

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 22-668C
Date Received: 3/31/1989
Receipt No: X777777
Received By:

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

1. Name of Claimant(s)

TODD WILSON Phone: (208) 456-0921

535 W 1100 N
PO BOX 182
TETONIA ID USA 83452

DANIELLE WILSON Phone: (208) 456-0921

535 W 1100 N
PO BOX 182
TETONIA ID USA 83452

2. Date of Priority: 04/01/1939

3. Source: BADGER CREEK , BADGER CREEK Trib. to: TETON RIVER , TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
06N	45E	8	NW	SE	NE	TETON	
06N	45E	7	NE	NE	NW	TETON	

5. Description of diverting works:

CHECK ACROSS BADGER CRK W/ FLASH BOARDS TO RAISE WATER LEVEL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.4	

7. Total Quantity Appropriated is:
0.4 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	44E	1	NE	NE	IRRIGATION	20
Section Acres						20
Total Acres						20

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 RIGHT PAID FOR UNDER RECEIPT #C006139

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: A22-00668C
Date Received: 3/31/1989
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILE:

1. Name:	TIM TANNER	208-351-2774
Address:	PO BOX 190	
	TETONIA ID	83452
AND/OR		
Name:	JOHNNA TANNER	208-351-2774
Address:	PO BOX 190	
	TETONIA ID	83452
AND/OR		
Name:	JON FISHBURN	208-351-2774
Address:	PO BOX 190	
	TETONIA ID	83452

A2200668C



2. Date of Priority: APR 1, 1939

3. Source: BADGER 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	7	NE	NE	NW		TETON
		8	NW	SE	NE		TETON

5. Description of diverting works:

CHECK ACROSS BADGER CRK W/ FLASH BOARDS TO RAISE WATER LEVEL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

A.F.A.

8. Total consumptive use is 80.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	44E	1	NE	NE		IRR	20.0
Section Acres							20.0
Total Acres							20.0

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:

A22-00286D AND A22-00052C

14. Remarks:

THIS RIGHT PAID FOR UNDER RECEIPT #C006139.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

NATHAN RICKS

Decree Plaintiff

HENRY EAGLE, WATERMASTER.

vs Decree Defendant

MICROFILMED

NOV 16 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 5, 2001

TODD & DANIELLE WILSON
535 W 1100 N
PO BOX 182
TETONIA ID 83452

RE: CHANGE IN OWNERSHIP FOR A22-52C, 22-286D AND
22-668C

Dear Mr. & Mrs. Wilson:

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,

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

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

OK JC
 10-5-01
RECEIVED
OCT 04 2001

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

Department of Water Resources
 Eastern Region

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
22-0284 ✓	22-286D				
22-031E	22-52C				
22-045 ✓	22-668C				
22-045	22-13192 ✓				
22-046	22-13194 ✓				

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)

Clara Ward
Tetonia, Idaho 83452

4. New Owner/Claimant(s)

Todd + Danielle Wilson
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

Box 182

City, State and ZIP Code

Tetonia, Id 83452

New Telephone Number

(208) 454-0921

Physical Address

5. Date you acquired the property

Sept, 1998

535101100 N
Tetonia

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	_____	20 acres
Stock	_____	15-25 head horses
Domestic	_____	home
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)

Danielle Wilson 10/02/01
10/2/01

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 _____	AI Date _____	WR _____ Date _____



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

SEPTEMBER 2, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

TIM TANNER
PO BOX 190
TETONIA ID 83452

RE: CHANGE IN OWNERSHIP FOR A22-00286B, -00052A, -00668A

Dear Mr. Tanner:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) A22-00286B, -00052A, and -00668A have been split as follows:

A22-00668B, KIMBROUGH, 0.40 CFS; 20 ACRES
A22-00668C, TANNER, 0.40 CFS; 20 ACRES

A22-00052B, KIMBROUGH, 0.40 CFS; 20 ACRES
A22-00052C, TANNER, 0.40 CFS; 20 ACRES

A22-00286C, KIMBROUGH, 0.40 CFS; 20 ACRES
A22-00286D, TANNER, 0.40 CFS; 20 ACRES

Review the Notices and if there are other corrections or questions, feel free to contact this office (525-7161). If there are no questions, please keep these Notices for your records.

Respectfully submitted,

Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notice(s) of Claim

cc: MARVIN KIMBROUGH/COPY CLAIMS/LETTER

MICROFILMED

NOV 06 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DATE OF CLOSING: _____

SEP 01 1994

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, Eastern District Office
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all 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)

☐ Water Right Number(s)
Assigned by IDWR:

SPLIT SPLIT SPLIT
A22-00286B, 00052A, 00668AC

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

LOLA J. KIMBROUGH
AKA LOLA BETTY
FELT, IDAHO

☐ New Owner/Claimant
(Purchaser):

TIM & JOHNNA TANNER & JON FISHBURN

☐ New Mailing Address:

P.O. BOX 190
TETONIA, IDAHO, 83452

☐ New Telephone Number:

(208) 351-2774

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached:

(NEW WARRANTY 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 owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

Tim Tanner
Johnna Tanner

Date 8/29/94

Date 8/29/94

☐ Signature of Former
Owner/Claimant(s):

Date _____

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:

MICROFILMED

NOV 06 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

RECEIVED

114931

WARRANTY DEED

JAN 04 1994

TETON Co. Id.
Clerk Recorder

For Value Received LOLA J. KIMBROUGH aka LOLA BETTY

Hereafter called the Grantor, hereby grants, bargains, sells and conveys unto

TIM V. TANNER & JOHNNA L. TANNER, husband and wife, and JON FISHBURN, a single man
whose address is: 39 HOLLANDALE ROAD, DANBURY, CT, 06811

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

W/2 of Lot 1 of Section 1, Township 6 North, Range 44 East, Boise Meridian, Teton County, Idaho.

TOGETHER WITH all gas, oil, water, mineral and geothermal rights now owned by the Grantor.

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 provided 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, assigns and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee of the said premises, that said premises are free from all encumbrances except current years taxes, levies, and assessments, and subject to the said reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will defend the said premises from all claims whatsoever.

Witness my hand

Lola J. Kimbrough aka Lola Betty
LOLA J. KIMBROUGH aka LOLA BETTY

STATE OF IDAHO)

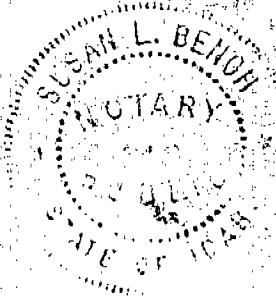
: SS

COUNTY OF Teton Falls)

On this 20th day of December, 1993, in the year 1993, before me, a Notary Public in and for said State, personally appeared LOLA J. KIMBROUGH aka LOLA BETTY, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that she executed the same.

Susan L. Bench

Notary Public of Idaho
Residing at Twin Falls, Idaho
Commission Expires 9-25-98



114931

FILED

AT THE REQUEST OF

First American

25 MINUTES PAST 9 a.m.

DATE MICROFILMED

Alonzo D. Drake

RECEIVED

114931

WARRANTY DEED

JAN 04 1994

TETON Co. Id.
Clerk Recorder

For Value Received: LOLA J. KIMBROUGH aka LOLA BETTY

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

TIM W. TANNER & JOHNNA L. TANNER, husband and wife, and JON FISHBURN, a single man
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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 provided 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, assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner of the said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will defend the same from all claims whatsoever

IN

Lola J. Kimbrough aka Lola Betty
LOLA J. KIMBROUGH aka LOLA BETTY

STATE OF IDAHO)
COUNTY OF Teton Falls) SS

On this 20th day of December, 1993, in the year 1993, before me, a Notary Public in and for said State, personally appeared LOLA J. KIMBROUGH aka LOLA BETTY, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.

Susan L. Bench

Notary Public of Idaho
Residing at Twin Falls, Idaho
Commission Expires 9-25-98

114931

FILED

AT THE REQUEST OF

First American

AT 25 MINUTES PAST 9 a.m.

DATE JAN 04 1994

Theresa D. Dwyer

Post-It brand fax transmittal memo 7671		* of pages *
To	TAM TANNER	
From	J. C. Thompson	
Co.		
Dept.		
Phone #	525-7161	
Fax #	203 746 6589	
Fax #	525-7177	

6 DISTRICT OF THE STATE OF IDAHO,
WIN 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: A22-00286B
Date Received: 7/18/1988
Receipt No: E 000770
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARVIN D. KIMBROUGH 208-456-2672
Address: P.O. BOX 117
TETONIA, ID 83452
Name: LOLA J. KIMBROUGH
Address: P.O. BOX 117
TETONIA, ID 83452

2. Date of Priority: JUN 01, 1898

3. Source: BADGER 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	7	NE	NE	NW		TETON
		8	NW	SE	NE		TETON

5. Description of diverting works:
(SEE REMARKS)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		

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

A.F.A.

8. Total consumptive use is 160.0 Acre Feet Per Annum

9. Non-irrigation uses:

NOV 06 1990

A22-00286B

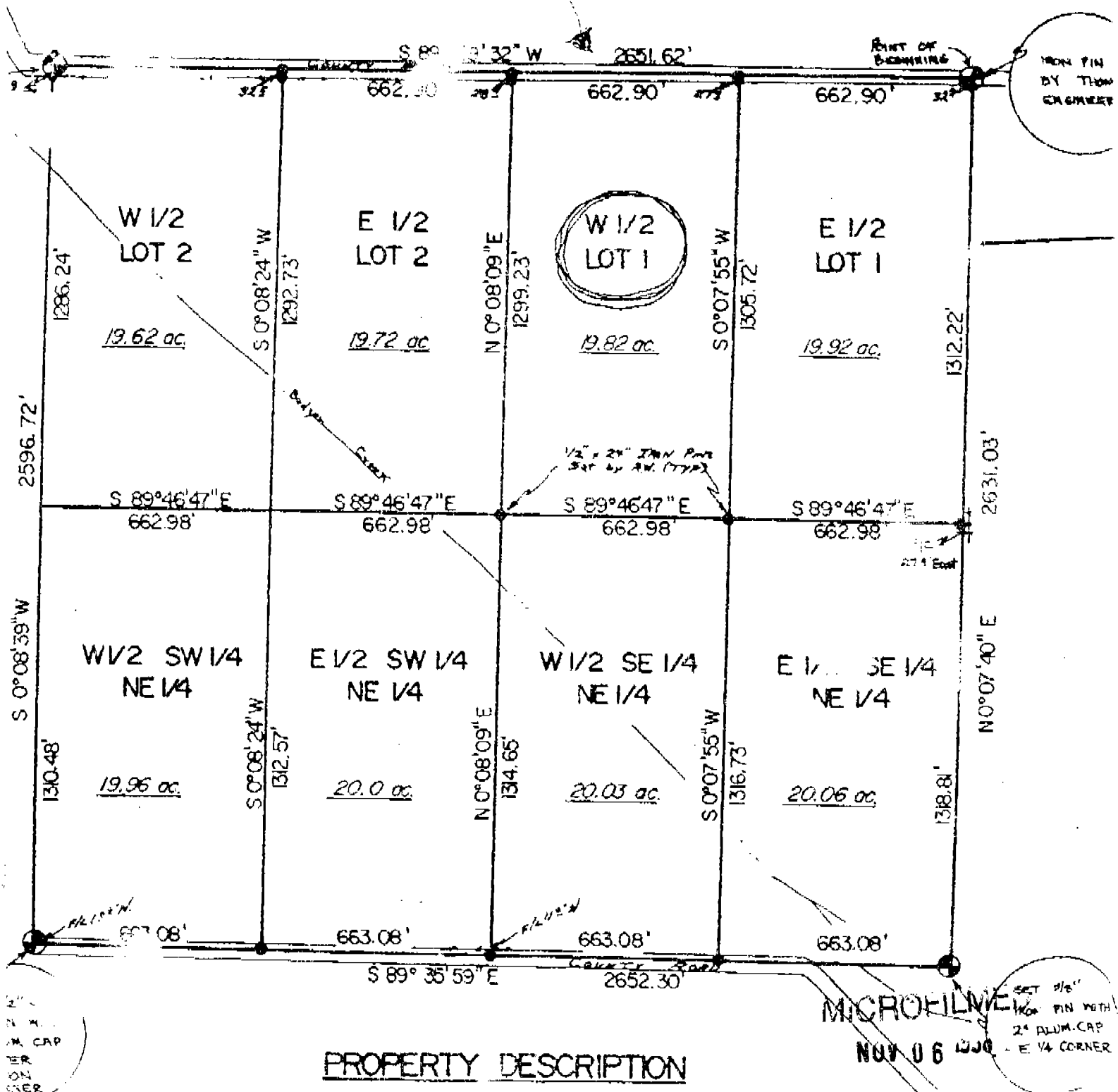
Page 1

Date: 07/18/88

MICROFILMED
NOV 04 1992

THIS IS
THE PARCEL WE'LL
BE BUYING.

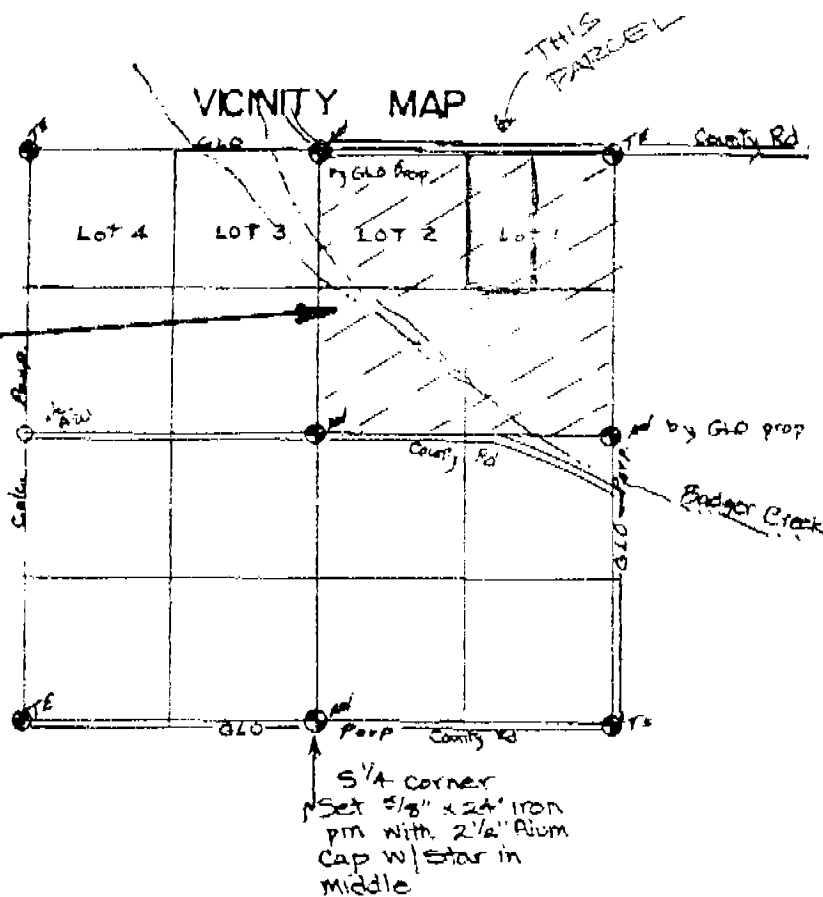
SURV SEC. 1, TWP. 6N, R



PROPERTY DESCRIPTION

A property survey of the NE 1/4 of Section 1, Twp. 6N, Rng. 44E, E. Teton County, Idaho, being further described as beginning at the NE corner of Section 1, Twp. 6N, R. 44 E, B.M. Teton County, Idaho and running thence S 89° 32' W, 2651.62 ft., thence S 0° 08' 39" W, 2596.72 ft., thence S 89° 35' 59" E, 2652.30 ft., thence N 0° 07' 40" E, 2631.03 ft. to the point of beginning.

R. 44 E., B.M.



NOTED
RECORDED
PLATTED

100537

100537

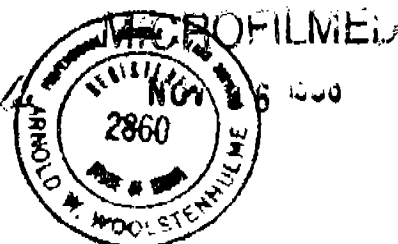
A.W. Engineering
50 10 W
March 16, 1987
E. Wayne, Jr.
Nora Hill

CERTIFICATE OF SURVEY

I, Arnold W. Woolstenhulme, being a registered Engineer / Land Surveyor in the State of Idaho, No. 2860, do hereby certify that I did survey the tracts of land as herein described and plotted.

Arnold W. Woolstenhulme

Oct. 7, 1986



STATE

SE L	First Name	OWN	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
	KIMBROUGH						
	MARVIN D.	C	A22-00286B	06/01/1898	BADGER CREE	0.800	01 IRR
	LOLA J.	C	A22-00286B	06/01/1898	BADGER CREE	0.800	01 IRR
	MARVIN D.	C	A22-10227	04/25/1988	GROUNDWATER	0.040	43 DOMEST
	LOLA J.	C	A22-10227	04/25/1988	GROUNDWATER	0.040	43 DOMEST
	LOLA S.	C	A22-00668A	04/01/1939	BADGER CREE	0.800	01 IRR
	MARVIN D.	C	A22-00052A	01/22/1916	BADGER CREE	0.800	01 IRR
	LOLA	C	A22-00052A	01/22/1916	BADGER CREE	0.800	01 IRR
	MARVIN D.	C	A22-00668A	04/01/1939	BADGER CREE	0.800	01 IRR

(Menu)

05 0000

TO: DEPT. OF WATER RESOURCES,
IDAHO FALLS.

ATTN: JO

HERE ARE MAPS & LEGAL
DESCRIPTIONS OF THE 19.82 ACRES
YOU WILL BE PURCHASING.

THANK YOU SO MUCH FOR YOUR

TIM TANNER

203-746-6589
778-9450

MICROFILMED
NOV 06 1990

Sent FAX of ²²⁻086B Friday

7-7-94

Called 203-778-9450 (Tanner) left msg. to

Call me back or c/o 208-351-2774

7-14-94 Sent c/o farm + asked for signed copy of
W. Deed + c/o farm.

TO: DEPT. OF WATER RESOURCES,
IDAHO FALLS.

ATTN: JO

JO, HERE ARE MAPS & LEGAL
DESCRIPTIONS OF THE 19.82 ACRES
WE WILL BE PURCHASING.

THANK YOU SO MUCH FOR YOUR
HELP.

TIM TANNER

203-746-6589
778-9450

MICROFILMED

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