

LAW OFFICES

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
 KENT W. FOSTER
 ROBERT E. FARNAM
 WILLIAM D. FALER
 STEPHEN E. MARTIN
 CHARLES A. HOMER
 GARY L. MEIKLE
 GAYLE A. SORENSON, P.A.
 DONALD L. HARRIS
 MARIE T. TYLER
 JOHN G. SIMMONS, P.A.
 ROBERT M. FOLLETT
 KUMEN L. TAYLOR
 JAMES K. SLAVENS

WEST ONE BANK
 P.O. BOX 50130
 330 SHOUP AVENUE
 IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
 TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
 702 W. IDAHO SUITE 810
 BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
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BOISE OFFICE

WM. LYMAN BELNAP, P.A.
 RANDALL B. REED
 FREDERICK J. HAHN III
 RONALD D. CHRISTIAN

ARTHUR W. HOLDEN
 (1877-1967)
 ROBERT B. HOLDEN
 (1911-1971)
 TERRY L. CRAPO
 (1939-1982)
 WILLIAM S. HOLDEN
 (1907-1968)

June 23, 1993

RECEIVED

JUN 24 1993

Mr. Gregory J. Taylor
 Senior Water Agent, Adjudications
 STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 900 North Skyline Drive
 Idaho Falls, Idaho 83402-1718

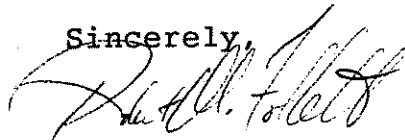
Department of Water Resources
 Eastern District Office

Dear Mr. Taylor:

I received the Notices of Claim to Water Rights reflecting a change in ownership in Water Right No's 22-7319 and 22-7262 to The Allen Ball and Connie Ball Living Trust. Upon review of these Notices, it appears everything is in order with the possible exception of the name of the claimant as identified on each of the two Notices. As you know, the name of the owner and claimant is "The Allen Ball and Connie Ball Living Trust." On the two Notices, the claimant is identified as "Connie Ball Living Trust" "and/or" "Allen Ball Living Trust." I presume your records reflect the correct ownership and claims in the water rights in The Allen Ball and Connie Ball Living Trust and that the identification of claimant(s) on the Notices would not prevent either your agency or any court adjudicating these rights to identify the owner as other than The Allen Ball and Connie Ball Living Trust. There is no "Connie Ball Living Trust" or "Allen Ball Living Trust." The only owner of these water rights is "The Allen Ball and Connie Ball Living Trust." If necessary, please correct the Notices of Claim to reflect the correct owner.

If you have any questions regarding this matter, please give me a call.

Sincerely,



Robert M. Follett

RMF:jpr

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APR 11 1994



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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

JUNE 18, 1993

ROBERT M FOLLETT
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

RE: CHANGE IN OWNERSHIP FOR A22-07319 AND A22-07262

Dear Mr. Follett:

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

Enclosed are typed Notices with your client's 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 these Notices for your client's records.

Respectfully submitted,

for *Jo Thompson*
Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notices of Claim

File: P

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ROBERT B. HOLDEN
(1911-1971)
TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

June 15, 1993

RECEIVED

JUN 17 1993

Idaho Department of Water Resources
900 North Skyline Drive
Idaho Falls, Idaho 83402-1718

Department of Water Resources
Eastern District Office

RE: Water Right Nos. 22-7319 and 22-7262

Gentlemen:

Please find enclosed for filing an Assignment of Notice of Claim, which has been executed by Moritz O. and Carol M. Bergmeyer, and a Notice Concerning Water Rights for Property, which has been executed by Moritz O. and Carol M. Bergmeyer and by Allen Ball and Connie Ball, as trustees of the The Allen Ball and Connie Ball Living Trust, dated January 6, 1990.

If you have any questions or concerns, please contact our office directly. Thank you for your kind attention to this matter.

Yours very truly,



Robert M. Follett

1825g/srs

Enclosure

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JUN 17 1993

Department of Water Resources
Eastern District Office

NOTICE CONCERNING WATER RIGHTS FOR PROPERTY
(to be mailed to the Idaho Department of Water Resources)

DATE OF CLOSING: June 3, 1993.

LEGAL DESCRIPTION OF PROPERTY: (lot and block, where applicable, and Township, Range, Section, sixteenth section)

[X] Served Only by a Public Service Water Supply (domestic 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)

[X] Water Right Number(s): 22-7319 and 22-7262.

[X] Name and Address of Former Owner/Claimant(s): Moritz O. Bergmeyer
Grand Targhee
Alta, Wyoming via
Driggs, Idaho 83422

[X] New Owner/Claimant(s): The Allen Ball and Connie Ball
Living Trust

[X] New Mailing Address: 5465 South 5th West
Idaho Falls, Idaho 83404

[X] New Telephone Number: (208) 523-2977

[X] Does the change in ownership result in a splitting of the water right claimed? yes X no

If yes, then describe the portion of the water right that is now claimed by the new owner:

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[X] Signature of New
Owner/Claimant(s):

Allen Ball
Allen Ball, as trustee of the Allen
Ball and Connie Ball Living Trust

Connie Ball
Connie Ball, as trustee of the Allen
Ball and Connie Ball Living Trust

Date:

[X] Signature of Former
Owner/Claimant(s):

Moritz O. Bergmeyer
Moritz O. Bergmeyer

Carol Mann Bergmeyer
Carol Mann Bergmeyer

Date:

[] Attach proof of
ownership, describe
proof attached:

(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..

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Dated: By:

Final Review and Data-Entry

Dated: By:

Claim Numbers of Split, if any:

#1335.00
94781/srs

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JUN 17 1993

State of Idaho

Department of Water Resources

ASSIGNMENT OF NOTICE OF CLAIM(S)

Department of Water Resources
Eastern District Office

We, Moritz O. Bergmeyer and Carol Mann Bergmeyer, hereby assign to Allen Ball and Connie Ball as trustees of The Allen Ball and Connie Ball Living Trust of 5465 South 5th West, Idaho Falls, Idaho 83404.

Address

All our right, title, and interest in and to Notice of Claim No(s). 22-7319 and 22-7262 to a Water Right Acquired Under State Law.

The following described portion of our right, title, and interest in and to Notice of Claim No(s). _____

to a Water Right Acquired Under State Law.

(If assigning a portion, describe that portion of the claim being assigned by listing the acreage within each 40-acre tract, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 3rd day of June, 1993.

Signature of Claimant(s)

Moritz O. Bergmeyer

Carol Mann Bergmeyer

By: Carol Mann Bergmeyer *CMB*
Moritz O. Bergmeyer, as Attorney-in-fact for Carol Mann Bergmeyer

STATE OF IDAHO)

) ss.

County of Teton)

On this 3rd day of June, 1993, personally appeared before me MORITZ O. BERGMEYER, ~~individually and as attorney-in-fact for CAROL MANN-BERGMEYER~~, the signer of the above instrument, who duly acknowledged to me that he executed the same for himself and as attorney-in-fact for said Carol Mann Bergmeyer.

Notary Public _____
Residing at _____
My Commission Expires _____

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APR 11 1994

STATE OF IDAHO)
 : ss
COUNTY OF TETON)

On this 3rd day of June, in the year 1993, before me, a Notary Public in and for said State, personally appeared MORITZ O. BERGMEYER and CAROL MANN BERGMEYER, 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.



Jerrilee G. Brower
Notary Public of Idaho
Residing at Teton, Idaho
Commission Expires 2-27-98

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APR 11 1994

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

~~A22-07319~~

CLAIMANT'S NAME BERGMEYER, MORITZ O.

CLAIM IDENT. NO. A22-07262

DATE RECEIVED 9-29-88 CK # 12173 AMOUNT \$ 1060⁰⁰

	YES	NO
1. Is the name and address complete with zip code?	☒	☐
2. Is a priority date entered?	☒	☐
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.		
3. (a) Is a source entered?	☒	☐
(b) Is a tributary to entered? (if required)	N/A	☐
4. Is the legal description of the p.d. sufficient?	☒	☐
5. Is there a description of the diverting works?	☒	☐
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐
Is the period of use included?	☒	☐
Is a quantity claimed for each use?	☒	☐
7. Is a total quantity claimed entered?	☒	☐
8. If required is a consumptive use entered?	N/A	☐
Is the consumptive use correct?	N/A	☐
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	N/A	☐
10. Is (are) the place(s) of use entered?	☒	☐
11. Is (are) the county(ies) entered?	☒	☐
12. Is the ownership of p.u. checked?	☒	☐
13. Are other water rights listed or "none" indicated?	☒	☐
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	N/A	☐
15. Is the basis of the claim checked?	☒	☐
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☒	☐
Has the claim been signed, sealed, and dated by a notary?	☒	☐
Was this claim filed on time, or was an extension granted?	☒	☐
Is the fee enclosed correct?	☒	Exempt ☐
If this claim is based on an existing water right, has the identification number been entered?	N/A	☐
Should this claim be receipted and data entered?	☒	☐

2782

MICROFILMED

OCT 29 1982

Claim checked by: _____

Comments: PROOF SUPPLIED 1/29/1988 - PROOF DUE 11/01/1982
PROPERTY MOVED TO 1/29/1988 SEE ATTACHED WR REPORT