

05/01/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13705

NAME AND ADDRESS: BRONSTEIN FAMILY TRUST
6167 PARKRIDGE DR
PARK CITY UT 84098

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.160 CFS
42.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.24 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 42 AF. COMBINED RIGHT NOS.:
22-13702, 22-13705, 22-13708.

PRIORITY DATE: 05/02/1953

POINT OF
DIVERSION: T05N R45E S3 NENENE Lot 1 Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.160 CFS 42.00 AFY

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S03 Lot 1 NENE	6.00	T05N R45E S03 Lot 2 NWNE	6.00
12 ACRES TOTAL			

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 22-13702, 22-13705, 22-13708.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right Nos. 22-13703, 22-13704, 22-13705, 22-13706, 22-13707, and
22-13708 are diverted through point of diversion described above.

This right is a split from former right 22-2151B.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

May 1, 2007

KEITH BRONSTEIN, TRUSTEE
JENNIE LEE BRONSTEIN, TRUSTEE
BRONSTEIN FAMILY TRUST
6167 PARKRIDGE DR
PARK CITY UT 84098

RE: Notice of Change of Water Right Ownership (NCO) for
22-625B, 22-2151B, 22-2161A and Notice of Completed
Administrative Proceeding (NCAP)

Dear Claimants:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

)

Water Rights: 22-2151B split into
22-13703, 22-13704, 22-13705

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party Split Kunz-Kunz, Ferrell and Bronstein Family Trust
- ☐ I.C. § 42-222 transfer
- | | |
|---|--|
| ☐ point of diversion | ☐ place of use |
| ☐ period of use | ☐ nature of use |
| ☐ split of water right | ☐ change in ownership |

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 5-4-07

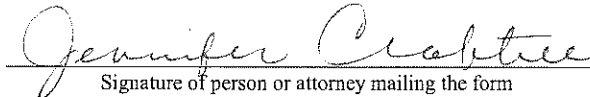


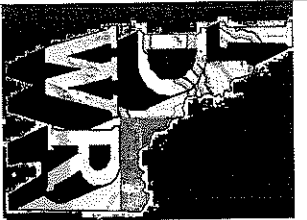
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 7, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
ARNOLD & LOLA KUNZ
PO BOX 48
VICTOR ID 83455
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
ARNOLD & LOLA KUNZ LYNN FERRELL BRONSTEIN FAMILY TRUST
PO BOX 48 484 N 100 W 6167 PARKRIDGE DR
VICTOR ID 83455 TETONIA ID 83452 PARK CITY UT 84098
4. One copy to:
Each party in the subcase, or attorney of record
N/A
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form



Idaho Department of Water Resources

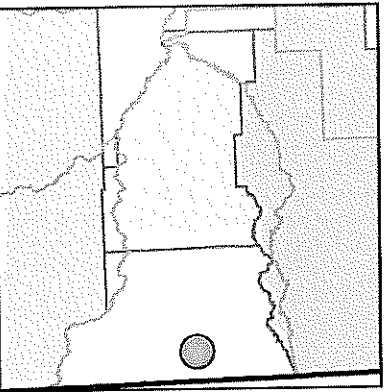
SRBA Recommendation:

22-13705, 22-13708

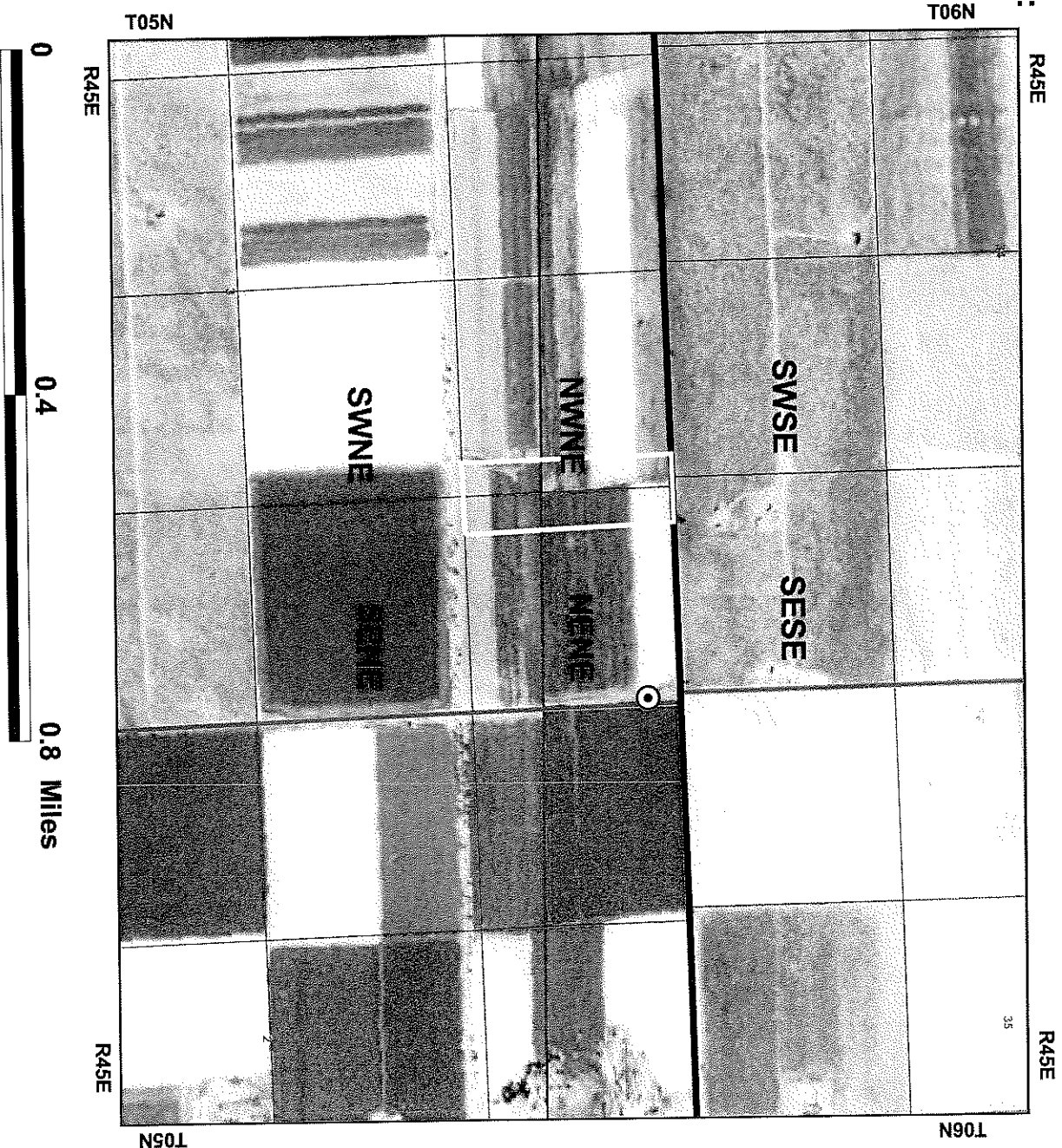
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22



Prepared by J. Crabtree
On Tuesday, May 1, 2007
1987/88 Aerial Photography

RECEIVED
JAN 12 2007
Department of Water Resources
Eastern Region

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

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 (under the "split" heading), 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(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
22-625 B version		✓			
22-2151 B version		✓			
22-2161 A version		✓			
22-10036 version - disallowed					

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) is 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) Arnold Kunz
4. New Owner/Claimant(s) P.O. Box 48, Victor, ID. 83455
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address Keith Bronstein / Bronstein Family Trust
- City, State and ZIP Code 6167 Park Ridge Dr
Park City, UT 84098
- New Telephone Number (435) 513-0480
5. Date you acquired the property 1/8/07

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 will not be split, skip this area and proceed to item 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)  Trust
 (title if applicable)

 (title if applicable)

For IDWR Office Use Only:

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

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **194747-T (lm)**

Date: **December 27, 2006**

For Value Received, **James E. Ferrell, an unmarried man and Lynn A. Ferrell, an unmarried woman, who took title as James E. Ferrell and Lynn A. Ferrell, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Keith M. Bronstein and Jennie Lee Bronstein and as Trustees of the Bronstein Family and Trust Dated February 25, 2003**, hereinafter called the Grantee, whose current address is **6167 Parkridge Drive, Park City, UT 84098**, the following described premises, situated in **Teton County, Idaho**, to-wit:

FROM THE NE CORNER OF SECTION 3, TOWNSHIP 5 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, S 89°48'39" W, 66.0 FEET TO THE SOUTHEAST CORNER OF SECTION 34; THENCE N 00°34'57" W, 30.00 FEET TO THE NORTH BANK OF THE DESERT CANAL; THENCE N 89°43'06" W, 996.46 FEET TO THE POINT OF BEGINNING; THENCE S 00°07'16" E, 1335.99 FEET TO A POINT; THENCE S 89°31'25" W, 463.69 FEET TO A POINT; THENCE N 00°07'16" W, 1342.12 FEET TO A POINT ON THE NORTH BANK OF DESERT CANAL; THENCE S 89°43'06" E, 463.70 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A RIGHT-OF-WAY FOR INGRESS AND EGRESS DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SECTION 3, TOWNSHIP 5 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY IDAHO, AND RUNNING THENCE SOUTH 00°17'15" EAST, 1919.00 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING; THENCE NORTH 89°31'24" EAST, 5287.56 FEET MORE OR LESS TO THE EAST SECTION LINE OF SAID SECTION 3; THENCE S 70 FEET, MORE OR LESS TO THE NORTH BANK OF THE HOG CANAL; THENCE WESTERLY ALONG THE NORTH BANK OF THE HOG CANAL 5287.56 FEET MORE OR LESS, TO THE WEST SECTION LINE OF SAID SECTION 3; THENCE NORTH ALONG THE SECTION LINE 60 FEET, MORE OR LESS TO THE TRUE POINT OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its 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.

RECEIVED

DEC 28 2006

TETON CO., ID
CLERK RECORDER

183834

WARRANTY DEED

For Value Received James E. Ferrell and LYNN A. Ferrell (husband & wife)

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

James Ferrell
P.O. Box 6247
Hilo, Hawaii 96720
Lynn Ferrell
484 North 100 West
Tetonia, Idaho 83452
whose address is;

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

REMAINDER PARCEL

FROM THE NE CORNER OF SECTION 3, TWP 5 N,
RNG 45 E, B.M. TETON COUNTY, ID.

S 89° 48' 39" W. 66.0 FEET TO THE SOUTHEAST
CORNER OF SECTION 34:

THENCE N 00° 34' 57" W. 30.00 FEET TO THE NORTH
BANK OF THE DESERT CANAL;

THENCE N 89° 43' 06" W. 996.46 FEET TO THE POINT
OF BEGINNING;

THENCE S 00° 07' 16" E. 1335.99 FEET TO A POINT;
THENCE S 89° 31' 25" W. 463.69 FEET TO A POINT;
THENCE N 00° 07' 16" W. 1342.12 FEET TO A POINT;

ON THE NORTH BANK OF DESERT CANAL;
THENCE S 89° 43' 06" E. 463.70 FEET TO THE POINT
OF BEGINNING. CONTAINS 14.25 ACRES MORE OR LESS
SUBJECT TO DESERT CANAL EASEMENTS ALONG
THE NORTH SIDE.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning
ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments
as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its 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: December 7, 2006 Lynn A. Ferrell

STATE OF Idaho

COUNTY OF Teton

On this 7 day of December, 2006, before me a Notary Public, personally appeared Lynn A. Ferrell, 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 he/she/they executed the same.

LAURIE L. MILNER
NOTARY PUBLIC
STATE OF IDAHO

Laurie L. Milner
Notary for Idaho
Residing Rexburg
com. exp 8/19/2011

183834

WARRANTY DEED

For Value Received James E. Ferrell and LYNN A. Ferrell (husband
+ wife

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

James Ferrell
P.O. Box 6247
Hilo, Hawaii
96720

Lynn Ferrell
484 North 100 West
Teton, Idaho
83432

whose address is:

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

REMAINDER PARCEL

FROM THE NE CORNER OF SECTION 3, TWP 5 N,
RNG 45 E, B.M. TETON COUNTY, ID.

S 89° 48' 39" W. 66.0 FEET TO THE SOUTHEAST
CORNER OF SECTION 34:

THENCE N 00° 34' 57" W. 30.00 FEET TO THE NORTH
BANK OF THE DESERT CANAL:

THENCE N 89° 43' 06" W. 996.46 FEET TO THE POINT
OF BEGINNING:

THENCE S 00° 07' 16" E. 1335.99 FEET TO A POINT

THENCE S 89° 31' 25" W. 463.69 FEET TO A POINT

THENCE N 00° 07' 16" W. 1342.12 FEET TO A POINT
ON THE NORTH BANK OF DESERT CANAL:

THENCE S 89° 43' 06" E. 463.76 FEET TO THE POINT
OF BEGINNING. CONTAINS 14.25 ACRES MORE OR LESS.
SUBJECT TO DESERT CANAL EASEMENTS ALONG
THE NORTH SIDE.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning
ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments
as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its 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:

12-13-06 James E. Ferrell

STATE OF Hawaii
COUNTY OF Hawaii

On this 13th day of Dec., 2006, before me a Notary Public, personally appeared James E. Ferrell, 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 he/they executed the same.

L. Kuroshita
Notary Public - State of Hawaii
My Comm. Exp. 11-1-09

183834