

12/16/2006

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

RIGHT NUMBER: 22-262

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

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/01/1893

POINT OF DIVERSION:

T06N R45E S33 SWSE 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 in TETON County

T05N R45E S07 NWNE 40.00 T05N R45E S07 NENW 31.00

T05N R45E S07 Lot 1 NWNW 13.50 T05N R45E S07 Lot 2 SWNW 39.00

123.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 123.5 acres in a single irrigation season. Combined Right Nos.:22-262, 22-263, 22-264, 22-641E.

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 Gale Moffat Ditch\Cache Canal.

11/22/2006

**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: 22-262

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

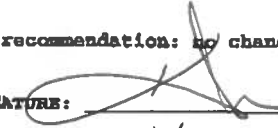
1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

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: 12/16/06

SIGNATURE: 

Please print your name: Harold Dunn

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





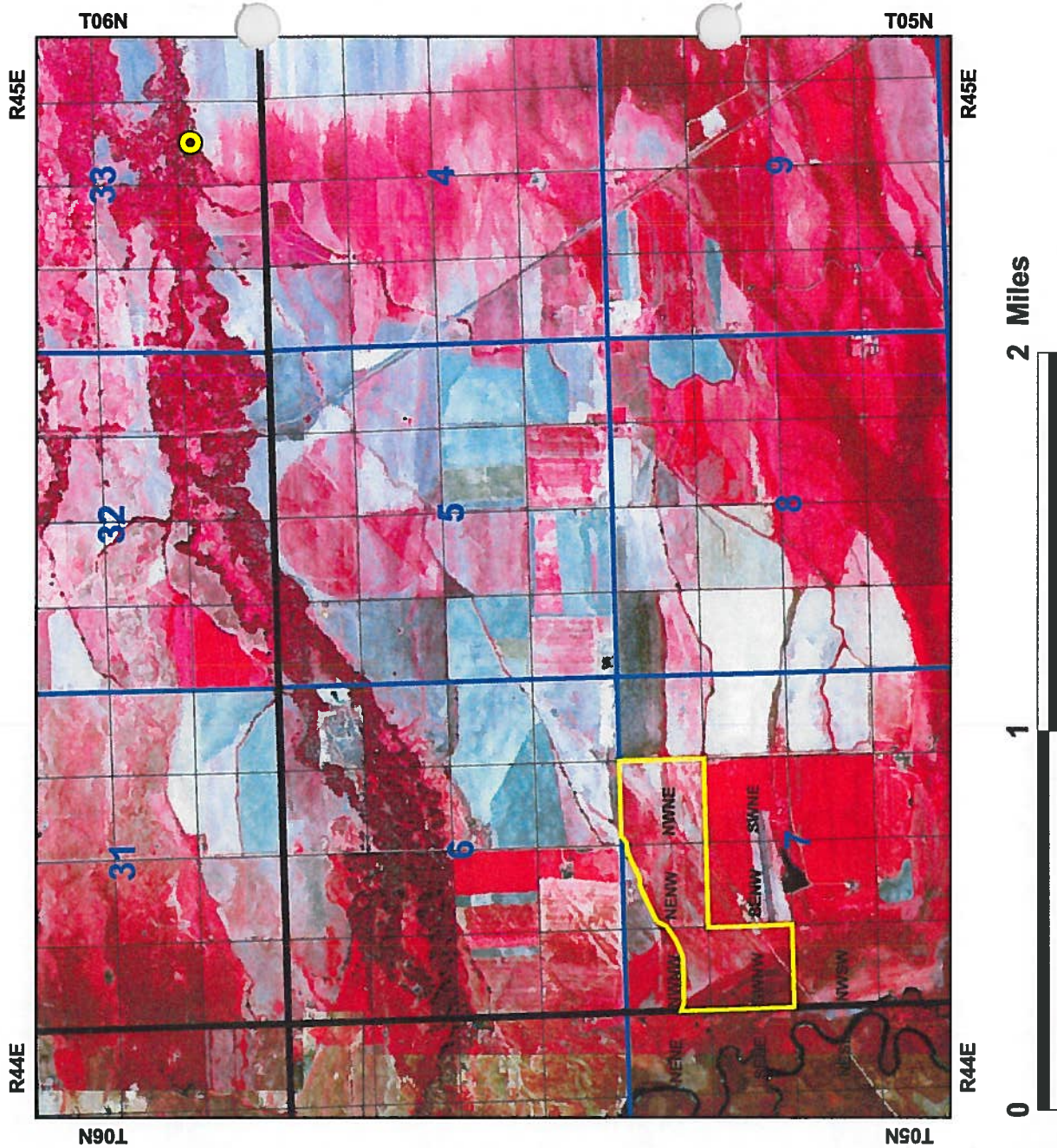
22-262
22-263
22-264

Legend

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



**Prepared by T. Galbraith
On Wednesday, November 22, 2006
1987/88 Aerial Photography**



Dunn Claims ^{1281.5}
^{21.79 cfs}

- 22-641E - claimant ~~owns~~ ^{claims} 123.5 of decreed
pov which he owns. Decree states .017 cfs/acre
which is ~~2.1~~ 2.1 cfs
- 22-1145 - claimant claims 200 acres of decreed pov
which he owns. Decree states .017 cfs/acre which
is 3.4 cfs
- 22-12783 - claimant claims 240 acres of decreed
pov which he owns. Decree states .017 cfs/acre
which is 4.08 cfs
- 22-13383 - claimant claims 159 acres of decreed
pov which he owns. Decree states .017 cfs/acre
which is 2.7 cfs
- 22-641D - claimant ~~owns~~ ^{claims} 267 acres of decreed
pov which he owns. Decree states .017 cfs/acre
which is 4.54
- 22-609A - claimant ~~owns~~ ^{claims} 80 acres of original POV
which he owns. Decree states .02 cfs/acre
which is 1.6 cfs The rest of 609 is
not claimed.
- 22-406 - claimant own all of decreed pov and
claims it. Receives .4 cfs
- 22-407 - claimant claims and owns all of decreed
pov he receives all 2.8 cfs
- 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 cfs

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 12 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 ~~away~~ the full 2 cfs for his 70 acres.

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

1 0253 22 0253 ✓	Felt, G. F.	640 inches.	Jan. 18, 1905.	Badger Creek.
1 0254 22 0254 ✓	Felt, G. G.	640 inches.	Jan/ 18, 1905.	Badger Creek.
	Ferguson, Albert			The Farmers' Friend Canal Company.
1 0255 22 0255 ✓	Ferguson, John	100 inches.	June 1, 1890.	Grove Creek and ^{TRANS} Willow Spring Creek.
1 0256	Fillmore, J. H.			The Farmers' Friend Canal Company.
1 0257	Fisher, I. M.			The Swan Valley Irriga- tion Company, Limited.
1 0258 22 0256 ✓	Foots, Arthur L.	145 inches.	June 1, 1890.	Mahogany Creek.
	Fresh, Joseph			Wary Rick Ditch Company ✓
	Frisberg, Andrew			(Sold to R. A. and J. W. Ward.)
1 0259 22 0257 ✓	Frye, John	20 inches.	July 1, 1894.	Trail Creek.
1 0260 22 0258 ✓	Frye, John	140 inches.	July 1, 1896.	Trail Creek.
1 0261 22 0259 ✓	Fullmer, Almond L.	120 inches.	June 1, 1898.	North Leigh Creek.
1 0262 22 0260 ✓	Fullmer, Buckley	75 inches.	June 1, 1899.	North Leigh Creek, or Spring Creek.
1 0263 22 0261 ✓	Fullmer, H. D.	160 inches.	June 1, 1898.	North Leigh Creek.
	Fullmer, H. D.			North Salem Agricul ⁹ tural & Milling Canal Company.
1 0264 22 0262 ✓	Gale, Joseph	40 inches.	June 1, 1893.	South Leigh and Swamp Creek. ✓
1 0265 22 0263 ✓	Gale, Joseph	80 inches.	June 1, 1894.	South Leigh and Swamp Creek.
1 0266 22 0264 ✓	Gale, Joseph	40 inches.	June 1, 1897.	South Leigh and Swamp Creek.
1 0267 22 0265 ✓	Garn, Martin	480 inches.	Mch. 15, 1879.	Moody Creek. (To be reduced to 240 inches after June 20 th , in each year.)
	Garner, ASA			(See Pincock-Byington Ditch Company.
	Garner, Frederick W.			(See Martin Bird, Pincock-Garner Ditch, & Pincock-Byington Ditch Company.

Fullmer, Almond L.

Lots 3 and 4, and E $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 19, T.
6 N., R., 45 E., B. M.

Fullmer, Buckley

SE $\frac{1}{4}$ of Sec. 19, T. 6 N., R., 45 E., B. M.,
containing 160 acres.

Fullmer, H. D.

S $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 26, and S $\frac{1}{2}$ of NE $\frac{1}{4}$ of
Sec. 26, T. 6 N., R., 45 E., B. M.,
containing 160 acres.

G.

Sale, Joseph

NW $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, and lots 1 and
2, of Sec. 7, T. 6 N., R., 45 E., B.
M., containing 160 acres.

Garn, Martin

NW $\frac{1}{4}$ of Sec. 13, and E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 14,
T. 6 N., R., 40 E., B. M., containing
240 acres.

Garwood,
Charles E.

E $\frac{1}{2}$ of NW $\frac{1}{4}$, S $\frac{1}{2}$ of NE $\frac{1}{4}$, and NW $\frac{1}{4}$ of SE $\frac{1}{4}$
of Sec. 18, T. 15 N., R., 42 E., B. M.,
containing 200 acres.

Gibbs, S. V.

N $\frac{1}{2}$ of SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 24, T.
4 S., R., 32 E., B. M., ~~SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of~~
Sec. 24, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, and NW $\frac{1}{4}$ of NE $\frac{1}{4}$
of Sec. 25, T. 4 S., R., 32 E., B. M.,
SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 24, NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of
Sec. 25, T. 4 S., R., 32 E., B. M.,
containing 360 acres.

Gibson, R. P.

SW $\frac{1}{4}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$, and N $\frac{1}{2}$ of SW $\frac{1}{4}$
of SW $\frac{1}{4}$ of Sec. 25, Lots 2, 3, 4, 5 and 7
of Sec. 27, S $\frac{1}{2}$ of NE $\frac{1}{4}$, and lots 1 and 2
of Sec. 26, and lots 5 and 6 of Sec. 22,
T. 5 N., R., 37 E., B. M.

Gibson, Wesley

Lots 3 and 4 of Sec. 26, and N $\frac{1}{2}$ of NE $\frac{1}{4}$ of
Sec. 35, T. 5 N., R. 37 E. B. M.,
E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 26, S $\frac{1}{2}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of
~~SE $\frac{1}{4}$ of Sec. 26, S $\frac{1}{2}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$,~~
and lot 1 of Sec. 35, T. 5 N., R.
37 E., B. M., containing 400 acres.

ok

Trans # 186

Claim No. 22-2102

Document Checklist

☒ Copy License/Decree

Beckburg 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

Water Right No(s). _____

GPS DATA:

Tag # 40013839 Location: ON ROAD FRAME

Diversion Data:

Source: SOUTH Lough CREEK Trib to: TETON RIVER

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

HEADGATE DELIVERS TO GALE-MOFFAT DITCH (CANAL)
DELIVERS ONLY PRIVATE RIGHTS

Field Exam Date: 6/23/04 Agent: ABN DO

Claim Number: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to : _____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

[illegible]

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

Document how the POD and Source were verified:

Continues GLE. Market water with CNGO Canteen Water

Reviewer: _____ Date: _____

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

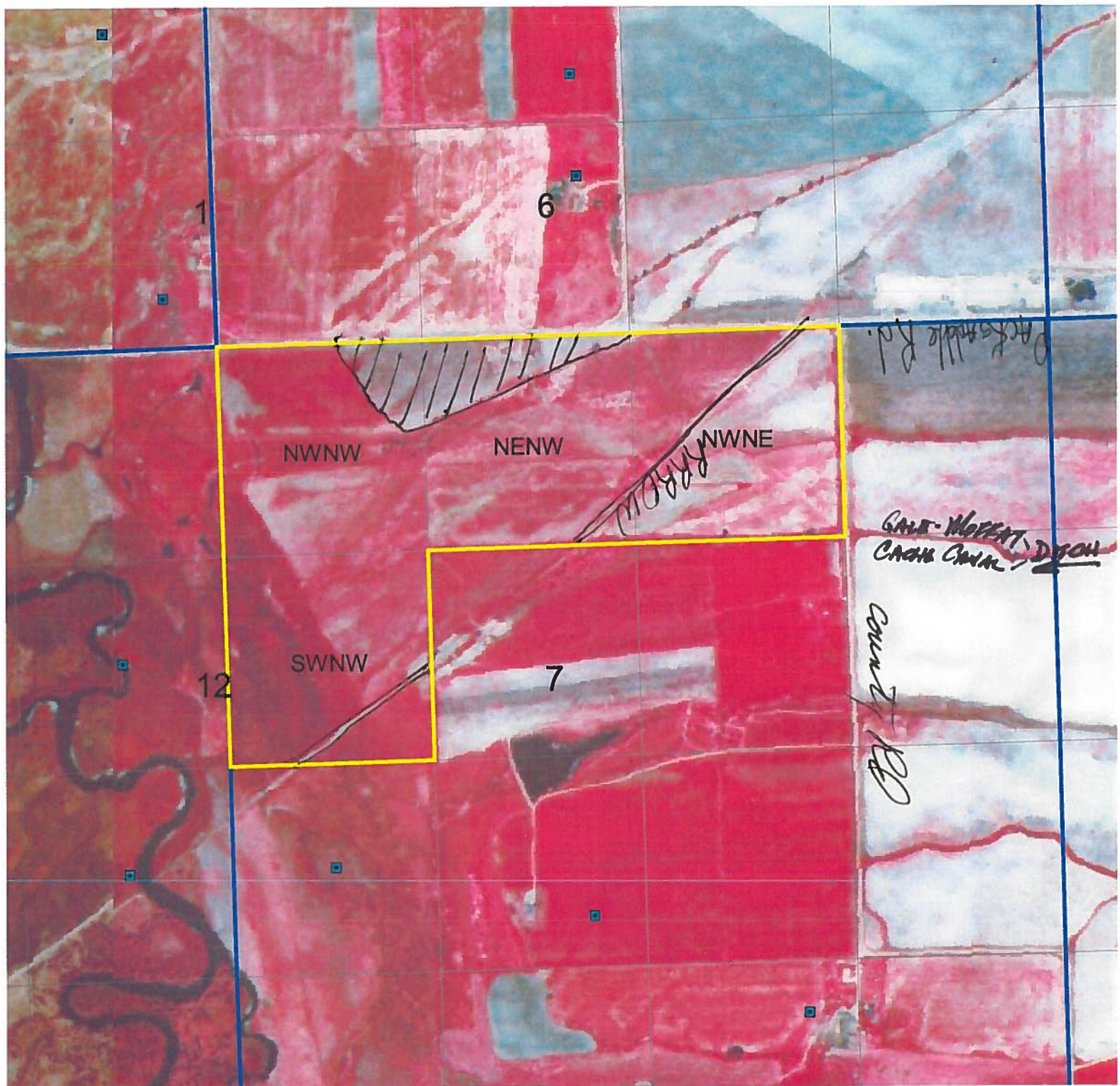
200	
6,360	
120	
100	
160	
120	
160	
384	
160	
200	
155	
80	
320	
160	
140	
60	
160	
100	
40	
15	
100	
51	
10	
160	
40	
80	
160	
160	
40	
160	
20	
60	
150	
100	
150	
160	
80	
80	
20	
160	
80	
100	

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

140	
15	
50	
160	
40	
120	
160	
200	
20	
120	
40	
120	
130	
100	
100	
160	
160	
100	
40	
160	
100	
115	
80	
160	
80	
80	
10	
50	
80	
160	
160	
160	
120	
320	
160	
90	
155	
160	
160	
40	
20	
80	
96	
20	
160	
160	
40	
140	
25	

22-262

6/23/04
BO AR





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

DECEMBER 17, 1992

KENT W FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 51030
IDAHO FALLS ID 83405

RE: CHANGE IN OWNERSHIP FOR A22-11488 (RENUMBERED TO
A22-00641E), 00262, 00263, 00264, AND 389A/HAROLD DUNN,
MD

Dear Mr. Foster:

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

Review the enclosed forms and if there are other
corrections or questions, feel free to contact this
office.

If there are no questions or corrections, please keep
these Notices for your client's records.

Respectfully submitted,

Jo Thompson

Jan Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: Copies Dunn's Notices

MICROFILMED
APR 08 1994

LAW OFFICES

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

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

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

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

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

TELEPHONE (208) 343-0820
TELEFAX (208) 343-8078

BOISE OFFICE

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

ARTHUR W. HOLDEN
(1877-1967)
ROBERT B. HOLDEN
(1911-1971)
TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

December 16, 1992

RECEIVED

DEC 16 1992

Department of Water Resources
Eastern District Office

Ernest Carlsen, Adjudication Supervisor
IDAHO DEPARTMENT OF WATER RESOURCES
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

Dear Mr. Carlsen:

00641E
We have recently obtained and are enclosing for filing Assignment of Notice of Claims Nos. A22-~~11488~~, A22-00262, A22-00263, A22-00264, and A22-00389A. We have also enclosed executed Notices Concerning Water Rights for Property for each of such claims.

We had originally understood that this property and the water rights were sold to Dr. Dunn's Trust, rather than to him individually. However, the last Warranty Deed of record, a copy of which is enclosed, makes it clear that it was in fact in his personal capacity and so each of the Assignments and Notices have been corrected to strike the information regarding the trust. We certainly appreciate your filing of these documents.

Yours very truly,



Kent W. Foster

E002061

#8970.00/srs

Enclosure

MICROFILMED

APR 08 1994

WARRANTY DEED

For Value Received J. Darwin Baxter and Marjorie B. Baxter, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto Harold Dunn, M.D.

whose current address is 1231 Chandler, Salt Lake City, Utah 84103

the grantee, the following described premises, in.....Teton.....County Idaho, to wit:

Lot 1, Lot 2, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ all of Section 7, Township 5 North, Range 45 East of the Boise Meridian.

Less that property described in indenture dated July 18, 1918, recorded as Instrument No. 4937, Book 37, page 603, records of Teton County, Idaho.

Together with all water, water rights, oil, gas and minerals and oil, gas and mineral rights of grantors.

Subject to:

- Easements and rights of way of record
- Zoning and use restrictions of lawful government authority.

COPY

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances except as set out above.

and that he will warrant and defend the same from all lawful claims whatsoever.

THIS DEED RECORDED TO CORRECT WARRANTY DEED DATED AUGUST 3, 1989, AND RECORDED AUGUST

Dated: 7, 1989 AS INSTRUMENT NO. 104587, BOOK, RECORDS OF TETON COUNTY, IDAHO.

November
October 2, 1989

J. Darwin Baxter

Marjorie B. Baxter

STATE OF IDAHO, COUNTY OF Bannock
On this 2nd day of October, 1989, before me, a notary public in and for said State, personally appeared J. Darwin Baxter and Marjorie B. Baxter, husband and wife,

known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that executed the same.

Residing at Pocatello, Idaho
Comm. Expires Sept. 30, 1991

Notary Public

105104

FILMED ☒
INDEXED ☒
PLATTED ☒

FILED

AT THE REQUEST OF

First American

AT 30 MINUTES PAST 9 A M

DATE November 15, 1989

E. Wayne Schuss

CLERK OF RECORDER

BY Bonnie Seese DEPUTY

NOTARY PUBLIC
STATE OF IDAHO
D. JAMES MANNING

State of Idaho
Department of Water Resources
ASSIGNMENT OF NOTICE OF CLAIM(S)

We, J. Darwin Baxter and Marjorie J. Baxter, hereby
assign to Harold K. Dunn Trust,
of 1231 Chandler Circle, Salt Lake City, Utah 84103.
Address

All my right, title, and interest in and to Notice of
Claim No(s). A22-00262.

to a Water Right Acquired Under State Law.

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

to a Water Right Acquired Under State Law.

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

Made this 23rd day of November, 1992.

Signature of Claimant(s) J. Darwin Baxter
J. DARWIN BAXTER

Marjorie J. Baxter
MARJORIE J. BAXTER

STATE OF IDAHO)
County of Bannock) ss.

On this 23rd day of November, 1992, personally appeared
before me the signers of the above instrument, who duly
acknowledged to me that they executed the same.

Notary Public James A. [Signature]
Residing at Acute 110, [Signature]
My Commission Expires 4/25/93

MICROFILMED
APR 08 1994

APR 08 1994

[X] Attach proof of
ownership, describe
proof attached:

See Attached 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
claimant.

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Dated: By:

Final Review and Data-Entry

Dated: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources

Copies for Former Owner and New Owner

34231/srs

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: **A22-00262**
Date Received: 9/ 6/1988
Receipt No: E002061
Received By: _____

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

1. Name: HAROLD K DUNN MD 801-533-9730
Address: 1231 CHANDLER CIRCLE
SALT LAKE CITY UT 84103

2. Date of Priority: JUN 1, 1893

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	33	NW	SW	SE		TETON

5. Description of diverting works:
CONCRETE HEADING 8' WIDE WITH WOODEN FLASH BOARDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.800		

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

8. Total consumptive use is 247.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	7	NW	NE		IRR	38.0
			NE	NW		IRR	27.0
			NW	NW	1	IRR	20.0
			SW	NW	2	IRR	38.5

10. Place of Use: Continued

Section Acres 123.5

Total Acres 123.5

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:
22-00263, 22-00264

14. Remarks:
P/D GALE-MOFFATT CANAL.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

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): _____ 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 _____

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: A22-00262
Date Received: 9/02/1988
Receipt No: E002061
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. DARWIN BAXTER 208-237-8067
Address: 4910 TRENT
CHUBBUCK, ID 83202
AND
Name: MARJORIE J. BAXTER
Address: 4910 TRENT
CHUBBUCK, ID 83202

A2200262



2. Date of Priority: JUN 01, 1893
3. Source: SOUTH 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	45E	33	NW	SW	SE		TETON

5. Description of diverting works:
CONCRETE HEADING 8' WIDE WITH WOODEN FLASH BOARDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.800		

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

8. Total consumptive use is 247.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	7	NW	NE		IRR	38.0
			NE	NW		IRR	27.0
			NW	NW	1	IRR	20.0
			SW	NW	2	IRR	38.5
						Section Acres	123.5
						Total Acres	123.5

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:
22-00263, 22-00264

14. Remarks:
P/D GALE-MOFFATT CANAL.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

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: _____

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): J. Darwin Baxter Date: 9-2-88

Margaret J. Baxter Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 2 day

of Sept. 19 88

Ernest Carlson
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 14 June 1994

16
Ryke N 152
R45E

NOV 04 1992

South Leah Cree

Headgate

Cole No. 164

Coché Canal Co

A22-00262

A22-00263

A22-00264

A22-11488

Gaging Station