. Date of Priority: JUN 01, 1895

3. Source: DARBY CREEK Trib. to: TETON RIVER

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Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	45E	13	SW	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 80.0

A22-11809

Page 1

Date: 09/22/88

~~RECEIVED~~
NOV 06 1992

10. Place of Use: Continued

Total Acres 80.0

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12. Do you own the property listed above as place of use? YES

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14. Remarks:
THIS CLAIM IS BASED ON 1/2 OF DECREED RIGHT 22-00426.

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Water Right Number: 00426
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON CANAL CO.
Decree Defendant

MICROFILMED

NOV 06 1988

~~MICROFILMED~~
NOV 06 1988

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): *Don Altman* Date: 9/22/88

Date: _____

State of Idaho)
County of Bonneville) SS.

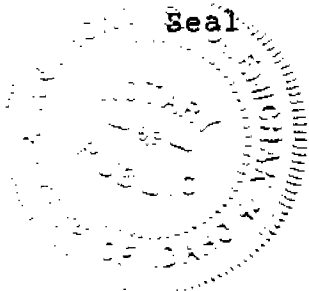
Subscribed and sworn (or affirmed) before me this 22nd day

of September 19 88

Anthony S. Alenchoh
Notary Public

Residing at *Idaho Falls*

My Commission Expires 9/12/1994



NOTARIAL
NOV 06 1988

~~NOTARIAL~~
NOV 06 1988

DATE: 02/20/98
PAGE: 1

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

~~NOV 8 6 1982~~

Area 11809

2





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 20, 1998

STEVEN & KENDRA SMITH
11391 9 MI RD
SOUTH LYON MI 48178

RE: CHANGE IN OWNERSHIP FOR A22-00426A, A22-00427A, A22-11475

Dear Mr. & Mrs. Smith:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure: Notice(s) of Claim

RECEIVED

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

DEC 26 1997

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

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) with down OK OK
Adjudication Claim Number(s) A22-11475, A22-00427A, A22-00426A

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) DON ATKINSON 190 EAST LITTLE

DRIGGS, IDAHO 83422

4. New Owner/Claimant(s) STEVEN & KENDRA SMITH

Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR

New Mailing Address 11391 9mi Rd

City, State and ZIP Code South LYON MICH 48178

New Telephone Number (248) 437-0659

5. Date you acquired the property 1988-1993

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 HAY & PASTURE

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) Steven & Kendra Smith Date 12-12-97

Date _____

(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.

MAR 29 1991

TETON Co. Id.
Clerk Recorder

WARRANTY DEED

Warranty Deed made March 13, 1991, between Don Atkinson aka Don Dee Atkinson and Kristi Atkinson, husband and wife of 383 S 100 E, Driggs, Idaho 83422 referred to as grantor, and Steven H. Smith and Kendra J. Smith, husband and wife of Box 2595, Livonia, Michigan 48151, referred to as grantee.

Grantor in consideration of the sum of Ten Dollars (\$10.00), the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and does hereby grant, bargain, sell, convey, and confirm unto grantee and his heirs and assigns forever, all the following described real estate situated in Teton County, Idaho:

Township 4 North, Range 45 East, Boise
Meridian, Teton County, Idaho.

Section 13: S1/2SE1/4

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title, and interest in and to the property, as well in law as in equity.

To have and to hold, all and singular the above-described premises together with the appurtenances unto grantee and his heirs and assigns forever.

And grantor and his heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of grantee, his heirs, and assigns against grantor and his heirs and against all and every person and persons whomsoever, lawfully claiming the same.

Grantor has hereunto set his hand on the day and year first above written.


Don Atkinson
aka Don Dee Atkinson


Kristi Atkinson

30 1993

112721

WARRANTY DEED

TETON Co. Id.
Clerk Recorder

For Value Received DON D. ATKINSON and KRISTI L. ATKINSON, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
STEVEN H. SMITH and KENDRA J. SMITH, husband and wife
whose address is: BOX 2595, LIVONIA, MI, 48151

Hereinafter called the Grantee, the following described premises situated in Teton County, Idaho, to-wit:

Beginning at the Northwest corner of the S1/2SW1/4 of Section 18, Township 4 North, Range 46 East, Boise Meridian, Teton County, Idaho, and running thence East 660 feet; thence South 660 feet; thence West 660 feet; thence North 660 feet to the point of beginning.

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 Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:

Don D. Atkinson
DON D. ATKINSON

Kristi L. Atkinson
KRISTI L. ATKINSON

STATE OF IDAHO)
: ss
COUNTY OF TETON)

On this 30th day of April, in the year 1993, before me, a Notary Public in and for said State, personally appeared DON D. ATKINSON and KRISTI L. ATKINSON, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.

112721

FILED

AT THE REQUEST OF

First American

AT 15 MINUTES PAST 3 P M

DATE April 30, 1993

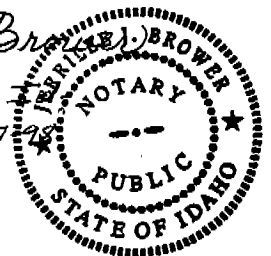
Asa J. Drake
CLERK OF RECORDER

BY Nora Rigby
DEPUTY

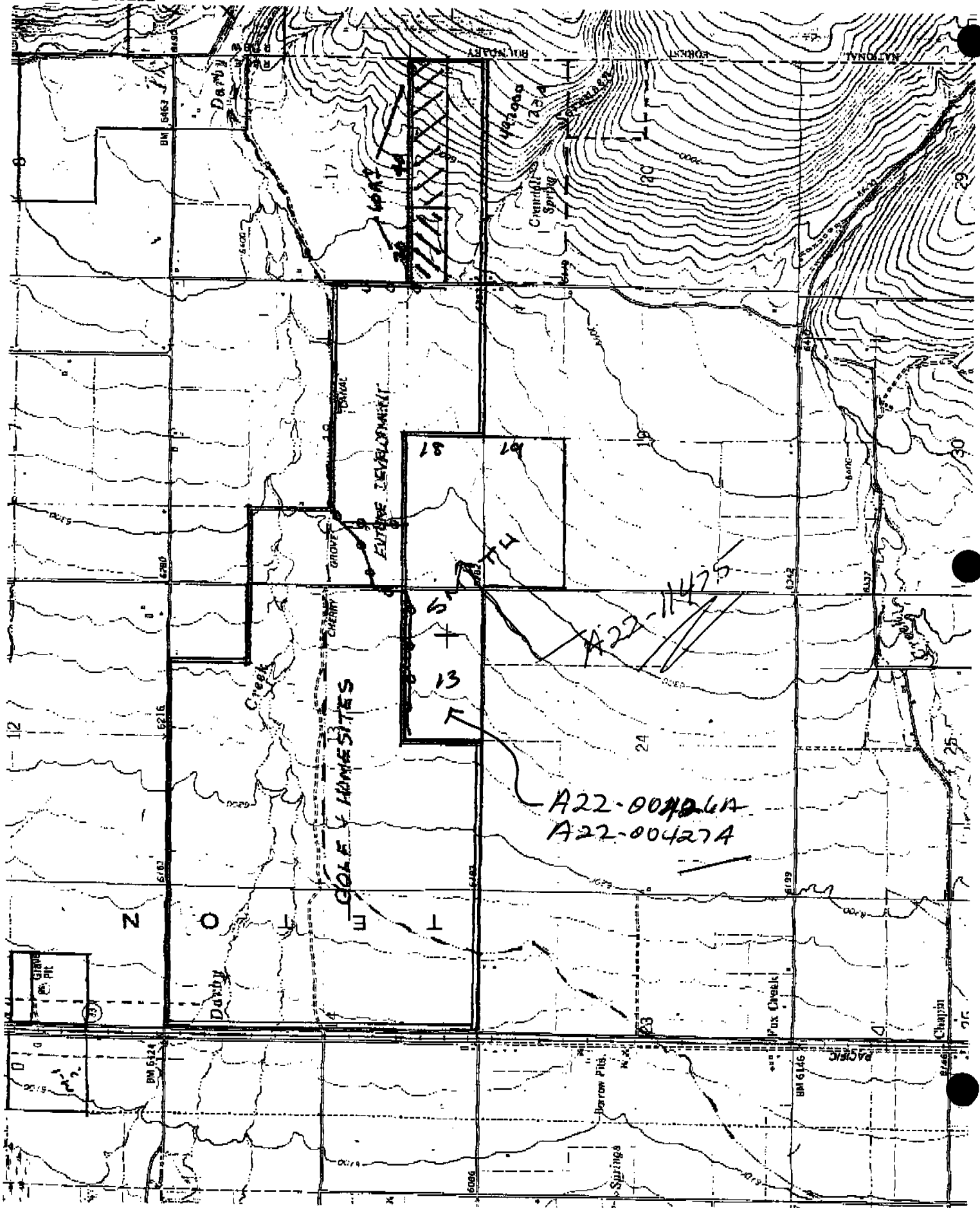
Terrie J. Brower
Notary Public of Idaho

Residing at Tetonia, Idaho

Commission Expires 2-27-98



Water right Number A 22-11475
Sec 18- S1/2SW1/4 - 10A



GOLF & HOMESITES

A22-00426A
A22-00427A

A22-11425

3/4 m

TOTAL P.03

1 88
2 75

17
T363

SEE J-12 L0

2 443

HEL

3
18 283

1 448

24

19

4 798

HE