

12/12/2006

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

RIGHT NUMBER: 22-132A
NAME AND ADDRESS: DONALD P STREUBEL
133 W 650 N
TETONIA ID 83452

JANE A STREUBEL
133 W 650 N
TETONIA ID 83452

SOURCE: NORTH LEIGH CREEK TRIBUTARY: SPRING CREEK
QUANTITY: 0.600 CFS
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION:

T06N R45E S26 SWNWNE 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	0.600 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S27 NESE 21.00

21 ACRES TOTAL

21 The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 22-132A, 22-429A.

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

Water is delivered through Hansen Streubel ditch

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

07/19/2006

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

RIGHT NUMBER: 22-132A
NAME AND ADDRESS: DONALD P STREUBEL
133 W 650 N
TETONIA ID 83452

JANE A STREUBEL
133 W 650 N
TETONIA ID 83452

SOURCE: NORTH LEIGH CREEK TRIBUTARY: SPRING CREEK
QUANTITY: 0.600 CFS
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION:
T06N R45E S26 SWNWNE 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	0.600 CFS
PLACE OF USE:	<u>IRRIGATION Within TETON County</u>		
	T06N R45E S27 NESE 21.00		
	21 ACRES TOTAL		

21 The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 22-132A, 22-429A.

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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right no. 22-429A is diverted through the points of diversion described above.

04/12/2005

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

RIGHT NUMBER: 22-132A

NAME AND ADDRESS: DONALD P STREUBEL
9648 CHESTNUT HILL DR
POCATELLO ID 83204

JANE A STREUBEL
9648 CHESTNUT HILL DR
POCATELLO ID 83204

SOURCE: NORTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T06N R45E S26 SWNWNE Within TETON County

T06N R45E S26 SENWSE Within TETON County

T06N R46E S29 NENWNE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.800 CFS

PLACE OF USE:

IRRIGATION Within TETON County

T06N R45E S27 NESE 16.0

16 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 22-42A IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 16 ACRES IN A SINGLE IRRIGATION SEASON.

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: Decreed

Right no. 22-429A is also diverted through point of diversion described
above.

This right is a split from former right 22-132.



Idaho Department of Water Resources

Adjudication Claim:

22-132A
22-429A

Legend

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

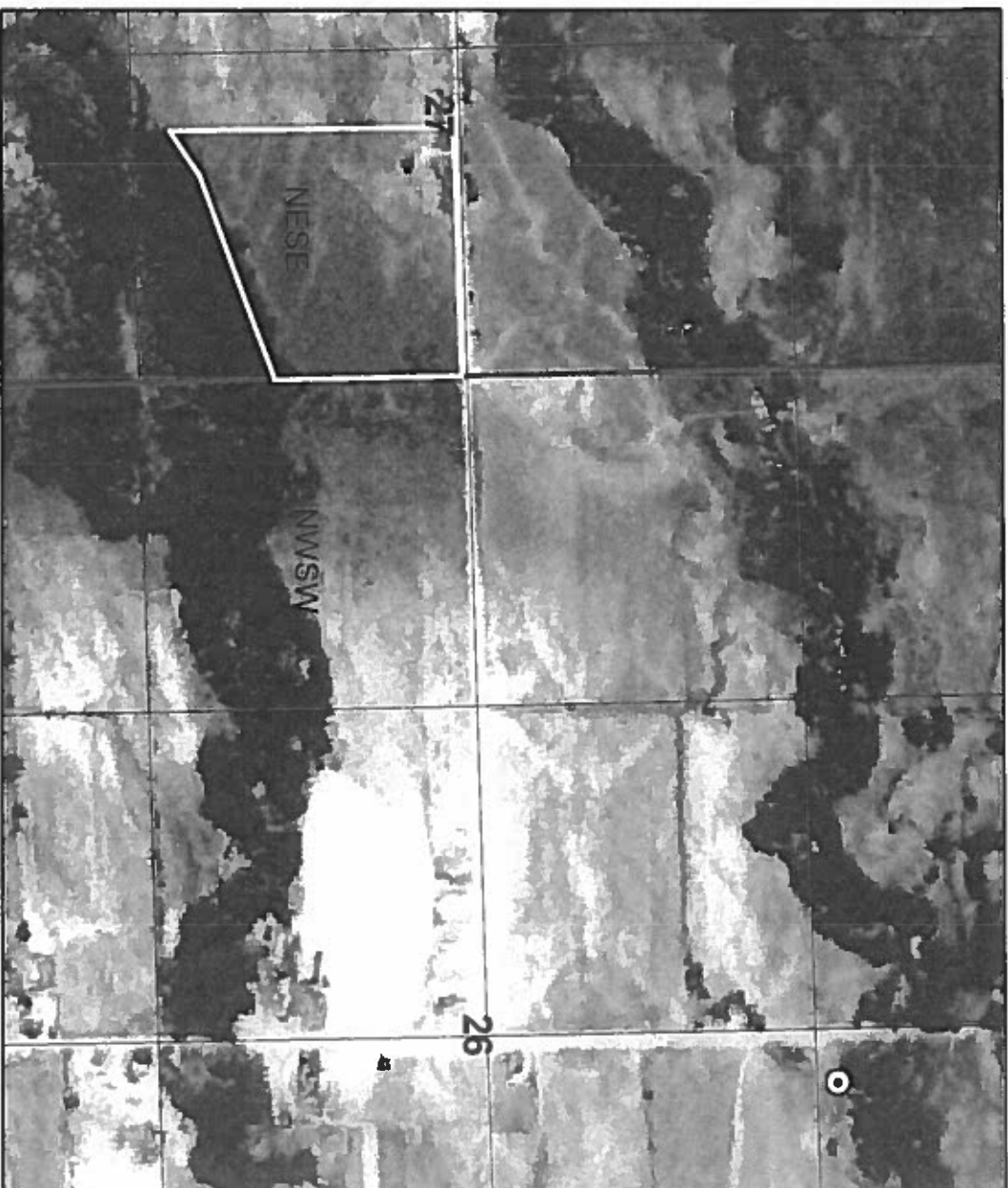


Teton County
IDWR Basin 22



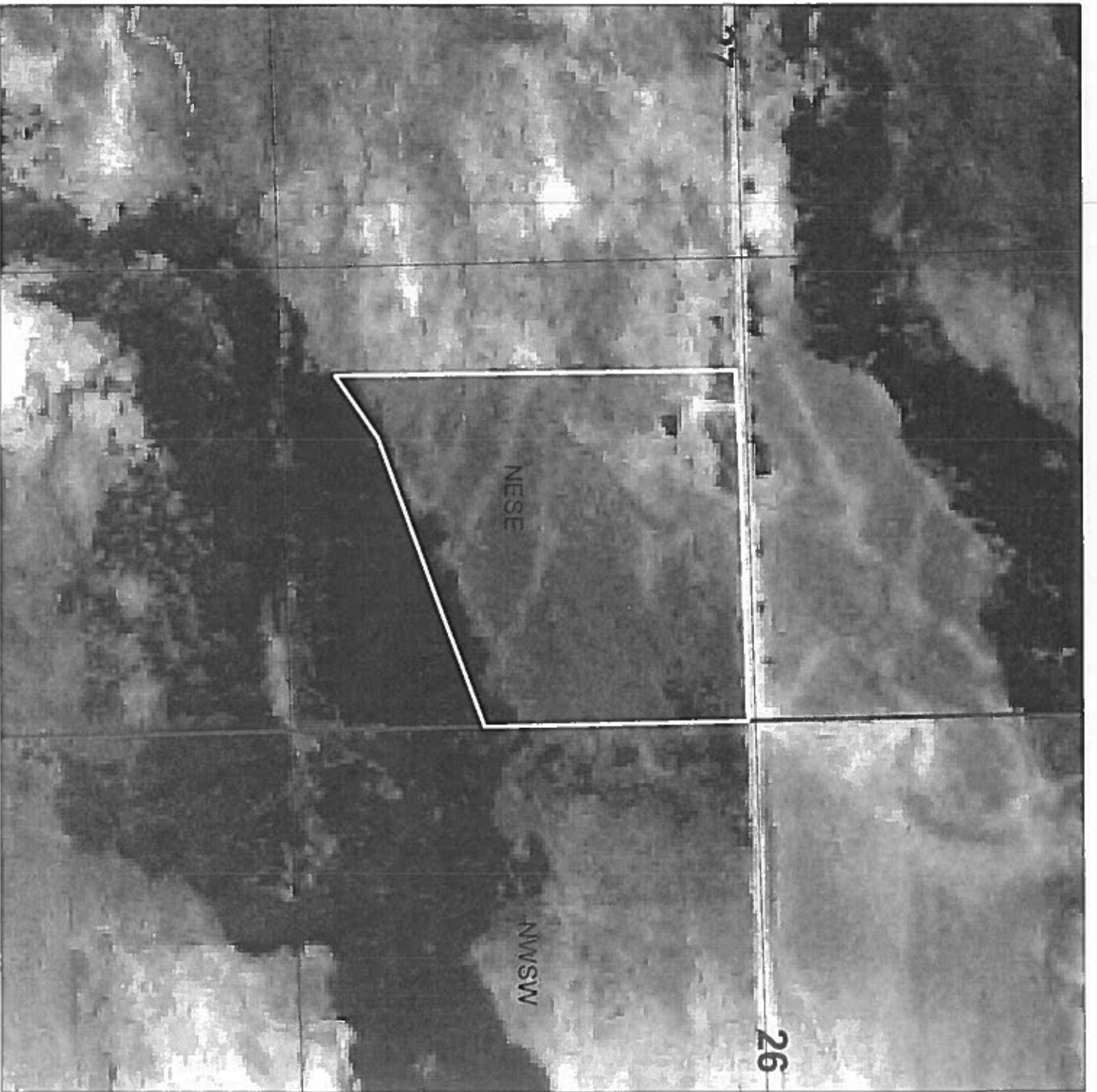
T06N

R45E



Prepared by D. Carlson
On Wednesday, July 19, 2006
1987/88 Aerial Photography

22-132A



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-132

WATER RIGHT NUMBER: 22-132

Owner Type Name and Address

Current Owner WILLIAM HANSEN

, ZZ

Current Owner JAMES A O BRIEN

, ID

Priority Date: 01/22/1916

Basis: Decreed

Status: Active

Source

NORTH LEIGH CREEK

Tributary

SPRING CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	6.400 CFS	
	<u>Total Diversion:</u>	6.400 CFS	

Location of Point(s) of Diversion

NORTH LEIGH CREEK

NW1/4NE1/4

Sec. 26, Twp 06N, Rge 45E, B.M.

TETON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
06N	45E	20						X	X										
06N	45E	27	X			X				X					X	X	X		

Conditions of Approval:

1. P/U AC IRR=320.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-132

Licensed Date:
Decreed Date: 1/24/1938
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 01
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Lynn Crandall
Decree Plaintiff: Martell Hansen, et al
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

07/19/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-132A

DONALD P STREUBEL
133 W 650 N
TETONIA ID 83452
Telephone Number: (208)456-2680

JANE A STREUBEL
133 W 650 N
TETONIA ID 83452
Telephone Number: (208)456-2680

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made

DATE: 12/4/06

SIGNATURE:

Donald P. Streubel

Jane A. Streubel

Please print your name: Donald P. Streubel

Jane A. Streubel

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

1415
12/11

T6N, R45E

Leigh Creek

North

County Road

County Road

Creek

NESE

Leigh

Middle

23 24
25 26

26 25
35 36

22 23
27 26

T6N, R45E

North Leigh Creek

Creek Leigh

County Road

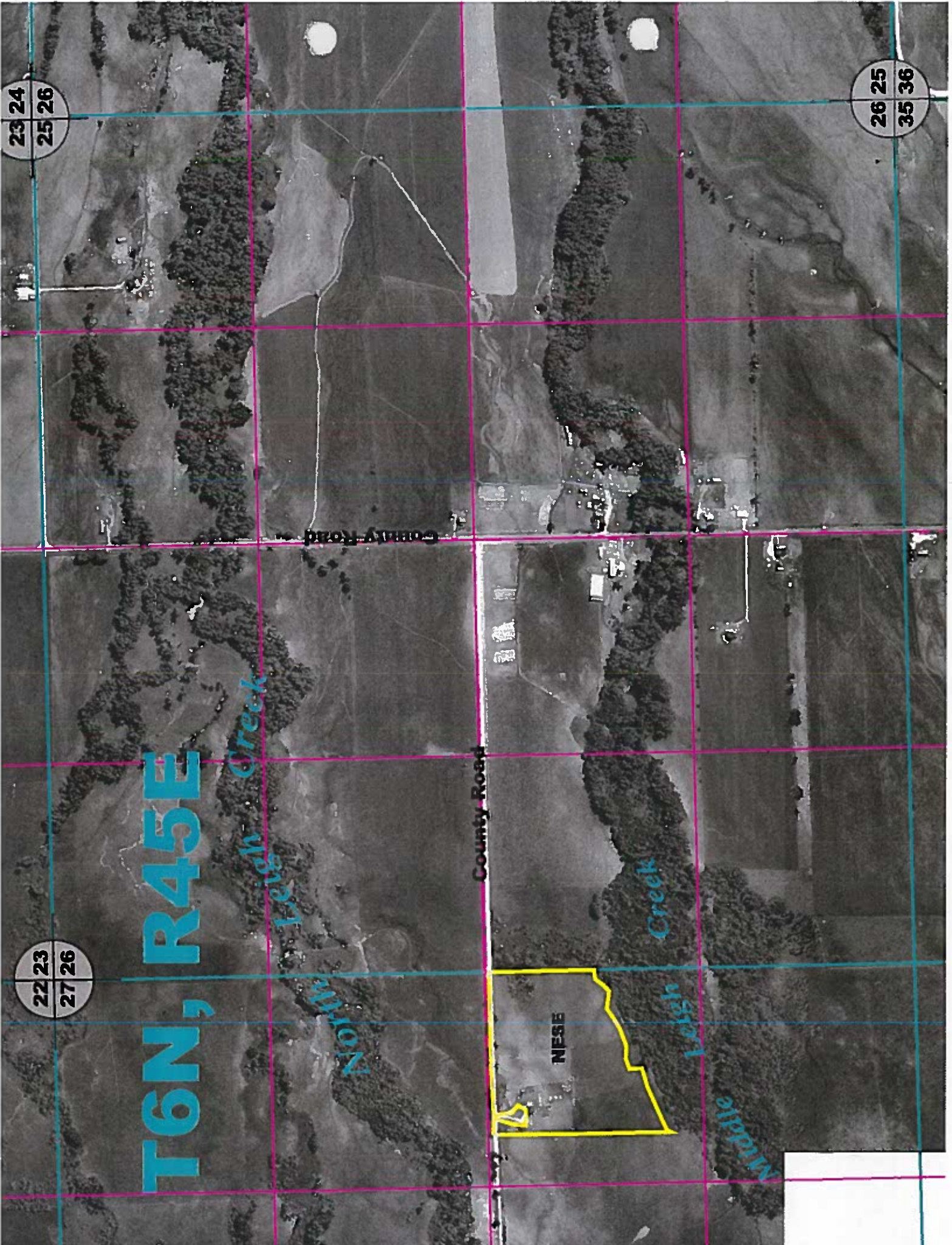
County Road

NESE

22 23
27 26

23 24
25 26

26 25
35 36



04/25/2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-132A

DONALD P STREUBEL
9648 CHESTNUT HILL DR
POCATELLO ID 83204

JANE A STREUBEL
9648 CHESTNUT HILL DR
POCATELLO ID 83204

> Address change 133 W 650 N
Tetonia, ID 83452
Phone: 208-456-2680

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

The acreage has been arbitrarily reduced to 16 acres from 30 acres. This is a huge error. I raise hay and graze livestock on these 30 acres and I have traditionally irrigated these acres.

2. Describe the changes you wish to make in the proposed recommendation:

Re-instate the full 30 acres.

3. Give a brief explanation as to why you disagree with these portions:

16 acres is not what I actually farm and irrigate

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6/13/05

SIGNATURE: Donald P. Streubel

Please print your name: Donald P. Streubel

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED

JUN 20 2005

Department of Water Resources
Eastern Region
SCANNED

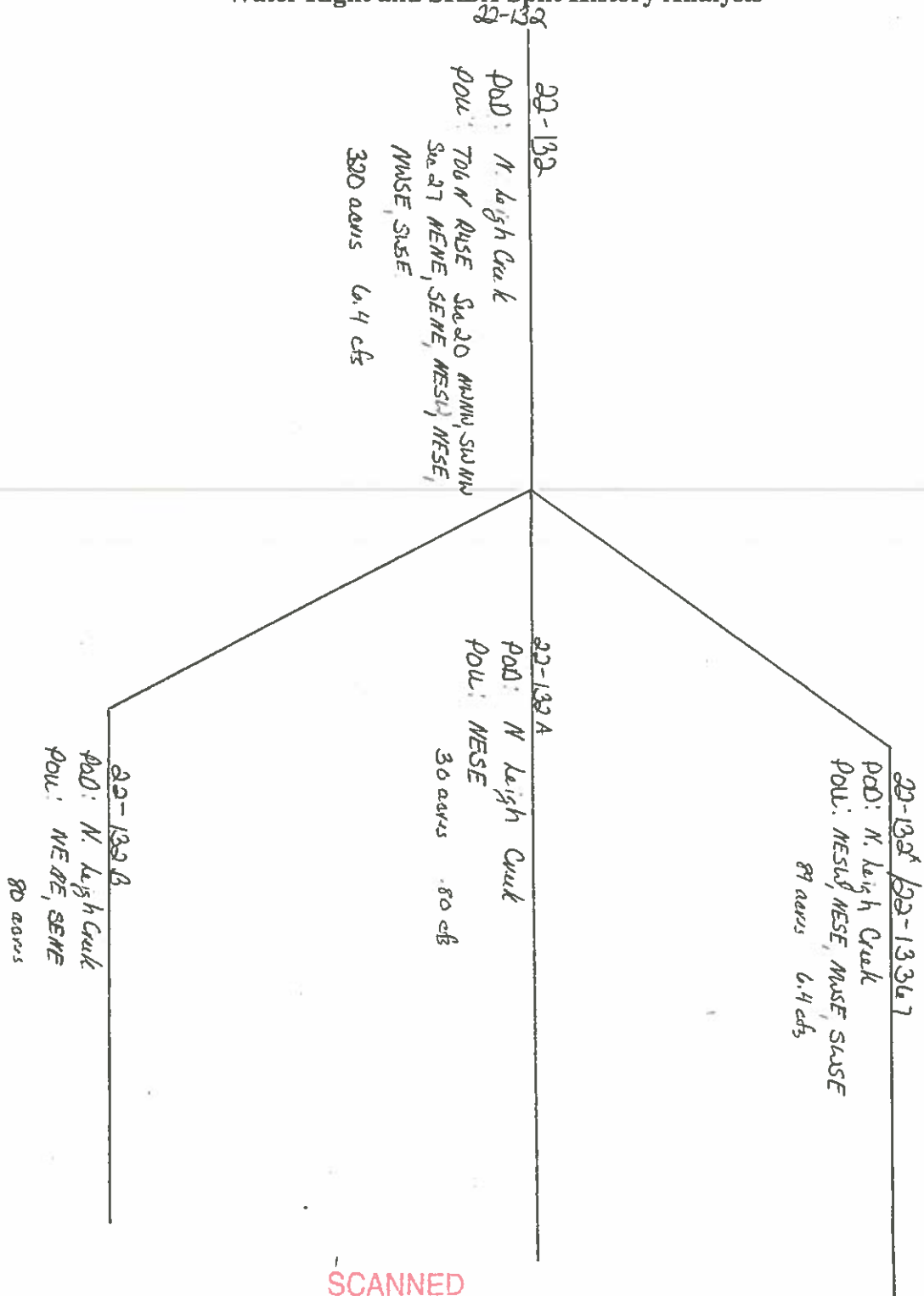
JUN 21 2005

PROFIT

Address Change
Completed
6/21

KMJ
6/21

Water Right and SRBA Split History Analysis



SCANNED

APR 29 2005

Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____

PR

Claim No. 22-132A

Document Checklist

- ☐ Copy License/Decree Hansen & Grandall
could not find decree
- ☐ Copy Transfer _____
- ☐ Copy Licensing Field Exam _____
- ☐ Check if Ownership/Address Change is Required _____
- ☐ Generate, mail and file "Evidence of Priority" letter _____
- ☒ Generate Arcview Map _____

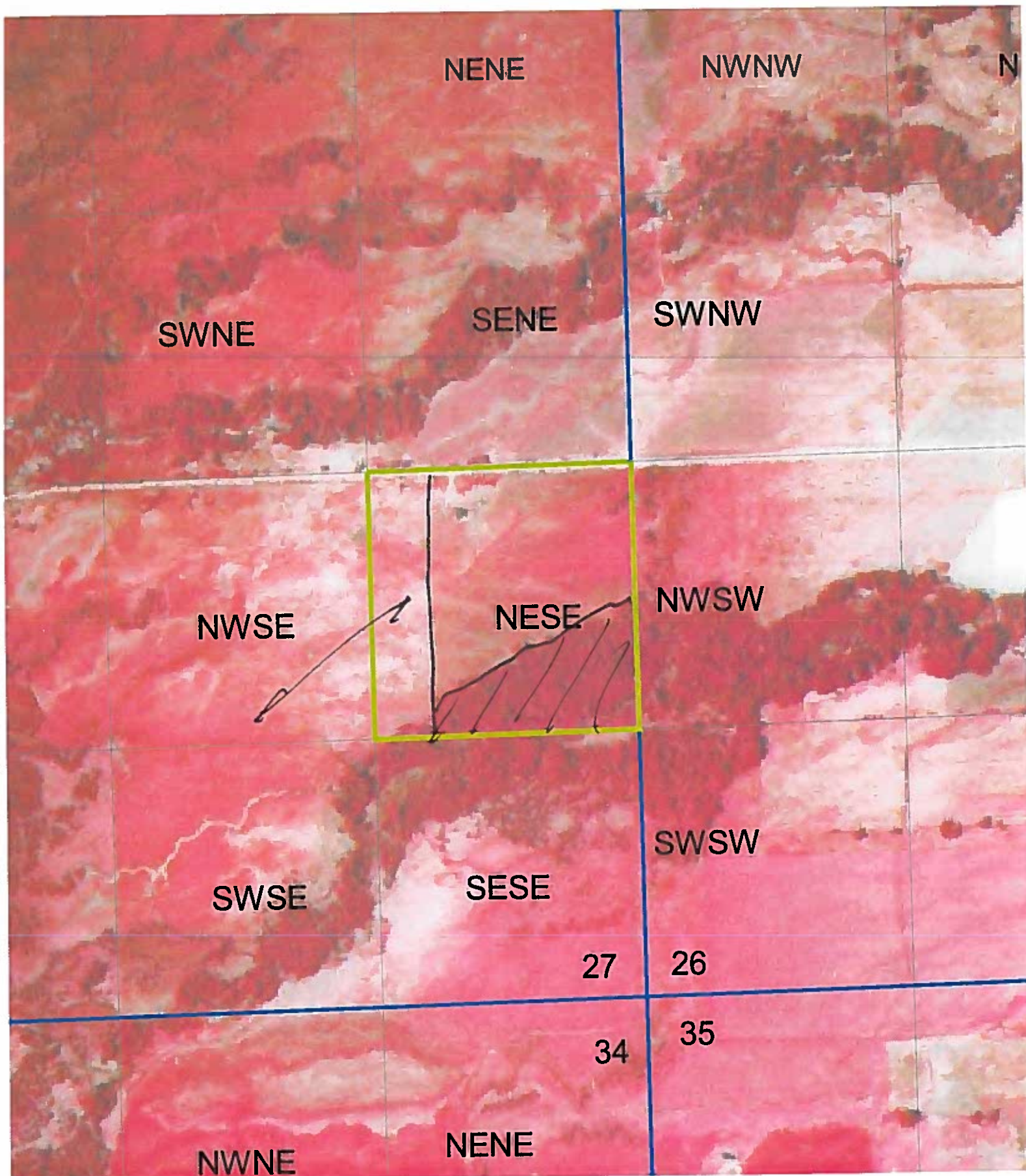
PROFILED

SCANNED
APR 29 2005

PROTECTED

22-132A

SCANNED
APR 29 2005





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 26, 2003

DONALD P & JANE A STREUBEL
9648 CHESTNUT HILL DR
POCATELLO ID 83204

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-132A, 22-429A

Dear Mr. & Mrs. Streubel:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Kristen Forsgren
Office Specialist 1

Enclosure

SCANNED

APR 29 2005

PROFILED

OK JC
8/25/03

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, 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
-----------------------	------------------------------	-------	-----------------------	------------------------------	-------

\$25) 22-12767					
22-132A					
22-429A					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25
- 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)

Richard Levin

4. New Owner/Claimant(s)

Donald P. Streubel and Jane A. Streubel

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

9648 Chestnut Hill Dr.

City, State and ZIP Code

Pocatello, Idaho 83204

New Telephone Number

(208) 233-9235

5. Date you acquired the property

November 1, 2002

PROFILED

SCANNED

APR 29 2005

WARRANTY DEED

RECEIVED
NOV 0 2002
CLERK OF COURT

For Value Received Richard J. Levin and Susan M. Levin, husband and wife

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

Donald P. Streubel and Jane A. Streubel, husband and wife

whose address is: 9648 Chestnut Hill Drive, Pocatello, Id 83204

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

Beginning at a point 990 feet West of the East quarter corner of Section 27, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence South 400 feet; thence East 400 feet; thence North 400 feet; thence West 400 feet to the point of beginning.

Beginning at the East quarter corner of Section 27, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence South 1320 feet; thence West 990 feet; thence North 920 feet; thence East 400 feet; thence North 400 feet; thence East 590 feet to the point of beginning.

TOGETHER WITH twelve (12) inches of 1891 Decree and forty (40) inches of 1916 Decree in the North Leigh Creek, and all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto.

TOGETHER WITH all mineral, gas, oil and geothermal rights thereon.

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 their 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: October 29, 2002

Richard J. Levin
Richard J. Levin

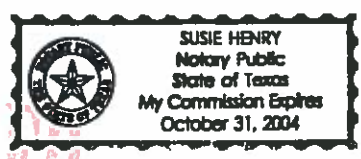
Susan M. Levin
Susan M. Levin

Instrument # 151099
DRIGGS, TETON, IDAHO
2002-11-01 03:50:50 No. of Pages: 1
Recorded for : FIRST AMERICAN TITLE COMPANY
NOLAN G. BOYLE Fee: 3.00
Ex-Officio Recorder Deputy William
Index to DEED WARRANTY

STATE OF Texas
COUNTY OF Brewster)ss.

On this 29th day of October, 2002, before me, a Notary Public, personally appeared Richard J. Levin and Susan M. Levin, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

[Signature]
Notary Public of Texas
Residing at Lajitas
Commission Expires: 10/31/04



PROFILE

SCANNED
APR 29 2005



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

May 2, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Richard T. Knight
All West Realty
20 South Main Street
Driggs, ID 83422

Dear Mr. Knight:

Enclosed for your records are three (3) Notices of Claim, generated by computer entry with the information provided on the Notice of Claim forms from Richard J. and Susan M. Levin.

Copies of the first and second pages from each original notice are attached to the printed notices showing the modifications made during computer entry.

The warranty deed provided with the Levin notices stated that 12 inches, (0.24cfs) of the 1891 right were conveyed in the purchase. Notice A22-00429A, however, lists 12.5 inches (0.25cfs). The claimant may wish to amend this notice to reflect the amount stated on the warranty deeds.

The claimants may also be interested to know that Department personnel conducted a field inspection of the place of use in November, 1985. The inspection revealed that of the 30 acres owned by Mr. Levin, 19 acres had historically been irrigated under these rights. The inspection was related to the processing of an application for transfer of a portion of water right A22-00429, filed by William O'Brien.

Naturally, if you have questions, feel free to contact this office.

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

SCANNED

APR 29 2005

PROFILE

MICROFILMED

NOV 04 1992

ALL WEST REALTY



RECEIVED

APR 27 1989

Department of Water Resources
Eastern District Office

20 SOUTH MAIN ST.
OFFICE (208) 354-8601

RICHARD T. KNIGHT, BROKER

DRIGGS, IDAHO 83422
HOME (208) 354-2976

26 April, 1989

Idaho Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401

Dear Sirs;

Enclosed are claims for 3 water rights in Teton County, Idaho. You will note that the normal filing fee plus late fees are included in the enclosed check.

The letter and Request for Extension enclosed are self-explanatory.

I have talked with Mr. Brunson. The reason these water rights were not filed, is the Water Board set up in Driggs told him he did not need to file because the water right diversion point was in Wyoming.

The new owners of the Brunson property (Levin's) would like the water rights filed. I have also talked with Boise and they suggest that we file.

We are asking that you consider not charging the late fee on the decreed rights, but, we know the late fee on the well is valid.

Please return the completed filing to me for deposit with the Levin's.

Thank you for your consideration in this matter.

Sincere and Kindest Regards.


R. T. Knight

PROFILED

SCANNED
APR 29 2005

MICROFILMED
NOV 04 1992

Date Received

State of Idaho
Department of Water Resources

APR 12 1989

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

RICHARD J. AND SUSAN M. LEVIN
Name of Claimant

P.O. Box 486, Driggs, ID 83422
Post Office Address

83422
City, State, Zip Code

TETON
County(s) where Place of Use is located

6th October 1988
Date Claim Originally Due

"See Attached Sheet"

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

Due to divorce and many personal problems
the then owners of the property did not file
for the water rights (See letter enclosed)

Claimant requests an extension to June 1, 1989 or before.

Richard T. Knight
Signature

Broker, All West Realty.
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby
_____ granted _____ denied,
and the filing deadline extended to _____

MICROFILMED

19 NOV 04 1992

Signed this 17 day of April, 1989.

PROFILED

SCANNED
APR 29 2005

DAVID B. SHAW
Director or his designated agent

ALL WEST REALTY



COPY

20 SOUTH MAIN ST.

OFFICE (208) 354-8601

RICHARD T. KNIGHT, BROKER

DRIGGS, IDAHO 83422

HOME (208) 354-2976

10 April, 1989

State of Idaho
Department of Water Resources

Dear Sir; Attention Mr. Dave Shaw

The water rights shown on the enclosed legal description were not filed by the due date of 6 October, 1988.

The property was sold by William O'Brien on a Contract of Sale dated October 15, 1979 to Carl and Kristine Brunson.

An assignment of Contract was taken by Richard T. and Barbara A. Knight on October 12, 1987.

Richard and Barbara Knight did not know the water rights had not been filed until the property was sold to Richard J. and Susan M. Levin (set for closing April 15, 1989). This sale took place on 9 March, 1989.

It is the request of Richard and Barbara Knight that an extension be allowed and the water rights be filed in the name of the new owners, Richard J. and Susan M. Levin as soon as possible.

Richard T. Knight, writing this letter is also the Broker for All West Realty handling the sale of the property to the Levin's.

Upon your receiving this letter please call All West Realty (208-354-8601) collect if you have any questions.

During the time the Water Resources Board was set up in Driggs, I spent considerable time filing rights for many out of state clients. Their water rights would be protected by my efforts, and had this 30 acres not sold at the present time, I may have lost these decreed rights.

I wish to thank you in advance for your attention to this matter.

Sincere and kindest regards,

Richard T. Knight
Richard T. Knight

SCANNED MICROFILMED

APR 29 2005 NOV 04 1992

PROFITABLE

WARRANTY DEED

For Value Received CARL A. BRUNSON, III and KRISTINE BRUNSON

the grantor s , do hereby grant, bargain, sell, and convey unto

RICHARD J. LEVIN and SUSAN M. LEVIN, husband and wife
3300 Ridge Pike, Eagleville, Pa. 19403

the grantee s , the following described premises, to-wit:

Beginning at a point 990 feet West of the East quarter corner of Section 27, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence South 400 feet; thence East 400 feet; thence North 400 feet; thence West 400 feet to the point of beginning.

Beginning at the East quarter corner of Section 27, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence South 1320 feet; thence West 990 feet; thence North 920 feet; thence East 400 feet; thence North 400 feet; thence East 590 feet to the point of beginning.

Together with twelve (12) inches of 1891 Decree and forty (40) inches of 1916 Decree in the North Leigh Creek, and all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto.

Together with all mineral, gas, oil and geothermal rights thereon.

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 prorated between the parties hereto

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees , their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s , that they the owner s in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 14, 1989

PROFILED

SCANNED

APR 29 2005

MICROFILMED

NOV 04 1992

Carl A. Brunson, III

Kristine Brunson

COPY

CONTRACT OF SALE

THIS AGREEMENT, between WILLIAM J. O'BRIEN and VELMA O'BRIEN, husband and wife, of Tetonid, Idaho, hereinafter referred to as SELLERS, and CARL A. BRUNSON III and KRISTINE BRUNSON, husband and wife, of General Delivery, Briggs, Idaho 83422, hereinafter referred to as BUYERS,

WITNESSETH:

The Sellers have sold and do by these presents agree to sell and convey to the Buyers, and the Buyers agree to purchase the following described property, to-wit:

Beginning at the East Quarter Corner of Section 27, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 1320 feet; thence West 990 feet; thence North 1320 feet; thence East 990 feet to the point of Beginning.

Together with twelve (12) inches of 1891 Decree and forty (40) inches of 1916 Decree in the North Leigh Creek and all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto.

Together with all mineral, gas, oil, and geothermal rights thereon.

Together with the tenements, hereditaments and appurtenances thereunto belonging.

Subject to Oil and Gas Lease, recorded 2/23/72,

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1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Lerrin CLAIM ENT. NO. A22-00132A

DATE RECEIVED 27 April CK # 520 AMOUNT \$ _____

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered? Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
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 and purpose(s) indicated?	☒	☐	*
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 indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☐	☒	*
20. Is the fee enclosed correct? Exempt	☐	☐	*
21. If this claim is based on an existing water right, has the identification number been entered? N/A	☒	☐	
22. Should this claim be receipted and data entered?	☒	☐	

Claim checked by: Ernest Date: 1 May 89

Claim must be returned to claimant: (Yes) ☒ (No) ☐

Claimant must be notified of modifications: ☒ (Yes) ☐ (No) ☐

Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: _____ Date: _____

Comments: _____

NOV 04 1992

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 22-132A
Date Received: 5/1/1989
Receipt No: E007070
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DONALD P STREUBEL Phone: (208) 233-9235
9648 CHESTNUT HILL DR
POCATELLO ID USA 83204

JANE A STREUBEL Phone: (208) 233-9235
9648 CHESTNUT HILL DR
POCATELLO ID USA 83204

2. Date of Priority: 01/22/1916

3. Source: NORTH LEIGH CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	46E	29	NW NE	TETON	

5. Description of diverting works:

NORTH LEIGH CREEK CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.8	

7. Total Quantity Appropriated is:
0.8 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
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06N

45E 27

NE SE

IRRIGATION 30

Section Acres 30

Total Acres 30

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:

SEE WATER RIGHT A2200429A FOR REMARKS

15. Basis of Claim: Decreed

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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: A22-00132A
Date Received: 5/02/1989
Receipt No: E007070
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD J. LEVIN
Address: 133 W 650 N
TETONIA, ID

83452

AND

Name: SUSAN M. LEVIN
Address: 133 W 650 N
TETONIA, ID

83452

2. Date of Priority: JAN 22, 1916

3. Source: NORTH LEIGH CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	46E	29	NW	NE			TETON

5. Description of diverting works:
NORTH LEIGH CREEK CANAL

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 336.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A22-00132A

Page

1

Date: 05/02/89

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A2200132A



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	45E	27	NE SE		IRR	30.0
Section Acres						30.0
Total Acres						30.0

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:
12 INCHES OF 1891 DECREE

14. Remarks:
SEE WATER RIGHT A2200429A FOR REMARKS

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

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APR 29 2005

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NOV 04 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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

PROFILE

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APR 29 2005

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NOV 04 1992

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

A22-00132A

Date Received

Receipt Number

RECEIVED

APR 27 1989

Department of Water Resources
Eastern District Office

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

Please type or print clearly

1. Name of Claimant (s) Richard J. and Susan M. Levin Phone () Mailing Address 133 W. 650N. Teton, Idaho Zip 834522. Date of Priority (Only one (1) per claim) 40 inches of 1916 decree; see attached sheet3. Source of water supply (a) North Leigh Creek
which is tributary to (b) Teton River4. a. Location of existing point of diversion is: Township 6N Range 46 EBM Section 29,
NW 1/4 of NE 1/4 of 1/4, Govt. Lot, B.M., County of Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section , 1/4 of 1/4 of 1/4,Govt. Lot B.M., County of ending point is: Township Range Section , 1/4 of 1/4 of
 1/4, Govt. Lot B.M., County of 5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. North Leigh Creek Canal

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6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 1 Apr to 1 Nov amount or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) .8 (cfs) and/or (b) 1.6 (acre feet)

8. Total consumptive use claimed is 336 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	45EBM	27													30 ac				

Total number of acres irrigated 30 acres

11. In which county (ies) are lands listed above as place of use located? Teton

12. Do you own the property listed above as place of use? Yes x No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
12 inches of 1891 decree or None ()

14. Remarks: The point of diversion listed as being Section 29, TWP 6N, R46 EBM
is where the North Leigh Creek Canal enters Idaho. The heading of this
canal is in Wyoming. The North Leigh Creek Canal maintains the
ditch only. Each individual is responsible for filing their own
claim to the decreed rights.

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Last Name Levin Ident No. APR 29 2005

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Point of use

Sect 27, T6N, 45EBM

Sect 29

TSN

ID| WY

P46EBM : Diversior

130
acres

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APR 29 2005

PROFILE

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Last Name Levin

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree xx
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Richard Levin Date 4-15-89

Susan Levin Date 4-15-89

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Id)
County of Montgomery) SS.

Subscribed and sworn (or affirmed) before me this 15 day of April 19 89

SEAL

Notary Public James R. Gibbons

Residing at _____

My Commission Expires _____

Please Print Name

NOTARIAL SEAL
JAMES R. GIBBONS, Notary Public
Lower Providence Twp., Montgomery Co.
My Commission Expires April 10, 1990

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

SCANNED
APR 29 2005

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NOV 04 1992

Last Name Levin Ident. Number _____

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Copies White-State, Yellow-Claimant