

11/22/2006

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

RIGHT NUMBER: 22-280B

NAME AND ADDRESS: WILLIAM K MC DAVID JR
460 N 300 W
TETONIA ID 83452

SHERRY W MC DAVID
460 N 300 W
TETONIA ID 83452

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.260 CFS

PRIORITY DATE: 06/10/1897

POINT OF DIVERSION:

T06N R45E S33 NESESW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

0.260 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S05 Lot 1 NENE 2.00 T05N R45E S05 SENE 11.00

13 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 13 acres in a single irrigation season. Combined Right Nos.: 22-280B and 22-281B.

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 Bell-McCracken Ditch.

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

SRBA Recommendation:

22-280B

22-281B

(Irrigation)

Legend

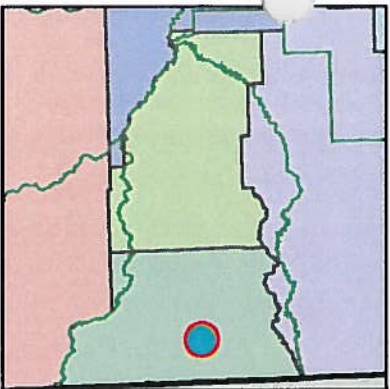
● Point of Diversion

□ Place of Use

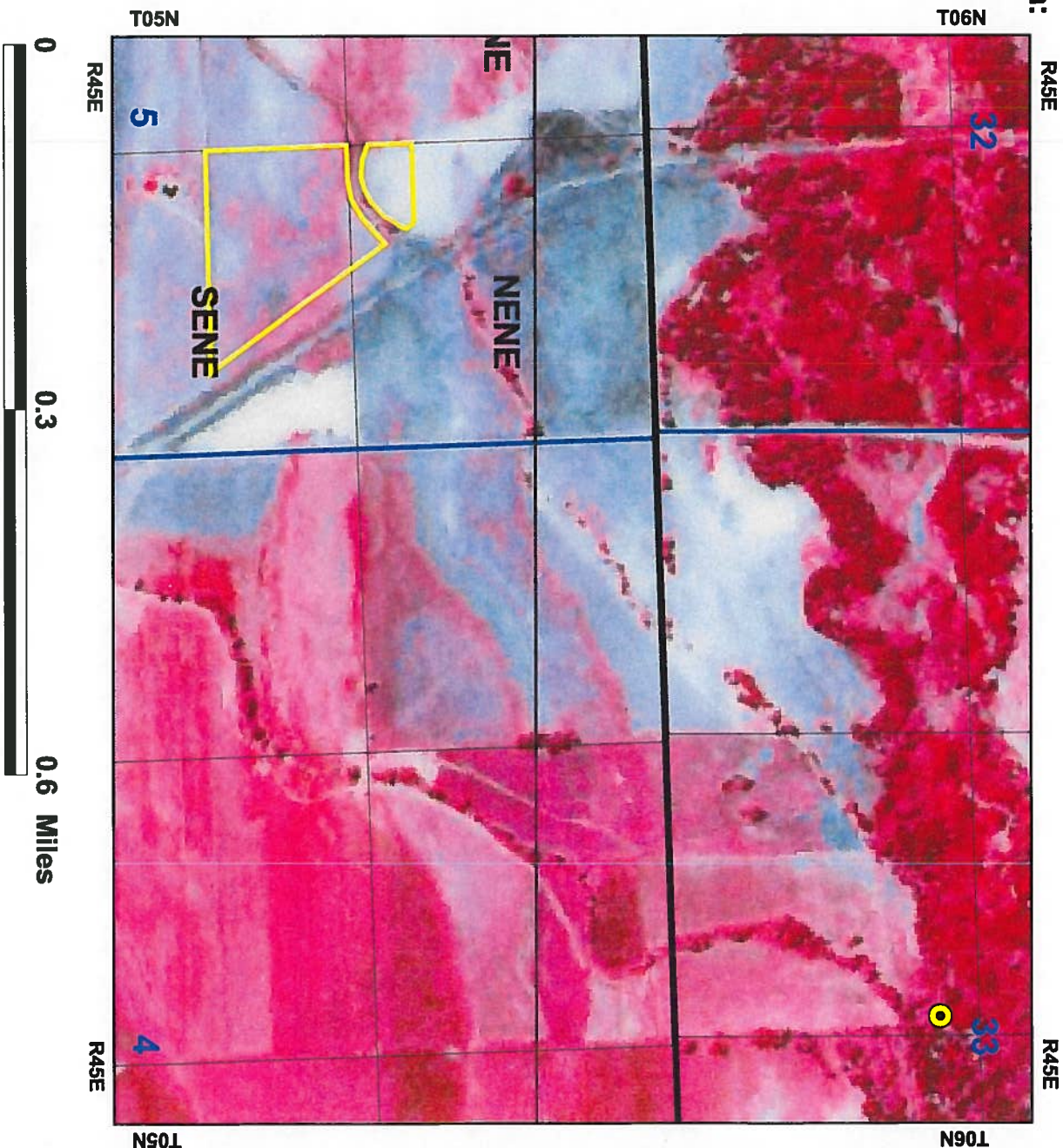
□ Townships

□ PLS Sections

□ Quarter Quarters



Teton County
IDWR Basin 22



Prepared by K. Moore
On Wednesday, November 22, 2006
1987/88 Aerial Photography

22-280

Decreed Water Right

Priority Date 6/10/1897
Quantity 2.4 cfs
Source South Leigh Creek through Bell-McCracken Ditch
POU 160 acres total, but only 131 irrigatable acres
Diversion Rate 0.018 cfs/ac

	Claim		Recommendations	
	Quantity	Acres	Quantity	Acres
22-280B	0.36	18	0.35	18
22-280C	0.26	13	0.26	13
22-13436*	0.08	26	0.08	26

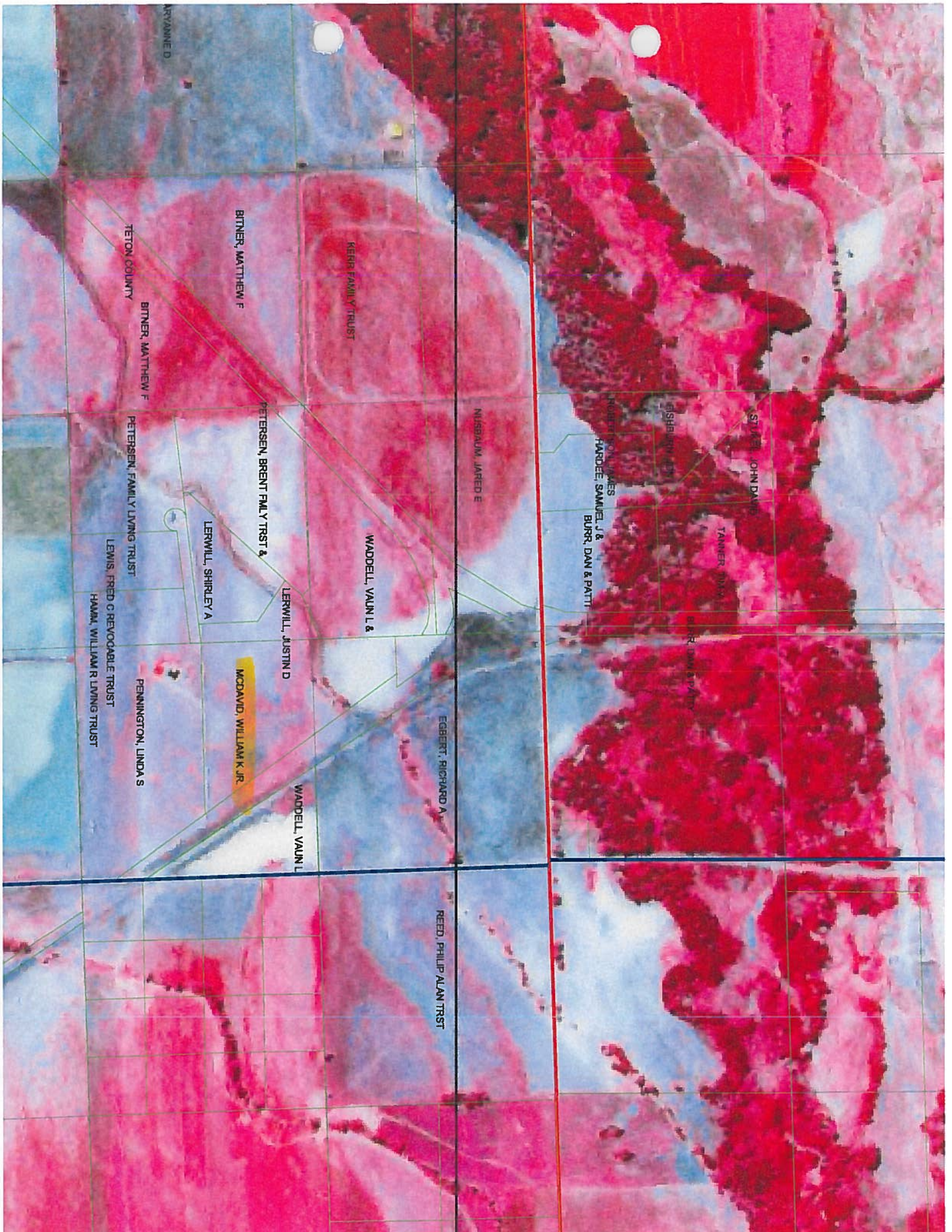
22-281

Decreed Water Right

Priority Date 6/1/1898
Quantity 0.8 cfs
Source South Leigh Creek through Bell-McCracken Ditch
POU same as 22-280: 160 ac total, but only 131 irrigatable acres
Diversion Rate 0.006 cfs/ac

	Claim		Recommendations	
	Quantity	Acres	Quantity	Acres
22-281B	0.36	18	0.12	18
22-281C	0.26	13	0.09	13
22-13437*	0.03	26	0.03	26

*already recommended by another agent



STUCKE, JOHN DAVID

TANNER, TIMMY

BURR, DAN & PATTI

ELSHUBERT, JIM

ROBERTSON, JAMES

HARDEE, SAMUEL J &
BURR, DAN & PATTI

MISBAUM, JARED E

EGBERT, RICHARD A

REED, PHILIP ALAN TRST

KEHR, FAMILY TRUST

WADEL, VALIN L &

LERWILL, JUSTIN D

WADEL, VALIN L

BITNER, MATTHEW F

PETERSEN, BRENT FALY TRST &

MCDONALD, WILLIAM K JR

LERWILL, SHIRLEY A

TETON COUNTY

BITNER, MATTHEW F

PETERSEN, FAMILY LIVING TRUST

LEWIS, FRED C REVOCABLE TRUST

HAMA, WILLIAM R LIVING TRUST

PENNINGTON, LINDA S

MRYANNE D

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.

OK
JC
10-3-06

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
22-280B					
22-281B					

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 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)

Frank Felton

4. New Owner/Claimant(s)

P.O. Box 3740, Driggs, ID 83422
 William K. McDavid, Jr., Sherry W. McDavid

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

New Mailing Address

460 N. 300 W

City, State and ZIP Code

Tetonia, ID, 83452

New Telephone Number

208 456-4567

5. Date you acquired the property

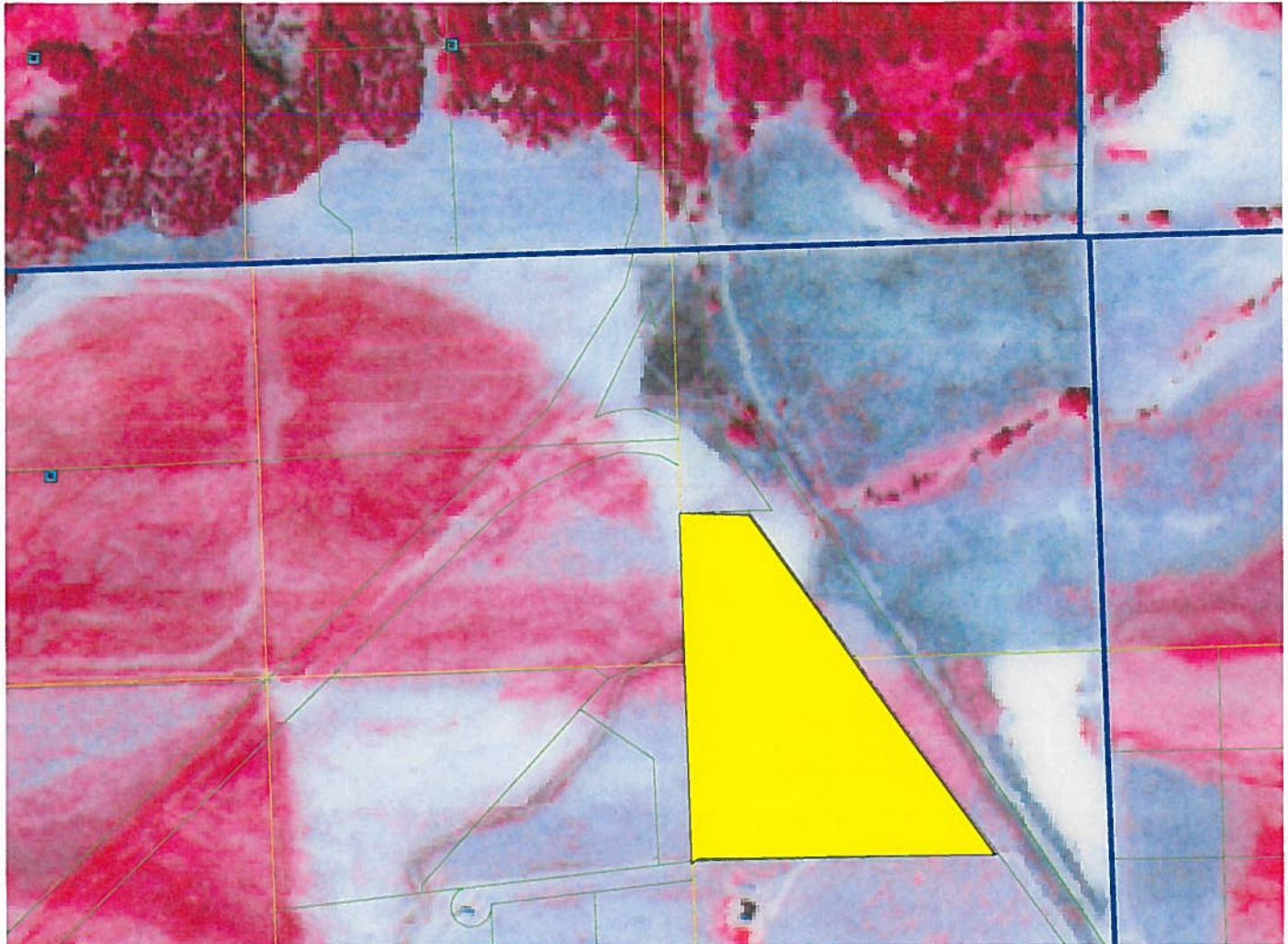
Feb. 11, 2003

RECEIVED

SEP 20 2006

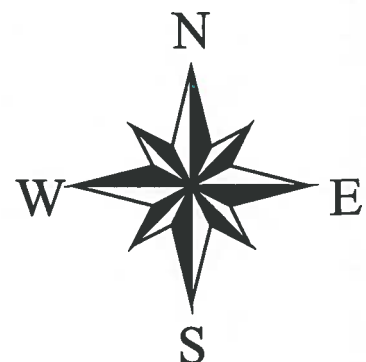
Department of Water Resources
 Eastern Region

22-280B, 22-281B



0.1 0 0.1 0.2 Miles

-  22-280b.shp
-  Sections
-  QQ
-  Teton taxlots
-  GCDB06N45E GCDB
-  GCDB05N45E GCDB
-  Claim POD



T10437

152971

RECEIVED

FEB 11 2003

TETON CO., ID
CLERK RECORDER

#4250 300.
house

#4257
Being farmed
15.377 ac

WARRANTY DEED

For Value Received **Vaun L. Waddell and Lidia Waddell, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
William K. McDavid, Jr. and Sherry Ward McDavid, husband and wife
whose address is: **P.O. Box 319, Wilson, WY 83014**

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

Tract 1: Commencing at the Center Quarter Corner of Section 5; T5N; R45E; B.M.; Teton County, Idaho; which is a 1/2" iron pin; and running thence S 89°42'25" E a distance of 1323.89 feet; along the East-West center quarter line to a 1/2" iron pin; thence N 0°05'26" E a distance of 711.69 feet to a 1" iron pin in the center of a roadway to the TRUE POINT OF BEGINNING; thence S 89°43'42" E a distance of 1050.06 feet to the West side of the old Union Pacific Teton Valley Branch railroad right-of-way; thence N 31°34'32" W a distance of 1333.93 feet along the West side of said railroad right-of-way; thence N 90°00'00" W a distance of 363.37 feet to a fence; thence S 0°35'51" E a distance of 1131.53 feet along said fence to the POINT OF BEGINNING.

LESS: Commencing at the Center Quarter Corner of Section 5; T5N; R45E; B.M., Teton County, Idaho; which is a 1/2" iron pin; and running thence S 89°42'25" E a distance of 1323.89 feet; along the East-West center quarter line to a 1/2" iron pin; thence N 0°05'26" E a distance of 711.69 feet to a 1" iron pin in the center of a roadway to the TRUE POINT OF BEGINNING; thence S 89°43'42" E a distance of 400.00 feet; thence N 0°35'51" W a distance of 326.70 feet; thence N 89°43'42" W a distance of 400.00 feet to a fence; thence S 0°35'51" E a distance of 326.70 feet along said fence to the POINT OF BEGINNING. Subject to a 30 foot road right-of-way along the Southern property line.

Tract 2: Commencing at the Center Quarter Corner of Section 5; T5N; R45E; Boise Meridian; Teton County, Idaho which is a 1/2" iron pin; and running thence S 89°42'25" E a distance of 1323.89 along the East-West center quarter line to a 1/2" iron pin; thence N 0°05'26" E a distance of 711.69 to a 1" iron pin in the center of a road way to the TRUE POINT OF BEGINNING; thence S 89°43'42" E, a distance of 400.00 feet thence N 0°35'51" W, a distance of 326.70 feet; thence N 89°43'42" W, a distance of 400.00 feet to a fence; thence S 0°35'51" E, a distance of 326.70 feet along the fence to the POINT OF BEGINNING. Subject to a 30 foot road right-of-way along the Southern property line.

THIS WARRANTY DEED IS GIVEN TO EFFECT AN IRS CODE SECTION 1031 EXCHANGE ON BEHALF OF WILLIAM K. MCDAVID, JR., AND SHERRY WARD MCDAVID.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:


Vaun L. Waddell


Lidia Waddell

Instrument # 152971
DRIGGS, TETON, IDAHO

137446
7299

137446
CORPORATION
WARRANTY DEED

RECEIVED

APR 26 2000

TETON CO., ID
CLERK RECORDER

FOR VALUE RECEIVED, TETON VALLEY LAND
TRUST, INC.

TRUST, INC. HER TETON REGIONAL

a corporation duly organized and existing under the laws of the

State of Idaho, grantor, does hereby Grant, Bargain, Sell

VASH L. WADDELL and LIDIA WADDELL, his wife and wife
whose address is: SA-112 RICKS COLLEGE, REX: ID, 83460

grantor, the following described real estate, situated in Teton County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH ALL APPURTENANT WATER RIGHTS

Subject to reservations in United States and State Patents; existing and recorded Right-of-ways, Easements, Zoning, Building and Subdivision ordinances; Taxes and assessments assessed between the parties hereto.

TO HAVE AND TO HOLD, the said premises, with the appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee that the Grantor will warrant and defend the same from all lawful claim whatsoever

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its Executive Director.

Dated: 4-26-2000

By

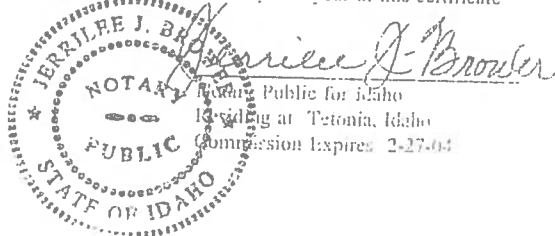
Michael B. Whitfield
MICHAEL WHITFIELD, EXECUTIVE DIRECTOR

STATE OF IDAHO

County of TETON

On this 26th day of April, 2000, before me, a Notary public in and for said State, personally appeared MICHAEL WHITFIELD, known to me to be the Executive Director of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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.



137446

FILED

AT THE REQUEST OF

First American

AT 56 MINUTES PAST 1 P.M.

DATE April 26, 2000

Debra J. Boyle

CLERK OF RECORD

Debra J. Boyle

DEPUTY

123577
WARRANTY DEED

First American Title Company
P.O. Box 42
Orlaga, ID 83422
RECEIVED

For Value Received FRANK L. FELTON, a single man

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

TETON VALLEY LAND TRUST, INC.

APR 12 1996

TETON Co. Id
Clark D.

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

Beginning at a fence corner assumed to be the center of Section 5, T5N, R45, EBM, Teton County, Idaho and running thence South 89 degrees 42'21" E., 1320.15 feet; thence North 0 degrees 33'17" W., 717.0 feet to a 1" iron pin in the center of the roadway, the true point of beginning, and running thence South 89 degrees 41'59" E., 1050.50 feet to the railroad right-of-way; thence North 31 degrees 35'20" W., 1254.84 feet along the railroad right-of-way; thence North 21 degrees 45'58" W., 867.17 feet; along a 2320' radius curve; thence West 91.0 feet; thence South 0 degrees 35'40" E., 1868.85 feet to the point of beginning. TOGETHER with a culinary well located on the West line of the Southwest Corner of the above described property, to be used in common with Lots 1 thru 8 of the proposed Autumn Leaf Subdivision. Use of well limited to 1 dwelling per five acres of the above described property.

ALSO with a 30' road Easement along the South side of the property and a well lot easement of a 50 foot radius in the South, west Corner of the property and adjacent to the road easement.

SUBJECT to a 10 foot Utility Easement.

LESS: An irregular tract of land in Lot 1 of Sec. 5, Twp. 5 N. R. 45 E., B.M. bounded and described as follows:

Beginning at a point in the West line of said Lot 1 and 250 feet, more or less, South of the Northwest corner thereof; thence northeasterly, along a curve to the left, with a radius of 992.3 feet, said curve being parallel to and 50 feet southeasterly from the center line of main track of the proposed Coal Fields Branch of the Oregon Short Line Railroad, for a distance of 190 feet, more or less to a point in the Westerly boundary of the present right of way of the Teton Basin Branch of said railroad; thence Southerly along said Westerly boundary, for a distance of 750 feet, more or less to a point 50 feet distant southwesterly, measured at right angles, from center line of proposed Wye track; thence Westerly, along a curve to the left, with a radius of 523.7 feet, being parallel to and 50 feet from said center line of wye track, for a distance of 450 feet, more or less, to a point in the west line of said Lot 1; thence North 308 feet, more or less to the point of beginning.

ALSO LESS: A strip of land one hundred (100) feet wide, being fifty (50) feet on each side of the center line of main track of the Coal Fields Branch of the Oregon Short Line Railroad as the same is now located and staked over and across the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section Thirty-two (32) Township Six (6) North, and Lot one (1) of Section five (5) Township Five (5) North, all in Range Forty-five (45) East of the Boise Meridian; said center line of track being more particularly described as follows:

Beginning at a point in the West line of said Lot One (1) and one hundred Seventy (170) feet, more or less, South of the Northwest corner thereof, thence Northeasterly, along a six (6) degree and five (5) minute curve to the left, for a distance of two hundred twenty-six (226) feet, more or less, to a point in the Westerly boundary of the present right of way of said railroad, said point being thirty-five (35) feet, more or less, North of the South line of said Section Thirty-two (32).

Subject to reservations in United States and State Patents; existing and recorded Right-of-ways, Easements, Zoning, Building and Subdivision ordinances; Taxes and Assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:

Frank L. Felton
FRANK L. FELTON

123577
FILED
AT THE REQUEST OF
First American
AT 20 MINUTES PAST 4 P.M.
DATE April 12, 1996
BY Nora R. Light

State of Idaho)
County of Teton)

On this 12th day of April, 1996, before the undersigned, personally appeared FRANK L. FELTON, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me he executed the same.

Seal

Layne W. Price
Notary Public for
Residing at Driggs
My Commission expires 11-19-2000

LAYNE W. PRICE
☆ NOTARY PUBLIC ☆
STATE OF IDAHO

123577

Teton County
Commission Expires 11-19-2000

William K. McDavid, Jr.
Sherry Ward McDavid
460 N. 300 W.
Tetonia, ID 83452

September 18, 2006

State of Idaho Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
Attn.: Katy Jackson

RE: Change of ownership for water rights 22-280B and 22-281B

Enclosed please find documents supporting our claim to the above-mentioned water rights, and a completed "Notice of Change in Water Right Ownership". Also enclosed are copies of your letter dated August 17, 2006, two (2) adjudication claim reports, warranty deeds for the three (3) changes in ownership of the property to which these water rights apply since Frank Felton, the owner of record, transferred the property to the Teton Valley Land Trust, Inc, who then sold it to Vaun L. and Lidia Waddell, from whom we purchased said property.

Thanks in advance for promptly effecting this change in your records.

Sincerely

William K. McDavid, Jr., Sherry Ward McDavid

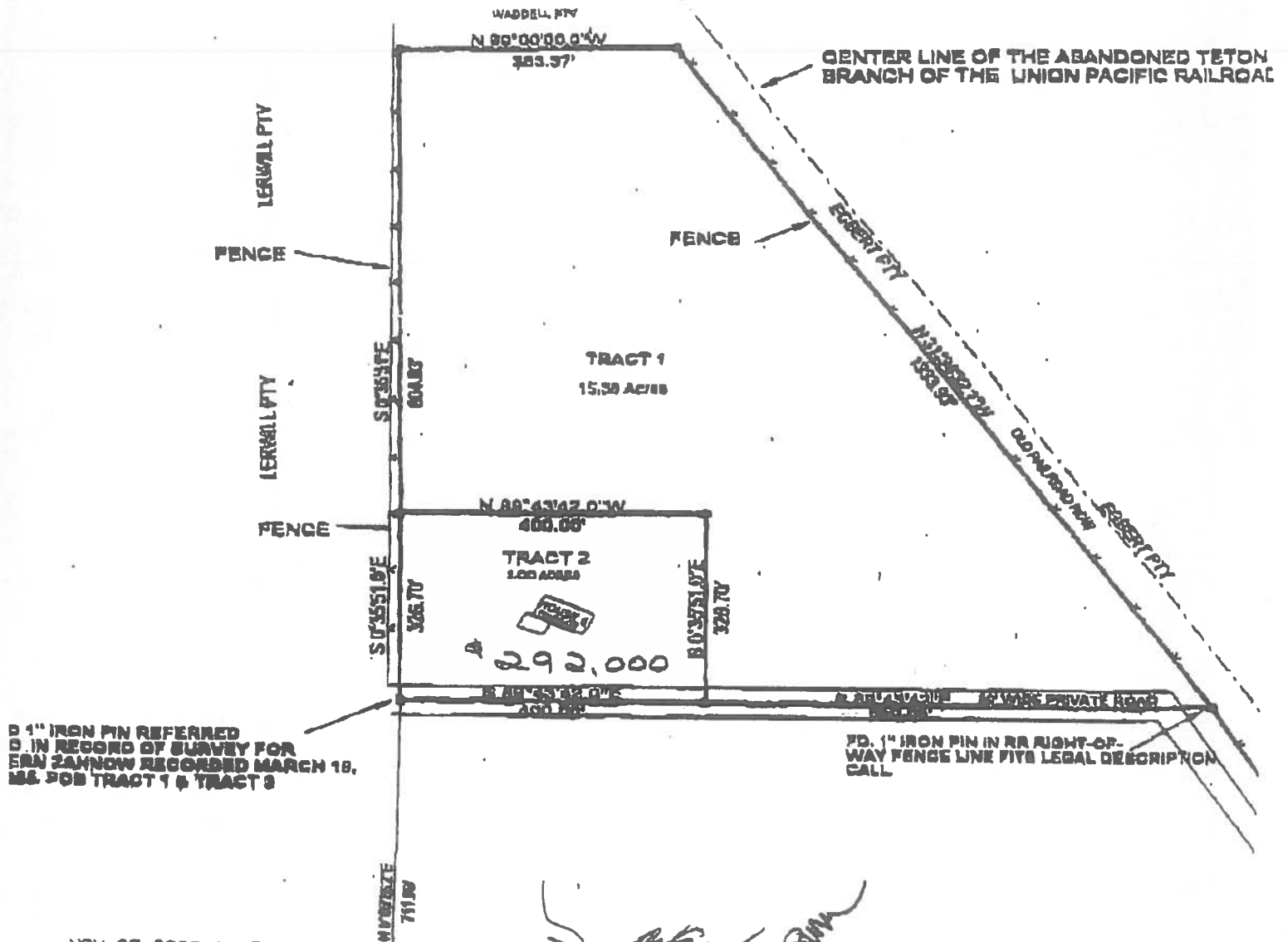


RECEIVED
SEP 20 2006
Department of Water Resources
Eastern Region

ATTACHMENT "A"
Page 2 of 2

RECORD OF SURVEY FOR

PART OF LOT 1; AND THE SE 1/4 OF THE NE 1,
OF SECTION 5; T5N; R45E; B.M.; TETON CO., W





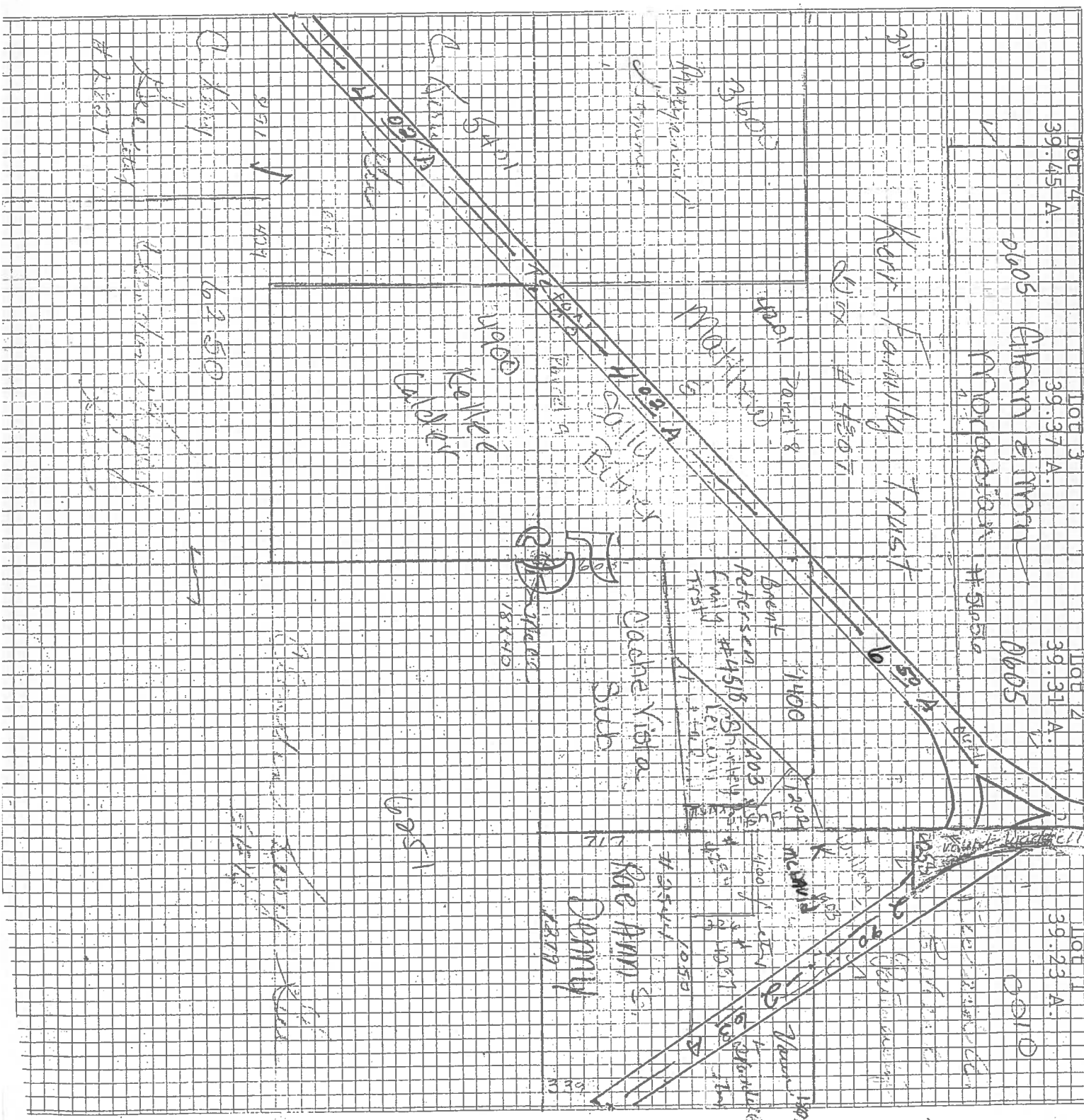
1281B

GPS 1281B

1281B

South
Ledge

E.B.M.



Claim No. 22-150B

Document Checklist

☒ Copy License/Decree

Reynolds 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

HAVE SEVERAL OWNERS ON THIS 1/4 SEC.
DISTINGUISH WHO HAS WHAT ON THE MAPS
AND IN THE FOLDERS.
568C. 281B. 281C

WHO IS WEST OF RR TRACK

Vann Waddell

Frank Felton 353-2206 - previous owner

Claim no. _____

Claimant Contact Log

Date	Remarks	Agent initials
------	---------	----------------

6/16/05 DO	contacted Frank J. Elton - he sold this property to Dale Burr. also contacted the County Clerk's and city assessor's office to find out current owner. No luck yet.	
---------------	--	--

7/29/06 DO	able to finally get info on current owner but no telephone number. Have tried to contact owner at address with no luck. Need to send c/o form to Wm. M. David at 460N 300W, Teton, WY.	
---------------	--	--

Water Right No(s). _____

GPS DATA:

Tag # ADP13845 Location: On south wing of headgate

Diversion Data:

Source: South Leigh Creek Trib to: Teton River

MOTOR

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

PUMP

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

NOTES:

Concrete headgate diverts water into Bell-
McCracken ditch.

Field Exam Date: 7/29/06 Agent: DD

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

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

Source: _____ Tributary to: _____

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

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

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

Recommended Point(s) of Diversion and Source.

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

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

DD
7/29/06
POD is a concrete headgate that diverts water into Bell-McGacken ditch. This ditch runs through the claimed POD.

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

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

Total acres _____

Recommended Place of Use

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

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

7/29/06
DO

Field exam showed that Bell-McCracken ditch runs directly through POU but there are no lateral ditches or diversion points on Bell-McCracken ditch. Last known use of water on this property was late 1970's or early 1980's possibly. Current owner might have pumped directly from the Bell-McCracken ditch but we have not been able to make contact with him.

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/15	0.26 CFS	

Overall Diversion Rate 0.26 CFS Overall Diversion Volume _____Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

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

IDWR STD S.O.U. 4/15 10/31

Reviewer: _____

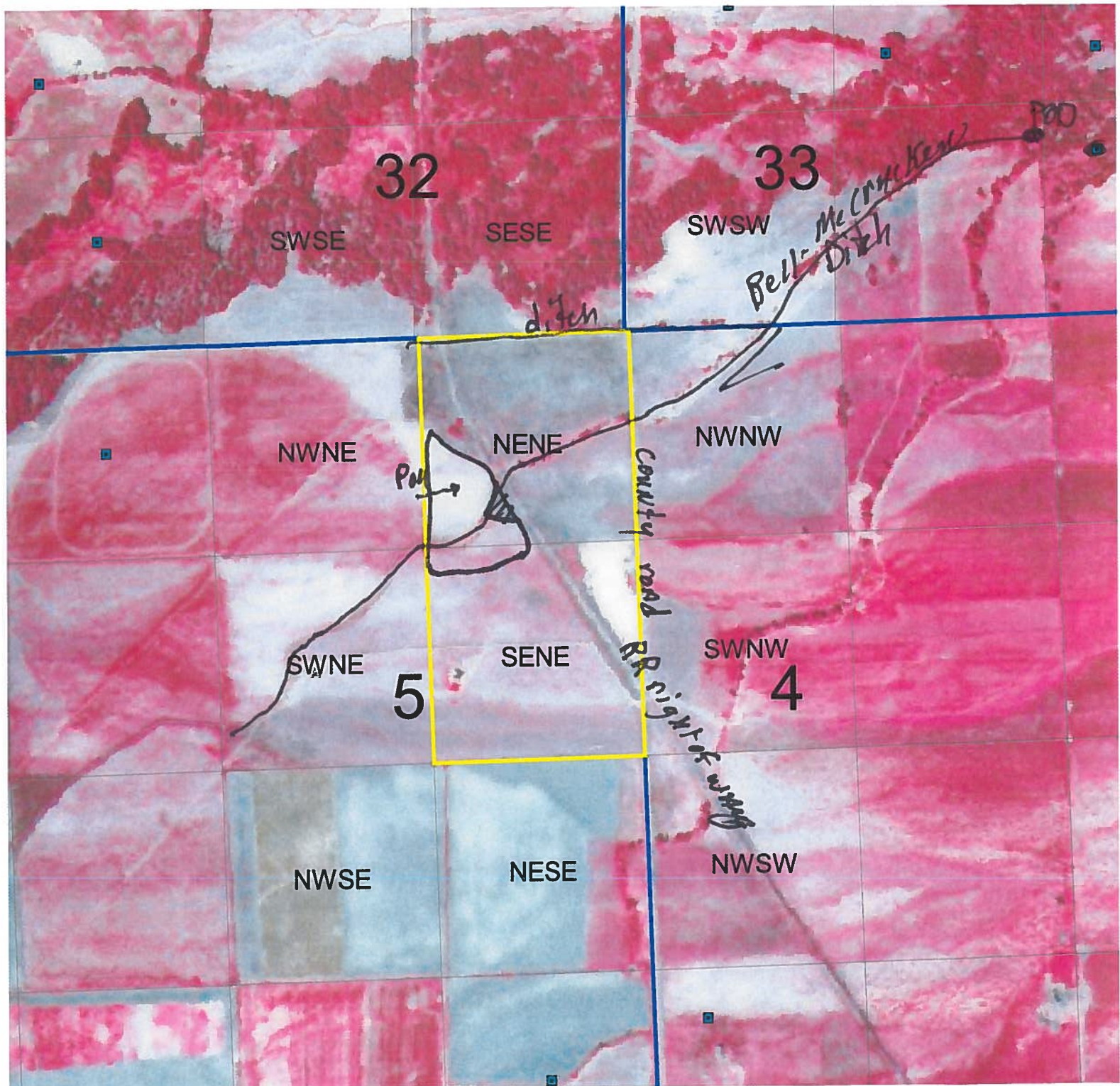
Date: _____

147	Hatch, Mary E.; July 15, 1896; Trail Creek	40
148	Cherry, Thomas; July 30, 1896; Trail Creek	80
149	Sinclair, Jesse; Aug. 13, 1896; Trail Creek	160
151	Lindsay, William; Apr. 1, 1897; South Leigh Creek	160
153	Williams, Charles; May 15, 1897; South Leigh Creek	60
154	Parker, B. F.; June 1, 1897; Fox Creek	120
154	Pendleton, Abraham; June 1, 1897; North Leigh Creek	80
154	Penfold, Algeroy; June 1, 1897; Fox Creek	100
154	Penfold, Farley; June 1, 1897; Fox Creek	100
154	Larsen, A. C.; June 1, 1897; Darby Creek	20
154	Thompson & Egbert; June 1, 1897; North Leigh Creek	70
154	Smith, D. G. S.; June 1, 1897; South Leigh Creek	120
154	Vail, W. C.; June 1, 1897; Fox Creek	100
154	Vail, W. C.; June 1, 1897; Fox Creek	120
154	Waterman, L. C.; June 1, 1897; South Leigh Creek	60
154	Hopkins, D. H.; June 1, 1897; South Leigh Creek	1,380
154	Wyoming & Darby Bench Canal Co., Ltd.; June 1, 1897; Darby Creek	30
154	Zimmerman, Zuel; June 1, 1897; South Leigh Creek	120
154	Little, George A.; June 1, 1897; North Leigh Creek	80
154	Little, George E.; June 1, 1897; South Leigh Creek	140
154	Moffat, Andrew; June 1, 1897; South Leigh Creek	80
Swamps		140
154	Perry, Jeremiah C.; June 1, 1897; North Leigh	80
154	Rouche, Jacob; June 1, 1897; North Leigh Creek	90
154	Henrie, John; June 1, 1897; North Leigh Creek	150
154	Henrie, Joseph O.; June 1, 1897; South Leigh Creek	120
154	Hill, Albert; June 1, 1897; Darby Creek	75
154	Gale, Joseph; June 1, 1897; South Leigh and Swamps	40
154	Cluff, Charles; June 1, 1897; Fox Creek	10
154	Davidson, J. H.; June 1, 1897; South Leigh Creek	80
154	Crandall, H. L.; June 1, 1897; Darby Creek	20
154	Cannon, Harry L.; June 1, 1897; Darby Creek	100
154	Bush, Geo. W.; June 1, 1897; Darby Creek	20
154	Bowles, William; June 1, 1897; Trail Creek	160
154	Edwards, Andrew; June 1, 1897; Trail Creek	50
154	Allen, Isaac T.; June 1, 1897; Cherry Creek; all of the water of Cherry Creek Springs	50
155	Guyman, Edward; June 10, 1897; South Leigh Creek	120
156	Porter, John; June 15, 1897; Trail Creek	75
156	Moffat, Mary; June 15, 1897; Leigh Creek	80
156	McCracken, John; June 15, 1897; South Leigh Creek	160
156	McCracken, James; June 15, 1897; South Leigh Creek	156
156	Van Leuven, William; June 15, 1897; South Leigh Creek	160
157	Henrie, James D.; June 20, 1897; Leigh Creek	130
159	Homer, Willard G.; June 24, 1897; South Leigh Creek	160
162	Jones, Joshua; Oct. 28, 1897; Trail Creek	200
163	Clark & Houghton; Apr. 1, 1898; Teton River	1,300
163	Good Luck Canal Co.; Apr. 1, 1898; Teton River	600
163	Hill Ditch Co.; Apr. 1, 1898; Teton River	430
163	Rowe, Reuben H., and Morris McCormick; Apr. 1, 1898; Teton River	40
163	Rowe, Wallace; Apr. 1, 1898; North Leigh Creek	8,500
163	Rexburg Irrigation Co.; Apr. 1, 1898; Teton River	900
163	Pioneer Ditch Co.; Apr. 1, 1898; Teton River	700
163	Pinecock Byington Ditch Co.; Apr. 1, 1898; Teton River	
163	Windmill, Richard, and Richard Withers and Oscar B. Young; Apr. 1, 1898; Teton River. (Eckersell Canal)	434
163	Wilford Irrigation & Manufacturing Co.; Apr. 1, 1898; Teton River	

163	Stewart, Samuel (deceased), Estate of, by Mary H. Birch, Adminx., and Mary H. Birch; Apr. 1, 1898; Teton River	6,608
163	Walters, William; Apr. 1, 1898; Teton River. (Stewart & Walters Ditch.) (Joint appropriation with Mons H. Anderson)	500
163	Siddoway Irrigation and Manufacturing Co.; Apr. 1, 1898; Teton River	332
163	Teton Island Canal Co.; Apr. 1, 1898; Teton River	766
163	Bird, Martin L., F. W. Garner and George A. Pincock; Apr. 1, 1898; Pincock-Garner Ditch	7,982
163	Eames, John S.; Apr. 1, 1898; Teton River	800
163	Nelson, David; Apr. 1, 1898; Teton River. (Through Nelson-Jacobs Ditch.)	50
163	Mortensen, Christian; Apr. 1, 1898; Teton River. (Through the Nelson-Jacobs Ditch.)	434
163	Woodmansee-Johnson Ditch; Apr. 1, 1898; Teton River	218
163	City of Rexburg; Apr. 1, 1898; Teton River. (For power and municipal purposes.)	1,380
163	Huskinson, William J.; Apr. 1, 1898; Teton River	1,650
164	Nelson, Fritz E.; Apr. 15, 1898; Spring Creek	50
165	Lamoureux, Francis A., and Ann.; May 1, 1898; South Leigh Creek	120
166	Hendrickson, Frank; May 1, 1898; Badger Creek	25
167	Clark, H. J.; May 15, 1898; Teton River	160
168	Wait, F. A.; May 25, 1898; Leigh Creek	160
169	Edwards, Andrew; June 1, 1898; Trail Creek	40
169	Edwards, Andrew; June 1, 1898; Trail Creek	40
169	Felt, Clara V.; June 1, 1898; Badger Creek	50
169	Bruce, Daniel C.; June 1, 1898; Teton Creek	160
169	Black, Joseph A.; June 1, 1898; South Leigh Creek	150
169	Allen, Amos; June 1, 1898; Fox Creek	50
160	Cherry, Thomas; June 1, 1898; Trail Creek	80
169	Crandall, H. L.; June 1, 1898; Darby Creek	60
169	Crandall, Ira; June 1, 1898; Darby Creek	20
169	Davidson, J. H.; June 1, 1898; South Leigh Creek	80
169	Cluff, Charles; June 1, 1898; Fox Creek	150
169	Hamilton, Robert; June 1, 1898; Badger Creek	16
169	Guyman, Edward; June 1, 1898; South Leigh Creek	4
169	Fullmer, H. D.; June 1, 1898; North Leigh Creek	160
169	Fullmer, Almond L.; June 1, 1898; North Leigh Creek	120
160	Hendrickson, Alvira E.; June 1, 1898; South Leigh Creek	60
169	Hendrickson, Alfred; June 1, 1898; Badger Creek	40
169	Hearst, H. T.; June 1, 1898; Leigh Creek	160
169	Hanson, Alfred; June 1, 1898; North Leigh Creek	40
169	Poulson, J. C.; June 1, 1898; North Leigh Creek	130
169	Rammell, George; June 1, 1898; Badger Creek	20
169	Ramell, Sam J.; June 1, 1898; Leigh Creek	160
169	Ramell, C. H.; June 1, 1898; Badger Creek	30
169	Little, George E.; June 1, 1898; North Leigh Creek	80
169	Hopkins, Ezekiel; June 1, 1898; North Leigh Creek	80
169	Zimmerman, Zuel; June 1, 1898; South Leigh Creek	130
169	Hopkins, D. H.; June 1, 1898; South Leigh Creek	60
169	Hoozier, John L.; June 1, 1898; Spring Creek	120
169	Homer, Benjamin P.; June 1, 1898; Mahogany Creek	15
169	Holden, E. H.; June 1, 1898; Darby Creek	160
169	Hochstrasser, R. H.; June 1, 1898; Spring Creek	40
169	Hochstrasser, N. W.; June 1, 1898; Spring Creek	50

22-280B

1/29/06
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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 12, 1998

FRANK FELTON
RT 1 BOX 3740
DRIGGS ID 83422

RE: CHANGE IN OWNERSHIP FOR A22-00281A, A22-00280A

Dear Mr. Felton:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A22-00281B, .26 CFS, 13 ACRES, FELTON
A22-00281C, .36 CFS, 18 ACRES, SCHULZ

A22-00280B, .26 CFS, 13 ACRES, FELTON
A22-00280C, .36 CFS, 18 ACRES, SCHULZ

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure

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

DELOG J# 11-11-97
DELOG GT 12/29/97

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) A 2200280A A2200281A A2200568C ^{ALL OK}
Adjudication Claim Number(s) AJ5809NP AJ5809NP AJ0749NP

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

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) DALE & MARGIE BURR
464 N 300 W, TETONIA, ID 83452

4. New Owner/Claimant(s) WILLIAM & MELINDA SCHULZ
New Mailing Address 464 N 300 W
City, State and ZIP Code TETONIA, ID 83452
New Telephone Number (208) 456-3042

5. Date you acquired the property 10/15/97

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 18 Number and type of stock _____

Diversion rate in CFS _____ Number of homes one Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) William Schulz Date 11/3/97
Melinda Schulz Date _____

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

RECEIVED

NOV 10 1997

Department of Water Resources
Eastern Region

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: **A22-00280B**
Date Received: 10/18/1988
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: FRANK FELTON
Address: RT 1 BOX 3740
DRIGGS ID

307-353-8140

83422

2. Date of Priority: JUN 10, 1897

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	NE	SW	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	0.260		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	45E	5	NE	NE		IRR	11.0
			SE	NE		IRR	2.0

Section Acres 13.0

A2200280B

10. Place of Use: Continued

Total Acres 13.0

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:

14. Remarks:

THIS CLAIM IS A PORTION OF DECREDD RIGHT 22-00280.

*THIS RIGHT ORIGINALLY NUMBERED A22-12535. RENUMBERED 5-17-96 GT.

*CHANGED OWNERSHIP 2-3-98 GT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant