

Draft AOR

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-410B

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

SOURCE: SWAMP

TRIBUTARY: TETON RIVER

QUANTITY: 1.225 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: 06/01/1904

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	1.225 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

Water is delivered through Cache Canal.

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

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

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 22-4103
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: KEN DUMM

Address: 326 N 300 W

TETONIA 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 K DUMM TRUST

Address: 326 N 300 W

SLE, UT 84103 (S/B TETONIA, 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: SESE should be 40 acres not 0
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)
County of Teton)ss.

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

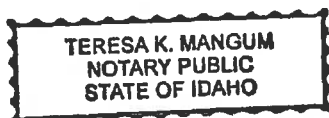
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

July 24, 2009
Teresa K. Mangum
Notary Public for Idaho
Residing at: Driggs
My Commission Expires: 07-24-09



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:

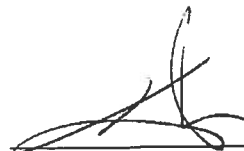
Name: Harold K Dorn
Address: 326 N 300W
Teton ID 83452

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

Sent
1-19-07

22-480C
136G

22-621A 78

13290

7029

13372

84

13413

7349

7388

13246

11526

7373

7339

13248

11529

13590

12064

13610

11530

13540

2128

13612

350

10835

133A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

2281

278

EASTERN REGION

7338

12533

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

Teton County Assessor

11384

10236

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 28 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

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 12 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 ~~2.0 cfs~~ 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 1.225 cfs

2-27-06 TG

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AUG 08 2007

~~1-0515~~ 22-0400 ✓
McPherson, Abner
~~1-0516~~ 22-0401 ✓
Meeds, W. A.

Menan Milling
Company.

~~1-0517~~ 22-0401 ✓
Merrill, Joseph
~~1-0518~~ 22-0402 ✓
Merrill, Sam J.
~~1-0519~~ 22-0403 ✓
Mickelson, Peter
~~1-0520~~ 22-0404 ✓
Mickelson, Peter

Miller, Eph. L.

~~1-0521~~ 22-0405 ✓
Miller, J. J.

Miller, Margaret

Miller, Mary

Miller, Robert

Miskins, J. R.

~~1-0522~~ 21-0145 ✓
Mitchell, Edward L.
~~1-0523~~ 22-0406 ✓
Moffat, Andrew

~~1-0524~~ 22-0407 ✓
Moffat, Andrew

~~1-0525~~ 22-0408 ✓
Moffat, John P.
~~1-0526~~ 22-0409 ✓
Moffat, John P.

~~1-0527~~ 22-0410 ✓
Moffat, John P.

~~1-0528~~ 22-0411 ✓
Moffat, Mary
~~1-0529~~ 22-0412 ✓
Moffat, Mary

Molden, Charles F.

~~1-0530~~ 21-0146 ✓
Moon, Carlso B.

Moore, Willard

Morgan, Edward

Morgan, James

160 inches. June 10, 1889. North Leigh Creek.

155 inches. May 15, 1896. Rainey Creek.

(See Long Island
Irrigation Company.

40 inches. May 1, 1904. Springs on land.

160 inches. June 1, 1898. Leigh Creek.

140 inches. June 1, 1901. South Leigh Creek.

20 inches. June 1, 1903. Swamps.

The Farmers' Friend
Canal Company.

100 inches. June 1, 1904. Paradise Springs.

The Farmers' Friend
Canal Company.

The Farmers' Friend
Canal Company.

The Farmers' Friend
Canal Company.

Enterprise Canal
Company.

150 inches. June 1, 1894. Fall River.

20 inches. June 1, 1895. South Leigh Creek,
and swamp.

140 inches. June 1, 1897. South Leigh Creek
and swamp.

40 inches. June 1, 1894. Swamps.

50 inches. June 1, 1896. Swamps.

70 inches. June 1, 1904. Swamps.

80 inches. June 1, 1895. Leigh Creek.

80 inches. June 15, 1897. Leigh Creek.

(Conveyed to Eliza-
beth Kratzer.)

250 inches. May 10, 1896. Fall River.

Enterprise Canal
Company.

Enterprise Canal
Company.

Enterprise Canal
Company.

Moedl, Xavier

$\frac{3}{4}$ 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, NE $\frac{1}{4}$ 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 $\frac{1}{2}$ of SW $\frac{1}{4}$, W $\frac{1}{2}$ 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

22-410

22-410

John Moffat

POD: Swamps / Unnamed Stream

POU: TOS N R45 E Sec 17 NWSW

Sec 18 NESE, NWSE, SWSE

160 acres 1.40 cfs

22-410A

Test Micklesen

POD: Swamps / Unnamed

POU: TOS N R45 E Sec 17 NWSW

20 acres 0.175 cfs

22-410B

Harold K. Dunn Trust

POD: Swamps / Unnamed Stream

POU: TOS N R45 E Sec 18

SWNE, SENE, NESE, NWSE,

SWSE, SESE

140 acres 1.225 cfs

Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____

SCANNED

AUG 08 2007

Claim No. 22-4100

Document Checklist

☒ Copy License/Decree

Maxburg Union

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

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

☒ Generate Arcview Map

SCANNED

AUG 08 2007

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.

Water is from Cache Canal and is delivered
in a ditch that runs through Chambers and
Mickelson property.

A lift pump is used to divert water from
ditch

Comingled with rights A22-004088, 4098, 4108

6/24/04
DD

Reviewer: _____ Date: _____

SCANNED

AUG 18 2007

Webster, James W., and Charles H. Woodmansee; May 23, 1903; Moody Creek	300
For reservoir purposes between the first day of September of each year until the first day of May of the following year	100
Gregory, H. J.; June 1, 1903; North Leigh Creek	40
Powell, W. J.; June 1, 1903; Trail Creek	4,200
Siddoway-Briggs Co.; June 1, 1903; Teton River. For power purposes	100
Buxton, Stillman; June 1, 1903; Sloughs from Twin Creeks	40
Gilbert, Albert; June 1, 1902; Horse-Shoe Creek	20
Nickelson, Peter; June 1, 1903; Swamps	50
Thompson & Egbert; June 1, 1903; North Leigh Creek	40
Jarman, Arthur; June 1, 1903; South Leigh Creek	100
Pherson, Neils; June 1, 1903; South Leigh Creek	280
Kunz, Samuel, Jr.; July 31, 1903; Pine Creek (permit)	1,680
Central Teton Canal Co.; Oct. 31, 1903; Teton Creek	1,250
Pack Saddle Reservoir Co.; Jan. 15, 1904; North Fork Pack Saddle Creek	40
Wallace, H. A.; Jan. 18, 1904; North Leigh Creek or Spring Creek	50
Hansen, E. P.; May 1, 1904; Game Creek	70
Moffat, John P.; June 1, 1904; Swamps	100
Withrick, Caroline; June 1, 1904; Paradise Springs. The undivided one-fourth of Paradise Springs	60
Miller, J. J.; June 1, 1904; Paradise Springs	40
Sinclair, Sarah S.; June 1, 1904; Pole Creek and Pine Creek	80
Ricks, Wallace; June 1, 1904; North Leigh Creek	110
Phillips, L. A.; June 1, 1904; Badger Creek	60
Sautter, John G.; June 1, 1904; North Leigh Creek	640
Coyle, M. H.; June 15, 1904; Coyle Spring	590
Felt, J. G.; Jan. 18, 1905; Badger Creek	480
Felt, G. F.; Jan. 18, 1905; Badger Creek	500
Felt, Clara V.; Jan. 18, 1905; Badger Creek	150
Felt, Albert; Jan. 18, 1905; Badger Creek	500
Clawson, Spencer, adminr. Estate of; Jan. 18, 1905; North Leigh or Spring Creek	2,500
Clawson, Spencer; Jan. 18, 1905; North Leigh or Spring Creek	200
Clawson, B. W.; Jan. 18, 1905; North Leigh or Spring Creek	160
Spencer, Clawson & Co. (a corporation); Jan. 18, 1905; North Leigh Creek or Spring Creek	180
Rogers, Orson T.; Jan. 18, 1905; Badger Creek	100
Little, Edwin S.; Jan. 18, 1905; Leigh Creek	100
Taylor, Joseph E.; Jan. 18, 1905; North Leigh or Spring Creek	80
Garrett, Mary G.; Jan. 18, 1905; North Leigh or Spring Creek	15
Soulcey, C. V.; June 1, 1906; Darby Creek	40
Crandall, H. L.; no date; waters of Crandall Springs	900
Stahn, Emil A.; no date; Juanita Springs	
Andrews, L. W.; no date; waters of Springs on place	
Pack Saddle Reservoir Co.; no date; South Fork of Pack Saddle Creek	



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.

SCANNED

AUG 9 8 2007

MICROFILMED

DEC 09 1992

Charles A Homer
Page - 2 -

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
SCANNED DEC 09 1992
AUG 06 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: A22-00410

[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:

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 1.225 cfs of the total amount of 1.4 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

MICROFILMED

SCANNED 09 1992

SCANNED
AUG 08 2007
AUG 1 2007

[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

100735

MAR 13 1992

TETON Co. Id.
Clark Recorder

FILMED
INDEXED
PLATED

WARRANTY DEED

First American
AT 30 MINUTES PAGE 2 P 1
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

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)
) 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.



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

(Seal)

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 9-9-97

(Seal)

CAH/7161j/rfs

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. A22-00410 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 1.225 cfs of the total amount of 1.4 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.

MICROFILMED

SCANNED

DEC 09 1992

AUG 08 2007

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.



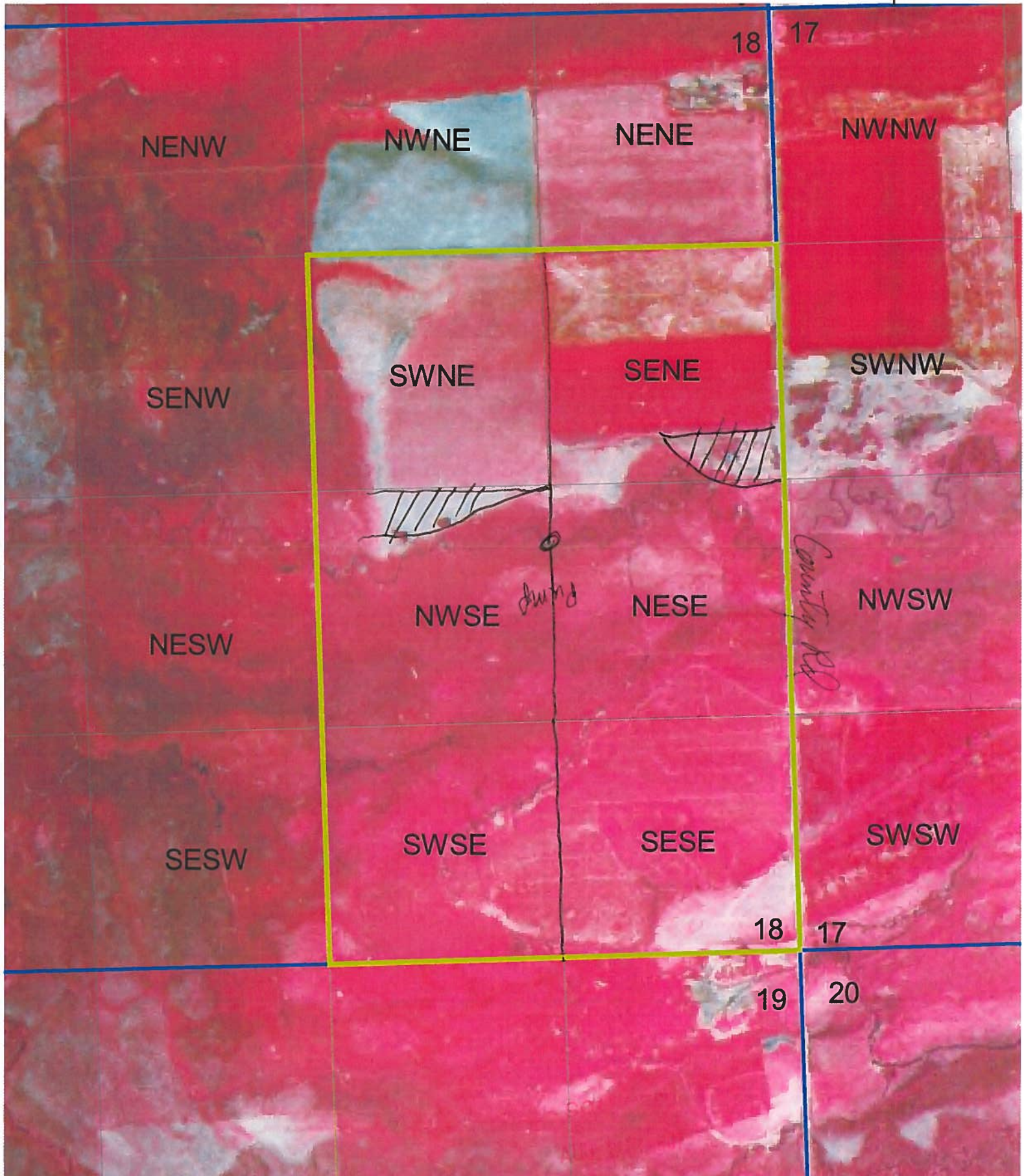
Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires 8-9-97

(Seal)

CAH/7162j/rfs

22-410B

6/23/04



Trans



Ken Dunn pump

SCANNED
AUG 06 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 22-410B

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, 1904

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 21, NW 1/4 of NE 1/4 of NE 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. Concrete heading diverts into an open ditch.

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 1.225 cfs or _____

7. Total quantity claimed (a) 1.225 (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, 410B.wpd.cdv

SCANNED
MAY 13 2009

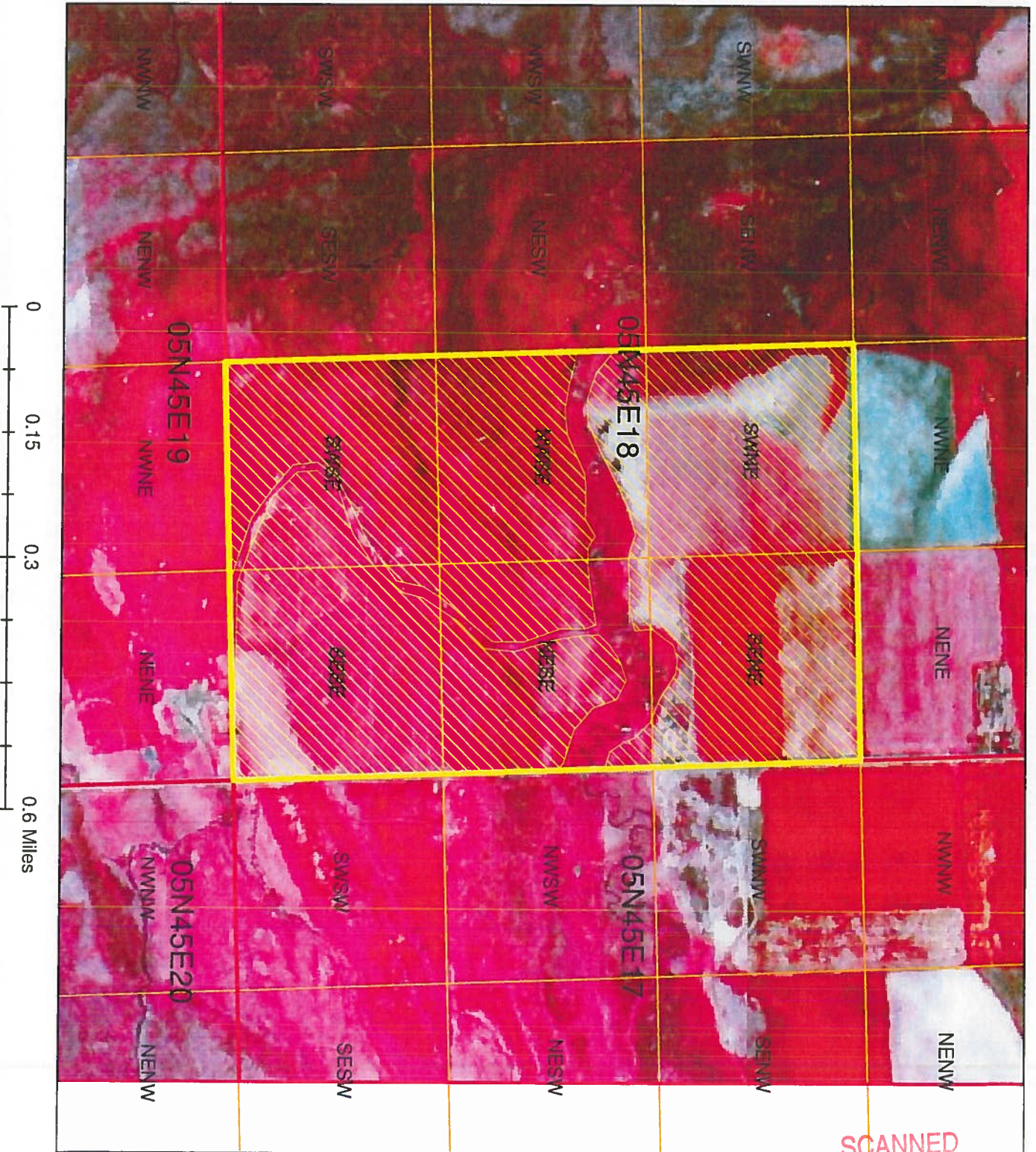
Last Name _____ Ident. Number 22-410B

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



Idaho Department of Water Resources

SRBA Recommendation:

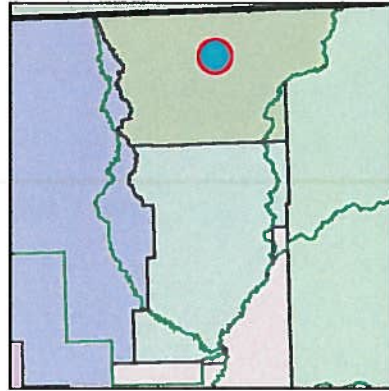
22-408B

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

R45E



T0501

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: A22-00410B
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, 1904

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	County
05N	45E	18	NW	NE	NE		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	1.225		

7. Total Quantity Appropriated is:
1.225 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

A2200410B



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:
22-0408/0409.

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 and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

MICROFILMED

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

ADDRESS SERVICE
REQUESTED

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



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

28

SCANNED
AUG 08 2007

1211 U.S. POSTAGE
8992 \$01.110 NOV 28 2006
6128 MAILED FROM ZIP CODE 83402
PB3523907
TM