

11/21/2006

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

RIGHT NUMBER: 22-324D

NAME AND ADDRESS: WILLIAM M WIRTHLIN
402 CANYON OAK WAY
SALT LAKE CITY UT 84103

SOURCE: SPRING CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.520 CFS

PRIORITY DATE: 06/02/1898

POINT OF DIVERSION:

T06N R45E S31 NENE Within TETON County
T06N R45E S32 NWNE Within TETON County
T06N R45E S32 SWNE Within TETON County
T06N R45E S32 NENW Within TETON County
T06N R45E S32 NENW Within TETON County
T06N R45E S32 SENW 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	1.520 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S31	NENE	35.00	T06N R45E S31	NWNE	10.00
T06N R45E S32	NENW	38.00	T06N R45E S32	NWNW	38.00
T06N R45E S32	SENE	34.00			

155 ACRES TOTAL

155 The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 22-324D, 22-442A,
22-443A, 22-13493

This right is limited to the irrigation of 90 acres within the place of use
described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

Water is delivered through East Blair Ditch, Buxton ditch, Cook Dunn 13
ditch, Cook Dunn 14 ditch and or two unnamed ditches.



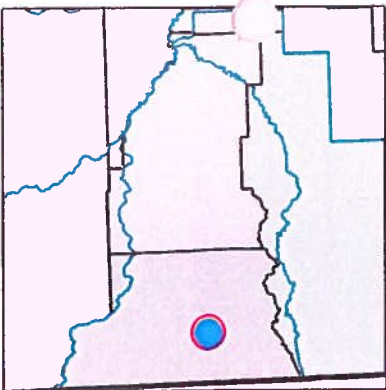
Idaho Department of Water Resources

SRBA Recommendation:

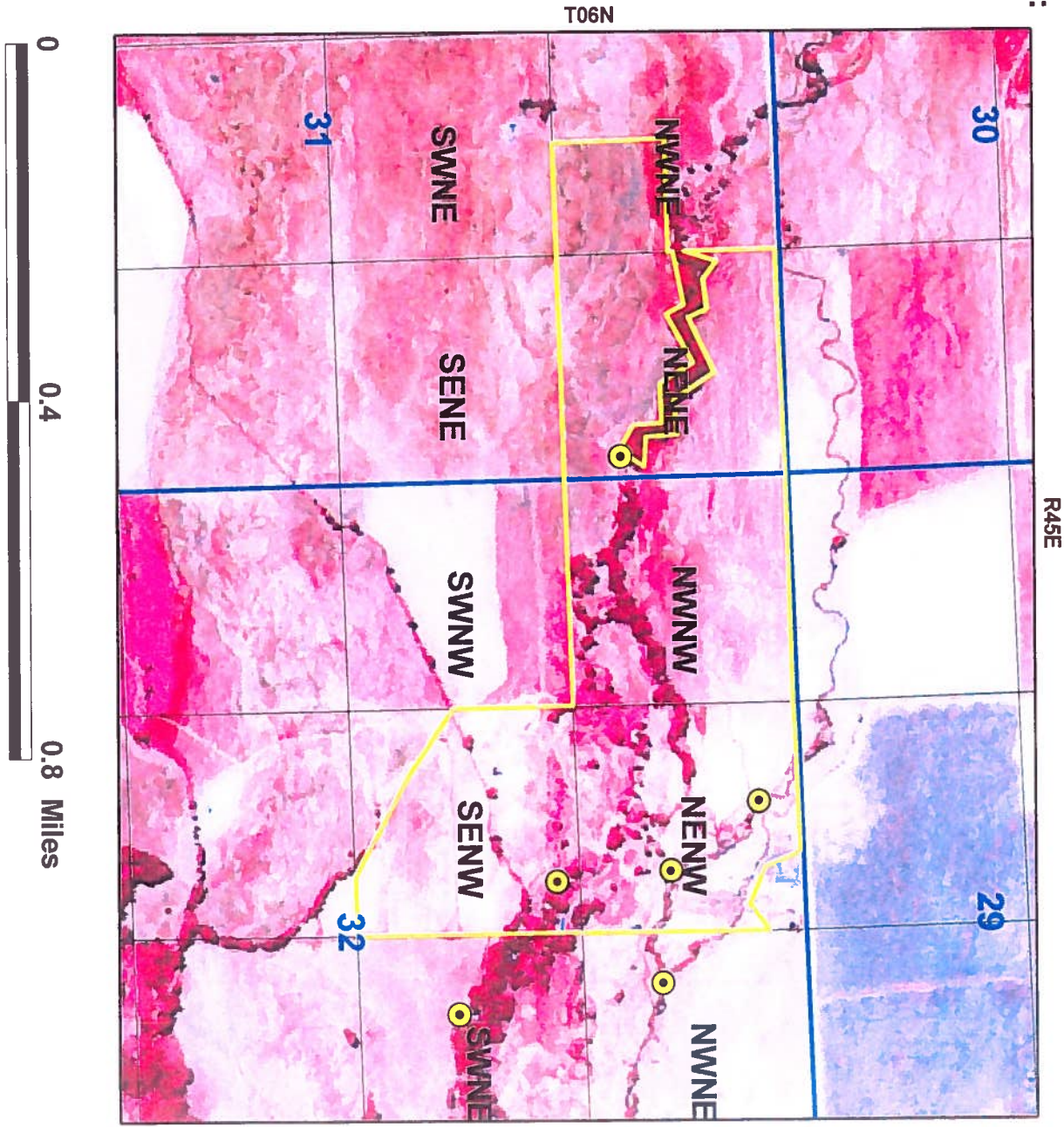
22-324D
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



Claim No. 22-32410

Document Checklist

☐ Copy License/Decree

Hexberg v Teton
Spring Creek Not in Decree

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

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

☒ Generate Arcview Map

2.54

1.90 cfs

31 - NENE 40
NW NE 10

32 NW NW 40 / 90 ac

1.54

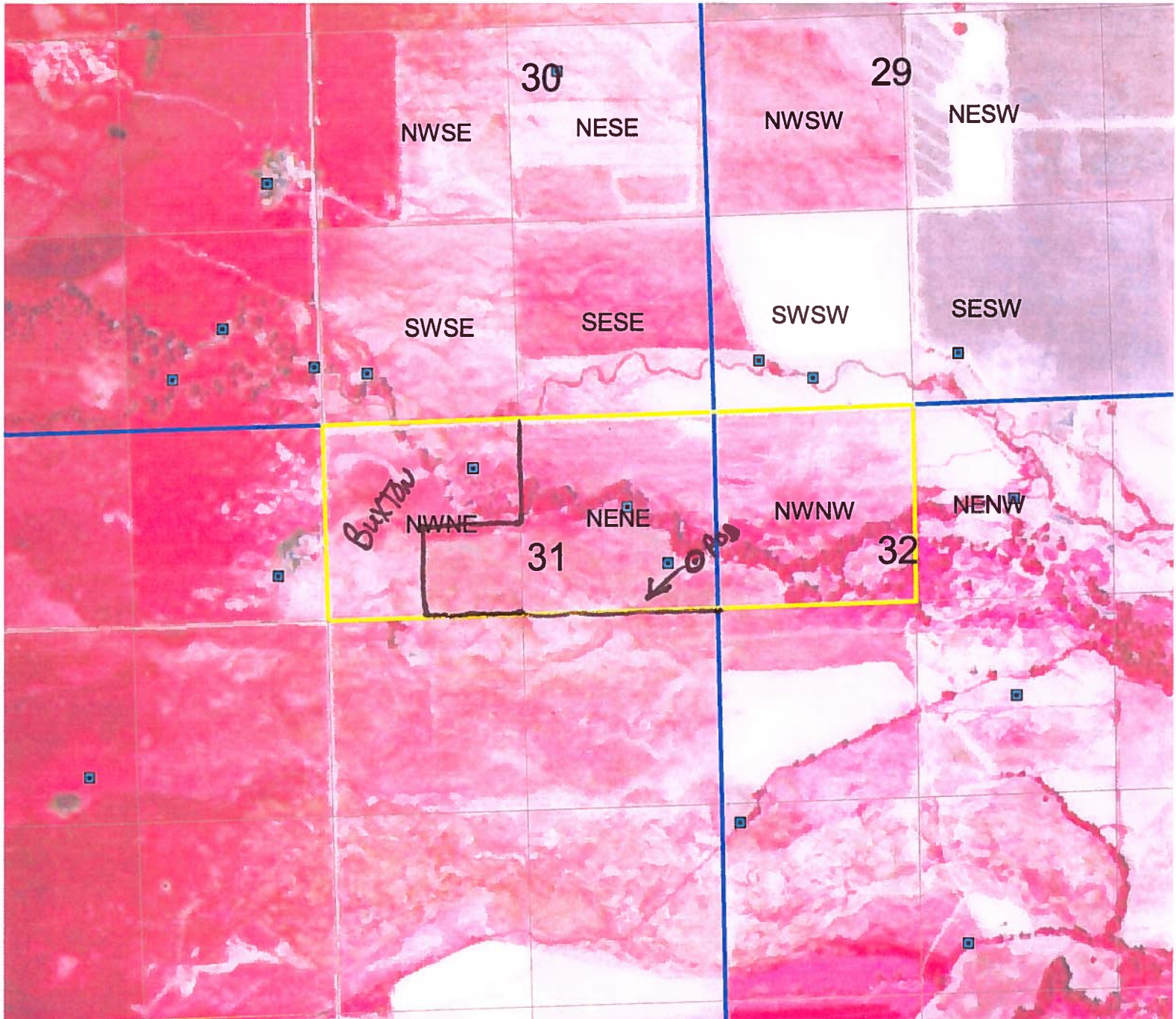
1.90

40

2.50

could have

22-324D



INTER-DEPARTMENT MEMO — 1

FROM G. TAYLOR

DATE 3-21-95

TO FILES 122-003344, 004424, 004434, 00526, 00527, 11995

SUBJECT Change of Ownership for the above rights was processed based on letter and warranty deed received 3/16/95

Are any of these rights from Fox Ck to be changed? 360 + 361? NO!
GO AHEAD AND DO 11995.

MICROFILMED
NOV 06 1995

A. Taylor
SIGNATURE

HOPKINS, RODEN, CROCKETT, HANSEN & HOOPES
LAWYERS

SALISBURY BUILDING - 428 PARK AVENUE

P.O. BOX 51219

IDAHO FALLS, IDAHO 83405-1219

TELEPHONE (208) 523-4445

FAX (208) 523-4474

C. TIMOTHY HOPKINS
WILLIAM C. RODEN
GREGORY L. CROCKETT
JOHN D. HANSEN
D. FREDRICK HOOPES
C. TOM ARKOOSH
LARY S. LARSON
PAUL B. RIPPEL
TERESA L. STURM
STEVEN K. BROWN
DAVID H. SHIPMAN
KATHERINE STEELE MORIARTY
LANE R. SIMMONS
REED E. ANDRUS

SEWARD H. FRENCH (1941-1984)
TED C. SPRINGER (1943-1984)

ROBERT A. deGROOT
REGISTERED PATENT AGENT

March 15, 1995

BOISE OFFICE
802 WEST BANNOCK - SUITE 900
P.O. BOX 2110
BOISE, IDAHO 83701-2110
TELEPHONE (208) 336-7930
FAX (208) 336-9154

RECEIVED

MAR 16 1995

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

Department of Water Resources
Eastern District Office

Re: Teton Properties, L.L.C.--Acquisition of
Real Property in Teton County, Idaho

Gentlemen:

We represent Teton County Properties, L.L.C., a Michigan limited liability company authorized to do business in the State of Idaho which recently acquired fee simple title to the real property located in Teton County, Idaho for which you will see I have enclosed a copy of the deed which has been recorded in the name of our client conveying all of the right, title and interest in the subject property together with appurtenant water and water rights, ditch and ditch rights.

Because it is my presumption that claims to water rights are filed by the previous owner in the Snake River Basin Adjudication I hereby request that those claims henceforth be treated as claims made by the new owner Teton Properties, L.L.C. and that all further communications with respect to the SRBA be directed to Teton Properties, L.L.C. at its Michigan address which is 6301 Haggerty Road, Belleville, Michigan 48111.

Should you have any questions in this matter please let me hear from you.

Very truly yours,



C. Timothy Hopkins

CTH/lc
Encl.

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: **A22-00324D**
Date Received: 9/28/1988
Receipt No: E002723
Received By: _____

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

1. Name: TETON PROPERTIES LLC
Address: 6301 HAGGERTY RD
BELLEVILLE MI 48111

2. Date of Priority: JUN 2, 1898

3. Source: SPRING 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	29	SW	SE	SW		TETON
		31	SE	NE	NE		TETON

5. Description of diverting works:
HEADGATE TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.520		

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

8. Total consumptive use is 152.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED

NOV 06 1990

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	45E	31	NE	NE		IRR	37.0
			NW	NE		IRR	8.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	45.0
		32	NW	NW	IRR	31.0
					Section Acres	31.0
					Total Acres	76.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
22-7008

14. Remarks:
RIGHT BASED ON PREPORTIONATE SHARE OF 22-0324 AT 0.02 CFS/ACRE
CHANGED OWNERSHIP 3/22/95/JT/GT

15. Basis of Claim: DECREED

Water Right Number: 220324

Case Number:

Court : SIXTH

Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

TETON IRRIGATION CANAL CO. ET
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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NOV 06 1990

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

A22 *-324D*
Ident. Number: A22-11995
Date Received: 9/28/1988
Receipt No: E002723
Received By: *KCW*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DEAN E. WADE 208-456-2316
Address: RT. 1 BOX 1110
TETONIA, ID 83452

2. Date of Priority: JUN 02, 1898

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	29	SW	SE	SW		TETON
		31	SE	NE	NE		TETON

5. Description of diverting works:
HEADGATE TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.520		

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

8. Total consumptive use is 152.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	31	NE	NE		IRR	37.0
			NW	NE		IRR	8.0

Section Acres 45.0

A22-11995

Page

1

Date: 09/28/88

A2200324D



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NOV 06 1990

MICROFILMED

NOV 06 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	32	NW	NW		IRR	31.0
Section Acres							31.0
Total Acres							76.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
22-7008

14. Remarks:

RIGHT BASED ON PREPORTIONATE SHARE OF 22-0324 AT 0.02 CFS/ACRE

15. Basis of Claim: DECREED

Water Right Number: 220324

Case Number:

Court : SIXTH

Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

vs

TETON IRRIGATION CANAL CO. ET
Decree Defendant

MICROFILMED

NOV 08 1988

~~MICROFILMED~~
NOV 08 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 ☒ 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.

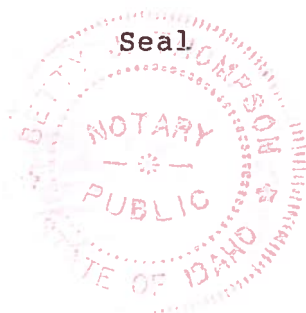
Signature of Claimant(s): *Alvin E. Wade* Date: 9-28-88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of Sept 19 88

Betty D. Shoyan
Notary Public



Residing at Idaho Falls
My Commission Expires 6-94

MICROFILMED
NOV 06 1990

~~MICROFILMED~~
~~NOV 06 1990~~

