

02/24/2009

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

RIGHT NUMBER: 22-156

NAME AND ADDRESS: HAROLD K DUNN
326 N 300 W
TETONIA ID 83452

KATHERINE T DUNN
662 N SADDLE HILL RD
SALT LAKE CITY UT 84103

Draft

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 2.000 CFS

PRIORITY DATE: 06/01/1895

POINT OF DIVERSION:

T05N R44E S13 SWSESE 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	2.000 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R44E S12	SWSE	21.00	T05N R44E S13	NENE	7.00
T05N R44E S13	NWNE	24.00	T05N R44E S13	SWNE	13.00

65 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

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

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



Idaho Department of Water Resources

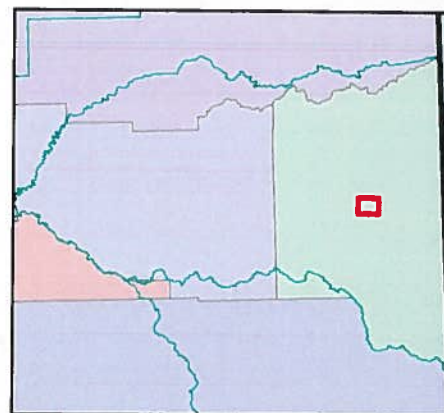
SRBA Recommendation

22-156

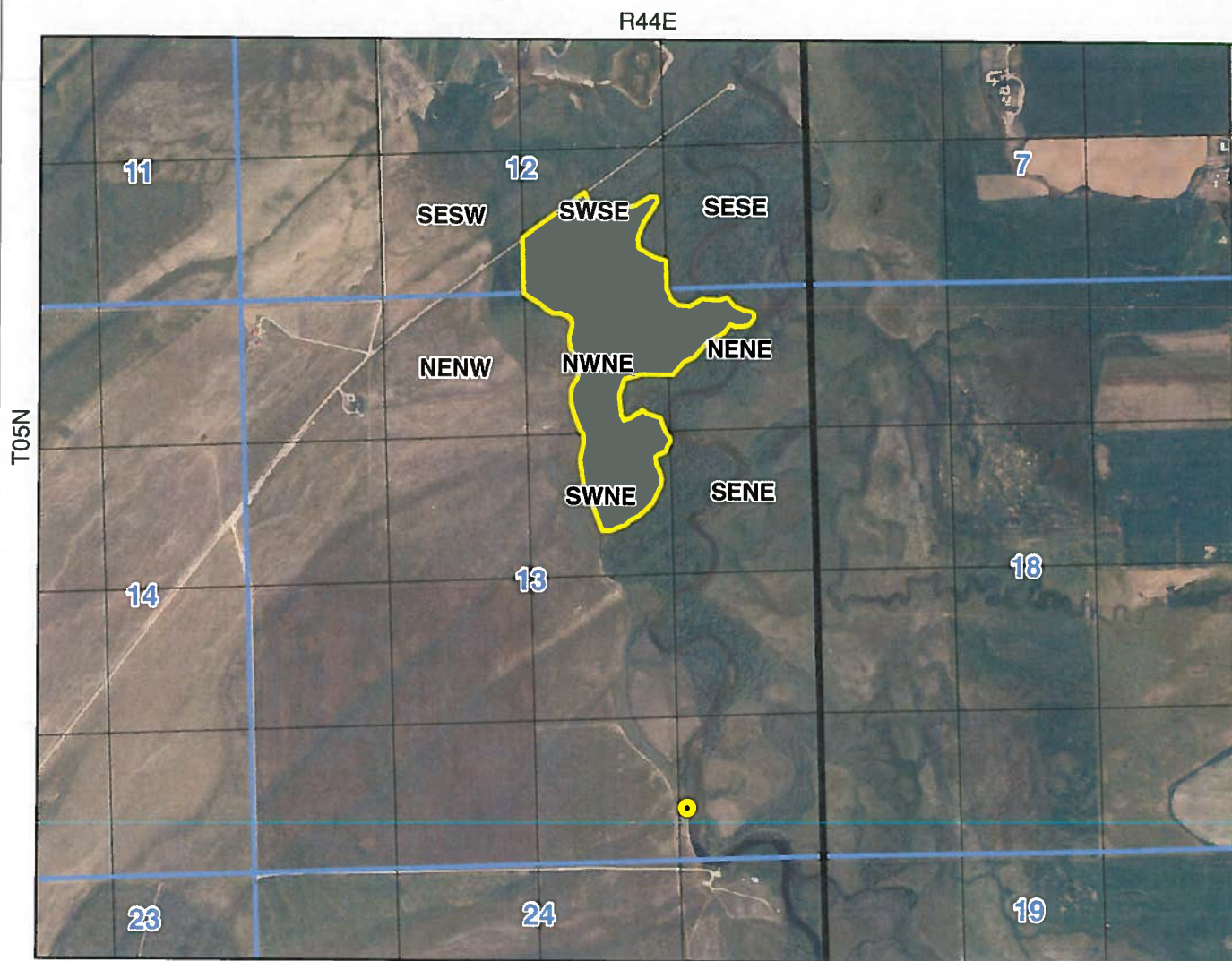
(IRRIGATION)

Legend

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



Teton County
IDWR Basin 22



Prepared by Ernie Carlsen
On February 24, 2009
2004 Aerial Photography

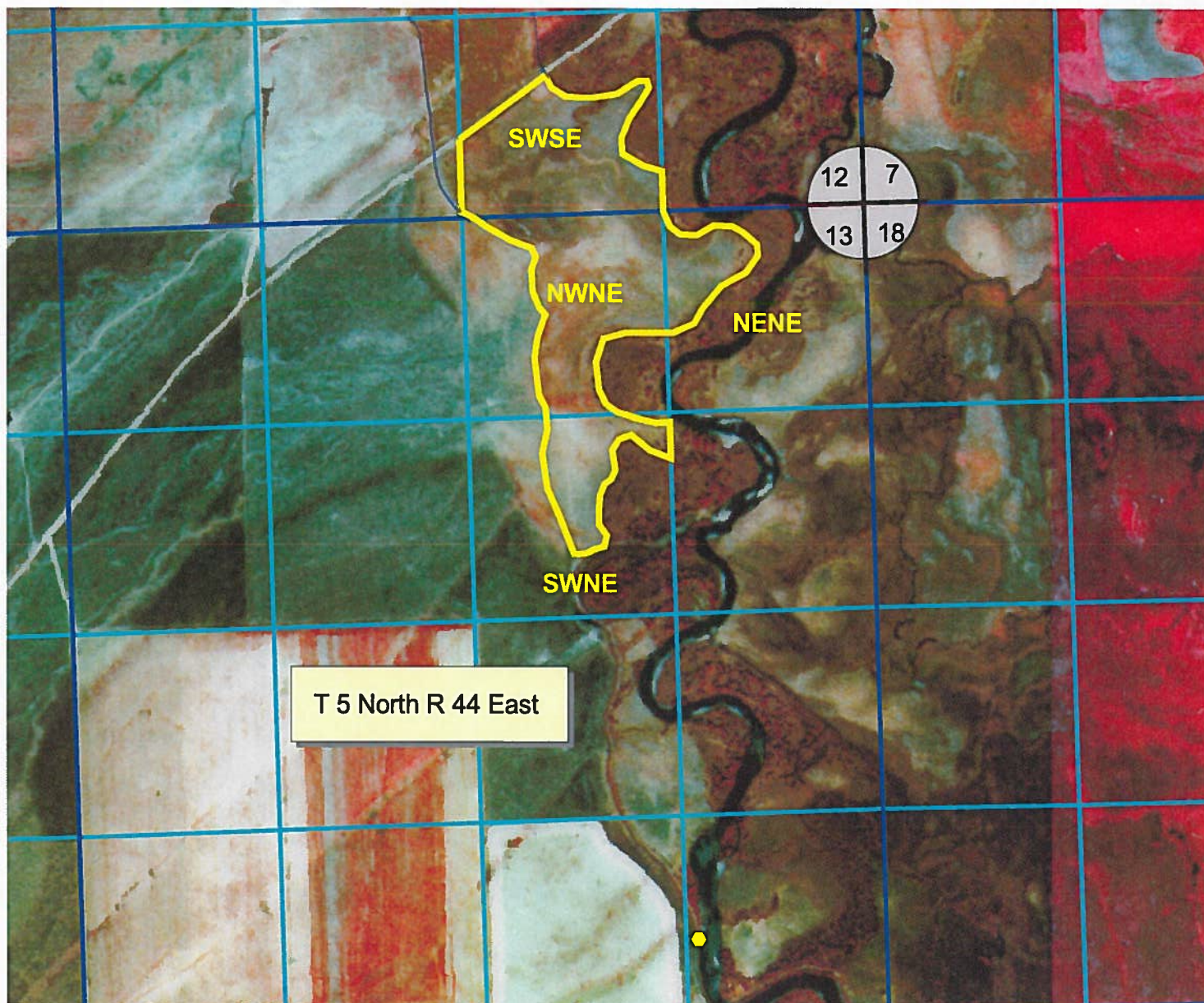
0 0.3 0.6 1.2 Miles



State of Idaho
Department of Water Resources
Eastern Region



Claim No.(s): 22-156



2000 0 2000 4000 Feet

- Place of Use
- Points Of Diversion
- Sections
- Quarter Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by T. Galbraith
Date: March 2006

SCAN.129

AUG 06 2007



AJ0749NP
No. A22-00156

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/09/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HAROLD K DUNN	06/01/1895	IRRIGATION	04-15 10-15	2.000 CFS	
C	KATHERINE T DUNN					
	662 SADDLE HILL RD					
	SALT LAKE CITY UT 84103					
	(801) 533-9730					
			TOTAL DIVERSION:		2.000 CFS	
			CONSUMPTIVE USE:			142.00 AFA

Water Source: TETON RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T05N R44E S13

SWSESE

TETON County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	
T R S	NE NE NE SENE	NE NW NW SENE	NE SW SW SENE	NE SE SE SENE	SUM
05N 44E 12	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: 23.0
05N 44E 13	: 05 23 20	:	:	:	: 48.0
					: 71.0
					TOTAL ACRES

POU County: TETON

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN **MODIFIED "SOURCE", 2/8/96/JT**
OWNERSHIP CHANGED PER REQUEST/JC/6-9-00

Dates: Exam Made Date: Verified Date:

Objection filed Date:

Misc: Water District Number: 01

Field Inspection Flag:
Presumption Flag:

03/01/2006

**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: 22-156

HAROLD K DUNN
662 N SADDLE HILL RD
SALT LAKE CITY UT 84103
Telephone Number: (801)533-9730

KATHERINE T DUNN
662 N SADDLE HILL RD
SALT LAKE CITY UT 84103
Telephone Number: (801)533-9730

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: _____ SIGNATURE: _____

Please print your name: _____

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

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03/01/2006

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

RIGHT NUMBER: 22-156

NAME AND ADDRESS: HAROLD K DUNN
662 N SADDLE HILL RD
SALT LAKE CITY UT 84103

KATHERINE T DUNN
662 N SADDLE HILL RD
SALT LAKE CITY UT 84103

SOURCE: TETON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.160 CFS

PRIORITY DATE: 06/01/1895

POINT OF DIVERSION: T05N R44E S13 SWSESE Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/15	1.160 CFS
PLACE OF USE:	<u>IRRIGATION Within TETON County</u>		
	T05N R44E S12 SWSE 21.00	T05N R44E S13 NENE	6.30
	T05N R44E S13 NWNE 22.00	T05N R44E S13 SWNE	8.90
	58.2 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

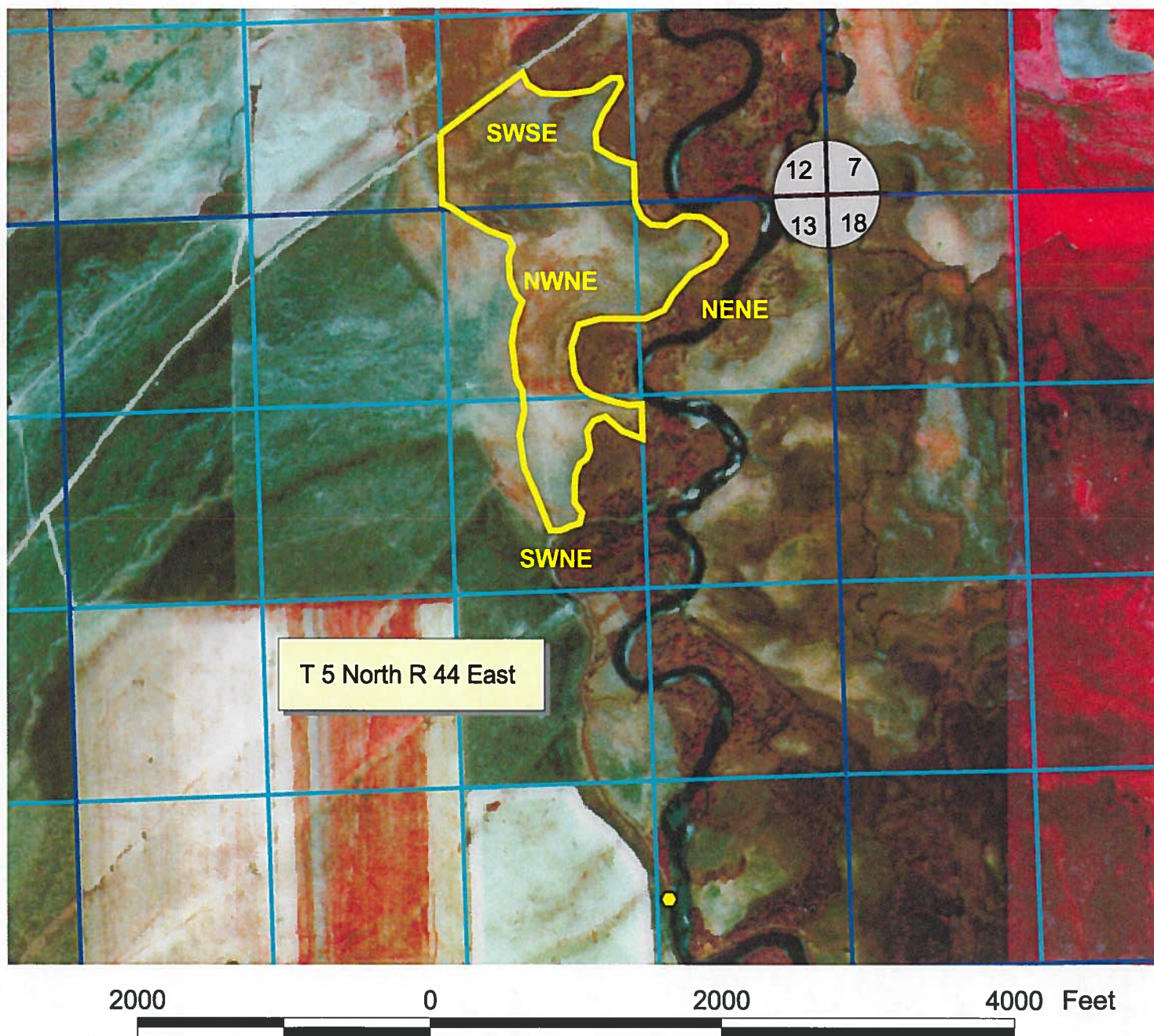
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State of Idaho
Department of Water Resources
Eastern Region



Claim No.(s): 22-156



- Place of Use
- Points Of Diversion
- Sections
- Quarter Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by T. Galbraith
Date: March 2006

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22-156.

□ Recommendation POU layer shows gap between 22-156 and 22-11776.

□ Deed for Dunn school's SWSE & SESW Sec 12.

∴ Suggest extending POU to include acreage in SWSE & SESW Sec 12

- Also answer questions under P.O.U. tab in workflow. - should track to CO5.

□ To recommend less than 2.0 a/s means partial forfeiture. Is there evidence partial forfeiture has occurred? -

Dunn Claims ^{1281.5}
^{21.79 cts}

- 22-641E - claimant ~~owns~~ ^{claims} 123.5 of decreed
pov which he owns. Decree states .017 cts/acre
which is ~~2.1~~ 2.1 cts
- 22-1145 - claimant claims 200 acres of decreed pov
which he owns. Decree states .017 cts/acre which
is 3.4 cts
- 22-12783 - claimant claims 240 acres of decreed
pov which he owns. Decree states .017 cts/acre
which is 4.08 cts
- 22-13383 - claimant claims 159 acres of decreed
pov which he owns. Decree states .017 cts/acre
which is 2.7 cts
- 22-641D - claimant ~~owns~~ ^{claims} 267 acres of decreed
pov which he owns. Decree states .017 cts/acre
which is 4.54
- 22-609A - claimant ~~owns~~ ^{claims} 80 acres of original POV
which he owns. Decree states .02 cts/acre
which is 1.6 cts The rest of 609 is
not claimed.
- 22-406 - claimant own all of decreed POV and
claims it. Receives .4 cts
- 22-407 - claimant claims and owns all of decreed
POV he receives all 28 cts.
- 22-276A - claimant owns all of decreed POV but
claims land outside of original pov which
he owns. assuming an accomplish change in
POV ~~EOS~~ condition. Receives 1.6 cts

Dunn Claims Cont.

22-276B - claimant owns all of decreed pov and claims 80 acres of it. Receives 1.6 cfs

22-156 - SW SW of sec 17 could not have been flood irrigated should be SW SE of Sec 12. Also there is a lot of swampy land there are no competing claims for this right. I am giving ~~him~~ the full 2 cfs for his 70 acres. I am giving him the full 2 cfs for his 70 acres. As decreed!

22-262 - swampy land would make it so all of decreed land was not irrigated. Claimant is claiming .8 cfs for 123.5 acres which ~~seems~~ seems ok to me. He owns full pov.

22-263 - Same as 262 I am allowing full 1.6 cfs no competing claims

22-264 - Same as 262 I am allowing full .8 cfs no competing claims

22-408B - ~~only owns 120 acres of decreed pov which is .6 cfs based on decreed cfs/acre~~
Selling of land resulted in an unproportional split of water - 408B retains .7 cfs

22-409B - selling of land resulted in unproportional split of water 409B retains .875 cfs

22-410B - claim reflects amount of water sold to Dunn 410B retains 1.275 cfs

2-27-06 TG

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d. 4

Anderson,
Mrs Hogan

North Salem Agricultural & Milling
Canal Company.

~~22-0660~~ 22-0660¹ 01-0025?

Anderson, Otto

200 inches. June 1, 1898. Bannock Jim Slough.

Andrews, L. W.

120 inches. June 1, 1890. Grove Creek.

Andrews, L. W.

40 inches ~~1898~~ Water of Springs on
place

Andrews, Heber
and Robert

The Farmers' Friend
Canal Company.

Andrus, Robert

The Farmers' Friend
Canal Company.

~~22-0156~~ 22 0156

Ashmead, Charles
Asbury, G. C.

100 inches June 1, 1895

Teton Creek.
(Disclaim any
interest.)

Avery, Mrs J.

(See Talitha C. Avery)

~~22-0157~~ 22 0157

Avery, Talitha C.

160 inches. June 1, 1896.

Trail Creek.

B.

~~22-0158~~ 22 0158

Bagshaw, Ellen

30 inches. Aug. 15, 1900

Fine Creek

~~22-0011~~ 22 0011

Baker, Joseph D.

1,150 inches Aug. 15, 1893

Faliscade Creek

~~21-0020~~ 21 0020

Baker, Joseph D.

120 inches June 1, 1903

Sheridan Creek 576-

~~21-0021~~ 21 0021

Baker, Richard L.

100 inches June 1, 1903

Sheridan Creek and 576-
Bishop Slough

Ballantyne,

Martha J.

(See Z Ballantyne.)

~~25-0001~~ 25-0262

Ballantyne, Z.

160 inches. June 1, 1884.

Spring Creek, near

~~25-0002~~ 25-0260

Ballantyne, Z.

120 inches. Nov. 14, 1899.

Spring Creek, near

~~22-0159~~ 22 0159

Barnes, Charles W.

160 inches. June 1, 1896.

Trail Creek.

Barnes, Robert

The Farmers' Friend
Canal Company.

Barnes, Thomas H.

The Farmers' Friend
Canal Company.

~~22-0160~~ 22 0160

Barney, Walter

160 inches June 1, 1891

South Leigh Creek.

~~22-0161~~ 22 0161

Barney, Walter W

120 inches. June 1, 1896.

South Leigh Creek.

Barrett, C. H.

The Farmers' Friend
Canal Company

Barrett, E. C.

The Farmers' Friend
Canal Company.

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Arave, David E. SE $\frac{1}{4}$ of Sec. 19, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 26, and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 25, T. 1 N., R 38 E., B. M., containing 160 acres.

Arave, Heber NE $\frac{1}{4}$ of Sec. 36. T. 1 N., R. 37 E., B. M., containing 160 acres.

Armstrong, Robert SE $\frac{1}{4}$ of Sec. 11, E $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 11, S $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 11, T. 1 N., R., 37 E. B. M., containing 320 acres.

Ashmead, Charles SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 12, N $\frac{1}{2}$ of NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 13, T. 5 N., R 44 E., B. M. containing 200 acres.

Avery, Talitha O. SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 1, and S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 2, and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 11, T. 1 N., R. 45 E., B. M.

B.

Bagshaw, Ellen W $\frac{1}{2}$ of NE $\frac{1}{4}$ and E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 8, T. 3 N., R. 45 E.

Baker & Dixon Ditch Company.

Daniels, James S $\frac{1}{2}$ of NE $\frac{1}{4}$ and Lots 3 and 4, Sec. 20, T. 1 N. R 44 E., B. M., containing 167.60 acres.

Dixon, James S. W $\frac{1}{2}$ of NW $\frac{1}{4}$. SE $\frac{1}{4}$ of NW $\frac{1}{4}$. NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 9, T. 1, N., R. 44 E., B. M. containing 160 acres.

Neillson, Mary E. E $\frac{1}{2}$ of NW $\frac{1}{4}$. SW $\frac{1}{4}$ of NE $\frac{1}{4}$. N $\frac{1}{2}$ of SW $\frac{1}{4}$. and Lots 1, 2 and 3, Sec. 21, T. 1 N., R 44 E., B. M., containing 320 acres.

Weeks, Hiram J. SE $\frac{1}{4}$ of NE $\frac{1}{4}$. and NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 21, SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and N $\frac{1}{2}$ of SW $\frac{1}{4}$. Sec. 22, T. 1 N. R. 44 E., B. M.

Claim No. 22-156

Document Checklist

☒ Copy License/Decrec

Dextora v Teton

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

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101	Waddell, Mrs. L. E.; Sept. 1, 1891; Teton Creek.	140
104	Grand Teton Canal Co.; May 1, 1892; Teton Creek. (Diverted in Wyoming)	15
105	Edlefson, Noah C.; June 1, 1892; Leigh Creek	50
105	Walton, George; June 1, 1892; Paradise Creek	160
105	Gjellrup, Carl; June 1, 1892; Darby Creek	40
105	Gilbert, Albert; June 1, 1892; Horse Shoe Creek.	120
105	Ricks, Josiah; June 1, 1892; North Leigh Creek	160
105	Siddoway Irrigation & Manufacturing Co.; June 1, 1892; Teton River	200
From July 1st of each year for the balance of the irrigation season		
105	Todd, John; June 1, 1892; Darby Creek	20
105	Todd, Henry M.; June 1, 1892; Darby Creek	120
107	Davidson, L. S.; July 26, 1892; Darby Creek	160
111	Bettis, Alice, and Joseph; May 1, 1893; Trail Creek	40
111	Bigler, Jesse E.; May 1, 1893; Moody Creek	160
To be reduced to 160 inches after June 20th in each year		
112	Jones, Benjamin; June 1, 1893; Trail Creek	30
112	Thomas, Henry E.; June 1, 1893; no stream proved.	60
112	Wood, Samuel L.; June 1, 1893; Mahogany Creek	100
112	Young, Eva H., widow of Eugene H. Young (deceased); June 1, 1893; Warm Creek	40
112	Gale, Joseph; June 1, 1893; South Leigh and Swamp Creek	100
112	Gordon, S. A.; June 1, 1893; South Leigh Creek	100
112	Eddington, George; June 1, 1893; Teton Creek	115
116	Stephens, N. H.; May 1, 1894; Trail Creek	80
117	Sinclair, D. R.; June 1, 1894; Trail Creek	160
117	Sinclair, D. R., Adminr. Estate of Fred Sinclair (deceased); June 1, 1894; Warm Creek	80
117	Ricks, Alfred; June 1, 1894; Moody Creek	10
To be reduced to 100 inches after June 20th of each year		
117	Ricks, John; June 1, 1894; Trail Creek	50
117	Ricks, Alfred; June 1, 1894; Teton River	160
117	Hatch, Hyrum; June 1, 1894; Trail Creek	160
117	Moffat, John P.; June 1, 1894; Swamps	40
117	Gale, Joseph; June 1, 1894; South Leigh and Swamp Creek	80
117	Christensen, Niels C.; June 1, 1894; Fox Creek	160
117	Blattner, Rudolph; June 1, 1894; Darby Creek	160
117	Ellis, A. J.; June 1, 1894; Darby Creek	160
118	Eynon, L. L.; June 15, 1894; Spring Creek, a tributary of Pine Creek	40
119	Kirsley, Richard; June 30, 1894; Trail Creek	160
120	Frye, John; July 1, 1894; Trail Creek	20
128	Durney, P. S.; May 15, 1895; Little Warm Creek	60
129	Adams, E. G.; June 1, 1895; no stream proved.	150
129	Ashmead, Charles; June 1, 1895; Teton Creek	100
129	Bush, Sarah M.; June 1, 1895; Teton Creek	150
129	Caldwell, Moroni; June 1, 1895; Pack Saddle Creek	160
129	Heimann, C. M.; June 1, 1895; Teton Creek	80
129	Moffat, Mary A.; June 1, 1895; Leigh Creek	80
129	Moffat, Andrew; June 1, 1895; South Leigh Creek and Swamps	20
129	Ingram, Thomas H.; June 1, 1895; Darby Creek	160
129	Lauritzen, John; June 1, 1895; Spring Creek	80
129	Kimball, Archie R.; June 1, 1895; Trail Creek	160

129	Kay, James; June 1, 1895; Trail Creek	140
129	Parker, B. F.; June 1, 1895; Fox Creek	15
129	Nordval, C.; June 1, 1895; Darby Creek	50
131	Spencer, Charles; June 15, 1895; Trail Creek	160
131	Costello, C. A.; June 15, 1895; Pine Creek	40
131	Costello, C. A.; June 15, 1895; Spring Creek	120
132	Tonks, George M.; July 15, 1895; Trail Creek	160
138	Beard, James T.; Apr. 1, 1896; Teton River	200
138	Huskinson, William J.; Apr. 1, 1896; Teton River	20
138	Smith, Albert; Apr. 1, 1896; Trail Creek	120
138	Smith, Albert; Apr. 1, 1896; Little Warm Creek	40
140	Blair, J. J.; May 1, 1896; Spring Creek	120
142	Stahn, Emil A.; May 15, 1896; Spring Creek	130
142	Moulton, Charles; May 15, 1896; Fox Creek	100
142	Moulton, George F.; May 15, 1896; Fox Creek	100
143	Edwards, Andrew; June 1, 1896; Trail Creek	40
143	Blair, Ed. F.; June 1, 1896; Trail Creek	30
143	Avery, Talitha C.; June 1, 1896; Trail Creek	60
143	Allen, Charles A.; June 1, 1896; Trail Creek	60
143	Barnes, Charles W.; June 1, 1896; Trail Creek	60
143	Bush, George W.; June 1, 1896; Fox Creek	100
143	Bush, George W.; June 1, 1896; Fox Creek	40
143	Buxton, John; June 1, 1896; Mahogany Creek	160
143	Buxton, Lucy, Adminr. Estate of Joseph Buxton (deceased); June 1, 1896; Spring Creek	100
143	Crandall, Ira; June 1, 1896; Darby Creek	100
143	Hamblin, Kate; June 1, 1896; Trail Creek	115
143	Hamblin, Joseph R.; June 1, 1896; Trail Creek	80
143	Griggith, Henry; June 1, 1896; Trail Creek	160
143	Hendrickson, Alvira E.; June 1, 1896; South Leigh Creek	160
143	Hansen, Andrew C.; June 1, 1896; Teton Creek	80
143	Hanks, Harriet A.; June 1, 1896; North Leigh Creek	10
143	Robertson, A. I.; June 1, 1896; Springs on place	50
143	Moffat, John P.; June 1, 1896; Pine Creek	80
143	Lauritzen, John; June 1, 1896; Pine Creek	160
143	Ricks, Effie E.; June 1, 1896; Trail Creek	160
143	Rice, A. L.; June 1, 1896; Patterson Creek	160
143	Rice, A. L.; June 1, 1896; Patterson Creek	160
143	Peterson, A. L.; June 1, 1896; Darby Creek	160
143	Peterson, Chris; June 1, 1896; Trail Creek	60
143	Humbull, Olive A.; June 1, 1896; Trail Creek	150
143	Stone, Henry J.; June 1, 1896; Fox Creek	60
143	Sherman, William D.; June 1, 1896; Trail Creek	160
143	Walton, Dania; June 1, 1896; Darby Creek	120
143	Victor Town Site; June 1, 1896; Trail Creek	320
143	Vail, J. R.; June 1, 1896; Fox Creek	160
143	Taylor, Jackson C.; June 1, 1896; South Leigh Creek	90
143	Letham, John; June 1, 1896; North Leigh Creek	155
143	Murphy, Thomas E.; June 1, 1896; Darby Creek	160
143	Larson, Peter; June 1, 1896; Darby Creek	160
143	Larsen, K. M.; June 1, 1896; Darby Creek	40
143	Larsen, A. C.; June 1, 1896; Darby Creek	20
143	Kimball, R. C., and A. L.; June 1, 1896; Fox Creek	80
143	Johnson, W. R.; June 1, 1896; Trail Creek	20
143	Penfold, Farley; June 1, 1896; Fox Creek	20
143	Paseor, F.; June 1, 1896; Darby Creek	160
144	Pascoe, W. R.; June 15, 1896; Darby Creek	160
145	Larson, Andrew; July 1, 1896; Lauritzen Spring	40
145	Frye, John; July 1, 1896; Trail Creek	140
147	Eames, John S.; July 15, 1896; Teton River	25



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 9, 2000

HAROLD K & KATHERINE T DUNN
662 SADDLE HILL RD
SALT LAKE CITY UT 84103

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A22-00156

Dear Mr. & Mrs. Dunn:

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

However, our research revealed an error on the original water right filing which needs to be corrected. The error incorrectly listed 23 acres in the **SWSW** of Section 12, Township 5 North, Range 44 East. The correct legal description is the **SWSE** of Section 12, Township 5 North, Range 44 East.

Please sign the amended (corrected) claim in the presence of a notary public and return to our office.

If you have questions about this matter, please do not hesitate to call.

Respectfully yours,

Jennifer Crabtree
Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Kent Foster; Holden, Kidwell, Hahn & Crapo

SCANNED

AUG 06 2007

DELOG-JC 6/7/00

OK JC
6/7/00

**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

DATE OF CLOSING: April 1, 2000

LEGAL DESCRIPTION OF PROPERTY: See attached Warranty Deed

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Rights Number(s)
Assigned by IDWR: A22-00156

☒ Name and Address of Former
Owner/Claimant(s)(Seller): The Louise B. Gailey Family Partnership, John
B. Gailey and Susan P. Gailey
139 West 100 South
Kaysville, Utah 84037

☒ New Owner/Claimant
(Purchaser): Harold K. Dunn and Katherine T. Dunn

☒ New Mailing Address: 662 Saddle Hill Road
Salt Lake City, Utah 84103

☒ New Telephone Number: 801-533-9730

☒ Does the change in ownership result in a splitting of the water right owned/claimed?
_____ yes _____ ☒ no. If yes, then describe the portion of the
water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: Copy of Warranty Deed
(proof of ownership must describe either the property conveyed or include the claim
number. Proof of ownership is not required if this form is signed by the former
owner/claimant.)

SCANNED
AUG 06 2007

[x] Signature of New
Owner/Claimant(s)

Harold K. Dunn Date 4/4/00
Harold K. Dunn

Katherine T. Dunn Date 4/3/00
Katherine T. Dunn

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Number of Split, if any:

Original to be mailed to Idaho Department of
Water Resources. Copies to Former Owner and
New Owner

G:\WPDATA\CAH8970\GAIL0310 NOT.jht

T-7718

RECEIVED

137381
WARRANTY DEED

APR 18 2000

TETON CO., ID
CLERK RECORDER

THIS INDENTURE is made this 27th day of March, 2000, by **JOHN B. GAILEY and SUSAN P. GAILEY**, husband and wife, and **THE LOUISE B. GAILEY FAMILY PARTNERSHIP**, a Utah limited partnership, whose general partners are **John B. Gailey, Christine Gailey Christensen and Linda Gailey Arnell**, collectively the "Grantor", and **HAROLD K. DUNN and KATHERINE T. DUNN**, husband and wife, whose mailing address is 662 Saddle Hill Road, Salt Lake City, Utah 84103, the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Teton, State of Idaho, to-wit:

Township 5 North, Range 44 East Boise Meridian, Teton County, Idaho

Section 12: SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 13: NE $\frac{1}{4}$ and the E $\frac{1}{2}$ NW $\frac{1}{4}$

LESS a strip of land 100 feet wide, being 50 feet on each side of the center line of main track of the Coal Fields Branch of the Oregon Short Line Railroad as same as is now located and staked over and across the Southwest quarter of the Southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) and the Southeast quarter of the Southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 12, and the Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 13, all in Township 5 North, Range 44 East of the Boise Meridian, said center line of track being more particularly described as follows: Beginning at a point in the North line of said Southwest quarter of the Southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 12, and fifteen hundred twenty-two (1522) feet, more or less, West of the East line of said Section 12; thence Southwesterly along a straight line, for a distance of twenty-five hundred sixty-one and seven tenths (2561.7) feet, thence along a curve to the left, with a radius of fifty-seven hundred twenty-nine and six tenths (5729.6) feet, for a distance of four hundred eighteen (418) feet, more or less, to a point in the West line of said Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of

SCANNED

AUG 06 2007

Section 13, and three hundred eighty (380) feet, more or less, South of the North line of said Section 13.

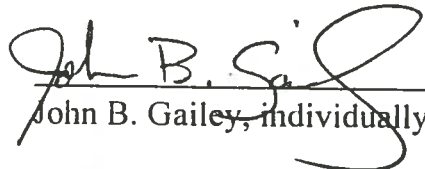
TOGETHER WITH all water and water rights appurtenant thereto and all other tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining.

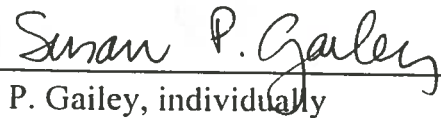
TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.


John B. Gailey, individually


Susan P. Gailey, individually

137381

FILED
AT THE REQUEST OF
First American
AT *02* MINUTES PAST *3* P. M.
DATE *April 18, 2000*
Nolan L. Boyle
CLERK OF RECORD
BY *Nora Rigley*
DEPUTY

THE LOUISE B. GAILEY FAMILY
PARTNERSHIP

By: 
John B. Gailey, General Partner

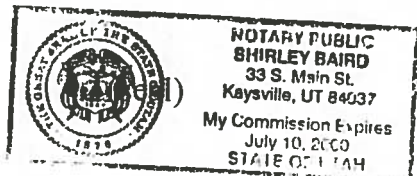
By: Christine Gailey Christensen
Christine Gailey Christensen,
General Partner

By: Linda Gailey Arnell
Linda Gailey Arnell, General Partner

STATE OF Utah)
)ss.
County of Kane)

On the 25th day of March, 2000, before me, the undersigned, a notary public in and for said State, personally appeared John B. Gailey, 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 in this certificate first above written.



Shirley Baird
Notary Public for Utah
Residing at Kayville, Utah
My Commission Expires: July 10, 2000

STATE OF WA)
)ss.
County of Benton)

On the 30 day of March, 2000, before me, the undersigned, a notary public in and for said State, personally appeared Susan P. Gailey, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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

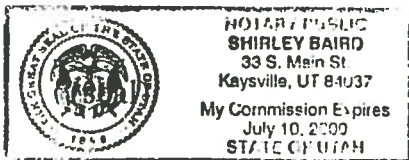


Catherine L. Gailey
Notary Public for Washington
Residing at Kennedy WA
My Commission Expires: 3-15-04

STATE OF Utah)
)ss.
County of Davis)

On the 24th day of March, 2000, before me the undersigned, a notary public in and for said State, personally appeared John B. Gailey, known or identified to me to be one of the general partners in the partnership of The Louise B. Gailey Family Partnership and the general partner or one of the general partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

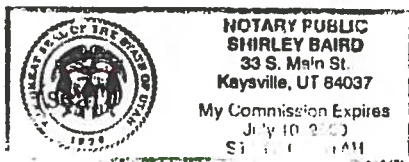
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Shirley Baird
Notary Public for Utah
Residing at Kaysville, Utah
My Commission Expires: July 10, 2000

STATE OF Utah)
)ss.
 County of Davis)

On the 29th day of March, 2000, before me the undersigned, a notary public in and for said State, personally appeared Christine Gailey Christensen, known or identified to me to be one of the general partners in the partnership of The Louise B. Gailey Family Partnership and the general partner or one of the general partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said partnership name.

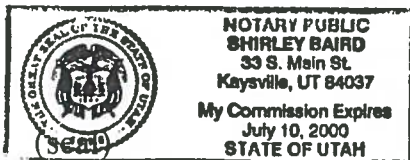


Shirley Baird
 Notary Public for Utah
 Residing at Kaysville, Utah
 My Commission Expires: July 10, 2000

STATE OF Utah)
)ss.
 County of Davis)

On the 29th day of March, 2000, before me the undersigned, a notary public in and for said State, personally appeared Linda Gailey Arnell, known or identified to me to be one of the general partners in the partnership of The Louise B. Gailey Family Partnership and the general partner or one of the general partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said partnership name.

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



Shirley Baird
 Notary Public for Utah
 Residing at Kaysville, Utah
 My Commission Expires: July 10, 2000

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Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
THEL W. CASPER
SHAN B. PERRY
AMELIA A. CANEGALY

U.S. BANK BUILDING
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

June 5, 2000

RECEIVED

JUN 06 2000

Department of Water Resources
Eastern Region

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

Gentlemen:

We are enclosing for filing a New Property Owner Notice of Change of Water Right Ownership form for our clients, the Dunns.

Yours very truly,



Kent W. Foster

Enclosure

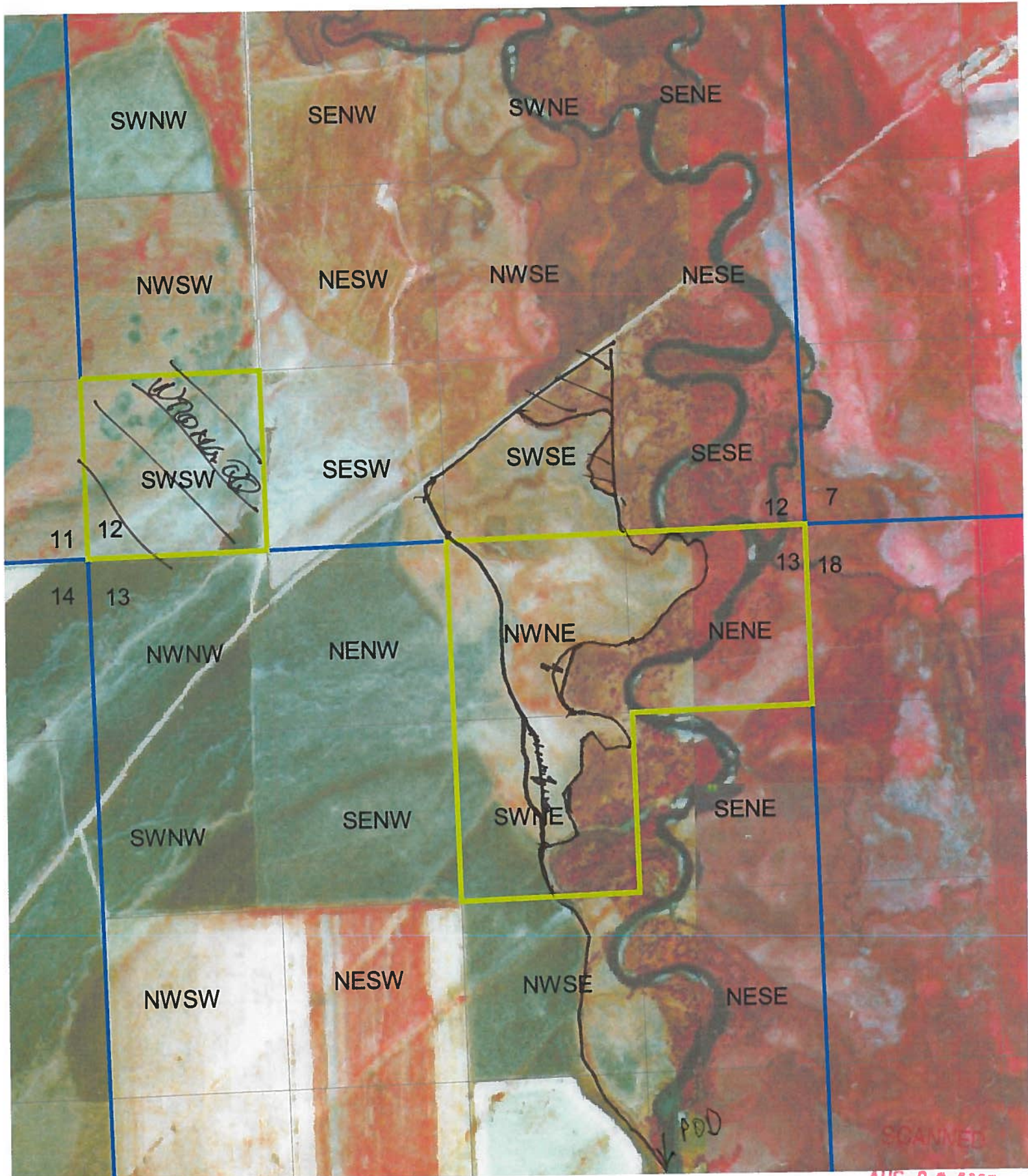
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22-156

6/23/04 DD
AR



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FILE 05 5554

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 22-156
Date Received: 12/6/88
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HAROLD K DUNN Phone: (801)533-9730

662 SADDLE HILL RD
SALT LAKE CITY UT USA 84103

KATHERINE T DUNN Phone: (801)533-9730

662 SADDLE HILL RD
SALT LAKE CITY UT USA 84103

2. Date of Priority: 06/01/1895

3. Source: TETON RIVER Trib. to: Snake River

4. Point of Diversion:

Township	Range	Section 1/4 of 1/4 of 1/4	Lot	County
05N	44E	13 SW SE SE		TETON

5. Description of diverting works:

HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION		4/15	10/15 2	

7. Total Quantity Appropriated is:
2 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
05N	44E	12 SW SE		IRRIGATION	23

05N	44E	13	NE	NE	Section Acres	23
			NW	NE	IRRIGATION	5
			SW	NE	IRRIGATION	23
					IRRIGATION	20
					Section Acres	48
					Total Acres	71

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:

MODIFIED "SOURCE"; 2/8/96/JT
CHANGED OWNERSHIP PER REQUEST/JC/9-1-00

15. Basis of Claim: Decreed

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JUL 21 2000

Department of Water Resources

Eastern District Office

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: A22-00156

Date Received: 12/ 6/1988

Receipt No: E004949

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: HAROLD K DUNN 801-533-9730
Address: 662 SADDLE HILL RD
SALT LAKE CITY UT 84103
AND
Name: KATHERINE T DUNN 801-533-9730
Address: 662 SADDLE HILL RD
SALT LAKE CITY UT 84103

2. Date of Priority: JUN 1, 1895

3. Source: TETON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	44E	13	SW	SE	SE		TETON

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		

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

8. Total consumptive use is 142.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	44E	12	SW	SE		IRR	23.0
Section Acres							23.0
		13	NE	NE		IRR	5.0
			NW	NE		IRR	23.0
			SW	NE		IRR	20.0
Section Acres							48.0
Total Acres							71.0

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:
MODIFIED "SOURCE"; 2/8/96/JT
OWNERSHIP CHANGED PER REQUEST/JC/6-9-00
CORRECTED LEGAL IN PLACE OF USE/JC/6-9-00

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL.

Decree Plaintiff

TETON IRR. CANAL CO.

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):

[Signature]

Date: 7-12-00

Kenneth J. Gunn

Date: 7/12/00

State of Idaho)

County of

Teton

) SS.

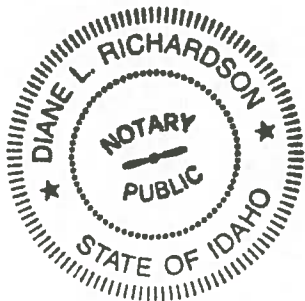
Subscribed and sworn (or affirmed) before me this 12th day

of July 20 00

Diane L. Richardson

Notary Public

Seal



Residing at Driggs, Idaho 83422

My Commission Expires Sept. 14, 2004

\$50⁰⁰ FILING FEE
 \$71⁰⁰ ACREAGE
 \$50⁰⁰ LATE FEE
 \$171⁰⁰

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: A22-00156
 Date Received: 11/25/1988
 Receipt No: 2004949
 Received By: TO

RECEIVED

NOV 25 1988

NOTICE OF CLAIM TO A WATER RIGHT
 ACQUIRED UNDER STATE LAW

Department of Water Resources
 Eastern District Office

1. Name: HAROLD J. GAILEY
 Address: 139 W. 100 S.
 KAYSVILLE, UT

801-544-8736

84037

2. Date of Priority: JUN 01, 1895

3. Source: TETON CREEK ^{RIVER} 2-8-96 / JX Trib. to: ^{SNAKE} TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	44E	13	SW	SE	SE		TETON

5. Description of diverting works:
 HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		

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

8. Total consumptive use is 142.0 Acre Feet Per Annum.

9. Non-irrigation uses:
 NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	44E	12	SW	SW		IRR	23.0
Section Acres							23.0

A22-00156

Page 1

Date: 11/15/88

A2200156



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 NOV 04 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	44E	13	NE		NE		IRR	5.0
			NW		NE		IRR	23.0
			SW		NE		IRR	20.0
							Section Acres	48.0
							Total Acres	71.0

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:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO. ET AL.
Decree Plaintiff

vs

TETON IRR. CANAL CO.
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: 3

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): *Arnold J. Wiley* Date: 11-23-88
_____ Date: _____

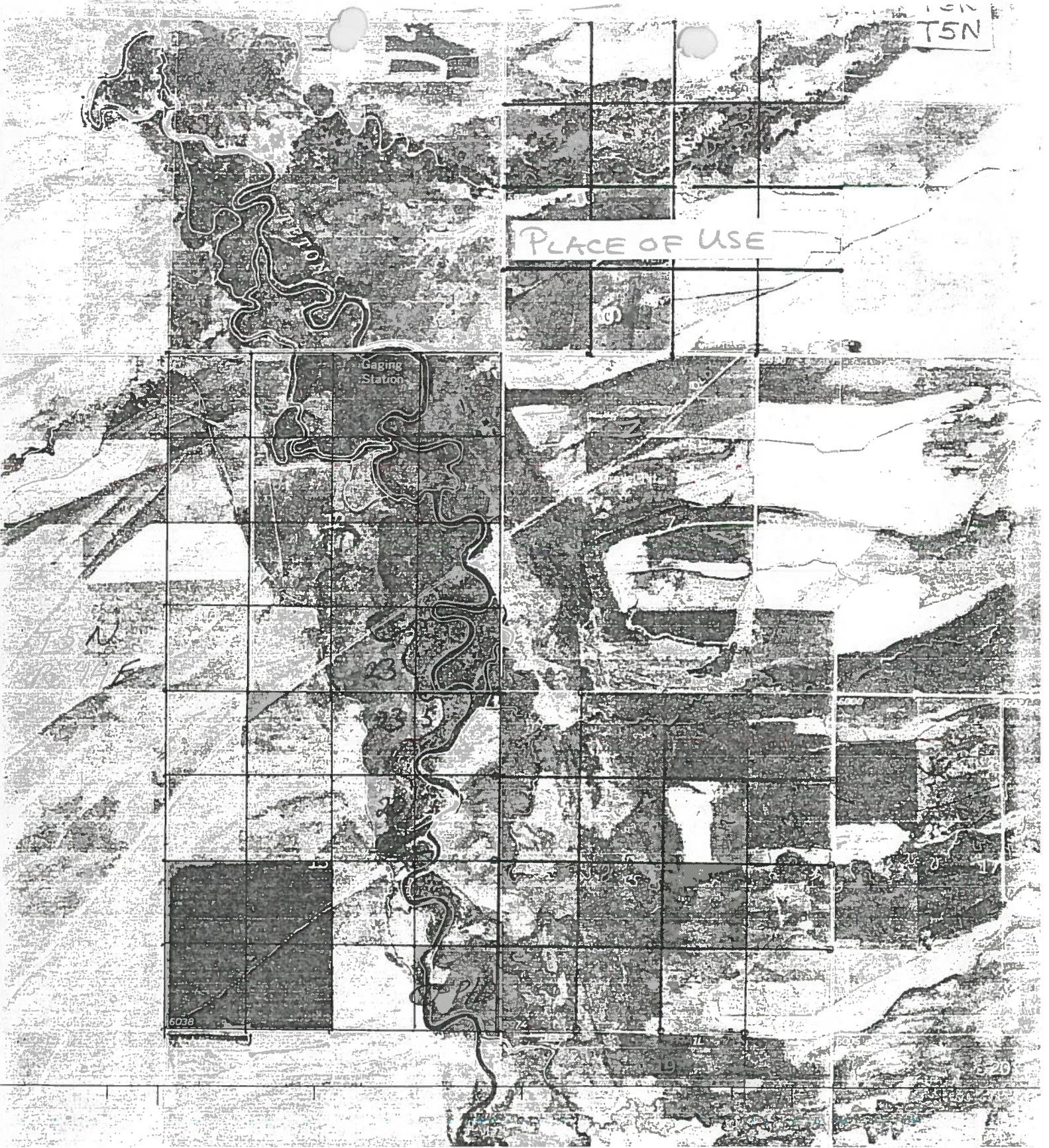
State of ~~Idaho~~ Utah)
County of Davis) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of November 19 88

Audrey C. Lemman
Notary Public

Seal

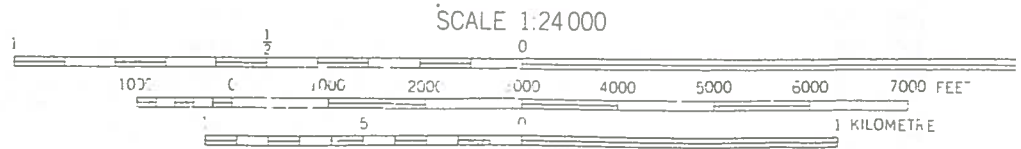
Residing at Print Heights, Utah
My Commission Expires April 6, 1991



750 000 FEET

Survey
ice
Scale
Idaho coordinate
grid ticks,

NORTH



MICROFILMED

NOV 04 1992

SCANNED
A22-00156
AUG 06 2007