

# SRBA SUBCASE SUMMARY REPORT 22-00280C

[Return to SRBA Home Page](#)

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SRBA  
06-19-2007

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 22-00280C      FILE#: 00000  
CLAIMANT: SCHULZ, MELINDA  
          464 N 300 W

TETONIA                      ID      83452  
STATUS: UNOBJECTED TO W/R      SPECIAL MASTER:  
WATER SOURCE: SOUTH LEIGH CREEK      TRIBUTARY: TETON RIVER

\*\*\*\* PARTIES INVOLVED \*\*\*\*

|                |          |
|----------------|----------|
| MELINDA SCHULZ | C PRO SE |
| WILLIAM SCHULZ | C PRO SE |

\*\*\*\* ROA ENTRIES \*\*\*\*

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[Return to SRBA Home Page](#)

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SCANNED  
JUN 27 2007



# Idaho Department of Water Resources

SRBA Recommendation:

**22-280C**

**22-281C**

**22-568C**

(Irrigation)

## Legend

● Point of Diversion

□ Place of Use

□ Townships

□ PLS Sections

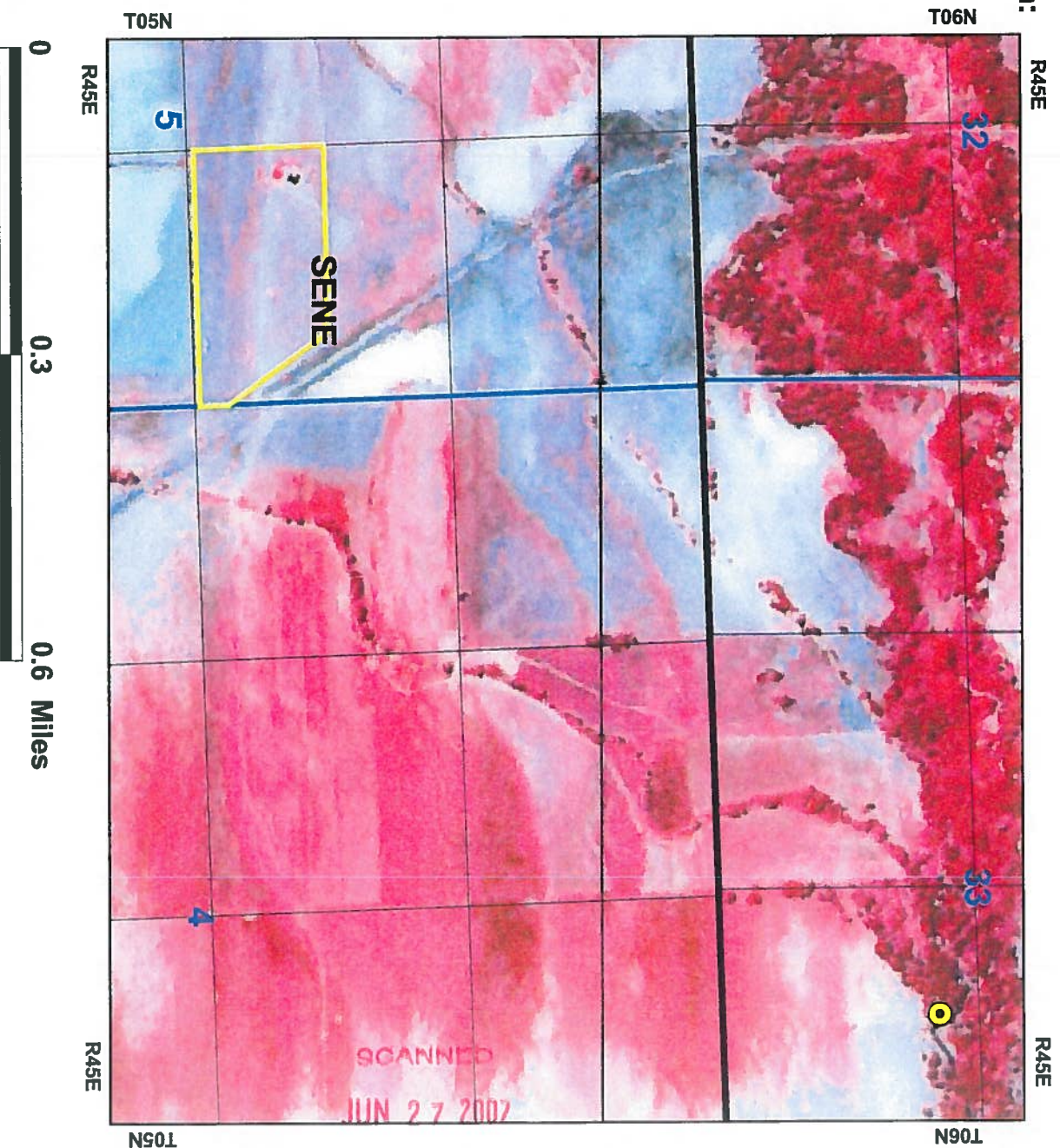
□ Quarter Quarters



Teton County  
IDWR Basin 22



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



August 17, 2006

TYREE MACKEY  
13 WEST RAMMELL MTN ROAD  
TETONIA ID 83452

RE: CHANGE OF OWNERSHIP FOR 22-280C, 22-568C, 22-281C

Dear Claimant:

It has come to our attention that you may have recently purchased a tract of land. The legal description is as follows:

See attached

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you have sold the property in question, **you contact this department** in order that we may correct our records sending all further correspondence to the appropriate owner(s).

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Katy Jackson  
Office Specialist 1

Enclosure(s)

**PROFILED**

SCANNED

AUG 23 2006



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

**EASTERN REGION**

**C. L. "BUTCH" OTTER**  
Governor

**DAVID R. TUTHILL, JR.**  
Director

June 19, 2007

MILLENNIAL FINANCIAL GROUP, LLC  
12 MILLER RANCH RD  
DRIGGS ID 83422

RE: Notice of Change of Water Right Ownership (NCO) for 22-280C, 22-281C & 22-568C and Notice of Completed Administrative Proceeding (NCAP)

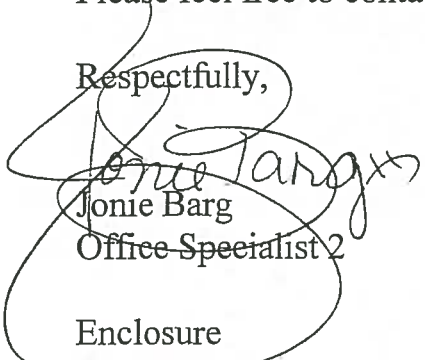
Dear Sir/Madam:

On May 14, 2007 the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

  
Jonie Barg  
Office Specialist 2

Enclosure  
cc: Schulz

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JUN 27 2007

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )

Water Rights: 22-280C, 22-281C &  
22-568C

Case No. 39576 )

NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING

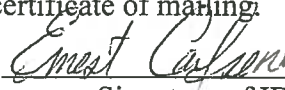
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party SCHULZ-MILLENNIAL FINANCIAL GROUP
- ☐ I.C. § 42-222 transfer
  - ☐ point of diversion ☐ place of use
  - ☐ period of use ☐ nature of use
  - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 21 June 2007



Signature of IDWR Representative

SCANNED  
JUN 27 2007

### CERTIFICATE OF MAILING

I certify that on June 25, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
PO Box 2707  
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:  
WILLIAM & MELINDA SCHULZ  
464 N 300 W  
TETONIA ID 83452

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:  
MILLENNIAL FINANCIAL GROUP, INC  
12 MILLER RANCH RD  
DRIGGS ID 83422

4. One copy to:

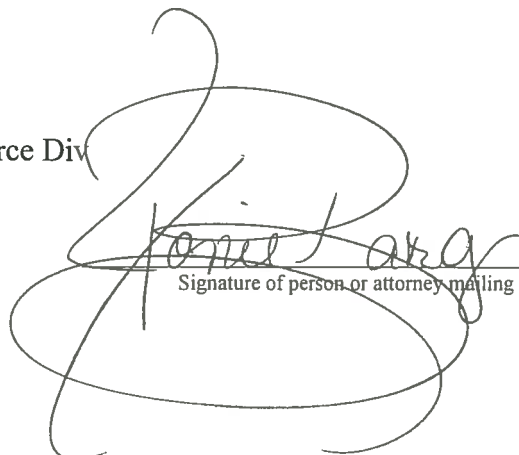
Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

  
Signature of person or attorney mailing the form

06/19/2007

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

RIGHT NUMBER: 22-280C

NAME AND ADDRESS: MILLENNIAL FINANCIAL GROUP, INC  
12 MILLER RANCH RD  
DRIGGS ID 83422

SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.350 CFS

PRIORITY DATE: 06/10/1897

POINT OF  
DIVERSION: T06N R45E S33 NWSWSE 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          | 0.350 CFS       |

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S05 SENE 18.00

18 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 18 acres in a single irrigation season. Combined Right Nos.: 22-280C, 22-281C, and, 22-568C.

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.

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

SCANNED

JUN 27 2007

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

RECEIVED

MAY 14 2007

Department of Water Resources  
Eastern Region

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

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

OK JC

| Water Right No(s)  | Adjudication Claim No(s) | Split(s) | Water Right No(s) | Adjudication Claim No(s) | Split(s) |
|--------------------|--------------------------|----------|-------------------|--------------------------|----------|
| <del>22-280C</del> | 22-280C                  |          |                   |                          |          |
|                    | 22-281C                  |          |                   |                          |          |
|                    | 22-568C                  |          |                   |                          |          |
|                    |                          |          |                   |                          |          |
|                    |                          |          |                   |                          |          |
|                    |                          |          |                   |                          |          |

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

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

Melinda Schulz and William Schulz  
 464 N 300 W Tetonia, ID 83452

4. New Owner/Claimant(s)

Millennial Financial Group, Inc

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

New Mailing Address

12 Miller Ranch Road

City, State and ZIP Code

Driggs Idaho 83422

New Telephone Number

(208) 351-1472

SCANNED

JUN 27 2007

5. Date you acquired the property

October 20, 2006

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |

*For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.*

7. Signature(s) of New Owner(s) or Claimant(s)

President  
(title if applicable)

(title if applicable)

**IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.**

**For IDWR Office Use Only:**

Received by \_\_\_\_\_ Date \_\_\_\_\_  
 Received by \_\_\_\_\_ Date \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_

Receipt Amt. \_\_\_\_\_  
 Receipt No. \_\_\_\_\_  
 WR \_\_\_\_\_ Date \_\_\_\_\_

SCANNED  
 JUN 27 2007

For Value Received

DALE M. BURR AND MARGIE D. BURR, HUSBAND AND WIFE

COPY

the grantors, do hereby grant, bargain, sell and convey unto

WILLIAM R. SCHULZ AND MELINDA W. SCHULZ, HUSBAND AND WIFE

whose current address is 608 NORTH MILLER ROAD NORTH, VALRICO, FLORIDA 33594

the grantees, the following described premises, in TETON County Idaho, to wit:

Beginning at the center of Section 5, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 89 degrees 42'21" East, 1320.15 feet to the true point of beginning; thence North 00 degrees 33'17" West 717.0 feet; thence South 89 degrees 41'59" East, 1050.50 feet to the West boundary of the Union Pacific Railroad right-of-way; thence South 31 degrees 34'20" East 443.92 feet; thence South 00 degrees 40'27" East 339.84 feet; thence North 89 degrees 42'21" West 1279.99 feet to the true point of beginning. Also known as Lot 7 Autumn Leaf Estates, Teton County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all incumbrances except; Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: OCTOBER 3, 1997

*Dale M Burr*

DALE M. BURR

*Margie D Burr*

MARGIE D. BURR

OFFICIAL SEAL  
NANCY ANN PERRY  
NOTARY PUBLIC - IDAHO  
TETON COUNTY  
MY COMMISSION EXPIRES 4/3/01



STATE OF IDAHO, COUNTY OF TETON  
On this 3<sup>rd</sup> day of October, 1997  
before me, a notary public in and for said State, personally appeared

Dale M. Burr and  
Margie D. Burr

128534  
FILED  
AT THE REQUEST OF  
ALLIANCE TITLE AND ESCROW

JUN 27 2007

RECEIVED

142471

MAY 14 2001

CORRECTION  
WARRANTY DEED

TETON CO., ID  
CLERK RECORDER

CORRECTING GRANTOR NAME SPELLING INSTRUMENT #141975

For Value Received **William R. Schulz & Melinda W. Schulz, husband and wife**

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

**Linda S. Pennington, a single woman**  
whose address is: **PO Box 102, Teton, ID 83452**

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

Beginning at the center of Section 5, Township 5 North, Range 45 East Boise Meridian, Teton County, Idaho, and running thence South 89°42'21" East, 1320.15 feet to the true point of beginning; running thence North 00°33'17" West, 717.0 feet; thence South 89°41'59" East, 1050.50 feet to the West boundary of the Union Pacific Railroad Right-of-way; thence South 31°34'20" East, 443.92 feet; thence South 00°40'27" East, 339.84 feet; thence North 89°42'21" West, 1279.99 feet to the true point of beginning.

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

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

Dated: *May 11, 2001*

*William R. Schulz*  
William R. Schulz  
*Melinda W. Schulz*  
Melinda W. Schulz

STATE OF IDAHO

COUNTY OF TETON

On this *11<sup>th</sup>* day of May, 2001, before me, personally appeared William R. Schulz and Melinda W. Schulz, husband and wife, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

*Lesette N. Smith*  
Notary Public of *Idaho*  
Residing at *Tetonia, Id.*  
Commission Expires: *1-3-06*



Instrument # 142471

DRIGGS, TETON, IDAHO  
2001-05-14 10:48:08 No. of Pages: 1  
Recorded for: FIRST AMERICAN TITLE  
NOLAN G. BOYLE Fee: 3.00  
Ex-Officio Recorder Deputy *L. Smith*  
Index to: DEED, WARRANTY

142471

SCANNED  
JUN 27 2007

176346

OW  
Alliance

Instrument # 176346

DRIGGS, TETON, IDAHO  
2006-04-26 03:50:20 No. of Pages: 1  
Recorded for: ALLIANCE TITLE & ESCROW Fee: 3.00  
NOLAN G. BOYLE  
Ex-Officio Recorder Deputy  
Index to: DEED, WARRANTY

RECEIVED  
APR 27 2006  
TETON CO., ID  
CLERK OF DISTRICT

### WARRANTY DEED

Order No.: 3050614438TD

FOR VALUE RECEIVED

Linda S. Pennington, an unmarried person

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

Rae Ann Denny, a married woman as her sole & separate property  
whose current address is

13 W. Rammell Mountain Rd. Tetonia, ID 83452

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

Beginning at the center of Section 5, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 89°44'21" East 1320.15 feet to the true point of beginning; running thence North 00°33'17" West 717.0 feet; thence South 89°41'59" East; 1050.50 feet to the West boundary of the Union Pacific Railroad Right of way; thence South 31°34'20" East 443.92 feet; thence South 00°40'27" East 339.84 feet; thence North 89°42'21" West 1279.99 feet to the true point of beginning.

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

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

Dated:

4/24/2006

176346

State of Idaho

County of

Teton

On this 24 day of April

personally appeared

me to be the person whose name is subscribed to the within instrument and acknowledged to me that she

executed the same.

in the year 2006 before me, a Notary Public in and for said state, known or identified to me that she

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

SAMANTHA L. SCHULTHEIS  
NOTARY PUBLIC  
STATE OF IDAHO  
MY COMMISSION EXPIRES FEB. 25, 2008

Notary Public for the State of Idaho

Residing at:

Commission Expires:

Victor  
2/25/08

176346

SCANNED

JUN 27 2007

AFTER RECORDING MAIL TO:

181832

RECEIVED  
2006

Rae Ann Denny  
464 North 300 West  
Tetonia, ID 83452

Instrument # 181832  
DRIGGS, TETON, IDAHO  
2006-10-26 11:37:42 No. of Pages: 2  
Recorded for: MILLENNIAL FINANCIAL GROUP  
NOLAN G. BOYLE  
Ex-Officio Recorder Deputy  
Index to: DEED, QUIT-CLAIM

TETON CO., ID  
RECORDED

### QUITCLAIM DEED

File No.: 168809-T (tm)

Date: October 20, 2006

For Value Received, Rae Ann Denny, do hereby convey, release, remise, and forever quit claim unto **Millennial Financial Group, Inc., a Utah Corporation**, whose address is **13 W. Rammell Mountain Road Tetonia, ID 83452**, herein after called the Grantee, the following described premises situated in **Teton County, Idaho**, to-wit:

\* Beginning at the center of Section 5, Township 5 North, Range 45 East Boise Meridian, Teton County, Idaho, and running thence South 89°42'21" East, 1320.15 feet to the true point of beginning; running thence North 00°33'17" West, 717.0 feet; thence South 89°41'59" East, 1050.50 feet to the West boundary of the Union Pacific Railroad Right-of-way; thence South 31°34'20" East, 443.92 feet; thence South 00°40'27" East, 339.84 feet; thence North 89°42'21" West, 1279.99 feet to the true point of beginning.

together with its appurtenances.

Dated: 10-26-06

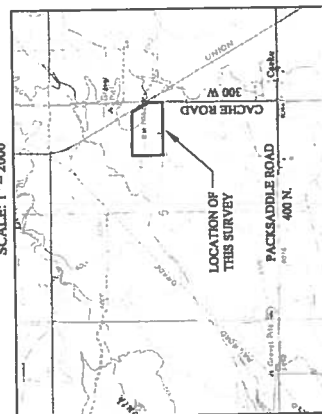
  
Rae Ann Denny

|                   |               |         |                  |            |   |
|-------------------|---------------|---------|------------------|------------|---|
| Post-It® Fax Note | 7671          | Date    | 2/5/07           | # of pages | 1 |
| To                | Robert Baratt | From    | J. Denny         |            |   |
| Co./Dept.         |               | Co.     | Jorgensen Assoc. |            |   |
| Phone #           |               | Phone # | 354-8330         |            |   |
| Fax #             | 359-9992      | Fax #   |                  |            |   |

181832

SCANNED

JUN 27 2007



**LEGEND**

|                |     |
|----------------|-----|
| Property line  | --- |
| Section line   | --- |
| Easement as    | --- |
| Edge of gravel | --- |
| Edge of Catch  | --- |
| Building Envel | --- |
| Fence line     | --- |

Rebar with aluminum cap recovered  
Rebar with plastic cap recovered  
Iron pipe recovered  
Rebar with aluminum cap set  
Well  
Record dimensions, Instrument #1424

FOR MILLENNIAL FINANCIAL GROUP  
PART OF THE S1/2 SE1/4 NE1/4  
SECTION 5, T5N, R45E, B.M.  
TETON COUNTY, IDAHO



**Scale: 1 inch = 100 feet**  
This scale valid only for 18x24 prints.



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: [www.idwr.state.id.us](http://www.idwr.state.id.us)

EASTERN REGION

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

LINDA S PENNINGTON  
PO BOX 102  
TETONIA ID 83452

RE: CHANGE IN WATER RIGHT OWNERSHIP FOR 22-280C, 22-281C, 22-568C

Dear Ms. Pennington:

It has come to our attention that you may have recently purchased a tract of land in Teton County. The property to which I am referring was most recently owned by William & Melinda Schulz. The legal description is as follows:

T05N, R45E, S5, SENE

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

**Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.**

If you have questions regarding this matter, please call 525-7161.

Respectfully submitted,

Jennifer Crabtree  
Technical Records Specialist  
Enclosure(s)

SCANNED

JUN 27 2007  
JUN 27

900 N. SKYLINE DR.  
IDAHO FALLS, IDAHO 83402

ADDRESS SERVICE  
REQUESTED

NOT DELIVERABLE  
AS ADDRESSED,  
UNABLE TO FORWARD

MELINDA SCHULZ  
WILLIAM SCHULZ  
464 N 300 W  
TETONIA ID 83452

★ ★  
U.S. POSTAGE  
1561  
8962 \$00.870 NOV 28 2002  
6050 MAILED FROM ZIP CODE 83402

22-280 C  
281 C  
568 C

TETONIA ID 83452

## 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

SCANNED

JUN 27 2007

## Contacts Data Entry Form

Claim Number: 22-280C

| Owner Type | Full Name | Address | City | State | Zip |
|------------|-----------|---------|------|-------|-----|
|------------|-----------|---------|------|-------|-----|

|                |                  |  |  |  |  |
|----------------|------------------|--|--|--|--|
| Current Owner: | <u>DAVE BURR</u> |  |  |  |  |
| Current Owner: |                  |  |  |  |  |
| Current Owner: |                  |  |  |  |  |

|            |  |
|------------|--|
| Phone No.: |  |
| Phone No.: |  |
| Phone No.: |  |

|            |  |
|------------|--|
| Phone No.: |  |
|------------|--|

Name connector: and \_\_\_\_\_, or \_\_\_\_\_, and/or \_\_\_\_\_.

Representing Attorney: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Accompanied By: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Relationship to Claimant: \_\_\_\_\_ Date of Field Exam: \_\_\_\_\_

Discussion of right origin and split history. Questions and problems.

C/o KILCO 11/97

6/29/04 FB: VISITOR ROLL, CONVOYERS AND P&D.FB: WHICH PARCEL W/1 SENE Soc. 5 IS THIS

Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

SCANNED

JUN 27 2007

**Claim Number:** \_\_\_\_\_

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

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

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

| 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:**

Document how the POD and Source were verified: *SEE HD DRAWN CLAIM*  
DELIVERY THROUGH THE GALT-MOFFAT Ditch (Same GPS ID?)

[illegible]

Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

SCANNED

JUN 27 2007

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Eastern District Office  
900 N. Skyline Dr., Suite A  
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

22-280C  
22-281C  
22-568C

WILLIAM SCHULZ

MELINDA SCHULZ

464 N 300 W

TETONIA ID 83452

UNDELIVERABLE AS ADDRESSED

608 No. Mission Rd No.

Harico Florida

33594

u/Change Address

SCANNED

JUN 27 2007



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

WILLIAM & MELINDA SCHULZ  
464 N 300 W  
TETONIA ID 83452

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

Dear Mr. & Mrs. Schulz:

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*

Jennifer Hoagland  
Technical Records Specialist

Enclosure

SCANNED

JUN 27 2007

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

DELOG JH 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.

SPLIT INTO  
B & C

ALL OK

*[Handwritten signature]*

1. Water Right Number(s) A2200280A A2200281A A2200568C  
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  
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR  
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

SCANNED NOV 10 1997

JUN 27 2007 Department of Water Resources  
Eastern Region

RECEIVED

35-9457-V

OCT 15 1997

TETON CO., ID  
CLERK RECORDER

128534

# Warranty Deed

ALLIANCE TITLE & ESCROW CORP., INC.  
P.O. BOX 644 / 78 N MAIN STREET  
DRIGGS, IDAHO 83422

For Value Received

DALE M. BURR AND MARGIE D. BURR, HUSBAND AND WIFE

the grantors, do hereby grant, bargain, sell and convey unto

WILLIAM R. SCHULZ AND MELINDA W. SCHULZ, HUSBAND AND WIFE

whose current address is 608 NORTH MILLER ROAD NORTH, VALRICO, FLORIDA 33594

COPY

the grantees, the following described premises, in TETON County Idaho, to wit:

Beginning at the center of Section 5, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 89 degrees 42'21" East, 1320.15 feet to the true point of beginning; thence North 00 degrees 33'17" West 717.0 feet; thence South 89 degrees 41'59" East, 1050.50 feet to the West boundary of the Union Pacific Railroad right-of-way; thence South 31 degrees 34'20" East 443.92 feet; thence South 00 degrees 40'27" East 339.84 feet; thence North 89 degrees 42'21" West 1279.99 feet to the true point of beginning. Also known as Lot 7 Autumn Leaf Estates, Teton County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all incumbrances except; Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: OCTOBER 3, 1997

*Dale M Burr*

DALE M. BURR

*Margie D Burr*

MARGIE D. BURR

OFFICIAL SEAL  
NANCY ANN PERRY  
NOTARY PUBLIC - IDAHO  
TETON COUNTY  
MY COMMISSION EXPIRES 4/3/01

STATE OF IDAHO, COUNTY OF TETON  
On this 8th day of October, 1997  
before me, a notary public in and for said State, personally appeared

Dale M. Burr and  
Margie D. Burr

known to me to be the persons whose names are  
subscribed to the within instrument, and acknowledged to me that  
they executed the same.

*Nancy Ann Perry*

Residing at \_\_\_\_\_, Idaho  
Comm. Expires \_\_\_\_\_

Notary Public

128534

FILED

AT THE REQUEST OF

ALLIANCE TITLE AND ESCROW

At 45 MINUTES PAST 11 a.m.

DATE Oct. 15, 1997

*Asa J. Drake*  
BY *Nora Rigby*  
CLERK OF RECORD  
DEPUTY

SCANNED

JUN 27 2007

N 00°01'36"E 2651.59'



SCALE 1" = 200'

SW 1/4 NE 1/4

C 1/4 CORNER SECTION 5  
FOUND IRON PIN

N 89°42'25"W—2647.78'  
BASIS OF BEARING (SECTION 1/4 LINE)

N 00°32'49"W 716.35'

7.7'  
4.6'

30' ACCESS AND  
UTILITY EASEMENT

S 89°44'22"E 1049.71'

BURR PROPERTY  
20.04 ACRES

60' ACCESS  
AND UTILITY  
EASEMENT

S 31°35'10"E  
443.28'

339.77'  
S 00°44'08"E

S 00°02'31"E 2655.91'

**SURVEYOR'S CERTIFICATE**

I, ARNOLD W. WOOLSTENHAME, BEING A  
REGISTERED LAND SURVEYOR / ENGINEER  
IN THE STATE OF IDAHO, No. 2860, DO  
HEREBY CERTIFY THAT I DID CAUSE THE  
SURVEY OF THE TRACT OF LAND AS HEREIN  
PLATTED AND DESCRIBED.



E 1/4 CORNER SECTION 5  
FOUND 1/2" IRON PIN WITH  
CAP INSCRIBED: AW ENG 2860  
C.P.F.R. INDEX C-9  
INSTRUMENT #95749

**OWNERS' CERTIFICATE**  
WE, THE UNDERSIGNED, OWNERS OF  
THE PROPERTY OF LAND

**PROPERTY DESCRIPTION**  
A PART OF THE E 1/2 S  
IDAHO, BEING FURTHER  
FROM THE E 1/4 CORNER  
TO A 1" IRON PIN. THE  
THENCE N 00°32'49"W,  
THENCE S 89°44'22"E,  
RAILROAD RIGHT-OF-WAY  
THENCE S 31°35'10"E,  
ON THE WESTERN RIGHT-  
THENCE S 00°44'08"E,  
POINT OF BEGINNING.  
CONTAINS 20.04 ACRES.  
SUBJECT TO A 30 FOOT  
PROPERTY LINE AND A  
LINE WHICH RUNS PARAL

SCANNED  
JUN 27 2007

NE CORNER SECTION 5  
FOUND 5/8" IRON PIN  
WITH 2" CAP INSCRIBED;  
AW ENG 2860  
C.P.F.R. INDEX A-9  
INSTRUMENT #95755

FOUND AS NOTED

CORNER: 1/2" IRON PIN  
IBED: AW ENG 2860

CORNER: 1" IRON PIN

NOTHING FOUND OR SET

DOWN LINE

AND WIDTH AS NOTED

DISTANCE  
36.63'



### VICINITY MAP

SECTION 5, TWP. 5N., RNG. 45E., B.M.,  
TETON COUNTY, IDAHO

SCALE 1" = 2000'

### PROPERTY DESCRIPTION

A PART OF THE E 1/2 SECTION 5, TWP. 5N., RNG. 45E., B.M. TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS:  
FROM THE E 1/4 CORNER OF SAID SECTION 5, THENCE S 84°08'24"W. 36.63 FEET TO A 1" IRON PIN, THE POINT OF BEGINNING;  
THENCE N 89°44'23"W. 1279.42 FEET TO A 1" IRON PIN;  
THENCE N 00°32'40"W. 716.35 FEET TO A POINT;  
THENCE S 89°44'22"E. 1049.71 FEET TO A 1" IRON PIN ON THE SOUTHWESTERN RAILROAD RIGHT-OF-WAY LINE;  
THENCE S 31°35'10"E. 443.29 FEET ALONG SAID RIGHT-OF-WAY TO A 1" IRON PIN ON THE WESTERN RIGHT-OF-WAY LINE OF THE COUNTY ROAD;  
THENCE S 00°44'08"E. 339.77 FEET ALONG THE COUNTY ROAD RIGHT-OF-WAY TO THE POINT OF BEGINNING.

CONTAINS 20.04 ACRES, MORE OR LESS.

SUBJECT TO A 30 FOOT ACCESS AND UTILITY EASEMENT ALONG THE NORTHERNMOST PROPERTY LINE AND A 60 FOOT ACCESS AND UTILITY EASEMENT ALONG THE PROPERTY LINE WHICH RUNS PARALLEL WITH THE RAILROAD RIGHT-OF-WAY

### OWNERS' CERTIFICATE

WE, THE UNDERSIGNED OWNERS, CERTIFY THAT WE DID CAUSE THE SURVEY OF THE PROPERTY OF LAND AS SHOWN ON THIS PLAT TO BE PERFORMED BY AN ENGINEERING.

### RECORDER'S CERTIFICATE

STATE OF IDAHO )  
 ) 6S  
COUNTY OF TETON )

I DO HEREBY CERTIFY THAT THIS PLAT WAS FILED THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 199\_\_\_\_, AT \_\_\_\_\_  
AT THE REQUEST OF \_\_\_\_\_  
INSTRUMENT NUMBER \_\_\_\_\_

COUNTY RECORDER

## RECORD OF SURVEY

THEN NE 1/4 SECTION 5, TWP. 5N., RNG. 45E., B.M.,  
TETON COUNTY, IDAHO

SURVEYED FOR:

DALE BURR

AW ENGINEERING

P.O. BOX 139  
VICTOR, IDAHO 83455  
(208) 787-2952

DRAWN NLC

08/25/97

PROJECT 97 - 066

SURVEYED MRW/CLC

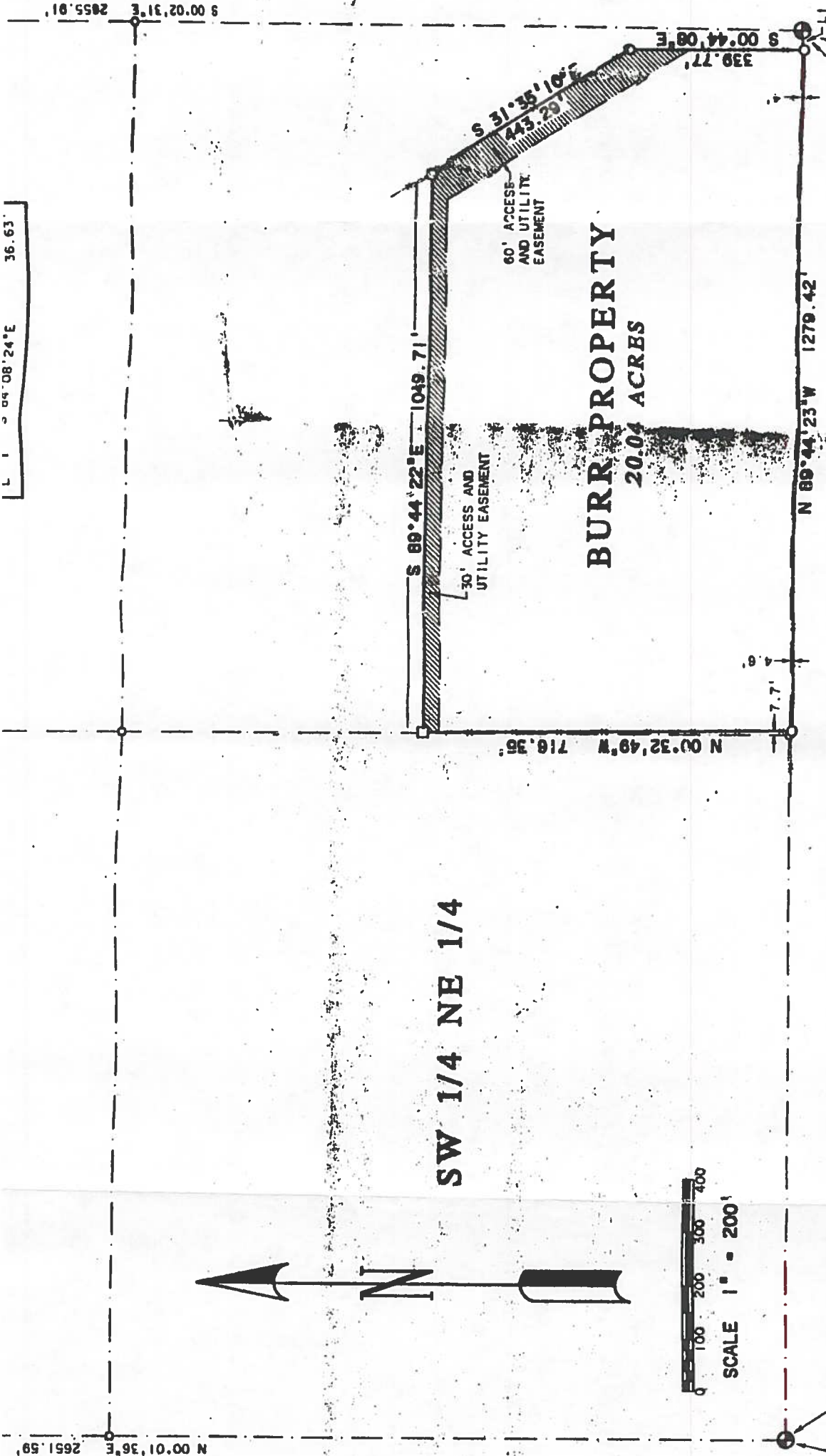
08/25/97

DBURR.GCD

SECTION 5

SCANNED

JUN 27 2007



L 1 0 09'08'24"E 36.63'

1855.81' 00°02'31"E

2651.59' N 00°01'36"E

**PROPERTY DE**  
A PART OF THE E. 1/4  
IDAH0. BUTING FURTHER  
FROM THE E. 1/4 CORNER  
TO A 1" IRON PIN.  
THENCE N 89°44'23'  
THENCE S 89°44'22'  
RAILROAD RIGHT-OF-  
WAY S 31°35'10'  
ON THE WESTERN RAILROAD  
THENCE S 00°44'08'  
POINT OF BEGINNING  
CONTAINS 20.04 ACRES  
SUBJECT TO A 30 FOOT  
PROPERTY LINE AND  
LINE WHICH RUNS PA

**OWNERS' CERT**  
WE, THE UNDERSIGNED  
THE PROPERTY OF LAN

E 1/4 CORNER SECTION 5  
FOUND 1/2" IRON PIN WITH  
CAP INSCRIBED: AW ENG 2860  
C P F R INDEX C-9  
INSTRUMENT #95749



**SURVEYOR'S CERTIFICATE**  
I, ARNOLD W. WOOLSTEPHULME, BEING A  
REGISTERED LAND SURVEYOR / ENGINEER  
IN THE STATE OF IDAHO, No. 2860, DO  
HEREBY CERTIFY THAT I DID CAUSE THE  
SURVEY OF THE TRACT OF LAND AS HEREIN  
PLATTED AND DESCRIBED.

BASIS OF BEARING (SECTION 1/4 LINE)  
N 89°42'25'W—2647.78'

C 1/4 CORNER SECTION 5  
FOUND IRON PIN

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

DELOG ST 10-6-41  
DELOG GT 12-29-97  
Greg

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

use for chain of title only.

1. Water Right Number(s) A2200280A A2200281A A2200568C  
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) C. FRANK FELTON, Route 1, Box 3740,  
ALTA, WY VIA DRIGGS, ID 83422
4. New Owner/Claimant(s) DALE & MARGIE BURR  
Name connector (Check one): ( ) AND, ( ) OR, ( ) AND/OR  
New Mailing Address 464 N 300 W.  
City, State and ZIP Code TETONIA, ID  
New Telephone Number (208) 456-2266
5. Date you acquired the property NOV 30, 1989
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 \_\_\_\_\_ 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) Dale M Burr Date 9/29/97  
Margie Danner Burr Date 9/29/97
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.

SCANNED

JUN 27 2007

RECEIVED

OCT 06 1997

Department of Water Resources  
Eastern Region

# WARRANTY DEED

For Value Received

FRANK L. FELTON &amp; SUZANNE T. FELTON, husband and wife

the grantors, do hereby grant, bargain, sell, and convey unto

DALE M. BURR & MARGIE D. BURR, husband and wife  
464 North 300 West, Teton, Idaho 83432

the grantees, the following described premises, to-wit:

Beginning at the center of Section 5, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence South 89 degrees 42'21" East, 1320.15 feet to the true point of beginning; running thence North 00 degrees 33'17" West 717.0 feet; thence South 89 degrees 41'59" East, 1050.50 feet to the West boundary of the Union Pacific Railroad Right-of-way; thence South 31 degrees 34'20" East 443.92 feet; thence South 00 degrees 40'27" East 339.84 feet; thence North 89 degrees 42'21" West 1279.99 feet to the true point of beginning. ALSO KNOWN AS Lot 7 Autumn Leaf Estates, Teton County, Idaho.

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

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

Dated: November 28, 1989.

Frank L. Felton

Suzanne T. Felton

STATE OF IDAHO, COUNTY OF TETON  
On this 28th day of November, 1989,  
I, \_\_\_\_\_, a Notary Public in and for said State, personally appeared  
Frank L. Felton & Suzanne T. Felton, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

\_\_\_\_\_  
Notary Public  
My Comm. Ex. 1989, Idaho  
Exp. 1991, 12/31/90

105158

FILED

AT THE REQUEST OF

First American

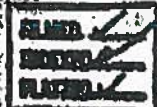
ATTEST: My Comm. Ex. 1989, Idaho

Exp. 1991, 12/31/90

\_\_\_\_\_  
Notary Public

My Comm. Ex. 1989, Idaho

Exp. 1991, 12/31/90

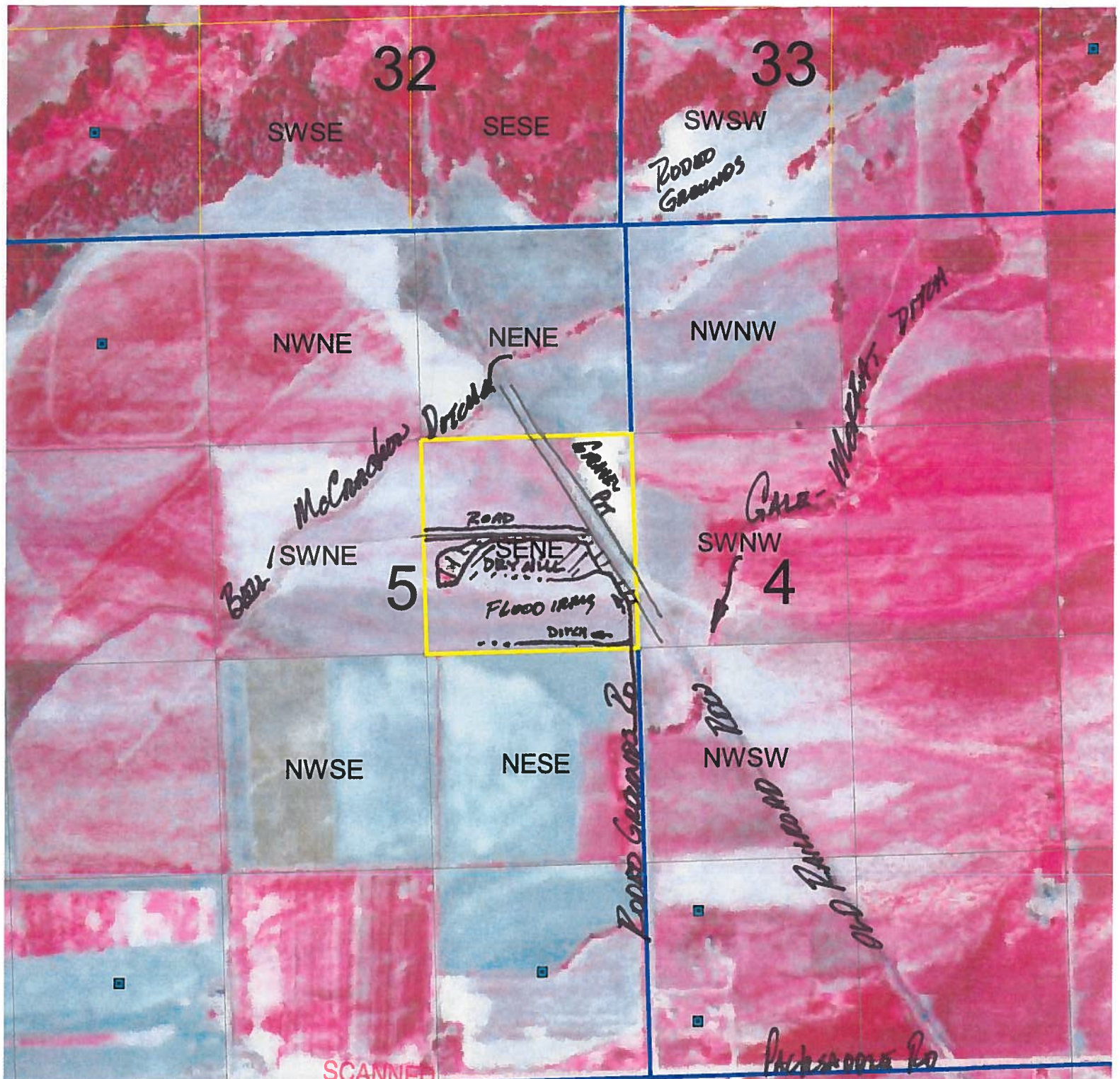


INDEXED

7 2007

22-280C

6/28/04 *ABR*



SCANNED

JUN 27 2007

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: A22-00280C  
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: | WILLIAM SCHULZ | 208-456-3042 |
| Address: | 464 N 300 W    |              |
|          | TETONIA ID     | 83452        |
| AND/OR   |                |              |
| Name:    | MELINDA SCHULZ | 208-456-3042 |
| Address: | 464 N 300 W    |              |
|          | TETONIA ID     | 83452        |



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 | 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 | 0.360 |      |        |

7. Total Quantity Appropriated is:  
0.360 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 | Lot | Use | Acres |
| 05N      | 45E   | 5       | SE     | NE  |     | IRR | 18.0  |

10. Place of Use: Continued

Section Acres 18.0

Total Acres 18.0

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

11/22/2006

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

RIGHT NUMBER: 22-280C  
NAME AND ADDRESS: MELINDA SCHULZ  
464 N 300 W  
TETONIA ID 83452  
  
WILLIAM SCHULZ  
464 N 300 W  
TETONIA ID 83452

SOURCE: SOUTH LEIGH CREEK                      TRIBUTARY: TETON RIVER  
QUANTITY: 0.350 CFS  
PRIORITY DATE: 06/10/1897  
POINT OF DIVERSION:

T06N R45E S33 NWSWSE 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          | 0.350 CFS       |

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S05                      SENE                      18.00

18 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 18 acres in a single irrigation season. Combined Right Nos.: 22-280C, 22-281C, and, 22-568C.

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.

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

SCANNED  
JUN 27 2007



Gale-Moffat diversion off So. Leigh Ck

7/12/2004 5:29:58 PM; AR, CF

ORCA/NEO  
JUN 27 2007