

09/27/2006

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

RIGHT NUMBER: 22-133A
NAME AND ADDRESS: LILLIS MUIR
230 E 1ST S
REXBURG ID 83440

ROGER MUIR
252 W MORAN VIEW RD
REXBURG ID 83440

SOURCE: SPRING CREEK TRIBUTARY: TETON RIVER
QUANTITY: 2.400 CFS
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION:

T06N R45E S29 SWSWSW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	2,400 CFS

PLACE OF USE: IRRIGATION Within TETON County

T06N R45E S30	NENE	39.00	T06N R45E S30	NWNE	39.00
T06N R45E S30	SWNE	40.00	T06N R45E S30	SENE	40.00

158 ACRES TOTAL

Right Nos. 22-133A and 22-278 are limited to the irrigation of a combined total of 158 acres in a single irrigation season.

This right is limited to the irrigation of 120 acres within the place of use described above 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: BASIS OF CLAIM - Decreed

Water is delivered through Blair Ditch.

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

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

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-133A V1

WATER RIGHT NUMBER: 22-133A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LILLIS MUIR 230 E 1ST S REXBURG, ID 83440
Current Owner	ROGER MUIR 252 W MORAN VIEW RD REXBURG, ID 83440 (208)356-0394
Original Owner	CLIFTON MUIR 213 HOLLY ST REXBURG, ID 83440 (208)356-6513

Priority Date: 01/22/1916

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING CREEK	TETON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	04/15 to 10/31	0.030 CFS	
IRRIGATION	04/15 to 10/31	3.200 CFS	
	<u>Total Diversion:</u>	3.200 CFS	2.40 CFS

Location of Point(s) of Diversion

SPRING CREEK	SW1/4SW1/4SW1/4	Sec. 29, Twp 06N, Rge 45E, B.M.
TETON County		

Acres = 120Ac

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	45E	30	X	X	X	X													

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	45E	30	33.0	38.0	40.0	40.0													151.0

Total Acres: 151

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 22-133A V1

Conditions of Approval:

1. K06 This right is limited to the irrigation of 160.0 acres within the place of use described above in a single irrigation season.
2. F05 Right no. 22-278 is also diverted through point of diversion described above.
3. C18 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.
4. E55 USE OF THIS RIGHT WITH RIGHT NO. 22-133A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE IRRIGATION SEASON.
5. F01 WATER IS DELIVERED THROUGH BLAIR DITCH.

Remarks:

Comments:

Water Supply Bank:

03/22/2005

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

RIGHT NUMBER: 22-133A
NAME AND ADDRESS: CLIFTON MUIR
213 HOLLY ST
REXBURG ID 83440

SOURCE: SPRING CREEK TRIBUTARY: TETON RIVER
QUANTITY: 3.200 CFS
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION:

T06N R45E S29 SWSWSW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/15 10/31	0.030 CFS
IRRIGATION	04/15 10/31	3.200 CFS

PLACE OF USE: STOCKWATER Within TETON County

T06N R45E S30	NENE	T06N R45E S30	NWNE
T06N R45E S30	SWNE	T06N R45E S30	SENE

IRRIGATION Within TETON County

T06N R45E S30	NENE	33.0	T06N R45E S30	NWNE	38.0
T06N R45E S30	SWNE	40.0	T06N R45E S30	SENE	40.0

151 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 22-133A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE
IRRIGATION SEASON.

This right is limited to the irrigation of 160.0 acres within the place of use
described above 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

WATER IS DELIVERED THROUGH BLAIR DITCH.

Right no. 22-278 is also diverted through point of diversion described above.



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

August 1, 2008

LUCKY 13 LLC
C/O RAY PETERSON
PO BOX 3236
IDAHO FALLS ID 83403

RE: Notice of Change of Water Right Ownership (NCO) for 22-133A & 22-278
and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

The Idaho Department of Water Resources (IDWR) acknowledges receipt of 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,

Bobby Kern
Office Specialist II

Enclosure

cc Roger Muir, Lillis Muir

SCANNED
SEP 10 2008

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: 22-133A & 22-278

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

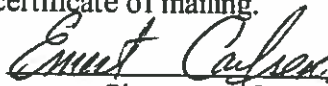
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party MUIR TO ROCKY 13 LLC
- ☐ 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: 9-4-2008



Signature of IDWR Representative

SCANNED
SEP 10 2008

CERTIFICATE OF MAILING

I certify that on 9/5, 2008, 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:
ROGER MUIR
252 W MORAN VIEW RD
REXBURG ID 83440

LILLIS MUIR
230 E 1ST ST
REXBURG ID 83440

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
LUCKY 13 LLC
C/O RAY PETERSON
PO BOX 3236
IDAHO FALLS ID 83403

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

SCANNED

SEP 10 2008

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case 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)
22-278					
22-133A					

RECEIVED

JUL 29 2008

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are 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)

Roger Ellis Menier

SCANNED

SEP 10 2008

4. New Owner/Claimant(s)

Ray Peterson

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

New Mailing Address

P.O. Box 3236

City, State and ZIP Code

Idaho Falls, Idaho

83403

New Telephone Number

(208) 356-9997

Email:

rp@petco.com

RGPetco@aol.com

5. Date you acquired the property

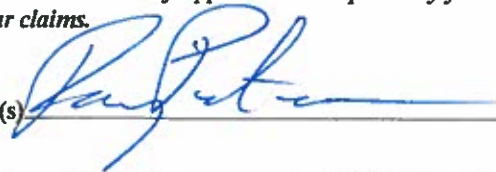
10/4/06

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)



(title if applicable)

(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 _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____

Date

SCANNED**SEP 10 2008**

Instrument # 181056

DRIGGS, TETON, IDAHO

2006-10-04

02:35:58 No. of Pages: 1

Recorded for: ALLIANCE TITLE & ESCROW

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to DEED WARRANTY

Fee: 3.00

181056

RECEIVED

OCT 04 2006

TETON CO., ID

CLERK REC'D

WARRANTY DEED

Order No.:3050614584TD

FOR VALUE RECEIVED

Roger Ellis Muir, a married person as sole and separate property and Sidney Muir, a married person as sole and separate property

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

Rocky 13, LLC, an Idaho limited liability company, an Idaho Partnership

whose current address is

124 E. Main Street Rexburg, ID 83440

the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

The Northeast Quarter of Section 30, Township 6 North, Range 45 East Boise Meridian in Teton County, Idaho. Less Highway right of way.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 9/27/2006

Roger Ellis Muir

Sidney Muir

State of Idaho

County of Madison

On this 2 day of October, in the year 2006 before me, a Notary Public in and for said state, personally appeared Roger Ellis Muir known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

State of Idaho

County of Madison

On this 3 day of October, in the year 2006 before me, a Notary Public in and for said state, personally appeared Sidney Muir known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public for the State of Idaho

Residing at:
Commission Expires:

Notary Public for the State of Idaho
Residing in Fremont County
Commission Expires 06-21-2011

Notary Public for the State of Idaho

Residing at:
Commission Expires:

SCANNED

SEP 10 2008

181056

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

07/22/2008

WATER RIGHT NO. 22-278

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LILLIS MUIR 230 E 1ST S REXBURG, ID 83440
Current Owner	ROGER MUIR 252 W MORAN VIEW RD REXBURG, ID 83440 (208)356-0394
Original Owner	H J GREGORY

Priority Date: 06/01/1903

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING CREEK	TETON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	2 CFS	
Total Diversion			2 CFS	

Location of Point(s) of Diversion:

SPRING CREEK	SWSWSW	Sec. 29	Township 06N	Range 45E	TETON County
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SCANNED
SEP 10 2008

Place(s) of use:

Place of Use Legal Description: IRRIGATION TETON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06N	45E	30		NENE	39		NWNE	39		SWNE	40		SENE	40

Total Acres: 158

Conditions of Approval:

1.	C18	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.
2.	E55	Right Nos. 22-133A and 22-278 are limited to the irrigation of a combined total of 158 acres in a single irrigation season.
3.	F01	Water is delivered through Blair Ditch.
4.	C05	Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Dates:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 01

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

SCANNED

SEP 10 2008

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

07/22/2008

WATER RIGHT NO. 22-133A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LILLIS MUIR 230 E 1ST S REXBURG, ID 83440
Current Owner	ROGER MUIR 252 W MORAN VIEW RD REXBURG, ID 83440 (208)356-0394
Original Owner	CLIFTON MUIR 213 HOLLY ST REXBURG, ID 83440 (208)356-6513

Priority Date: 01/22/1916

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING CREEK	TETON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	2.4 CFS	
Total Diversion			2.4 CFS	

Location of Point(s) of Diversion:

SCANNED

SEP 10 2008

SPRING CREEK	SWSWSW	Sec. 29	Township 06N	Range 45E	TETON County
--------------	--------	---------	--------------	-----------	--------------

IRRIGATION Use:

Acre Limit: 120

Place(s) of use:

Place of Use Legal Description: IRRIGATION TETON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06N	45E	30		NENE	39		NWNE	39		SWNE	40		SENE	40

Total Acres: 158

Conditions of Approval:

1.	C18	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.
2.	E55	Right Nos. 22-133A and 22-278 are limited to the irrigation of a combined total of 158 acres in a single irrigation season.
3.	F01	Water is delivered through Blair Ditch.
4.	K06	This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.
5.	C02	Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.
6.	C03	Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
7.	C05	Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Dates:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

SCANNED

SEP 10 2008

DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

SCANNED

SEP 10 2008

08/01/2008

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

RIGHT NUMBER: 22-133A

NAME AND ADDRESS: ROCKY 13 LLC
C/O RAY PETERSON
PO BOX3236
IDAHO FALLS ID 83403

SOURCE: SPRING CREEK TRIBUTARY: TETON RIVER

QUANTITY: 2.400 CFS

PRIORITY DATE: 01/22/1916

POINT OF
DIVERSION:
T06N R45E S29 SWSWSW 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	2.400 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T06N R45E S30 NENE 39.00	T06N R45E S30 NWNE 39.00	
	T06N R45E S30 SWNE 40.00	T06N R45E S30 SENE 40.00	
	158 ACRES TOTAL		

Right Nos. 22-133A and 22-278 are limited to the irrigation of a combined total of 158 acres in a single irrigation season.

This right is limited to the irrigation of 120 acres within the place of use described above 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: BASIS OF CLAIM - Decreed

Water is delivered through Blair Ditch.

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

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

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

SCANNED
SEP 10 2008

NT OF WATER RESOURCES
ERN DISTRICT OFFICE
10 N. SKYLINE DR.
FALLS, IDAHO 83402

ADDRESS SERVICE
REQUESTED

RECEIVED

JAN 10 2007

Department of Water Resources
Eastern Region

* * *
PITNEY BOWES
U.S. POSTAGE
1901 PB3523907
8902500-630 JAN 05 2007
8436 MAILED FROM ZIP CODE 83402

MUIR230 834402019 1C06 16 01/08/07
MUIR RETURN TO SENDER

MOVED LEFT NO ADDRESS
UNABLE TO FORWARD
RETURN TO SENDER

LILLIS MUIR
230 E 1ST S
REXBURG ID 83440

22-133A
22-278
JR

DEPT OF WATER RESOURCES
WESTERN DISTRICT OFFICE
900 N. SKYLINE DR.
BOZO FALLS, IDAHO 83402

POSTAL SERVICE
REQUESTED

LILLIS MUIR
230 E 1ST S
REXBURG ID 83440

MUIR230 X834402023 1505 10 11/30/06
RETURN TO SENDER
MUIR NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
RETURN TO SENDER



22-133A
22-278
P

1091
U.S. POSTAGE
PB3523907
8972 \$00.870 NOV 28 2006
5960 MAILED FROM ZIP CODE 83402



Sent
1-19-07

22-480C 136G	129H	22-621A	78
13290	7029	13372	84
13413	7349	7388	13246
11526	7373	7339	13248
11529	13590	12064	13610
11530	13540	2128	13612
	356	10835	133A
		2281	278
		12533	7178
	7338	12629	7215B
	276A	2146	12239
	408B	4076	2206
	409B		
	410B	184A	11677
		10105	178A
		2293	178B
		11384	10236
		4139	13457
		4161	7403

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION
IDAHO FALLS ID
208-525-7161 - PHONE
208-525-7177 - FAX

TRANSMITTAL COVER SHEET

OMNIFAX

FAX: 354-8410

TO: JESSIE FROM: JENNIFER
Teton County Assessor

DOCUMENT DESCRIPTION: REQUEST FOR CURRENT OWNER INFORMATION. I HAVE SENT A SPREADSHEET INDICATING WHO WE HAVE IN OUR RECORDS AND THEIR LEGAL DESCRIPTION OF THEIR PROPERTY. EACH OF THESE LETTERS WAS RETURNED TO SENDER. PLEASE FILL OUT THE

LAST COLUMN WITH THE OWNER AND ADDRESS INFORMATION FOR THE PROPERTY LISTED. I HAVE ATTACHED A MAP FOR EACH PROPERTY WHEN I HAD ONE AVAILABLE.

PLEASE CALL ME WITH ANY QUESTIONS. THANKS SO MUCH FOR YOUR HELP.

TOTAL NUMBER OF PAGES (Including this page): X 13

*

* Billing address: N/A

*

*

*

* No of Pages _____ Cost / Page _____ Total Charge N/A

*



State of Idaho

Department of Water Resources
Eastern Region



Water Right(s):
22-133A
22-278

SCANNED
APR 29 2005

Point(s) of Diversion:
T06N R45E
Sec. 29 SWSWSW

Place of Use (parts of):
T06N R45E
Sec. 30 NENE, NWNE,
SWNE, SENE

Delivered through the Blair Ditch.

LEGEND



Point of Diversion



Place of Use



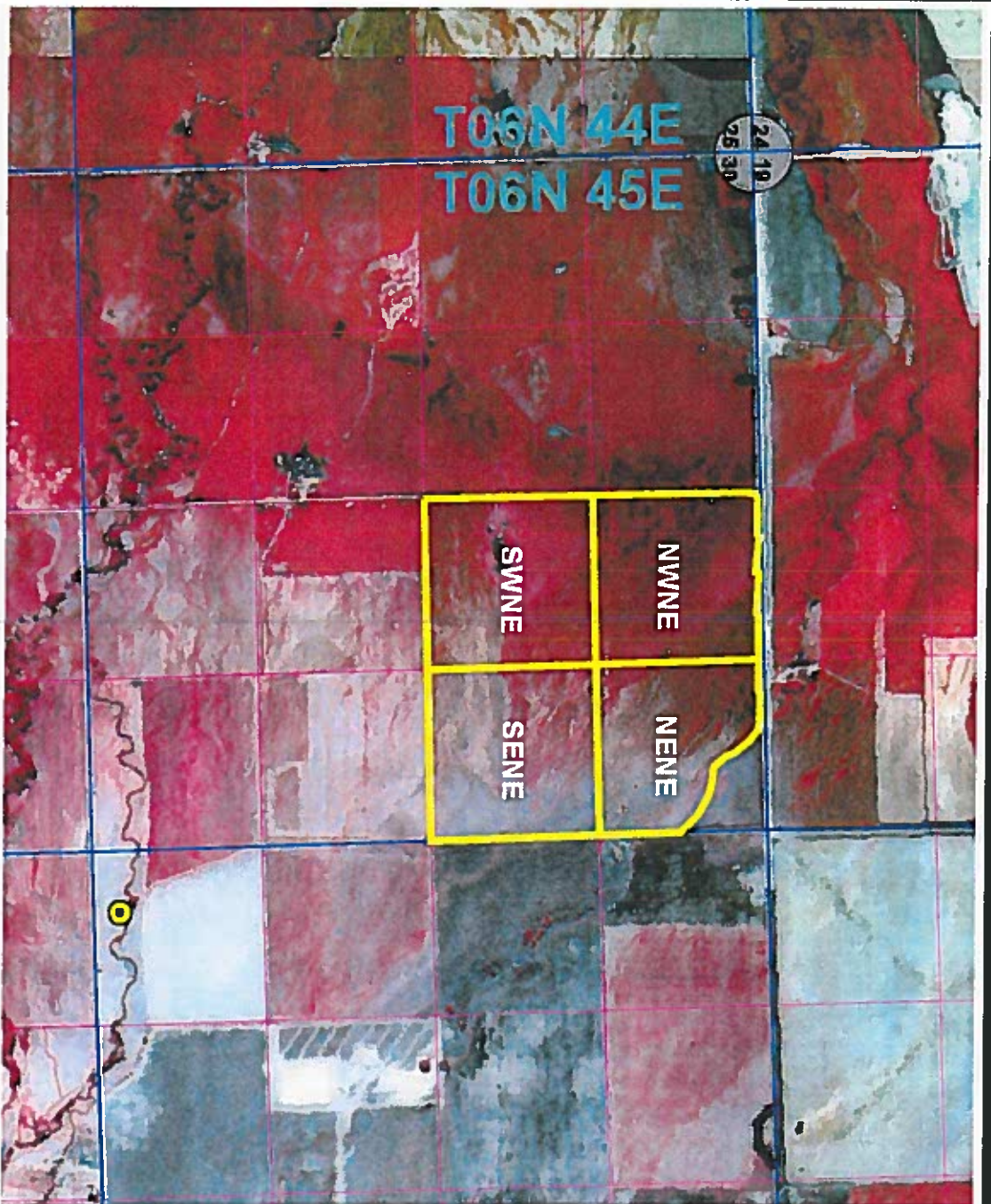
Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: S. Porter
Date: March 2005



03/22/2005

**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: 22-133A

CLIFTON MUIR
213 HOLLY ST
REXBURG ID 83440
Telephone Number: (208)356-6513

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: 6-29-05 SIGNATURE: Roger Muir

Please print your name: Roger Muir

IDWR Regional Office,

PROFILED

SCANNED
JUL 01 2005

RECEIVED
JUN 29 2005
Department of Water Resources
Eastern Region

1617
6/30

OK JC 5/23/05

RECEIVED
MAY 12 2005
Department of Water Resources
Eastern Region

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-10929					
	22-133A				
	22-278				

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) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

4. New Owner/Claimant(s)

New Mailing Address

City, State and ZIP Code

New Telephone Number

5. Date you acquired the property

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

Roger Muir
252 W Moran View Rd
Redburg, Idaho 83440
208 356 0394
3-11-03

COMPLETED
KMT 5/24/05

To File: deed says 1/2 to Lillis Muir
+ 1/2 Roger Muir so that is
how I changed it. JC
5/23/05

RECEIVED

MAY 24 2005

Department of Water Resources
Eastern Region

153565

RECEIVED

MAR 11 2003

TETON CO., ID.
CLERK RECORDER

PERSONAL REPRESENTATIVES' DEED

FOR VALUE RECEIVED, the undersigned, Lillis Muir, Personal Representative of the Estate of Clifton Muir, deceased, the *Grantor*, does hereby grant, bargain, sell and convey unto Roger Ellis Muir, a married person, of 666 West 1500 North, Rexburg, County of Madison, State of Idaho, as his sole and separate property, the rents, issues and profits therefrom to remain his sole and separate property, an undivided one-half (1/2) in the following described premises, in ^{Teton} ~~Madison~~ County, State of Idaho, to wit:

The NE¼ of Section 30, Township 6 North, Range 45, East Boise Meridian, in Teton County, Idaho. Together with ½ of any and all water rights, ditch rights and canal rights thereunto belonging or in anywise appertaining.

Subject to patent reservations, easements and right-of-ways for highways, roads, ditches, canals, pole, power and transmission lines as they exist; and to all existing zoning ordinances and applicable building codes, laws and regulations.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances unto the said *Grantee*, his successors and assigns forever. The *Grantor* does hereby represent that she is the duly appointed Personal Representative of the Estate of Clifton Muir, deceased, filed in the Magistrate's Division of the District Court of the Seventh Judicial District of the State of Idaho, in and for Madison County, Case No. CV-99-453, and make this conveyance by virtue of the authority and power granted to her by the Uniform Probate Code of the State of Idaho, and *Grantors* covenants to and with the *Grantee* that the said estate is the owner in fee simple of said land, and that said land is free from encumbrances.

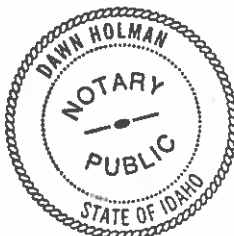
DATED this 11 day of March, 2003.

Lillis Muir
Lillis Muir

STATE OF IDAHO)
 :SS
County of Madison)

On this 11 day of March, 2003, before me, the undersigned, a Notary Public in and for said state, personally appeared Lillis Muir, known to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Clifton Muir, deceased, and acknowledged to me that she executed the same as such Personal Representatives.

(SEAL)



Dawn Holman
Notary Public
Residing at Rigby, ID
My Commission Expires: 9-1-06

Instrument # 153565

DRIGGS, TETON, IDAHO
2003-03-14 01:11:22 No. of Pages: 1
Recorded for: ROGER MUIR
NOLAN G. BOYLE Fee: 3.00
Ex-Officio Recorder Deputy R. N. MUIR
Index to: DEED, PERSONAL REPRESENTATIVE

153565

RECEIVED

MAR 14 2003

RECORDING
CLERK RECORDER

**PERSONAL REPRESENTATIVES'
QUITCLAIM DEED**

FOR VALUE RECEIVED, the undersigned, Lillis Muir, Personal Representative of the Estate of Clifton Muir, deceased, the *Grantor*, does hereby grant, bargain, sell and convey unto *Lillis Muir*, an individual of 230 East 1st South, Rexburg, County of Madison, State of Idaho, as her sole and separate property, the rents, issues and profits therefrom to remain her sole and separate property, any interest which the Estate of Clifton Muir may have in more than an undivided one-half (1/2) in the following described premises, in ~~Madison~~ ^{Teton} County, State of Idaho, to wit:

The NE¼ of Section 30, Township 6 North, Range 45, East Boise Meridian, in Teton County, Idaho. Together with ½ of any and all water rights, ditch rights and canal rights thereunto belonging or in anywise appertaining.

Subject to patent reservations, easements and right-of-ways for highways, roads, ditches, canals, pole, power and transmission lines as they exist; and to all existing zoning ordinances and applicable building codes, laws and regulations.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances unto the said *Grantee*, his successors and assigns forever. The *Grantor* does hereby represent that she is the duly appointed Personal Representative of the Estate of Clifton Muir, deceased, filed in the Magistrate's Division of the District Court of the Seventh Judicial District of the State of Idaho, in and for Madison County, Case No. CV-99-453, and make this conveyance by virtue of the authority and power granted to her by the Uniform Probate Code of the State of Idaho, and *Grantors* covenants to and with the *Grantee* that the said estate is the owner in fee simple of said land, and that said land is free from encumbrances.

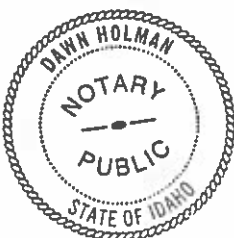
DATED this 14 day of March, 2003.

Lillis Muir
Lillis Muir

STATE OF IDAHO)
 :SS
County of Madison)

On this 14 day of March, 2003, before me, the undersigned, a Notary Public in and for said state, personally appeared Lillis Muir, known to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Clifton Muir, deceased, and acknowledged to me that she executed the same as such Personal Representatives.

(SEAL)



Dawn Holman
Notary Public
Residing at Rigby, ID
My Commission Expires: 9-1-06

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DRIGGS, TETON, IDAHO
2003-03-14 01:11:22 No. of Pages: 1
Recorded for: ROGER MUIR
NOLAN G. BOYLE Fee: 3.00
Ex-Officio Recorder Deputy RHOLMAN
Index to DEED PERSONAL REPRESENTATIVE

Water Right and SRBA Split History Analysis

22-133

22-133
 POD N Leach Creek
 POU: T6N 44E Sec 23 SESE
 " Sec 24, SWSW, SESW, SUSE
 " Sec 26 NENE, SENE, NESE
 R4SE Sec 19 SESE
 " Sec 30 NENE, SUNE, SENE
 Sec 32 NE NE, NNE, SUNE
 SENE, NENE, SE NW
 NESE, NUNE
 28 cfs

22-133A	POD Spring Creek LN 4SE SWSW POU 6N 44E Sec 30 NENE 40 acrs 32 cfs
22-133B	POD Spring Creek POU 6N 4SE 79 acrs 134 cfs
22-133C	POD N Leach Creek + Spring Creek POU 6N 44E Sec 19 NESW, MSW SWSW, SESW, NESE, NUSE SUSE, SESE 310 acrs 3 cfs
22-133D	POD Spring Creek + Spring Creek POU 5N 4SE Sec 25 NENE 6N 44E Sec 32 NENE, SENE, NESE, NUSE, SESE Sec 33 SESE, NESW, MSW 340 acrs 1155 cfs
22-133E	POD Spring Creek POU 6N 44E Sec 25 NUNE, NENE, MSW Sec 26 NENE, 140 acrs 30 cfs
22-133F	POD N Leach Creek Spring Creek POU 6N 44E Sec 23 NESW, SESW, NESE, MSW, SUSE, SESE Sec 24 MSW, SWSW, SESW 179 acrs 5.91 cfs

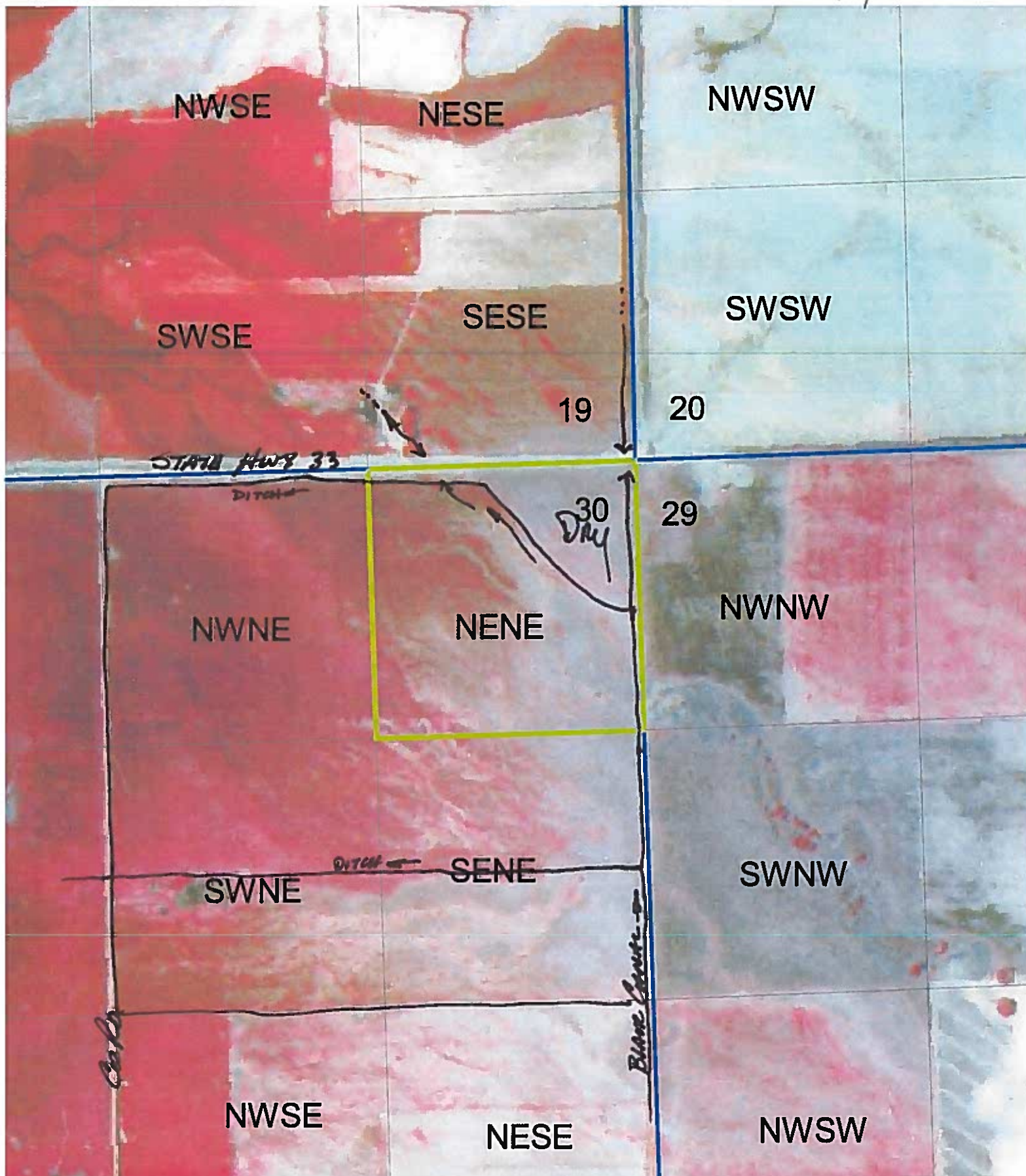
Reviewer: _____
 mydoc/fieldexamforms/splithistory

Date: _____

PROFILE

22-133A

SCANNED
APR 24 2005
for



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: A22-00133A
Date Received: 8/16/1988
Receipt No: 6001313
Received By: SSA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLIFTON MUIR
Address: 2000 N. 592 W.
REXBURG, ID 83440
208-356-6513

2. Date of Priority: JAN 22, 1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	29	SW	SW	SW		TETON

5. Description of diverting works:
HEADGATE IN SPRING CREEK TO BLAIR DITCH TO POU. 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	3.200		
STOCKWATER	04/15	10/15	0.030		

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

8. Total consumptive use is 320.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR 100 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	30	NE	NE		IRR	40.0
			NE	NE		STOCK	

A22-00133A

Page 1

Date: 08/16/88

A2200133A



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APR 29 2005

MICROFILMED
NOV 04 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	45E	30	NW	NE	STOCK	40.0
			SW	NE	STOCK	40.0
			SE	NE	STOCK	40.0
					Section Acres	160.0
					Total Acres	160.0

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:

22-0278, SPRING CREEK & N. LEIGH CREEK CANAL, CO.

14. Remarks:

ORIGIANALLY WATER DIVERTED IN SW NW SEC 23 AND DELIVERED TO POU VIA DITCH. THIS DITCH WAS ABANDONED SEVERAL YEARS AGO. WATER IS NOW DIVERTED FROM SPRING CREEK AND DELIVERED TO POU VIA BLAIR DITCH. ORIGINAL DECREE EXCLUDED NW NE, BUT IT HAS BEEN IRRIGATED (COVERED IN 22-0278) BY THIS WATER RIGHT AS DELIVERED BY THE WATER MASTER.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/03/1938

MARTELL HANSEN

Decree Plaintiff

vs

LYNN CRANDALL, W.M.

Decree Defendant

PROFILED

SCANNED
APR 29 2005

MICROFILMED
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: 1

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): Clifton Thiel Date: 8-16 88
Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of August 19 88

Dana Green
Notary Public

Seal

Residing at Richly
My Commission Expires 4-22-1991

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SCANNED
APR 29 2005

MICROFILMED
NOV 04 1992

A22-0133A

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SCANNED

APR 29 2005

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NOV 04 1992