



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

APR 24 1995

Department of Water Resources

RECEIVED

MAY 03 1995

Department of Water Resources
Eastern District OfficeDATE OF CLOSING: May 1, 1990LEGAL DESCRIPTION OF PROPERTY: Township 5 North Range 44 EastSection 26, SW 1/4 of 1/4 of 1/4 Govt. Lot

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:

A2200298B/299B

A2200033

No - R - records

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

CLEON B. KUNZ

1808 24th Avenue

San Francisco, CA

☐ New Owner/Claimant
(Purchaser):

J-J RANCH PARTNERSHIP, an Illinois Partnership

☐ New Mailing Address:

c/o Neal Mermall

8310 Kenton

Skokie, IL 60076

☐ New Telephone Number:

(708) 673 - 3776

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x 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:

Copy of recorded 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)

J-J RANCH PARTNERSHIP

Date

By:

Neal Mermall Partner

Date 18 APR 95

☐ Signature of Former
Owner/Claimant(s):

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

MICROFILMED

NOV 06 1995

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:

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

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, HENRIED FOR THE COUNTY OF TETON

NEWEL MADSEN,

Plaintiff,

vs.

R. G. MIEKLE, as Water Master of
Water District No. 360 of the
State of Idaho; and LOUIE BUXTON,

Defendants,

and

ALBERT GILBERT,

Intervenor.

AT TEN MINUTES PAST 11.

DATE 4/13/1933

Earl Floyd
CLERK OF DIST. COURT

BY

DEPUTY

DECREE

This cause came regularly on for trial on the 19th day of April, 1932, before the Honorable Jay L. Downings, Presiding District Judge, sitting without a jury, at Briggs, Teton County, Idaho, Merrill & Merrill, Attorneys at Law, and Newel Madsen, Attorney at Law, appeared for and on behalf of the plaintiff; George L. Edgington, Attorney at Law, appeared for and on behalf of the defendant, Louie Buxton. The defendant, R. G. Mickle as Water Master of Water District No. 360 did not appear in person or by attorney. S. R. Atchley, Attorney at Law, appeared for and on behalf of the Intervenor, Albert Gilbert. It appeared to the Court that this action was originally instituted by Anton O. Mickelson, as plaintiff, against E. B. Edlefsen, as Water Master of Water District No. 360 of the State of Idaho, John R. Clausen, John D. C. Kruger, Sallie G. Haines, Newel Haines, J. C. Thomsen, Charles J. Martin, and C. G. Keller, as defendants, and that thereafter the said Anton O. Mickelson sold, transferred and conveyed his rights described in his original complaint to Newel Madsen and by proper order of this Court the said Newel Madsen was substituted as plaintiff for and in the stead of Anton O. Mickelson; and that thereafter the said E. B. Edlefsen ceased to act as Water Master of District No. 360, as aforesaid, and that R. G. Mickle was duly appointed Water Master of Water District No. 360 of the State of Idaho, and as such was by proper Order of this Court substituted in said action as defendant for and in the place of E. B. Edlefsen; and it further appeared that thereafter the said original defendants, John R. Clausen, John D. C. Kruger, Sallie G. Haines, Newel Haines, J. C. Thomsen, Charles J. Martin and C. G. Keller, duly and regularly quit claimed and transferred their various interests possessed by them at the time of the institution of this suit to the predecessor-in-interest of Louie Buxton, and that the said Louie Buxton became the owner of the lands and water rights herein-after described and previously owned or claimed by said defendants, and that proper substitution of said parties defendant was by order of this Court duly made. It further appeared upon order duly made and entered that said cause was ordered to proceed in the name of the real parties in interest, to wit: Newel Madsen as plaintiff and R. G. Mickle as Water Master of Water District No. 360 of the State of Idaho, and Louie Buxton as defendants, and Albert Gilbert as Intervenor, who had been permitted and allowed to intervene in said cause. Evidence was there-upon introduced by and on behalf of the respective parties in support of the issues framed by the Pleading Complaint and Supplemental Complaint of the plaintiff, the Answer of the defendant, Louie Buxton thereto, the complaint of the Intervenor, Albert Gilbert, and the Answer

of the plaintiff thereto. Said cause was thereafter briefed, argued and submitted to the Court for decision. The Court, having heretofore made and entered its findings of fact and conclusions of law, makes and enters this its decree, whereby it is ORDERED, ADJUDGED AND DECREED, AS FOLLOWS, TO WIT:

22-0298A
22-0299A
22-0300
1. That the plaintiff, Axel Ladsen, take nothing by reason of his complaint, save and except the right to the use of all waters decreed to the lands owned by him by that certain decree dated December 16, 1910, and also that portion of the waters decreed to the lands now owned by Louie Burton, and which waters have been abandoned by the said Louie Burton and her predecessors-in-interest, that is to say: that the plaintiff is entitled to divert from the main channel of Horseshoe Creek, the natural flow of the water thereof, twenty (20) miners inches of water with a priority of September 1, 1897, and two hundred thirty-five (35) miners inches with a priority of June 1, 1898, and one hundred sixty (60) miners inches with a priority of June 1, 1900. Said waters are to be diverted from said Horseshoe Creek at a point near the South line of the Northeast quarter of the Northwest quarter (NE¹/₄ NW¹/₄) of Section Twenty-seven (27), in Township Five (5), North Range Forty-four (44), East of the Boise Meridian, in Teton County, Idaho, and to be carried in the ditch constructed for such purpose for irrigation, domestic, culinary and other beneficial uses upon the

West half of the Southeast quarter (W¹/₂ SE¹/₄) and the East half of the Southeast quarter (E¹/₂ SE¹/₄), of Section Twenty-two (22); the Northwest quarter of the Northeast quarter (NW¹/₄ NE¹/₄), the Northeast quarter of the Northwest quarter (NE¹/₄ NW¹/₄), and the East half of the Northeast quarter (E¹/₂ NE¹/₄), of Section Twenty-seven (27), Township Five (5), North Range Forty-four (44), East of the Boise Meridian, in Teton County, Idaho.

22-0298B
22-0299B
2. That the defendant, Louie Burton, is entitled to divert from the main channel of Horseshoe Creek from the natural flow of water of ten (10) miners inches with a priority of September 1, 1897, and 55 miners inches with a priority of June 1, 1898. Said water is to be diverted at a point near the South line of the Northeast quarter of the Northwest quarter (SE¹/₄ NW¹/₄) of Section Twenty-seven (27), Township 5, North Range 44, East of the Boise Meridian, in Teton County, Idaho, and to be carried in the ditch constructed for such purpose for irrigation, domestic, culinary and other beneficial uses upon the:

Southwest quarter (SW¹/₄) of Section Twenty-six (26), Township Five (5), North Range Forty-four (44), East of the Boise Meridian, in Teton County, Idaho.

3. That the balance of the right decreed to the lands now owned by Louie Burton by that decree of December 16, 1910, to wit: All but sixty-five (65) miners inches, has been abandoned and that said abandoned right has been appropriated by the said plaintiff herein and is contained within the decreed right of the said plaintiff, hereinbefore specifically set forth.

decreed by
stunt decree
40267
20268
4. That the Intervenor, Albert Gilbert, take nothing by reason of his Complaint in Intervention, save and except the right to the use of all waters decreed to the lands owned by him by that certain decree dated December 16, 1910, that is to say: that the Intervenor is entitled to divert from the main channel of Horseshoe Creek, from the natural flow of the water thereof, one hundred and twenty (120) miners inches of water with a priority of June 1, 1892, and forty (40) miners inches of water with a priority of June 1, 1902. Said waters

are to be diverted from said Horseshoe Creek at a point four hundred feet North of the North line of the Northeast quarter (NE $\frac{1}{4}$) of Section Twenty-two (22), in Township Five (5), North Range Forty-four (44), East of the Boise Meridian, in Teton County, Idaho, and to be carried in the ditch constructed for such purpose for irrigation, domestic, culinary and other beneficial uses upon the

The Northeast quarter of the Northeast quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Eleven (11), and the North half of the Northwest quarter (NW $\frac{1}{2}$), and the Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Twelve (12) in Township Five (5), North Range Forty-four (44), East of the Boise Meridian, in Teton County, Idaho.

5. That in all respects, save and except as in this decree modified, explained or changed, the rights of the respective parties, by virtue of that certain decree affecting said waters and lands herein described, entered December 16, 1910, are hereby ratified and confirmed.

6. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said parties and their successors-in-interest are each enjoined and restrained from interfering with or molesting the rights of the respective parties to the use of the waters aforesaid.

7. That each party shall bear and defray his or her own costs.

DATED, this 17th day of April, 1933.

Jay L Downing
Presiding District Judge.

STATE OF IDAHO)
) ss.
COUNTY OF TETON)

Filed for Record at the Request of Clerk at 2 o'clock P. M. this 19 day of April 1933 and Recorded in Book 59 of Judgments page 75 Records of Teton, County, State of Idaho.

Earl Floyd
Recorder.

Instrument 25116

Inst. No. 25116

CERTIFICATE OF TRUE COPY

I, Earl Floyd, Auditor and Recorder, in and for Teton County, State of Idaho, do hereby certify that the attached is a full, true and correct copy of that certain Decree from Howel Ladsen to R. C. Liddle and Albert Gilbert in Book 59 of Judgments, at Page 75 of Teton County, filed for record April 19, A. D. 1933, at 2:00 o'clock P. M., and now on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 18th day of July, A. D. 1933.

Earl Floyd
Auditor and Recorder.

By Bertha D. Dautsch
Deputy.