

01/25/2005

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

RIGHT NUMBER: 22-299D
NAME AND ADDRESS: JOHN WAITHMAN
PO BOX 1104
DRIGGS ID 83422

PATRICIA WAITHMAN
PO BOX 1104
DRIGGS ID 83422

SOURCE: HORSESHOE CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.160 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.22 CFS. COMBINED RIGHT NOS.: 22-298D,
22-299D, 22-300B.

PRIORITY DATE: 06/01/1888

POINT OF DIVERSION:

T05N R44E S22 SWNWSE Within TETON County
T05N R44E S22 NWSWE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.160 CFS

PLACE OF USE: IRRIGATION Within TETON County

T05N R44E S22	NWSE	10.0	T05N R44E S22	SWSE	1.0
---------------	------	------	---------------	------	-----

11 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 11.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 22-298D, 22-299D, 22-300B.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Decreed

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

Right Nos. 22-298D, 22-299D, 22-300B are also diverted through points of
diversion described above.

12/06/2006

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: 22-299D

TREETOPS INVESTMENT LLC

C/O JASON SHIEBLER

PO BOX 645

DRIGGS ID 83422

Telephone Number: (208)201-3633

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:

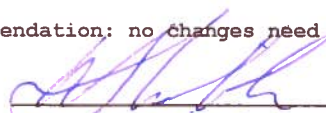
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

12/13/06

SIGNATURE:



Please print your name:

William N. SHIEBLER

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

01/25/2005

RECEIVED

JUN 20 2005

Department of Water Resources

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: 22-299D

JOHN WAITHMAN
PO BOX 1104
DRIGGS ID 83422

PATRICIA WAITHMAN
PO BOX 1104
DRIGGS ID 83422

RECEIVED

JUN 23 2005

Department of Water Resources
Eastern Region

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:

*Received w/o
signature*

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office,

SCANNED

JUN 29 2005

PROFILE

SCANNED

JUN 20 2005



State of Idaho

Department of Water Resources

Eastern Region

RECEIVED
MAR 14 2005

PROFILE



Water Right(s):

22-298D,
22-299D,
22-300B

Point(s) of Diversion:
T5N, R44E Sec. 22
SWNWSE, NWSWSE

Place of Use: (parts of)
T5N, R46E Sec. 29 W2SE

LEGEND

- Point of Diversion
- SESE
- Place of Use
- Section
- Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: January 2005

22-299D
22-300B

RECEIVED
JUN 10 2005

ADDRESS SERVICE
REQUESTED

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

U.S. POSTAL SERVICE
PS FORM 3547

RETURN TO SENDER

fee due 70¢

This information provided by
COMPUTERIZED FORWARDING
1750 FLANDRO DR
POCATELLO ID 83202-1970

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

U.S. POSTAL SERVICE
PS FORM 3547

RETURN TO SENDER

fee due 70¢

This information provided by
COMPUTERIZED FORWARDING
1750 FLANDRO DR
POCATELLO ID 83202-1970

WAIT104 834222003 1C04 07 06/07/05
FORM 3547
WAITMAN
5682 N BLANTON DR
PRESCOTT VALLEY AZ 86314-3804
PATRICIA WAITMAN
JOHN WAITMAN
PO BOX 1104
DRIGGS ID 83422

PROFILED

SCANNED
JUN 15 2005

Contacts Data Entry Form

Claim Number: _____

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

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ 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 to: JOHN WATMAN
PO Box 1104
DRUGS ID 83422

SPLITS Rts
22-298, 299 & 300

DECEASED UNDER R.G. MIEKLE (NM) vs A. GILBERT, 17 APRIL 1933

REFERENCE IS MADE TO MADSEN vs MIEKLE.

ORIGINALLY DECEASED UNDER POLBURG vs TETON, 1919

22-299, 5.80 cts, 6/1/1888, HORSESHOE CK., V. HEBSTED

WR SPLITS: 22-299A, 4.70 cts

22-299B, 1.10 cts

5.80 cts FULLY ACCOUNTED.

SRBA Claim SPLITS:

*22-299A, 2.35 cts, J. MCKELLAR

*22-299B, 1.10 cts, C. ARGUE ⇒ AP Group

22-299C, 2.02 cts, SPLIT TO E AND F (SEE 22-11764)

*22-299D, 0.24 cts, E. MURRAY ⇒ WATMAN

SPLIT FROM A *22-299E, 1.97 cts, HORSESHOE CK ASSN INC.

*22-299F, 0.20 cts, B. KNIGHT

5.86 cts OVER CLAIMED OBVIOUSLY ≈ 3"

2.35
- 1.14
2.21

E-
F- 0.053
1.147
2.200

SPLITS OBVIOUSLY NOT DONE CORRECTLY -

Reviewer: _____ Date: _____

SCANNED

MAR 14 2005

FILED

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: _____

Twtp	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
5N	44E	22		SWNWSE	TETON	HORSBOND CK	TETON RIVER
				NWSE			

Other rights from this POD? Address POD

Transfers Pending or approved: _____

сфз

Document how the POD and Source were verified:

[illegible]

Reviewer: _____ Date: _____

SCANNED

MAR 14 2005

PROFIL

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
5N	44E	22	NWSE				10	IRRI9
			SWSE				1	

Total acres 11⁰

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:505 BLAM MAP IN 22-300B.

Reviewer: _____ Date: _____

SCANNED

MAR 14 2005

PROFILED

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
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Perig	4/15	10/31	0.16	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:DIV. RATE AS SPLIT BY BMC - $0.0146875 \Rightarrow 0.015$

SOL to Dept. Stel.

Reviewer: _____

Date: _____

PROFILE

SCANNED

MAR 14 2005

DELOG AR
12-6-04

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

RECEIVED
DEC 06 2004

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

Department of Water Resources
Eastern Region

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
22-298D	(SAR DOCS)				
22-299D					
22-300D					

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)

ELWIN & BARBARA MURRAY

4. New Owner/Claimant(s)

SAR CLAUDE, BRAD MURRAY

New Mailing Address

JOHN WATTHAM AND PATRICIA WATTHAM

City, State and ZIP Code

PO BOX 1104
DRIBBS ID 83422

New Telephone Number

(208) 354 8048

5. Date you acquired the property

7/27/00

SCANNED

MAR 14 2005

PROFILED



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

November 18, 2004
EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOHN WAITHMAN
PO BOX 1104
DRIGGS ID 83422

RE: CHANGE IN WATER RIGHT OWNERSHIP FOR 22-298D,
22-299D, 22-300B

Dear Mr. Waithman:

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 the Murray's and the Claude's. The legal description is as follows:

T05N, R44E, S22, W1/2 SE1/4

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

MAR 14 2005

PROFILED

22-298D
~~22-299D~~
22-300B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

RETURN SERVICE REQUESTED

 R# _____
Carr Init _____
Date _____
☒ Not Delivered, As Addressed
☐ Unable to Find Address
☐ Insufficient Address
☐ Moved Left
☐ Unclaimed
☐ Attempted - Known
☐ No Such Street
☐ Vacant
☐ No Mail Service
☐ Box Closed
☐ Returned For Better Address
☐ Postage Due

Address: SAMUEL O CLAUDE
PO BOX 612
DRIGGS ID 83422

★ ★ ★
★ ★ ★
1020 U.S. POSTAGE
8926 \$00.370 MAR 02 2004
0720 MAILED FROM ZIP CODE 83402
P B 3523907
PITNEY BOWES
TM

PROFILED

SCANNED
MAR 14 2005

22-298D

22-299D

22-300B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

RETURN SERVICE REQUESTED

KURT MURRAY

ELWIN MURRAY

BRAD MURRAY

BARBARA MURRAY

PO BOX 612

DRIGGS ID 83422

- At # _____
City _____
State _____
Zip _____
Mailing _____
Residence _____
Business _____
Other _____
Not Delivered _____
Unable to Forward _____
Insufficient Address _____
Moved - New Address _____
Moved - Left No Address _____
Unclaimed _____
Refused _____
Attempted - Not Known _____
No Such Street _____
Vacant _____
Illegible _____
No Mail Interceptable _____
Returned For Better Address _____
Postage Due _____



U.S. POSTAGE

1690

PB3523907

8956\$00.370 MAR 02 2004

0721 MAILED FROM ZIP CODE 83402

PROFILED

SCANNED

MAR 14 2005



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

MARCH 11, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KURT MURRAY ET AL
PO BOX 612
DRIGGS ID 83422

RE: CHANGE IN OWNERSHIP FOR A22-00298D, -00299D,
& -00300B

Dear Mr. Murray:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the 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 records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim

PROCESSED

SCANNED

MAR 14 2005

MICROFILMED
NOV 06 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

MAR 08 1996

DATE OF CLOSING: Sept. 15, 1995

Department of Water Resources
Eastern District Office

LEGAL DESCRIPTION OF PROPERTY: Township 5 NORTH Range 44 EAST
Section 22, ~~XX~~ 1/4 of 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet

See attached sheets
warranty + quitclaim deed

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A22-00298D, A22-00299D, A22-00300B
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): MARVIN W WILSON
736 GRANT
DOUGLAS WY 82633
- ☐ New Owner/Claimant (Purchaser): ALL NAMES ELWIN MURRAY, BARBARA MURRAY, KURT MURRAY
- ☐ New Mailing Address: and BRAD MURRAY
P.O. BOX 612
DRIGGS, IDAHO, 83422
- ☐ New Telephone Number: (208) 354-8445

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

ALL water rights are transferred to new owners
3-11-96 Per. telephone, add Sam & Sue Claude (Brad Murray's request). Do Not add Delia (no longer a wife)

- ☐ Attach proof of ownership, describe proof attached: WARRANTY DEED and QUITCLAIM DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Brad Murray Date 4/5/96
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

See attached warranty deed and quitclaim deed

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

PROFILED

SCANNED

MAR 1 2005

MICROFILMED
NOV 06 1996

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

10/4/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

W. J. 150

CLAIM ENT. NO.

A 22-00299D

DATE RECEIVED

10-6-88

CK #

872

AMOUNT \$

166-

3 claims

1. Is the name and address complete with zip code?

YES

NO

2. Is a priority date entered?

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required)

N/A

4. Is the legal description of the p.d. sufficient?

5. Is there a description of the diverting works?

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

Is the period of use included?

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. If required is a consumptive use entered?

N/A

Is the consumptive use correct?

N/A

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4.

10. Is (are) the place(s) of use entered?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" checked?

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

15. Is the basis of the claim checked?

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

Has the claim been signed, sealed, and dated by a notary?

Was this claim filed on time, or was an extension granted?

Is the fee enclosed correct?

If this claim is based on an existing water right, has the identification number been entered?

N/A

Should this claim be receipted and data entered?

Comments: On Host Master 10-20-88 CA

Claim checked by:

NOV 04 1992

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, THE COURT FOR THE COUNTY OF
NEWELL TADSEN,
Plaintiff,
vs.
R. G. NIELLE, as Water Master of
Water District No. 360 of the
State of Idaho; and LOUIE BUXTON,
Defendants,
and
ALBERT GILBERT,
Intervenor.

RECEIVED
JUL 10 1934
DISTRICT COURT
IDAHO
AT LEMING, IDAHO
DATE 4/13/1933
Earl Flood
CLERK OF DIST. COURT
BY
D E C R E T

This cause came regularly on for trial on the 10th day of April, 1933, before the Honorable Jay L. Downing, Presiding District Judge, sitting without a jury, at Limes, Teton County, Idaho. Merrill S. Merrill, Attorneys at Law, and Newell Tadsen, Attorney at Law, appeared for and on behalf of the plaintiff; George L. Edgington, Attorney at Law, appeared for and on behalf of the defendant, Louie Buxton. The defendant, R. G. Nielle as Water Master of Water District No. 360 did not appear in person or by attorney. S. G. Atchley, Attorney at Law, appeared for and on behalf of the Intervenor, Albert Gilbert. It appeared to the Court that this action was originally instituted by Anton O. Mickelson, as plaintiff, against E. B. Edlefsen, as Water Master of Water District No. 360 of the State of Idaho, John R. Clausen, John D. G. Kruger, Sallie C. Haines, Lewel Haines, J. C. Thomsen, Charles J. Martin, and C. G. Keller, as defendants, and that thereafter the said Anton O. Mickelson sold, transferred and conveyed his rights described in his original complaint to Newell Tadsen and by proper order of this Court the said Newell Tadsen was substituted as plaintiff for and in the stead of Anton O. Mickelson; and that thereafter the said E. B. Edlefsen ceased to act as Water Master of District No. 360, as aforesaid, and that R. G. Nielle was duly appointed Water Master of Water District No. 360 of the State of Idaho, and as such was by proper Order of this Court substituted in said action as defendant for and in the place of E. B. Edlefsen; and it further appeared that thereafter the said original defendants, John R. Clausen, John D. G. Kruger, Sallie C. Haines, Lewel Haines, J. C. Thomsen, Charles J. Martin and C. G. Keller, duly and regularly quit claimed and transferred their various interests possessed by them at the time of the institution of this suit to the predecessor-in-interest of Louie Buxton, and that the said Louie Buxton became the owner of the lands and water rights herein after described and previously owned or claimed by said defendants, and that proper substitution of said parties defendant was by order of this Court duly made. It further appeared upon order duly made and entered that said cause was ordered to proceed in the name of the real parties in interest, to wit: Newell Tadsen as plaintiff and R. G. Nielle as Water Master of Water District No. 360 of the State of Idaho, and Louie Buxton as defendants, and Albert Gilbert as Intervenor, who had been permitted and allowed to intervene in said cause. Evidence was thereupon introduced by and on behalf of the respective parties in support of the issues framed by the amended Complaint and supplemental Complaint of the plaintiff, the Answer of the defendant, Louie Buxton thereto, the complaint of the Intervenor, Albert Gilbert, and the Answer

of the plaintiff therein. Said cause was as aforesaid tried, argued and submitted to the Court for decision. The Court, having foregone made and entered its findings of fact and conclusions of law, bills and entered this its decree, wherein it is decreed, that to-wit:

22-0298A
22-0299A
22-0300
1. That the plaintiff, Earl Hedger, take nothing by reason of his complaint, save and except the right to the use of all waters decreed to the lands owned by him by that certain decree dated December 16, 1910, and also that portion of the waters decreed to the lands now owned by Louis Burton, and which waters have been abandoned by the said Burton and her predecessors-in-interest, that is to say: that the plaintiff is entitled to divert from the main channel of Horsehoe Creek, the natural flow of the water thereof, twenty (20) miners inches of water with a priority of September 1, 1897, and two hundred thirty-five (235) miners inches with a priority of June 1, 1899, and one hundred sixty (160) miners inches with a priority of June 1, 1900. Said waters are to be diverted from said Horsehoe Creek at a point near the South line of the Northeast quarter of the Northwest quarter (N1/4E1/4) of Section Twenty-seven (27), in Township Five (5), North Range Forty-four (44), East of the Boise Meridian, in Teton County, Idaho, and to be carried in the ditch constructed for such purpose for irrigation, domestic, culinary and other beneficial uses upon the

West half of the Southeast quarter (E1/2SE1/4) and the East half of the Southeast quarter (E1/2SE1/4), of Section Twenty-two (22); the Northwest quarter of the Northeast quarter (NW1/4E1/4), the Northeast quarter of the Northwest quarter (NE1/4W1/4), and the East half of the Northeast quarter (E1/2NE1/4), of Section Twenty-seven (27), Township Five (5), North Range Forty-four (44), East of the Boise Meridian, in Teton County, Idaho.

22-0298B
22-0299B
1/10
2. That the defendant, Louis Burton, is entitled to divert from the main channel of Horsehoe Creek from the natural flow of water ten (10) miners inches with a priority of September 1, 1897, and 55 miners inches with a priority of June 1, 1899. Said water is to be diverted at a point near the South line of the Northeast quarter of the Northwest quarter (N1/4E1/4) of Section Twenty-seven (27), Township 5, North Range 44, East of the Boise Meridian, in Teton County, Idaho, and to be carried in the ditch constructed for such purpose for irrigation, domestic, culinary and other beneficial uses upon the:

Southwest quarter (SW1/4) of Section Twenty-six (26), Township Five (5), North Range Forty-four (44), East of the Boise Meridian, in Teton County, Idaho.

3. That the balance of the right decreed to the lands now owned by Louis Burton by that decree of December 16, 1910, to-wit: All but sixty-five (65) miners inches, has been abandoned and that said abandoned right has been appropriated by the said plaintiff herein and is contained within the decreed right of the said plaintiff, hereinbefore specifically set forth.

decreed by court decree
20267
20268
4. That the Intervenor, Albert Gilbert, take nothing by reason of his Complaint in Intervention, save and except the right to the use of all waters decreed to the lands owned by him by that certain decree dated December 16, 1910, that is to say: that the Intervenor is entitled to divert from the main channel of Horsehoe Creek, from the natural flow of the water thereof, one hundred and twenty (120) miners inches of water with a priority of June 1, 1899, and forty (40) miners inches of water with a priority of June 1, 1900. Said waters

are to be diverted from said Horseshoe Creek at a point four hundred feet North of the North line of the Northeast quarter (NE $\frac{1}{4}$) of Section Twenty-two (22), in Township Five (5), North Range Forty-four (44), East of the Boise Meridian, in Teton County, Idaho, and to be carried in the ditch constructed for such purpose for irrigation, domestic, culinary and other beneficial uses upon the

The Northeast quarter of the Northeast quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Eleven (11), and the North half of the Northwest quarter (NW $\frac{1}{2}$), and the Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Twelve (12) in Township Five (5), North Range Forty-four (44), East of the Boise Meridian, in Teton County, Idaho.

5. That in all respects, save and except as in this decree modified, explained or changed, the rights of the respective parties, by virtue of that certain decree affecting said waters and lands herein described, entered December 16, 1910, are hereby ratified and confirmed.

6. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said parties and their successors-in-interest are each enjoined and restrained from interfering with or molesting the rights of the respective parties to the use of the waters aforesaid.

7. That each party shall bear and defray his or her own costs.

DATED, this 17th day of April, 1933.

Jay L. Downing
Presiding District Judge.

STATE OF IDAHO)
) ss.
COUNTY OF TETON)

Filed for Record at the Request of Clerk at 2 O'clock P. M. this 19 day of April 1933 and Recorded in Book 59 of Judgments page 75 Records of Teton, County, State of Idaho.

Earl Floyd
Recorder.

Instrument 25116

Inst. No. 25116

CERTIFICATE OF TRUE COPY

I, Earl Floyd, Auditor and Recorder, in and for Teton County, State of Idaho, do hereby certify that the attached is a full, true and correct copy of that certain Decree from Howel Jadsen to R. C. Fickle and Albert Gilbert and recorded in Book 59 of Judgments, at Page 75 of Teton County, filed for record April 19, A. D. 1933, at 2:00 o'clock P. M., and now on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 18th day of July, A. D. 1933.

Earl Floyd
Auditor and Recorder.

By Bertlin D. West
Deputy.

Claim Number: _____

Water Right Priority Date: Water Right Basis:

Claimed Priority Date: 6/1/1888 Claimed Basis: Discovery

Recommended Priority Date: _____ Recommended Basis: _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

MATCHES DISCLOSE

Reviewer: _____

Date: _____

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: A22-00299D
Date Received: 10/18/1988
Receipt No: E003277
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name:	ELWIN MURRAY	208-354-8445
Address:	PO BOX 612	
	DRIGGS ID	83422
OR		
Name:	BARBARA MURRAY	208-354-8445
Address:	PO BOX 612	
	DRIGGS ID	83422
OR		
Name:	KURT MURRAY	208-354-8445
Address:	PO BOX 612	
	DRIGGS ID	83422
OR		
Name:	BRAD MURRAY	208-354-8445
Address:	PO BOX 612	
	DRIGGS ID	83422
OR		
Name:	SAMUEL O CLAUDE	208-354-8445
Address:	PO BOX 612	
	DRIGGS ID	83422
OR		
Name:	SUE A CLAUDE	208-354-8445
Address:	PO BOX 612	
	DRIGGS ID	83422

2. Date of Priority: JUN 1, 1888

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	44E	22	NW	SW	SE		TETON

5. Description of diverting works:
PUMPED FROM CREEK SPRINGLER IRR.

MICROFILMED
NOV 06 1990

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.235		

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

8. Total consumptive use is 32.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	44E	22	NW	SE		IRR	14.0
			SW	SE		IRR	2.0
Section Acres							16.0
Total Acres							16.0

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:
A22-00298D, A22-00300B

14. Remarks:
THIS RIGHT ORIGINALLY PART OF WATER RIGHT #22-0299A.
MODIFIED "HORSE SHOE" 2/6/96/JT
CHANGED OWNERSHIP 3/11/96/JT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 4/17/1933

NEWELL MADSEN
Decree Plaintiff

R. G. MIEKLE
vs Decree Defendant

MICROFILMED
NOV 06 1996

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: A22-00299D
Date Received: 9/29/1988
Receipt No: E003277
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARVIN W. WILSON
Address: 736 GRANT
DOUGLAS, WY

208-358-4384

82633

2. Date of Priority: JUN 01, 1888

3. Source: HORSE SHOE CREEK

Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	44E	22	NW	SW	SE		TETON

5. Description of diverting works:
PUMPED FROM CREEK SPRINGLER IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.235		

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

A.F.A.

8. Total consumptive use is 32.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	44E	22	NW	SE		IRR	14.0
			SW	SE		IRR	2.0

Section Acres 16.0

A22-00299D

Page 1

Date: 09/29/88

PROFESSIONAL

SCANNED

MAR 14 2005

OCT 6 1988

MICROFILMED

NOV 04 1992

10. Place of Use: Continued

Total Acres 16.0

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:
A22-00298D, A22-00300B

14. Remarks:
THIS RIGHT ORIGINALLY PART OF WATER RIGHT #22-0299A.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 4/17/1933

NEWELL MADSEN

Decree Plaintiff

vs

R. G. MIEKLE

Decree Defendant

PROFILED

SCANNED
MAR 14 2005

MICROFILMED
NOV 04 1992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X 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): Marvin W. Wilson Date: 10-4-88

State of Wyoming _____ Date: _____

State of ~~Idaho~~)
County of Converse) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of October 19 88 Shelia M. Allegood
Notary Public

Seal

Residing at Douglas, Wyo
My Commission Expires 8-19-89

PROFILED

SCANNED
MAR 14 2005

MICROFILMED
NOV 04 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

111°15' 48'1000m. E.

43°45'

48°43'00m. N.

P.O.
P.O.

P22-002990



PROFILED

T5N
R44E

SCANNED

MAR 14 2005

MICROFILMED
NOV 04 1992