

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: 22-46A

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☒ Address change

☐ Substitution of Party

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

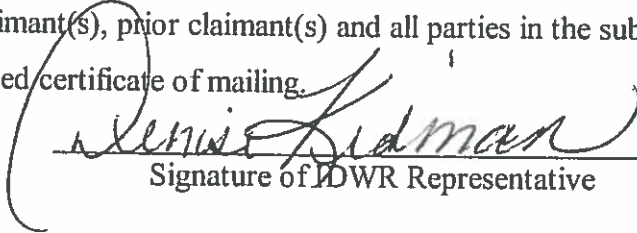
☐ period of use ☐ nature of use

☐ 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: 1-20-2010


Signature of IDWR Representative

SCANNED
JAN 20 2010

CERTIFICATE OF MAILING

I certify that on January 21, 2010, 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:
Karl Kay
Kitrina Kay
30 S 500 W
Driggs ID 83422

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
Karl Kay
Kitrina Kay
292 South 5000 West
Driggs ID 83422

4. One copy to:

Each party in the subcase, or attorney of record

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

Bobby Kern

Signature of person or attorney mailing the form

01/20/2010

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

RIGHT NUMBER: 22-46A
NAME AND ADDRESS: KITRINA KAY
292 SOUTH 5000 WEST
DRIGGS ID 83422

KARL KAY
292 SOUTH 5000 WEST
DRIGGS ID 83422

SOURCE: TWIN CREEK TRIBUTARY: TETON RIVER
QUANTITY: 1.600 CFS
PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:
T05N R44E S36 NWSENE 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	1.600 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T05N R44E S36 NENE	22.80	T05N R44E S36 NWNE 0.70
	T05N R44E S36 SWNE	23.60	T05N R44E S36 SENE 28.00

75.1 ACRES TOTAL

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 - Decreed

SCANNED
JAN 20 2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**CHANGE IN ADDRESS**

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

RECEIVED**JAN 14 2010**Department of Water Resources
Eastern Region

[] Water Right Number(s): ~~22-446A~~ 22-446A AD5

[] Name(s): Karl Kay
Kristina Kay

[] Old Mailing Address: 30 S 500 W.
Driggs, Id

[] New Mailing Address: 292 S 5000 W
Driggs, Id

Telephone Number: (208) 313 - 3531

Email: Kfunnyfaem@hotmail.com

[] Signature(s) of Owner(s) Karl Kay
Kristina Kay
(Include your title if on behalf of company or organization)

Date: 1-13-10

Send to:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

SCANNED**JAN 20 2010**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only

Updated by _____

Date _____

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.

(Please print or type)

RECEIVED

OCT 26 2009

Department of Water Resources
Eastern Region

☒ Water Right Number(s): 22-46A ^{ADS}

☐ Name(s): Karl & Katrina Kay

☐ Old Mailing Address: 303 500W
Driggs Id
83422

☐ New Mailing Address: 292 South 500 West
Driggs Id 83422

Telephone Number: (208) 351 - 2440

Email: Kfunnyfarm@hotmail.com

☐ Signature(s) of Owner(s) Karl Kay
Katrina Kay

(Include your title if on behalf of company or organization)

Date: _____

Send to:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

SCANNED

DEC 30 2009

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

RIGHT NUMBER: 22-46A

NAME AND ADDRESS: KITRINA KAY
30 S 500 W
DRIGGS ID 83422

KARL KAY
30 S 500 W
DRIGGS ID 83422

SOURCE: TWIN CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.600 CFS

PRIORITY DATE: 01/22/1916

POINT OF
DIVERSION:

T05N R44E S36 NWSENE 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	1.600 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T05N R44E S36 NENE 22.80	T05N R44E S36 NWNE	0.70
	T05N R44E S36 SWNE 23.60	T05N R44E S36 SENE	28.00

75.1 ACRES TOTAL

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 - Decreed

Navigation Tools

Receipt Details for C088085

Status	Adjustment Type	Version
		1

General Information

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/25/2009 2:38:30 PM	2/25/2009 2:48:56 PM	STATE	\$65.00	Check
Payer	KARL R. KAY, KITRINA L. KAY			
IPG Transaction ID	0			

Account Information:

Check Number:	2860
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Comment SRBA Order Granting Motion to File Amended Claim and Setting Subcase Deadlines

Fee Details:						
Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$65.00	ADJUDICATION FILING FEE	41503	0337			1155



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.
Director

February 10, 2009

Karl and Katrina Kay
30 S 500 W
Driggs, ID 83422

Re: Amended Adjudication Claim

Dear Karl and Katrina,

This letter is to explain the enclosed documents to be filed with the SRBA court. I have included a copy of the amended claim and the Standard Form 4 (SF4). Please review the amended claim to verify the information is correct.

There are some areas of the SF4 that you will have to fill out; there will be a notation at every section that needs filling out. You need to sign the amended claim and have the SF4 notarized before you mail them to the court. On page 6 of the Standard Form 4, there is a list of persons you need to send copies of the amended claim and the SF4. I have included a copy of the original receipt which explains the break down of the fee. You will need to send a payment of \$65.00 along with the amended claim and SF4 to the court.

The map I have also included is for your reference. Please review all the information carefully and if you have any questions, please call me at the office.

Sincerely

Denise Kidman
Water Resource Agent

Enclosures

SCANNED
FEB 23 2009

PROFILED



SRBA Recommendation
22-46A
(IRRIGATION)

Idaho Department of Water Resources

Legend

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

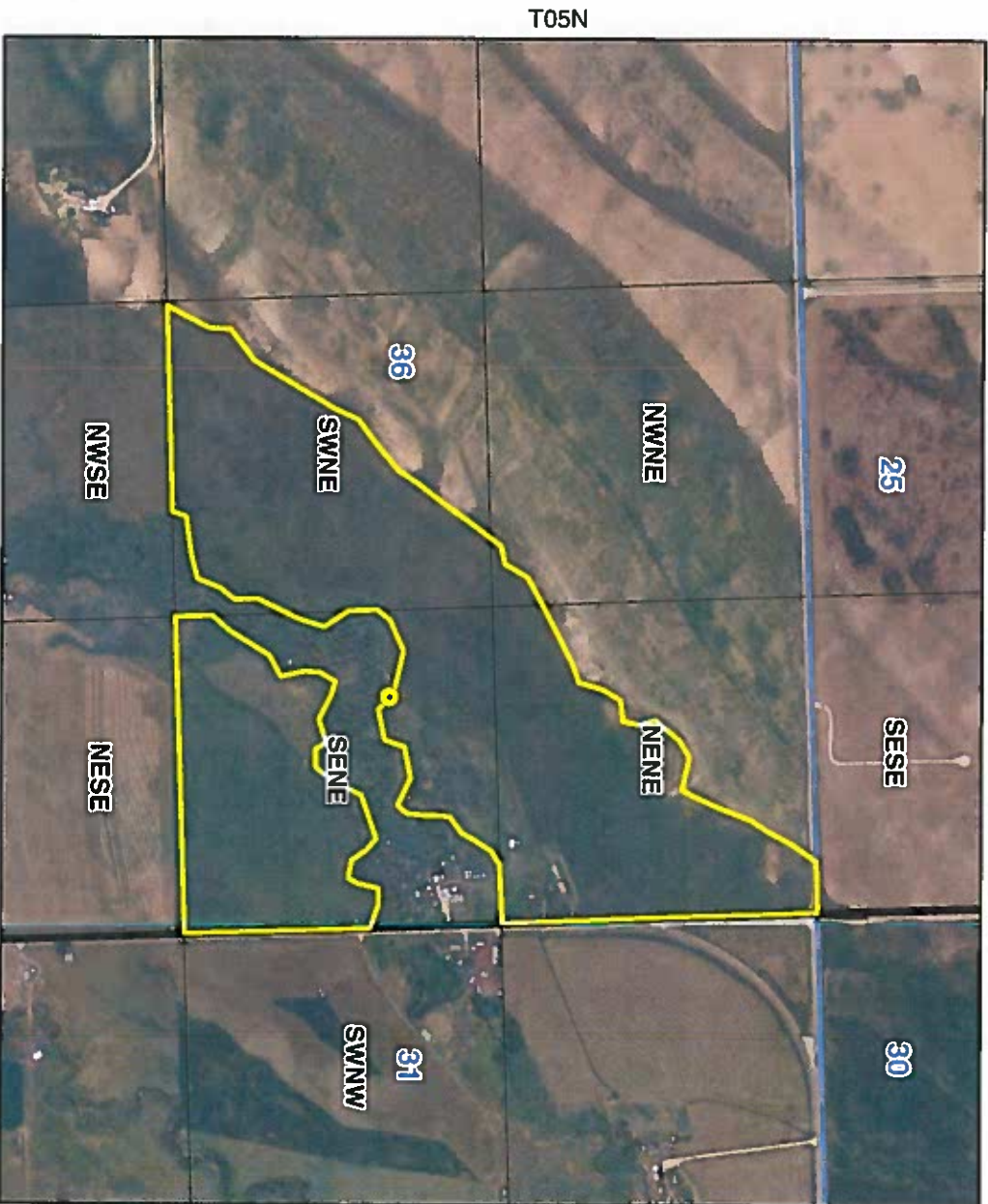


Teton County
IDWR Basin 22

Prepared by Denise Kidman
On February 23, 2009
2004 Aerial Photography



0 0.15 0.3 0.6 Miles



PROTECTED

SCANNED

FEB 23 2009



Idaho Department of Water Resources

MEMORANDUM

File: 22-46A
Date: 10-16-2008
Subject: Field Exam

Water right 22-46 was decreed SWNE, S1/2NWNE, E1/2SENE T5N R44E SEC 36 for 1.6 cfs under A.F. Murdock.

Ivan Kay filed a claim for 10 acres at 0.2cfs T05N R44E Sec 36 SENE. 22-46 was split into 22-46A. An explanation for the split was unable to be found and the remaining cfs for 22-46 was never claimed. Karl Kay had been and is currently the property owner of where the Rexburg Decree decreed WR 22-46. Dee O'Brian conducted the field exam and wrote notes of the delivery system but only recommended 4.2 acres. His field notes contained most of the information I collected on my visit.

Meet with Karl Kay on October 16, 2008 to have him show me the delivery system. The following information was collected at the onsite visit.

GPS N 43° 42.985' W 111° 12.369' - Dike

N 43° 43.069' W 111° 12.310' - POD, Headgate at Twin Creek

- There are actual pictures of the headgate from the previous field exam by Dee O'Brian.
- GPS reading places the POD in a different spot than originally recommended.
- Recommended POD will reflect the GPS reading.

N 43° 42.990' W 111° 12.352' - Ditch were Kay backs up ditch with hay bale to force water out onto pasture.

The information provided from Karl Kay and the onsite visit, it is clear that the following areas have been historically irrigated.

T05N R44E Sec 36	NWNE	IRRIGATION	0.7	
T05N R44E Sec 36	NENE	IRRIGATION	22.8	
T05N R44E Sec 36	SWNE	IRRIGATION	23.6	
T05N R44E Sec36	SENE	IRRIGATION	28.0	Roughly totaling: 75.1 acres and

Karl Kay will need to file an amended claim for the omitted acres from the original claim. The necessary paperwork and forms will be sent to him to complete and file with the court.

A layout for the Amended Claim was created to represent the POU and POD for WR 22-46A.

SCANNED

FEB 23 2009

PROFILED

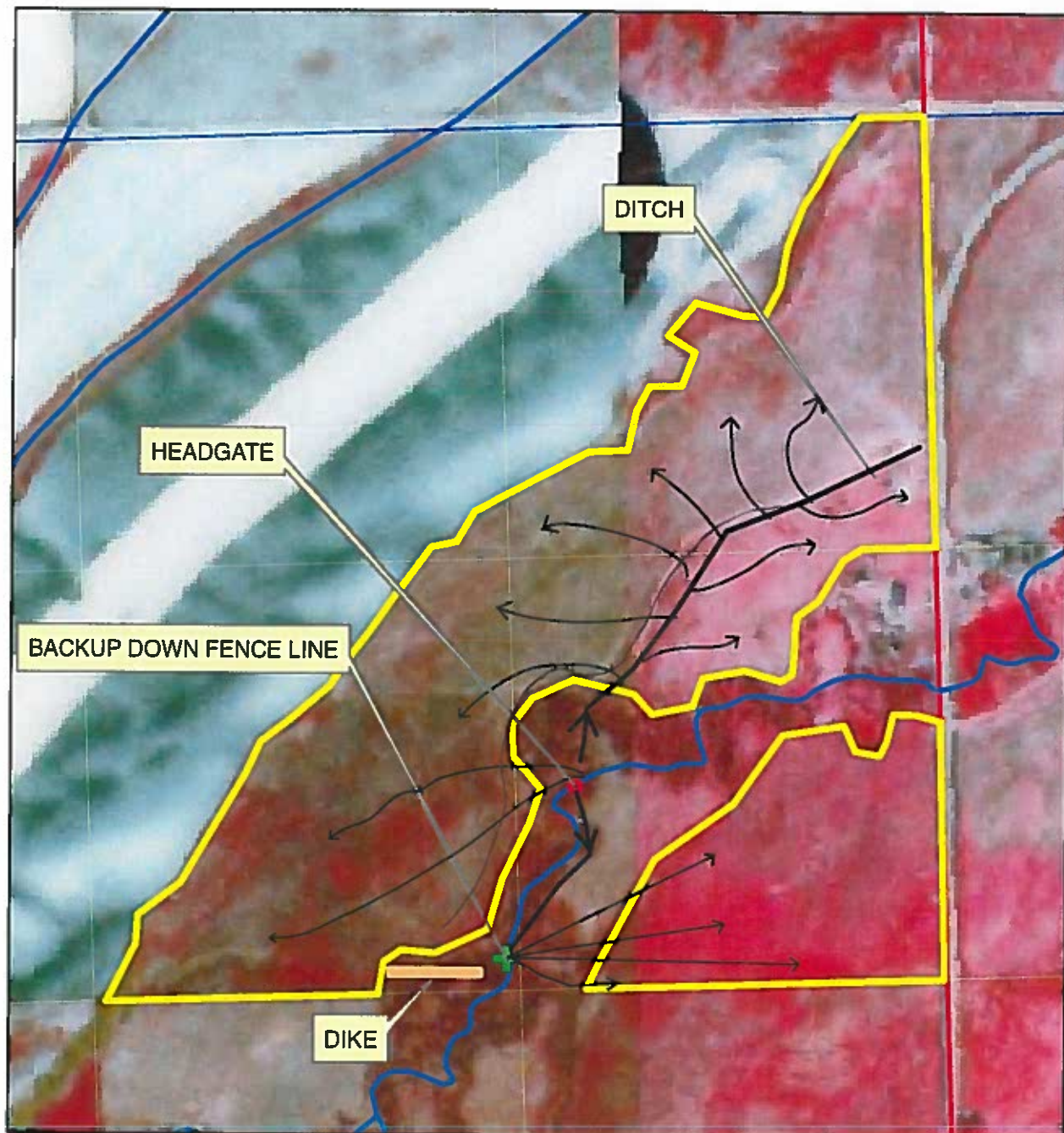
From the desk of Denise Kidman



Idaho Department of Water Resources

SRBA Amended Claim

22-46A (Irrigation)



Legend

- POD
- 22-46A
- Township/Range
- Sections
- QQ

0 0.035 0.07 0.14 0.21 0.28 Miles



Prepared by Denise Kidman
October 29, 2008
1987 Aerial Photography



Idaho Department of Water Resources

MEMORANDUM

File: 22-46A Karl and Kitrina Kay
Date: 8-21-2008
Subject: Initial Hearing Summary

Water right 22-46 was decreed SWNE, S1/2NWNE, E1/2SENE T5N R44E SEC 36 for 1.6 cfs under A.F. Murdock.

Ivan Kay filed a claim for 10 acres at 0.2cfs T05N R44E Sec 36 SENE. 22-46 was split into 22-46A. Dee O'Brian conducted the field exam and only found 4.2 acres being irrigated.

Karl Kay filed objection for "enough to cover 16.22 acres" "both sided of twin creek".

In our meeting on 8-21-2008, it became clear that the historical use doesn't match the way it was claimed. The Kay's run about 100 head of cattle across T05NR45E SEC31 SWNW, T05N R45E SEC 36 NENE, SENE, SWNE. They have irrigated over the above QQ from 1962 when they bought the property.

There are two ground water rights 22-12034, 22-12035. Need to check to see if they are supplemental.

A field exam may be required to confirm the irrigated acreage and investigate the system.

After researching how 22-46 was split and locate where the remaining 1.4 cfs that was decreed to 22-46, Kay's may be able to file a late claim. Courtney informed Karl that he will probably have to amend their claim to receive more acreage than 10 which was claimed.

Printed of map to show how/where irrigation takes place.

Cell number for Karl Kay 351-2440.

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

A: Subcase 22-46A
(insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B: NAME AND ADDRESS OF PERSON OBJECTING

Name: Karl R Key

Address: 305 500w

Driggs, Id 83422

Daytime Phone: 208-351-2440

Name & Address of Attorney, if any:

C: CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Karl - Juan - Laura Key

Address: 205 500w 305 500w

Driggs, Id Driggs, Id

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ Name and Address
Should be: Harold and Katrina Kay / 305500 W. Driggs, Idaho
2. ☒ Source Twin Creek
Should be: Dike above Burton ditch diversion.
3. ☒ Quantity
Should be: Enough to cover 16.22 acres
4. ☐ Priority Date
Should be: _____
5. ☒ Point(s) of Diversion
Should be: Twin Creek - Dike above Burton ditch
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☐ Place of Use
Should be: Both sides of twin creek

11. I object because:

☐ This water right should not exist.

☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): The original right was

for forty acres. I see didn't have enough up the creek
to find the dike.

F:

VERIFICATION (Must be Completed)

State of Idaho)
)ss.

County of Teton)

Karl or Kristine
(Name of person filing objection)

, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Karl Kay
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

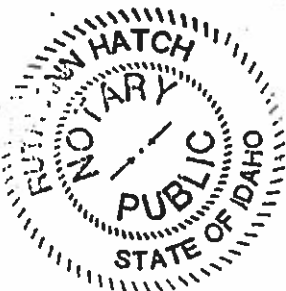
Karl Kay - July 11th

Ruth Ann Hatch

Notary Public for

Residing at: Driggs Id 83422

My Commission Expires: 10/07/10



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on July 12, ²⁰⁰⁷~~199~~, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Karl or Kit Kay
Address: 305 500w
Driggs, ID

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Karl Kay
Signature of Objector or attorney
mailing on Objector's behalf



Idaho Department of Water Resources

SRBA Recommendation:

22-46A

(Irrigation)

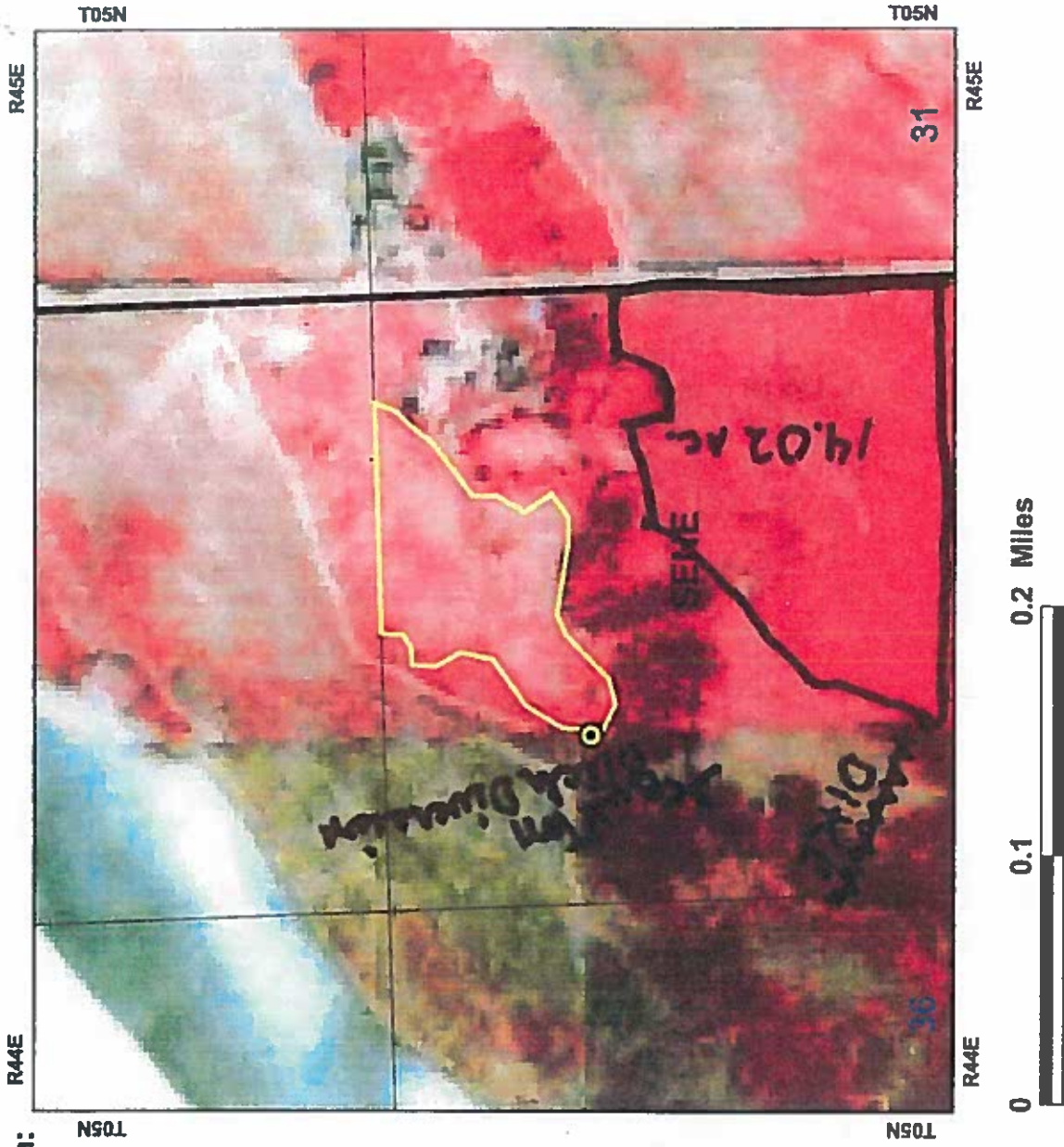
Legend

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



Teton County
IDWR Basin 22

Prepared by T. Galbraith
On Monday, August 21, 2006
1987/88 Aerial Photography





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

June 20, 2007

KARL & KITRINA KAY
30 S 500W
DRIGGS ID 83422

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RE: Notice of Change of Water Right Ownership (NCO) for 22-46A and Notice of Completed Administrative Proceeding (NCAP)

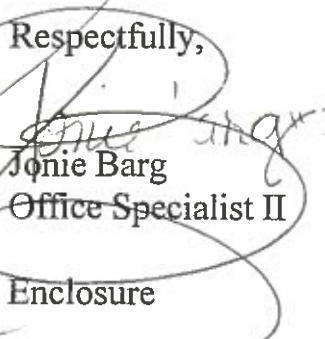
Dear Sir/Madam:

On June 28, 2007 the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

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 water right(s) as recorded in the SRBA.

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

Respectfully,


Jonie Barg
Office Specialist II

Enclosure

SCANNED
AUG 02 2007

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: 22-46A

Case No. 39576

)

)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party KAY-KAY

☐ 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: July 26, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 3, 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:
Ivan, Laura & Karl Kay
30 S 500 W
Driggs ID 83422

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
Karl & Kitrina Kay
30 S 500 W
Driggs ID 83422

4. One copy to:

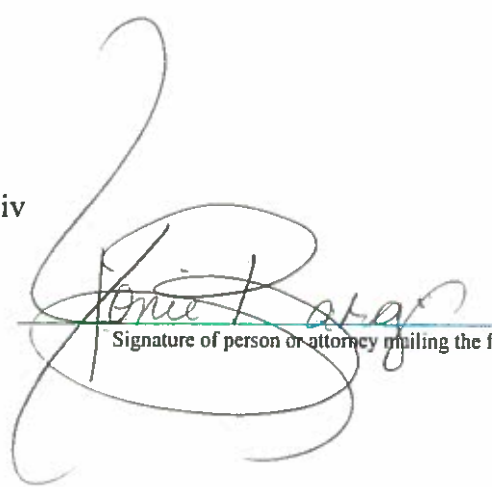
Each party in the subcase, or attorney of record

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

07/20/2007

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

RIGHT NUMBER: 22-46A
NAME AND ADDRESS: KITRINA KAY
30 S 500 W
DRIGGS ID 83422

KARL KAY
30 S 500 W
DRIGGS ID 83422

SOURCE: TWIN CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.080 CFS
PRIORITY DATE: 01/22/1916

POINT OF
DIVERSION: T05N R44E S36 NWSENE 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	0.080 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R44E S36 SENE 4.20

4.2 ACRES TOTAL

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 - Decreed

SCANNED

AUG 02 2007

WA
RECEIVED

JUN 22 2007

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

DEPARTMENT OF
WATER RESOURCES

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
	22-46A		22-12034		
			22-12035		
			as well as?		
			Letter sent		
			7-20-07		

2. The following **REQUIRED** information must be submitted:

- ☒ A. The appropriate **FILING FEE**. See instructions for fee.
- 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 on file with the county Planning and Zoning or Recorder's Office).
- OR
- D. 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 or equivalent **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)

Ivan Kay Laura Kay Karl Kay
30 S 500 W Driggs Id 83422

4. New Owner/Claimant(s)

Karl or Katrina Kay
Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

30 S 500 W

City, State and ZIP Code

Driggs Id 83422

New Telephone Number

(208) 354-2957

RECEIVED

JUN 28 2007

Department of Water Resources
Eastern Region

SCANNED

JUN 25 2007

5.

Date you acquired the property

May 14th - 1999

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 line 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)

Karl Kay
Litina Kay
owner
(title if applicable)owner
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Receipted by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

SCANNED

JUN 25 2007

SCANNED

AUG 02 2007

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

CERTIFICATE OF DEATH

DATE FILED: MAY 06, 1999

STATE FILE NUMBER: 99-03103

DECEDENT: IVAN FRED KAY

DATE OF DEATH: MAY 01, 1999
TIME OF DEATH: 1:45 P.M.

PLACE OF DEATH: DRIGGS, IDAHO

DATE OF BIRTH: JAN. 11, 1918

PLACE OF BIRTH: IDAHO

AGE: 81 YEARS

SEX: MALE

VETERAN? NO

MARITAL STATUS: WIDOWED

SOCIAL SECURITY NUMBER: [REDACTED] RESIDENCE: DRIGGS, IDAHO

FATHER: FRED H. KAY

FATHERS BIRTHPLACE: FLORIDA

MOTHER (MAIDEN): LOUISE OSBORNE

MOTHERS BIRTHPLACE: IDAHO

MORTUARY: VALLEY MORTUARY

MORTICIAN: SCOTT MCKAGUE

DRIGGS, IDAHO

DISPOSITION: BURIAL

CERTIFYING CORONER: SCOTT MCKAGUE

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

HEART FAILURE
AGE

IMMEDIATE

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

NONE LISTED

MANNER OF DEATH: NATURAL

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY.

DATE ISSUED: MAY 07, 1999

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

Jane S. Smith
JANE S. SMITH
STAT. REGISTRAR

SC
AUG



STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
COOPERATIVE CENTER FOR HEALTH STATISTICS

CERTIFICATE OF DEATH

DATE FILED: JULY 14, 1994

STATE FILE NUMBER: 94-04043

DECEDENT: LAURA KUNZ KAY

DATE OF DEATH: JULY 03, 1994 PLACE OF DEATH: DRIGGS, IDAHO

DATE OF BIRTH: MAR. 28, 1920 PLACE OF BIRTH: IDAHO

AGE: 74 YEARS SEX: FEMALE VETERAN? NO

MARITAL STATUS: MARRIED SURVIVING SPOUSE: IVAN F. KAY

SOCIAL SECURITY NUMBER: [REDACTED] RESIDENCE: DRIGGS, IDAHO

FATHER: ROBERT KUNZ

FATHERS BIRTHPLACE: IDAHO

MOTHER (MAIDEN): SOPHIE MCMURDY

MOTHERS BIRTHPLACE: IDAHO

MORTUARY: WADE FUNERAL HOME

MORTICIAN: MARK L. WADE

DRIGGS, IDAHO

DISPOSITION: BURIAL

CERTIFYING PHYSICIAN: LAWRENCE T. CURTIS, MD

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

CARDIAC ARRHYTHMIA

20 YEARS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

NONE LISTED

I certify that this is a true and correct reproduction or abstract of an official
record filed with the IDAHO COOPERATIVE CENTER FOR HEALTH STATISTICS.

JULY 15, 1994

DATE ISSUED: _____

JANE S. SMITH
State Registrar

JUN 27 2007

RECEIVED

MAY 14 1999

133874

TRUSTEE'S DEED

TETON CO., ID
CLERK RECORDER

GRANTOR, THE KAY FAMILY TRUST, KARL R. KAY, Trustee, of 20 South 500 West, Driggs, Idaho 83422, for a good and valuable consideration, the receipt of which is hereby acknowledged, do remise, release, and forever quitclaim unto GRANTEE, KARL R. KAY, Grantee's heirs and assigns, forever, all of Grantor's right, title and interest, now owned or hereafter acquired, in the following described real estate situated in Teton County, Idaho:

Lot 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 31, Township 5 North, Range 45, East Boise Meridian, Teton County, Idaho; and

N $\frac{1}{2}$, Section 36, Township 5 North, Range 44, East Boise Meridian, Teton County, Idaho.

Said parcel being subject to any easements, rights-of-way, covenants, conditions, restrictions, reservations, agreements or encumbrances of sight and/or record.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining.

GRANTOR has hereunto set its hand this 14th day of May, 1999.

THE KAY FAMILY TRUST, Grantor

By Karl R. Kay
KARL R. KAY, Trustee

133874

FILED

AT THE REQUEST OF

Karl Kay

AT 47 MINUTES PAST 10 A.M.

DATE May 14, 1999

Nolan G. Boyle

CLERK OF RECORD

BY Nora Rigby
DEPUTY

SCANNED

JUN 7 5 2007

SCANNED

AUG 02 2007

133874

STATE OF IDAHO)
 : ss
County of Teton)

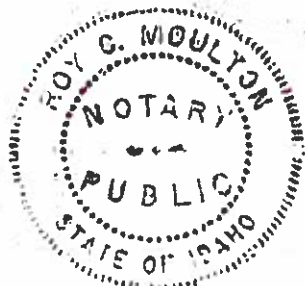
On this 14th day of May, 1999, before me, a Notary Public in and for said State, personally appeared KARL R. KAY, known or identified to me to be the TRUSTEE of THE KAY FAMILY TRUST that executed the instrument or the person who executed the instrument on behalf of said Entity, and acknowledged to me that such Entity executed the same.



Notary Public of

Residing at

Commission Expires:



QUITCLAIM DEED - 2
150 KayFT-KR.QCD

133874

SCANNED

JUN 7 5 2007

SCANNED

AUG 0 2 2007



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.
Director

July 20, 2007

KARL & KITRINA KAY
30 S 500 W
DRIGGS ID 83422

RE: Water Rights 22-46A

DEAR CLAIMANT:

On June 28, 2007 our office received a Notice of Change in
Ow [redacted] office will process it as soon as
pos [redacted] ore
Wa [redacted] ese
Wa [redacted] of
\$2 [redacted]
me [redacted] tact
71 [redacted] 25-

R [redacted]

Jonie Baig
Office Specialist II
Enclosure

SCANNED
JUN 20 2007



Idaho Department of Water Resources

SRBA Recommendation:

22-46A

(Irrigation)

SCANNED
JUN 08 2007

Legend

Point of Diversion

Place of Use

Townships

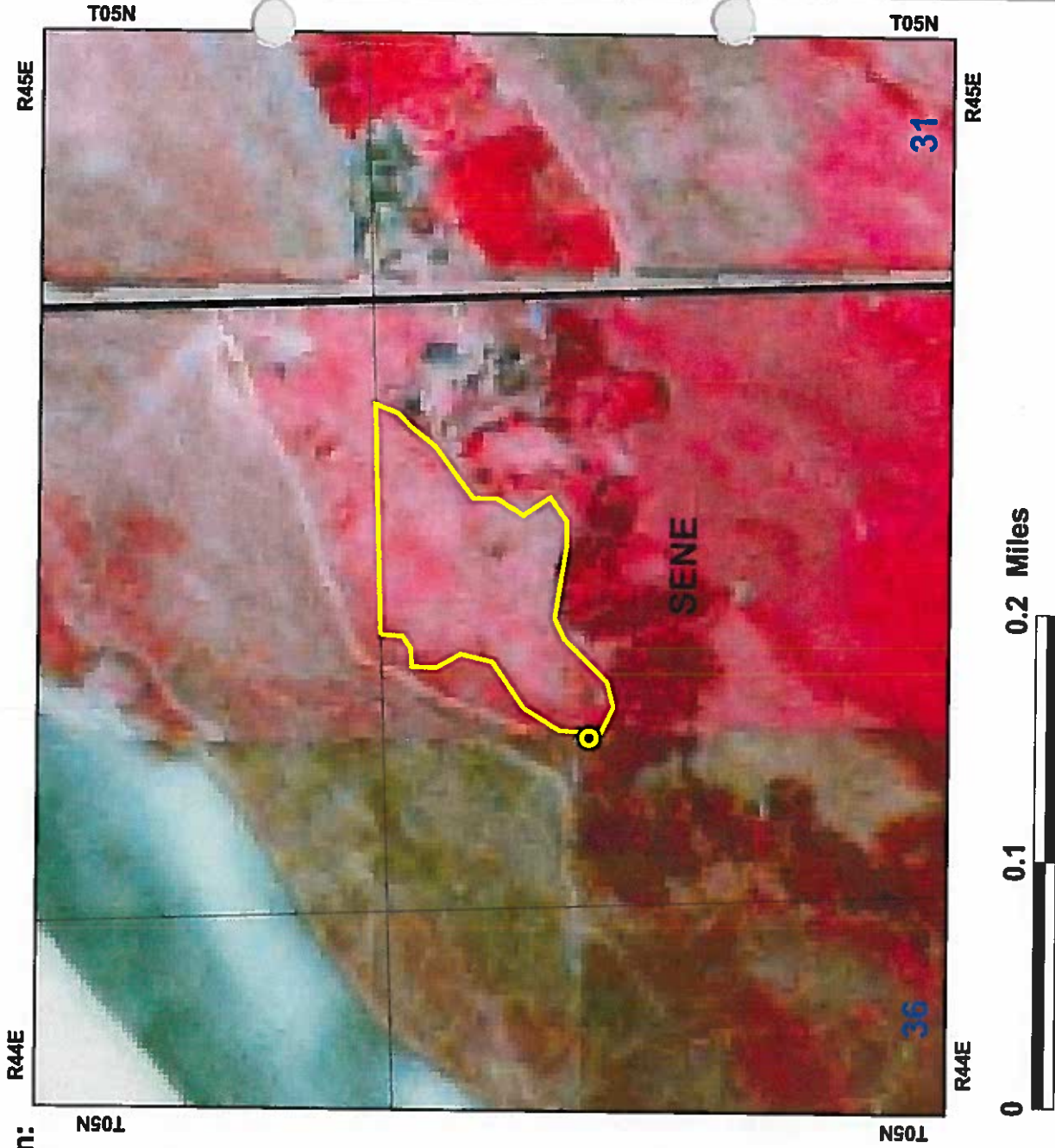
PLS Sections

Quarter Quarters



Teton County
IDWR Basin 22

Prepared by T. Galbraith
On Monday, August 21, 2006
1987/88 Aerial Photography



8-21-06

- Only 14.7 acres are irrigated
of the 80 decreed at 4.02 cfs
per acre = 58 cfs
PF

SCANNED

JUN 08 2007

of section 2 in township 4 north, range 44 E.B.M., and the plaintiff, or his predecessor in interest, on or before and ever since the 22nd day of January, 1916, has so diverted .4 cubic feet per second or 20 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands, during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or his predecessors in interest.

XL.

That the plaintiff, A. F. Murdock, is the owner of or has an estate in the following described lands, to-wit:

SW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 36 in township 5 north, range 44 E.B.M.,

and is the owner of a ditch through which he diverts water from Twin Creek for the irrigation of the above described lands, with the point of diversion located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 35 in township 5 north, range 44 E.B.M., and the plaintiff, or his predecessors in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 1.6 cubic feet per second, or 80 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands, during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or his predecessors in interest.

SCANNED

JUN 08 2007

Contacts Data Entry Form

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner _____

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner IVAN Kay LAURA Kay KARL Kay

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

DACRED F. C. Gillette vs L. Crandall 5 DEC 1939
DACRED TO R.F. MURDOCK For 1.6 LFS. 80"
PRIORITY DATE JAN 22 1916
DIVISION located SE 1/4 SE 1/4 SEC 36
POU. SW 1/4 NE 1/4, SE 1/4 NW 1/4 NE 1/4, E 1/2 SE 1/4 NE 1/4
SEC. 36

HD POP/POU.. CONVEYANCE/system

Reviewer: _____

Date: _____

SCANNED

JUN 08 2007

H 2200046 H.F. Macdonald

80" (16 cfs) PRIORITY 22 Jan 1986

POD SEV NEV SEC 35

POU SW'g NEV, SK NW'g NEV

FK SEV NEV SEC 36

Illustris vs Canada

Beards, 1939

H 22 00046 H JUAN KAY, LAMON KAY, Karel Ka

120 cfs. 10" PRIORITY 22 Jan 1986

POD SEV NEV TSN R 44E

POU. SEV NEV TSN R 44E.

Total 1000.

OTHER water Rights
none.

NO CLAIM HERE YET

114000

waters of Twin Creek, with priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in paragraph XXXIX of the Findings of Fact.

22 004637. That the plaintiff, A. F. Murdock, is awarded the right to the use of 1.6 cubic feet per second or 80 miners inches of the waters of Twin Creek, with priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in Paragraph XL of the Findings of Fact.

XL.

220046 That the plaintiff, A. F. Murdock, is the owner of or has an estate in the following described lands, to-wit:

SW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 36 in township 5 north, range 44 E.B.M.,

and is the owner of a ditch through which he diverts water from Twin Creek for the irrigation of the above described lands, with the point of diversion located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 35 in township 5 north, range 44 E.B.M., and the plaintiff, or his predecessors in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 1.6 cubic feet per second, or 80 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands, during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or his predecessors in interest.

GILLETTE
SCANNED
CRANDALL
JUN 08 2007
1939

Priority Date Data Entry Form

Claim Number: 2200041A

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: JAN 22 1916 Claimed Basis: DACREED.Recommended Priority Date: JAN 22 1916 Recommended Basis: DACREED.☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

M. Piche, DACREED.

Reviewer: _____

Date: _____

SCANNED
JUN 08 2007

Point of Diversion and Source Data Entry Form

Claim Number: 22000 469

Water Right Point of Diversion: T_____, R_____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 5N, R 44E, Sec. 36, SE NE, County: Teton

Source: Twin Creek Tributary: Teton River

Recommended Point of Diversion: T____, R____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
-----	-----	-----	---------	----------------	--------	--------

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

Other rights from this POD? POD. Tag # A0014231 on north wing of headgate

Document how the POD and Source were verified and/or Pump and Motor data:

DECEASED POD IS SASS SEC. 35 T5N. R4E

Chamoo POD is SENS. SOF. 36 TSN, RIVE.

7/15/06 POB is on Twin Creek a metal headgate is used to divert the water into a ditch that is dammed off to irrigate POB. when _____?

Madroitz is located in SE NE Sec 36.

New headgate structure makes it easier to divert water

Transfers Changing POD _____ *Location*

Reviewer: _____ Date: _____

SCANNED

JUN 08 2007

Place Of Use Data Entry Form

Claim Number: 2200046A☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
5N	44E	36	SE	NE	TETON		10	IRRIGATION

Total Acres 10

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

DISCREED POOL IS SWNE, S²NWNE, E²SENECLAIMS N²SENE IS 10ACWHAT HAPPENED TO REMAINDER OF POOL / RIGHT Q?CPS
when _____1/5/06 DO POU is a 10 acre pasture irrigated by ditch and dams.

Transfers Changing POU _____

Reviewer: _____

Date: _____

SCANNED

JUN 08 2007

Period of Use and Quantity Data Entry Form

Claim Number: 22000 46A☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/15	200 cfs	

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

State Reg. 4/15 To 10/31

* Recommend Amendment of SOR to 10/31.

Reviewer: _____

Date: _____

SCANNED
JUN 08 2007



Creek

metal headgate

Twind
Creek

GPS
Tag

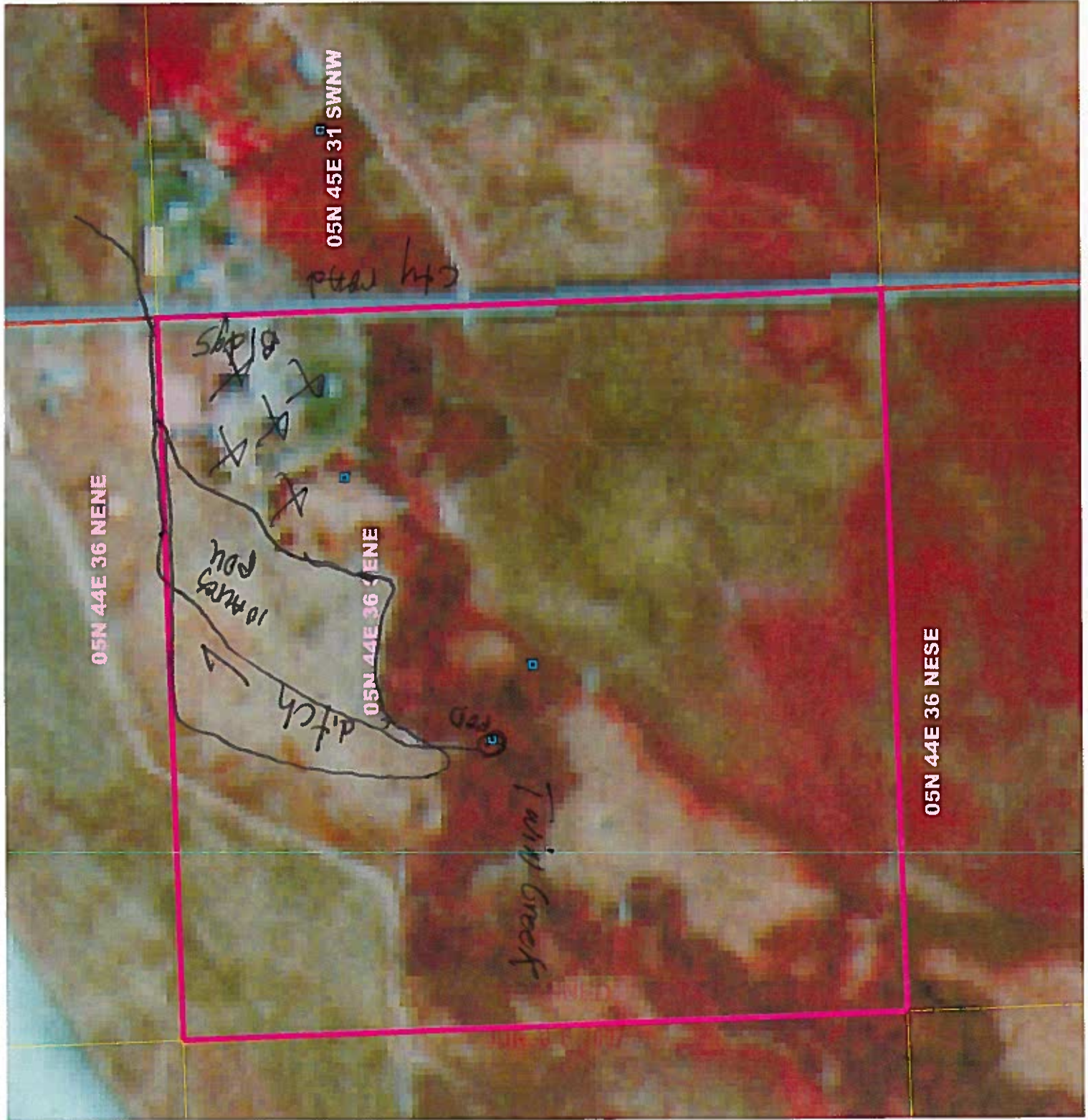
diversion
ditch

45A

22-46A

7/5/06
08

- POU-RecChecked Out POU
- QQ
- Township/Range
- Teton taxlots
- GCDB05N45E GCDB
- GCDB05N44E GCDB
- Claim POD
- Administrative BasinsAdminbas.shp
- Sections



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 22-46A
Date Received:
Receipt No:
Received By:

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

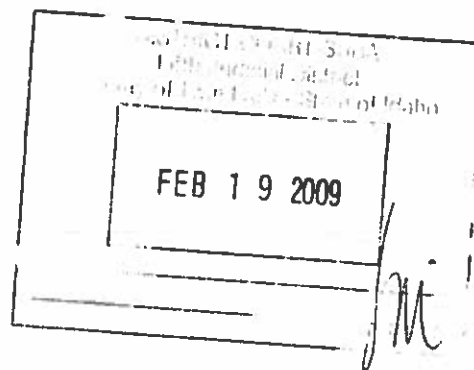
1. Name of Claimant(s)

KARL KAY Phone: (208)354-2957

30 S 500 W
DRIGGS ID USA 83422

KITRINA KAY Phone: (208)354-2957

30 S 500 W
DRIGGS ID USA 83422



2. Date of Priority: 01/22/1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	44E	36	SE NE	TETON	

5. Description of diverting works:

SMALL DAM FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	1.6	

7. Total Quantity Appropriated is:
1.6 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses: A22-12036

SCANNED

FEB 02 2009

PROFILE

10. Place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	44E	36	NW	NE		IRRIGATION	0.7
05N	44E	36	NE	NE		IRRIGATION	22.8
05N	44E	36	SW	NE		IRRIGATION	23.6
05N	44E	36	SE	NE		IRRIGATION	28.0
Section Acres							75.1
Total Acres							75.1

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: NONE

14. Remarks:

THIS RIGHT IS A PORTION OF DECREED RIGHT 22-00046.

15. Basis of Claim: Decreed

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

Number of attachments: _____

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): John Kay Karl Kay Date: 2-17-09

2-17-09 Date:

State of Idaho

County of Teton) SS.

Subscribed and sworn (or affirmed) before me this

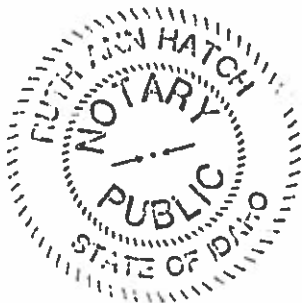
of February 17 2009

Ruth Ann Hatcher

Notary Public

Residing at Dodge Id.

My commission Expires 10/07/10



08/21/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-46A
NAME AND ADDRESS: KARL KAY
20 S 500 W
DRIGGS ID 83422
IVAN KAY
30 S 500 W
DRIGGS ID 83422
LAURA KAY
30 S 500 W
DRIGGS ID 83422

SOURCE: TWIN CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.080 CFS
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION:
T05N R44E S36 NWSENE 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	0.080 CFS
PLACE OF USE:	<u>IRRIGATION Within TETON County</u>		
	T05N R44E S36 SENE 4.20		
	4.2 ACRES TOTAL		

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.

E:

Filing Fee \$ 100⁰⁰
irrig of 10 acres = \$110
Need to pay more
80 acres = \$70

eed

DECREEED RIGHT 22-00046.

Receipt #M001477
9/29/88 \$110⁰⁰
Adj. Fee

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: A22-00046A
Date Received: 9/29/1988
Receipt No: M001477
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IVAN KAY 208-354-2538
Address: 30 S 500 W
DRIGGS ID 83422
OR
Name: LAURA KAY 208-354-2538
Address: 30 S 500 W
DRIGGS ID 83422
OR
Name: KARL KAY 208-354-2538
Address: 20 S 500 W
DRIGGS ID 83422

2. Date of Priority: JAN 22, 1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	44E	36		SE	NE		TETON

5. Description of diverting works:
SMALL DAM FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.200		

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

8. Total consumptive use is 20.0 Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED
NOV 06 1990

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	44E	36	SE	NE		IRR	10.0
Section Acres							10.0
Total Acres							10.0

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:
NONE

14. Remarks:
THIS RIGHT IS A PORTION OF DECREED RIGHT 22-00046.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/ 7/1938

F. C. GILLETTE
Decree Plaintiff

LYNN CRANDALL, W. M.
vs Decree Defendant

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

Number of attachments: _____

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): _____ Date: _____

Date: _____

MICROFILM

NOV 06 1996

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

A22 - 00046A

Ident. Number: A22-12036

Date Received: 9/29/1988

Receipt No: M001477

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IVAN KAY 208-354-2538
Address: 30 S 500 W
DRIGGS, ID 83422
OR
Name: LAURA KAY 208-354-2538
Address: 30 S 500 W
DRIGGS, ID 83422
OR
Name: I.F.K. KARL KAY 208-354-2538
Address: 20 S 500 W
DRIGGS, ID 83422



2. Date of Priority: JAN 22, 1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	44E	36	SE	NE			TETON

5. Description of diverting works:
SMALL DAM FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.200		

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

8. Total consumptive use is 20.0 Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED

A22-12036

Page 1

Date: 01/09/2008 1996

SCANNED

JUN 08 2007

MICROFILMED

SCANNED NOV 26 1992

AUG 02 2007

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	44E	36	SE NE		IRR	10.0
Section Acres						10.0
Total Acres						10.0

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:
NONE

14. Remarks:
THIS RIGHT IS A PORTION OF DECREED RIGHT 22-00046.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/07/1938

F. C. GILLETTE

Decree Plaintiff

vs

LYNN CRANDALL, W. M.

Decree Defendant

MICROFILMED
NOV 06 1992

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

Number of attachments:

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): X Ivan F. Kay Date: Sept 29-88
Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29 day
of Sept 19 88

[Signature]
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 7-12-94

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NOV 06 1996

SCANNED

JUN 08 2007 SCANNED

AUG 02 2007

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