

DRAFT AOR

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

RIGHT NUMBER: 22-409B

NAME AND ADDRESS: HAROLD K DUNN TRUST
326 N 300 W
SALT LAKE CITY UT 84103

SOURCE: SWAMP

TRIBUTARY: TETON RIVER

QUANTITY: 0.875 CFS

The rights listed below are limited to a total combined diversion rate of 2.8 cfs. Combined Right Nos.: 22-408B, 22-409B, 22-410B and 22-13920.

PRIORITY DATE: 06/01/1896

POINT OF DIVERSION:

T05N R45E S18 NENWSE Within TETON County

T05N R45E S21 NWNE 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	0.875 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S18	SWNE	24.00	T05N R45E S18	SENE	31.00
T05N R45E S18	NESW	0.80	T05N R45E S18	SESW	1.70
T05N R45E S18	NESE	28.00	T05N R45E S18	NWSE	23.00
T05N R45E S18	SWSE	40.00	T05N R45E S18	SESE	36.00
T05N R45E S19	NENE	2.20	T05N R45E S19	NWNE	2.30

189 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 120 acres in a single irrigation season. Combined Right Nos.: 22-408B, 22-409B and 22-410B.

The rights listed below are limited to the irrigation of a combined total of 189 acres in a single irrigation season. Combined Right Nos.: 22-408B, 22-409B, 22-410B and 22-13920.

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 No. 22-13920 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

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

Water is delivered through Cache Canal.

RECEIVED

JUL 26 2007

DEPARTMENT OF
WATER RESOURCES

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

Case No. 39576

A.

Subcase

22-4093

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Ken Dunn

Address:

326 N 300 W

Teton, ID 83452

Daytime Phone:

208-221-3866

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

Hazel & Dunn Trust

Address:

326 N 300 W

Salt Lake City UT 84103 (S/3 Teton, ID 83452)

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: SFSR should be 40 acres not 8
10. ☐ **I object because:**
 - ☐ This water right Should not exist.
 - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** _____

The entire 40 acres has historically been
irrigated by this claim

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Teton)

Kent Down, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

July 24, 2007

Teresa K. Mangum
Notary Public for Idaho

Residing at: Driggs

My Commission Expires: 07-24-09

TERESA K. MANGUM
NOTARY PUBLIC
STATE OF IDAHO

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on July 24, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Harold K. Dorn
Address: 326 N 300 W
Teton, ID 83452

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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



Signature of objector or attorney
mailing on Objector's behalf

Dunn Claims Cont.

22-276B - claimant owns all of decreed pov and claims 80 acres of it. Receives 1.6 cfs

22-156 - SW SW of sec 17 could not have been flood irrigated should be SWSE of Sec 12. Also there is a lot of swampy land. There are no competing claims for this right. I am giving ~~2000~~ the full 2 cfs for his 70 acres.

22-262 - swampy land would make it so all of decreed land was not irrigated. Claimant is claiming .8 cfs for 123.5 acres which ~~seems~~ seems ok to me. He owns full pov.

22-263 - Same as 262. I am allowing full 1.6 cfs no competing claims.

22-264 - Same as 262. I am allowing full .8 cfs no competing claims.

22-408B - ~~only owns 120 acres of decreed pov which is .6 cfs based on decreed cfs/acre. Selling of land resulted in an unproportional split of water - 408B retains .7 cfs.~~

22-409B - selling of land resulted in unproportional split of water 409B retains .875 cfs

22-410B - claim reflects amount of water sold to Dunn 410B retains 1.275 cfs

SCANNED

2-27-06

TG

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1-0515 22-0400 ✓ McTherson, Abner	160 inches.	June 10, 1889.	North Leigh Creek.
1-0516 23-0047 ✓ Meeds, W. A.	155 inches.	May 15, 1896.	Rainey Creek. For
Menan Milling Company.			(See Long Island Irrigation Company.)
1-0517 22-0401 ✓ Merrill, Joseph	40 inches.	May 1, 1904.	Springs on land.
1-0518 22-0402 ✓ Merrill, Sam J.	160 inches.	June 1, 1898.	Leigh Creek.
1-0519 22-0403 ✓ Mickelson, Peter	140 inches.	June 1, 1901.	South Leigh Creek.
1-0520 22-0404 ✓ Mickelson, Peter	20 inches.	June 1, 1903.	Swamps.
Miller, Eph. L.			The Farmers' Friend Canal Company.
1-0521 22-0405 ✓ Miller, J. J.	100 inches.	June 1, 1904.	Paradise Springs.
Miller, Margaret			The Farmers' Friend Canal Company.
Miller, Mary			The Farmers' Friend Canal Company.
Miller, Robert			The Farmers' Friend Canal Company.
Miskins, J. R.			Enterprise Canal Company.
1-0522 21-0145 ✓ Mitchell, Edward L.	150 inches.	June 1, 1894.	Fall River.
1-0523 22-0406 ✓ Moffat, Andrew	20 inches.	June 1, 1895.	South Leigh Creek, and swamp.
1-0524 22-0407 ✓ Moffat, Andrew	140 inches.	June 1, 1897.	South Leigh Creek and swamp.
1-0525 22-0408 ✓ Moffat, John P.	40 inches.	June 1, 1894.	Swamps.
1-0526 22-0409 ✓ Moffat, John P.	50 inches.	June 1, 1896.	Swamps.
1-0527 22-0410 ✓ Moffat, John P.	70 inches.	June 1, 1904.	Swamps.
1-0528 22-0411 ✓ Moffat, Mary	80 inches.	June 1, 1895.	Leigh Creek.
1-0529 22-0412 ✓ Moffat, Mary	80 inches.	June 15, 1897.	Leigh Creek.
Molden, Charles F.			(Conveyed to Elizabeth Kratzer.)
1-0530 21-0146 ✓ Moon, Carliso H.	250 inches	May 10, 1895.	Fall River.
Moore, Willard			Enterprise Canal Company.
Morgan, Edward			Enterprise Canal Company.
Morgan, James			Enterprise Canal Company.

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Moedl, Xavier

$S\frac{1}{2}$ of $SW\frac{1}{4}$ of Sec. 33, T. 4 N., R., 38 E. B. M., containing 80 acres.

Moffat, Andrew

$NW\frac{1}{4}$ of $SE\frac{1}{4}$, $NE\frac{1}{4}$ of $SW\frac{1}{4}$, $SW\frac{1}{4}$ of $NE\frac{1}{4}$, and $SE\frac{1}{4}$ of $NW\frac{1}{4}$ of Sec. 7, T. 5 N., R., 45 E., B. M., containing 160 acres.

Moffat, John P.

$NW\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 17, $N\frac{1}{2}$ of $SE\frac{1}{4}$, and $SW\frac{1}{4}$ of $SE\frac{1}{4}$ of Sec. 18, T. 5 N. R., 45 E., B. M., containing 160 acres.

Moffat Mary

160 acres not described.

Molden, Charles F.

$SE\frac{1}{4}$ of $SE\frac{1}{4}$ of Sec. 2, $NE\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec. 11, $NW\frac{1}{4}$ of $NW\frac{1}{4}$ of Sec. 12, and $SW\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 1, T. 3 S., R. 34 E., B. M., containing 160 acres.

Moon, Charles H.

$S\frac{1}{2}$ of $SE\frac{1}{4}$, $NW\frac{1}{4}$ of $SE\frac{1}{4}$, and Lot 6 of Sec. 18, T. 8 N., R., 42 E., B. M., and $NE\frac{1}{4}$ of $SW\frac{1}{4}$ and Lot 3 of Sec. 18, T. 8 N., R., 42 E. B. M., and $NE\frac{1}{4}$ of $NE\frac{1}{4}$ and Lot 6, 8 and 9 of Sec. 19, T. 8 N. R., 48 E., B. M.,

Morgan, Joshua B.

100 acres on North side of $NE\frac{1}{4}$ of Sec. 4 T. 5 N. R., 39 E., B. M.

Morgan, Joseph

(Descriptions not given in pleadings.)

Morris, Samuel

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

Morris, William L.

$E\frac{1}{4}$ of $SW\frac{1}{4}$, $W\frac{1}{4}$ of $SE\frac{1}{4}$, and $NE\frac{1}{4}$ of $SE\frac{1}{4}$ of Sec. 18, T. 3 N. R., 46 E., B. M., containing 200 acres.

Mortensen, Christian

$NE\frac{1}{4}$ of Sec. 10 T. 6 N. R., 40 E. B. M., containing 160 acres.

Mortensen, James

$N\frac{1}{2}$ of $SW\frac{1}{4}$ of Sec. 31, T. 7 N., R., 40 E., B. M., containing 80 acres.

Water Right and SRBA Split History Analysis

22-409

22-409

John Moffat

POD: Swamps / Unnamed Stream
POU: TOSN R45E Sec 17 NWSW
Sec 18 NESE, MWSE, SWSE
160 acres 1.00 cfs

22-409A

Teal Micklesen
POD: Swamps / Unnamed Stream
POU: TOSN R45E Sec 17
NWSW
20 acres 0.125 cfs

22-409B

Harold R Dunn Trust
POD: Swamps / Unnamed Stream
POU: TOSN R45E Sec 18
SWNE, SENE, NESE, MWSE, SWSE,
SESE
140 acres 0.875 cfs

Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____

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AUG 08 2007

Claim No. 22-40918

Document Checklist

- ☒ Copy License/Decree Maxburg v. Teton

❑ Copy Transfer

☐ Copy Licensing Field Exam☐ Check if Ownership/Address Change is Required

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

☒ Generate Arcview Map

101 Waddell, Mrs. L. E.; Sept. 1, 1891; Teton Creek	200
104 Grand Teton Canal Co.; May 1, 1892; Teton Creek (Diverted in Wyoming)	6,360
05 Edlefson, Noah C.; June 1, 1892; Leigh Creek	120
05 Walton, George; June 1, 1892; Paradise Creek	100
05 Gjellrup, Carl; June 1, 1892; Darby Creek	160
05 Gilbert, Albert; June 1, 1892; Horse Shoe Creek	120
05 Ricks, Josiah; June 1, 1892; North Leigh Creek	160
105 Siddoway Irrigation & Manufacturing Co.; June 1, 1892; Teton River	384
From July 1st of each year for the balance of the irrigation season	
105 Todd, John; June 1, 1892; Darby Creek	160
105 Todd, Henry M.; June 1, 1892; Darby Creek	200
107 Davidson, L. S.; July 26, 1892; Darby Creek	135
111 Betts, Alice, and Joseph; May 1, 1893; Trail Creek	80
111 Bietler, Jesse E.; May 1, 1893; Moody Creek	
To be reduced to 160 inches after June 20th in each year	320
121 Jones, Benjamin; June 1, 1893; Trail Creek	160
121 Thomas, Henry E.; June 1, 1893; no stream proved.	140
112 Wood, Samuel L.; June 1, 1893; Mahogany Creek	60
112 Young, Eva H., widow of Eugene H. Young (deceased); June 1, 1893; Warm Creek	160
112 Gale, Joseph; June 1, 1893; South Leigh and Swamp Creek	100
112 Gordon, S. A.; June 1, 1893; South Leigh Creek	40
112 Eddington, George; June 1, 1893; Teton Creek	160
116 Stephens, N. H.; May 1, 1894; Trail Creek	160
117 Sinclair, D. R.; June 1, 1894; Trail Creek	130
117 Sinclair, D. R., Adminr. Estate of Fred Sinclair (deceased); June 1, 1894; Warm Creek	160
117 Ricks, Alfred; June 1, 1894; Moody Creek	15
To be reduced to 100 inches after June 20th of each year	200
117 Ricks, John; June 1, 1894; Trail Creek	100
117 Ricks, Alfred; June 1, 1894; Teton River	51
117 Hatch, Hyrum; June 1, 1894; Trail Creek	10
117 Moffat, John P.; June 1, 1894; Swamps	160
117 Gale, Joseph; June 1, 1894; South Leigh and Swamp Creek	40
111 istensen, Niels C.; June 1, 1894; Fox Creek	80
117 Blather, Rudolph; June 1, 1894; Darby Creek	160
117 Ellis, A. J.; June 1, 1894; Darby Creek	160
118 Eynon, L. L.; June 15, 1894; Spring Creek, a tributary of Pine Creek	160
119 Kirsley, Richard; June 30, 1894; Trail Creek	40
120 Frye, John; July 1, 1894; Trail Creek	160
128 Durney, P. S.; May 15, 1895; Little Warm Creek	20
129 Adams, E. G.; June 1, 1895; no stream proved.	60
129 Ashmead, Charles; June 1, 1895; Teton Creek	150
129 Bush, Sarah M.; June 1, 1895; Teton Creek	100
129 Caldwell, Moroni; June 1, 1895; Peck Saddle Creek	150
129 Hermann, C. M.; June 1, 1895; Teton Creek	160
129 Moffat, Mary A.; June 1, 1895; Leigh Creek	80
129 Moffat, Andrew; June 1, 1895; South Leigh Creek and Swamps	80
129 Ingram, Thomas H.; June 1, 1895; Darby Creek	20
129 Lauritzen, John; June 1, 1895; Spring Creek	160
129 Kimball, Archie R.; June 1, 1895; Trail Creek	80

129 Kay, James; June 1, 1895; Trail Creek	146
129 Parker, B. F.; June 1, 1895; Fox Creek	15
129 Nordval, C.; June 1, 1895; Darby Creek	50
131 Spencer, Charles; June 15, 1895; Pine Creek	160
131 Costello, C. A.; June 15, 1895; Spring Creek	40
131 Costello, C. A.; June 15, 1895; Spring Creek	120
132 Tonks, George M.; July 15, 1895; Trail Creek	160
138 Beard, James T.; Apr. 1, 1896; Teton River	200
138 Huskinson, William J.; Apr. 1, 1896; Teton River	20
138 Smith, Albert; Apr. 1, 1896; Trail Creek	120
140 Blair, J. J.; May 1, 1896; Spring Creek	40
142 Stahl, Emil A.; May 15, 1896; Spring Creek	120
142 Moulton, Charles; May 15, 1896; Fox Creek	100
142 Moulton, George F.; May 15, 1896; Fox Creek	100
143 Edwards, Andrew; June 1, 1896; Trail Creek	40
143 Blair, Ed. F.; June 1, 1896; Trail Creek	160
143 Avery, Talitha C.; June 1, 1896; Trail Creek	160
143 Allen, Charles A.; June 1, 1896; Trail Creek	160
143 Barnes, Charles W.; June 1, 1896; Trail Creek	160
143 Bush, George W.; June 1, 1896; Fox Creek	100
143 Buxton, George W.; June 1, 1896; Fox Creek	40
143 Buxton, John; June 1, 1896; Mahogany Creek	160
143 Buxton, Lucy, Adminr. Estate of Joseph Buxton (deceased); June 1, 1896; Spring Creek	100
143 Crandall, Ira; June 1, 1896; Darby Creek	100
143 Hamblin, Kate; June 1, 1896; Trail Creek	115
143 Hamblin, Joseph R.; June 1, 1896; Trail Creek	80
143 Grigeth, Henry; June 1, 1896; Trail Creek	160
143 Hendrickson, Alvira E.; June 1, 1896; South Leigh Creek	80
143 Hansen, Andrew C.; June 1, 1896; Teton Creek	80
143 Hanks, Harriet A.; June 1, 1896; North Leigh Creek	10
143 Robertson, A. I.; June 1, 1896; Springs on place.	50
143 Moffat, John P.; June 1, 1896; Swamps	80
143 Lauritzen, John; June 1, 1896; Pine Creek	160
143 Ricks, Effie E.; June 1, 1896; Trail Creek	160
143 Rice, A. L.; June 1, 1896; Patterson Creek	160
143 Rice, A. L.; June 1, 1896; Patterson Creek	160
143 Peterson, A. L.; June 1, 1896; Darby Creek	160
143 Peterson, Chris; June 1, 1896; Trail Creek	160
143 Humbull, Olive A.; June 1, 1896; Fox Creek	150
143 Stone, Henry J.; June 1, 1896; Fox Creek	160
143 Sherman, William D.; June 1, 1896; Trail Creek	160
143 Walton, Dania; June 1, 1896; Darby Creek	120
143 Victor Town Site; June 1, 1896; Trail Creek	320
143 Vail, J. R.; June 1, 1896; Fox Creek	160
143 Taylor, Jackson C.; June 1, 1896; South Leigh Creek	90
143 Lethem, John; June 1, 1896; North Leigh Creek	155
143 Murphy, Thomas E.; June 1, 1896; Darby Creek	160
143 Larson, Peter; June 1, 1896; Darby Creek	160
143 Larson, R. M.; June 1, 1896; Darby Creek	40
143 Kimball, R. C.; June 1, 1896; Darby Creek	20
143 Johnson, W. R.; June 1, 1896; Fox Creek	80
143 Johnson, W. R.; June 1, 1896; Trail Creek	96
143 Pascoe, F.; June 1, 1896; Darby Creek	20
143 Pascoe, W. R.; June 15, 1896; Darby Creek	160
145 Larson, Andrew; July 1, 1896; Lauritzen Spring	160
145 Frye, John; July 1, 1896; Trail Creek	140
147 Eames, John S.; July 15, 1896; Teton River	35



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DECEMBER 2, 1992

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

CHARLES A HOMER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 51030
IDAHO FALLS ID 83405

RE: CHANGE IN OWNERSHIP FOR HAROLD K DUNN TRUST
A22-00410, 00409, 00276, 00408, 11521, AND 11520

Dear Mr. Homer:

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

A22-00408 was split as follows: To Talmage Michelsen & Sons, 0.10 cfs on 20 acres; to Harold K Dunn, 0.70 cfs on 140 acres.

A22-00409 was split as follows: To Talmage Michelsen & Sons, 0.125 cfs on 20 acres; to Harold K Dunn, 0.875 cfs on 140 acres.

A22-00410 was split as follows: To Talmage Michelsen & Sons, 0.175 cfs on 20 acres; to Harold K Dunn 1.225 cfs on 140 acres.

As regards to A22-11521 and A22-11520, the entire water right for A22-11521 was transferred to Harold K Dunn, as was A22-11520, except that A22-11520 was renumbered to reflect the old Decreed water right number, A22-00641D.

As regards to A22-00276, this Notice was returned to your office on Augst 27, 1992, for clarification, changes, and signatures. It has since been returned and a copy of A22-00276A is included with the above Notices.

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

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DEC 09 1992

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Charles A Homer
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If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson

for Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: Copies of Harold K Dunn Notices

cc: Talmage Mickelsen & Sons/Change Ownership
Letter/Copies of Notices of Claim

File: P

MICROFILMED

DEC 09 1992

SCANNED

AUG 08 2007

NOTICE CONCERNING WATER RIGHTS FOR PROPERTY
(to be mailed to the Idaho Department of Water Resources)

DATE OF CLOSING: March 10, 1992.

LEGAL DESCRIPTION OF PROPERTY: See Description on attached Deed.

[] Served Only by a Public Service Water Supply (domestic 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)

[X] Water Right Number: A22-00409

[X] Name and Address of Former Owner/Claimants: Talmage Mickelsen and Sons and Thelma W. Mickelsen
1008 West 500 North
Blackfoot, Idaho 83221

[X] New Owner/Claimant: Harold K. Dunn, M.D., not individually but as Trustee of the Harold K. Dunn Trust

[X] New Mailing Address: 1231 Chandler Circle
Salt Lake City, Utah 84103

[X] New Telephone Number: (801) 533-9730

[X] Does the change in ownership result in a splitting of the water right claimed? X yes no

If yes, then describe the portion of the water right that is now claimed by the new owner:

This is a partial transfer and there is only being transferred the water rights which are appurtenant to the following described property:

SW¹/₄NE¹/₄; SE¹/₄NE¹/₄; NE¹/₄SE¹/₄;
NW¹/₄SE¹/₄; SW¹/₄SE¹/₄ and SE¹/₄SE¹/₄, Section 18,
Township 5 North, Range 45 E.B.M., in Teton County,
Idaho.

Pursuant to this transfer only .875 cfs of the total amount of 1.00 cfs shown on the above referred to claim is being transferred.

[X] Signature of New Owner/Claimant:


Harold K. Dunn, Trustee

Date:

3-23-92

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DEC 09 1992

SCANNED

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[X] Signature of Former
Owner/Claimants:

TALMAGE MICKELSEN & SONS

By:

Ted Mickelsen
Ted Mickelsen

Thelma Mickelsen

Thelma Mickelsen, Individually and as
Trustee of the Testamentary Trust
established under the Last Will and
Testament of Talmage M. Mickelsen,
deceased.

Date:

3-12-92

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

See Attached Deed Proof of
ownership must describe either the
property conveyed or include the claim
number. Proof of ownership is not
required if this form is signed by the
former claimant.

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Dated:

By:

Final Review and Data-Entry

Dated:

By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources

Copies for Former Owner and New Owner

CAH/7163j/rfs

MAR 13 1992

TETON Co. Id.
Clerk/Recorder

100765
FILMED
INDEXED
PLATED

WARRANTY DEED

FILED
AT THE REQUEST OF

First American
AT 30 MINUTES PAST 2 P
DATE *March 13, 1992*
Asa J. Drake

THIS INDENTURE is made this 12th day of March, 1992, by THELMA W. MICKELSEN, acting individually, and THELMA W. MICKELSEN, acting not individually but as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage M. Mickelsen, deceased, the Grantor, and HAROLD K. DUNN, M.D., not individually but as Trustee of the Harold K. Dunn Trust, whose mailing address is 1231 Chandler Circle, Salt Lake City, Utah 84103, the Grantee.

WITNESSETH, that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's successors and assigns forever, all of the following described property in the County of Teton, State of Idaho, to-wit:

TRACT I:

Township 5 North, Range 45 East Boise Meridian
Section 8:
E 1/2 SW 1/4
SE 1/4

Section 9:
SW 1/4

TRACT II:

Township 5 North, Range 45 East Boise Meridian
Section 18:
Lots 1, 2, 3, and 4
E 1/2 NW 1/4
E 1/2 SW 1/4
SE 1/4
S 1/2 NE 1/4

Township 5 North, Range 44 East Boise Meridian
Section 13:
N 1/2 SE 1/4

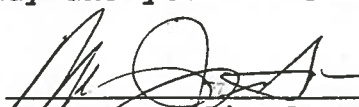
SCANNED MICROFILMED
AUG 08 2007 DEC 09 1992

STATE OF IDAHO)
)ss.
County of Bingham)

On this 12th day of March, in the year 1992, before me, the undersigned Notary Public in and for said state, personally appeared THELMA W. MICKELSEN, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage Mickelsen, deceased, and acknowledged to me she executed the same as such Trustee.

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

(Seal)



Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires 9-9-97

STATE OF IDAHO)
)ss.
County of Bingham)

On this 12th day of March, in the year 1992, before me, the undersigned Notary Public in and for said state, personally appeared THELMA W. MICKELSEN, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me she executed the same.

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

(Seal)



Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires 9-9-97

CAH/7161j/rfs

SUBJECT TO Electric Line Right-of-Way Easement granted by Talmage Mickelsen and Thelma Mickelsen, husband and wife, to Fall River Rural Electric Cooperative, Inc., a corporation, recorded August 27, 1973, as Instrument No. 73194, Records of Teton County, Idaho.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor. ALSO TOGETHER with all ditch rights and water rights appurtenant to such property including, but not limited to, any such water rights which are evidenced by water stock certificates issued by the Cache Canal Company and the Leigh Creek Canal Company.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor and the Grantor's successors shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Thelma W. Mickelsen

Thelma W. Mickelsen, individually

Thelma W. Mickelsen

Thelma W. Mickelsen, not individually but as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage Mickelsen, deceased.

State of Idaho
Department of Water Resources
ASSIGNMENT OF NOTICE OF CLAIM

Talmage Mickelsen & Sons and Thelma W. Mickelsen, individually and as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage M. Mickelsen, deceased, hereby assign to Harold K. Dunn, not individually but as Trustee of the Harold K. Dunn Trust, of 1231 Chandler Circle, Salt Lake City, Utah 84103.

The following described portion of our right, title, and interest in and to Notice of Claim No. A22-00409 to a Water Right Acquired Under State Law.

This is a partial transfer and there is only being transferred the water rights which are appurtenant to the following described property:

SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$;
NW $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section
18, Township 5 North, Range 45 E.B.M., in Teton
County, Idaho.

Pursuant to this transfer only .875 cfs of the total amount of 1.00 cfs shown on the above referred to claim is being transferred.

Made this 12th day of March, 1992.

TALMAGE M. MICKELSEN & SONS

By:

Ted Mickelsen
Ted Mickelsen

Thelma W. Mickelsen

Thelma W. Mickelsen, individually and as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage M. Mickelsen, deceased.

SCANNED MICROFILMED
AUG 08 2007 DEC 09 1992

STATE OF IDAHO)
)ss.
County of Bingham)

On this 12th day of March, in the year 1992, before me the undersigned, a Notary Public in and for the State of Idaho, personally appeared Ted Mickelsen, known or identified to me to be one of the partners in the partnership of Talmage Mickelsen & Sons, and the partner or one of the partners who subscribed said partnership to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

(Seal)



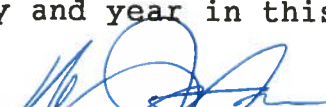
Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires 8-9-97

STATE OF IDAHO)
)ss.
County of Bingham)

On this 12th day of March, in the year 1992, before me, the undersigned Notary Public in and for said state, personally appeared THELMA W. MICKELSEN, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage Mickelsen, deceased, and acknowledged to me she executed the same as such Trustee.

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

(Seal)



Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires 8-9-97

STATE OF IDAHO)
)ss.
County of Bingham)

On this 12th day of March, in the year 1992, before me,
the undersigned Notary Public in and for said state, personally
appeared THELMA W. MICKELSEN, known or identified to me to be
the person whose name is subscribed to the within instrument
and acknowledged to me she executed the same.

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



Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires 8-9-97

(Seal)

CAH/7162j/rfs

MICROFILMED

DEC 09 1992

SCANNED

AUG 08 2007



Idaho Department of Water Resources

SRBA Recommendation:

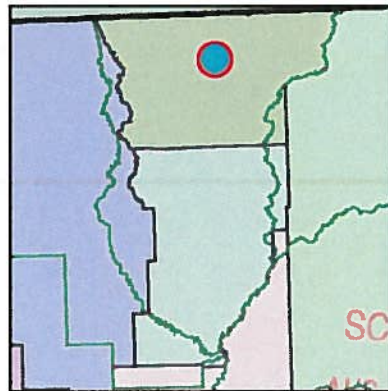
22-408B

22-409B

22-410B (Irrigation)

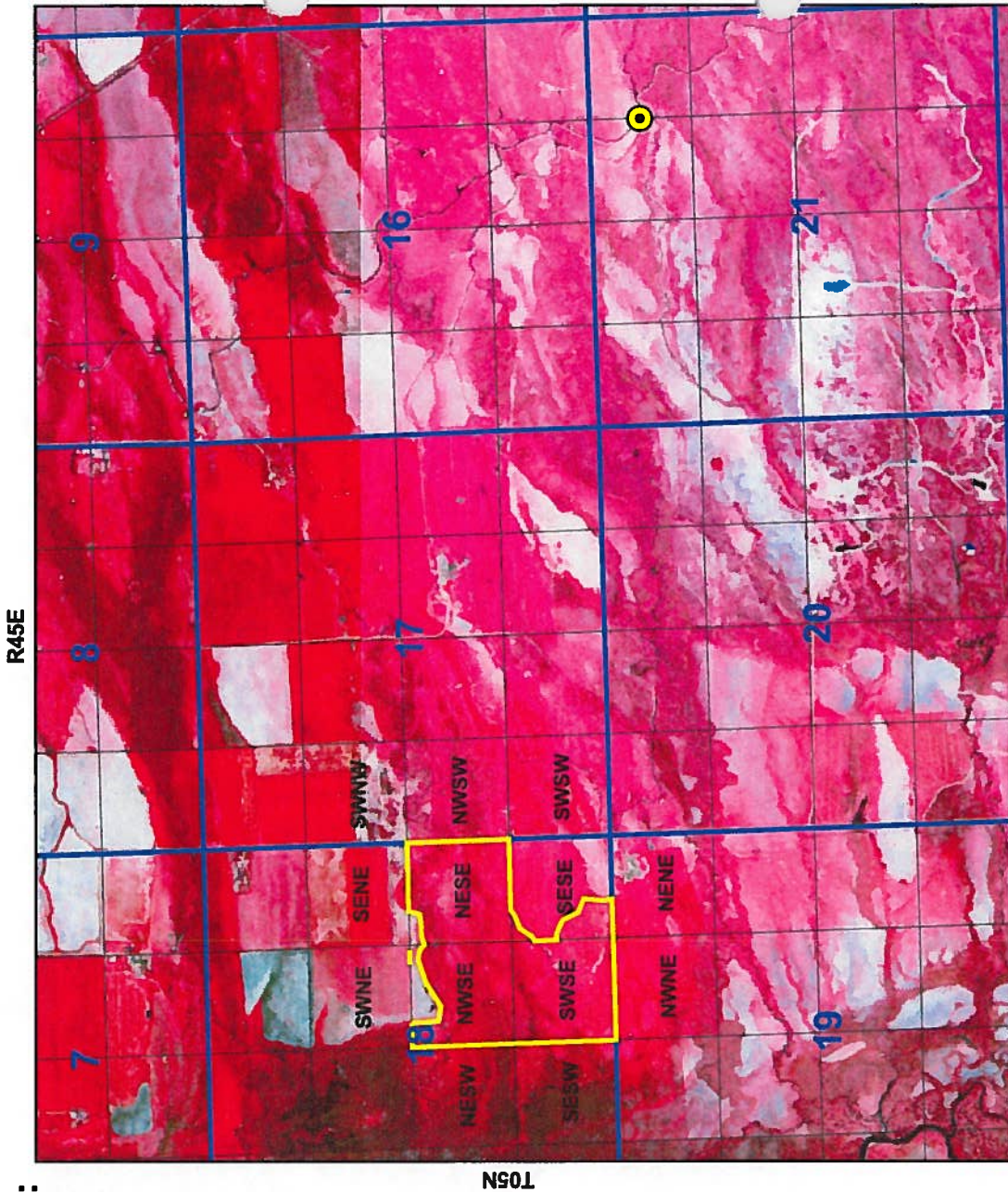
Legend

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



Teton County
IDWR Basin 22

Prepared by T. Galbraith
On Tuesday, November 21, 2006
1987/88 Aerial Photography



0 0.9 1.8 Miles

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 22-409B

Date Received _____

Receipt Number _____

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

1. Name of Claimant(s) Harold K. Dunn Trust Phone (801) 533-9730

Mailing Address 326 N. 300 W., Salt Lake City, UT Zip 84103

2. Date of Priority (Only (1) per claim) June 1, 1896

3. Source of water supply (a) Swamp

which is tributary to (b) Teton River

4.a. Location of existing point of diversion is:
Township 5N Range 45E Section 18, NW 1/4 of NE 1/4 of SE 1/4, Govt. Lot _____,
County of TETON

Additional points of diversion if any: _____
If Available, GPS Coordinates: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Pump is located on an unnamed stream on Claimant's property.

6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/15 to 10/31 amount 0.875 cfs or _____

7. Total quantity claimed (a) 0.875 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

SCANNED

MAY 13 2009

- [illegible]

MAY 13 2009

17. Notice of Appearance:

Notice is hereby given that I, Robert L. Harris, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Robert L. Harris
Address PO Box 50130, Idaho Falls, ID 83405-0130
Date April 30, 2009

G:\WPDATA\RLH\ Dunn Trust\Amended Claim, 409B wpd.cdv

SCANNED

MAY 13 2009

Last Name _____ Ident. Number 22-409B

HAROLD K. DUNN TRUST WATER RIGHTS (22-408B, 409B, 410B, and Enlargement Right)



Legend

- Property_Line
- Place_of_Use
- PLS-Section
- gcdb_qq



SCANNED

MAY 13 2009

0 0.15 0.3 0.6 Miles

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: A22-00409B
Date Received: 9/12/1988
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JUN 1, 1896

3. Source: SWAMPS
UNNAMED STREAM Trib. to: TETON RIVER
TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	Cour
05N	45E	18	NW	NE	SE		TETON
		21	NW	NE	NE		TETON

5. Description of diverting works:
CONCRETE HEADING DIVERTS WATER INTO AN OPEN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.875		

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

8. Total consumptive use is 320.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	45E	18	SW	NE		IRR	17.0
			SE	NE		IRR	33.0
			NE	SE		IRR	5.0

A2200409B



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	45E	18	NW	SE	IRR	5.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
Section Acres						140.0
Total Acres						140.0

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:
22-0408/0410.

14. Remarks:
THE DIVERTING WORKS IN SECTION 18 IS A PUMP AND PIPELINE. THE PUMP DIVERTS WATER FROM AN UNNAMED STREAM WHICH CAN BE SUPPLEMENTED BY WATER FROM THE DITCH WHICH HEADS IN SECTION 21. LAND IN THE S1/2NE1/4 WAS ORIGINALLY FLOOD IRRIGATED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

TETON IRR. CANAL CO. ET AL
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 a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

DRESS SERVICE
REQUESTED

HAROLD K DUNN TRUST
1231 CHANDLER CIR
SALT LAKE CITY UT 84103

77- 276 A
22- 408 B
22- 409 B
22- 410 B
22- 641 D

2D2

1

NO SUCH NUMBER
ATTN: [illegible]
[illegible]

PERMANENT
TO
SENDER

UNABLE TO LOCATE

DATE FOR

88

FOE


 U.S. POSTAGE
 12 11
 89 92 \$01.11
 6 12 8 MAILED FROM ZIP CODE
 PB3523907
 NOV 28 2006
 83402

SCANNED
AUG 08 2007

Sent
1-19-07

22-480C 129H
136G

22-621A 78

13290

7029

13372

84

13413

7349

7388

13246

11526

7373

7339

13248

11529

13590

12064

13610

11530

13540

2128

13612

356

10835

133A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

2281

278

EASTERN REGION

7338

12593

7178

IDAHO FALLS ID

208-525-7161 - PHONE

276A

12629

7215B

208-525-7177 - FAX

408B

2146

12239

409B

4076

2206

410B

TRANSMITTAL COVER SHEET

184A

11677

OMNIFAX

641D

10105

178A

10132

2293

178B

FAX: 354-8410

TO: JESSIE

FROM: JENNIFER

11384

10234

Teton County Assessor

4139

13457

4161

7403

DOCUMENT DESCRIPTION: REQUEST FOR CURRENT OWNER INFORMATION. I HAVE SENT A SPREADSHEET INDICATING WHO WE HAVE IN OUR RECORDS AND THEIR LEGAL DESCRIPTION OF THEIR PROPERTY. EACH OF THESE LETTERS WAS RETURNED TO SENDER. PLEASE FILL OUT THE

LAST COLUMN WITH THE OWNER AND ADDRESS INFORMATION FOR THE PROPERTY LISTED. I HAVE ATTACHED A MAP FOR EACH PROPERTY WHEN I HAD ONE AVAILABLE.

PLEASE CALL ME WITH ANY QUESTIONS. THANKS SO MUCH FOR YOUR HELP.

TOTAL NUMBER OF PAGES (Including this page): X 13

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Billing address: N/A

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No of Pages _____ Cost / Page _____ Total Charge N/A

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SCANNED

AUG 08 2007

Dunn Claims ^{1281.5}
^{21.79 cts}

- 22-641E - claimant ~~owns~~ ^{claims} 123.5 of decreed
POV which he owns. Decree states .017 cts/acre
which is ~~2.1~~ 2.1 cts
- 22-1145 - claimant claims 200 acres of decreed POV
which he owns. Decree states .017 cts/acre which
is 3.4 cts
- 22-12783 - claimant claims 240 acres of decreed
POV which he owns. Decree states .017 cts/acre
which is 4.08 cts
- 22-13383 - claimant claims 159 acres of decreed
POV which he owns. Decree states .017 cts/acre
which is 2.7 cts
- 22-641D - claimant ~~owns~~ ^{claims} 267 acres of decreed
POV which he owns. Decree states .017 cts/acre
which is 4.54
- 22-609A - claimant ~~owns~~ ^{claims} 80 acres of original POV
which he owns. Decree states .02 cts/acre
which is 1.6 cts The rest of 609 is
not claimed.
- 22-406 - claimant own all of decreed POV and
claims it. Receives .4 cts
- 22-407 - claimant claims and owns all of decreed
POV he receives all 2.8 cts.
- 22-276A - claimant owns all of decreed POV but
claims land outside of original POV which
he owns. assuming an accomplish change in
POV EOS condition. Receives 1.6 cts