

12/12/2006

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

RIGHT NUMBER: 22-429A
NAME AND ADDRESS: DONALD P STREUBEL
133 W 650 N
TETONIA ID 83452

JANE A STREUBEL
133 W 650 N
TETONIA ID 83452

SOURCE: NORTH LEIGH CREEK TRIBUTARY: SPRING CREEK
QUANTITY: 0.240 CFS
PRIORITY DATE: 06/01/1891
POINT OF DIVERSION:

T06N R45E S26 SWNWNE 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	0.240 CFS

PLACE OF USE: IRRIGATION in TETON County
T06N R45E S27 NESE 21.00

21 ACRES TOTAL

21

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-132A, 22-429A.

This right is limited to the irrigation of 19 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

Water is delivered through Hansen Streubel ditch

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



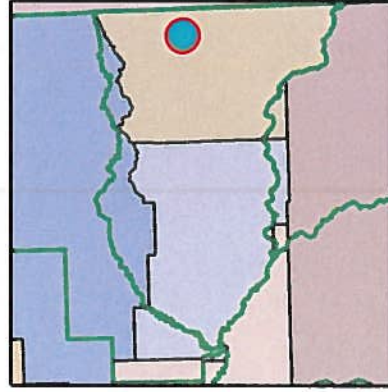
Idaho Department of Water Resources

Adjudication Claim:

22-132A
22-429A

Legend

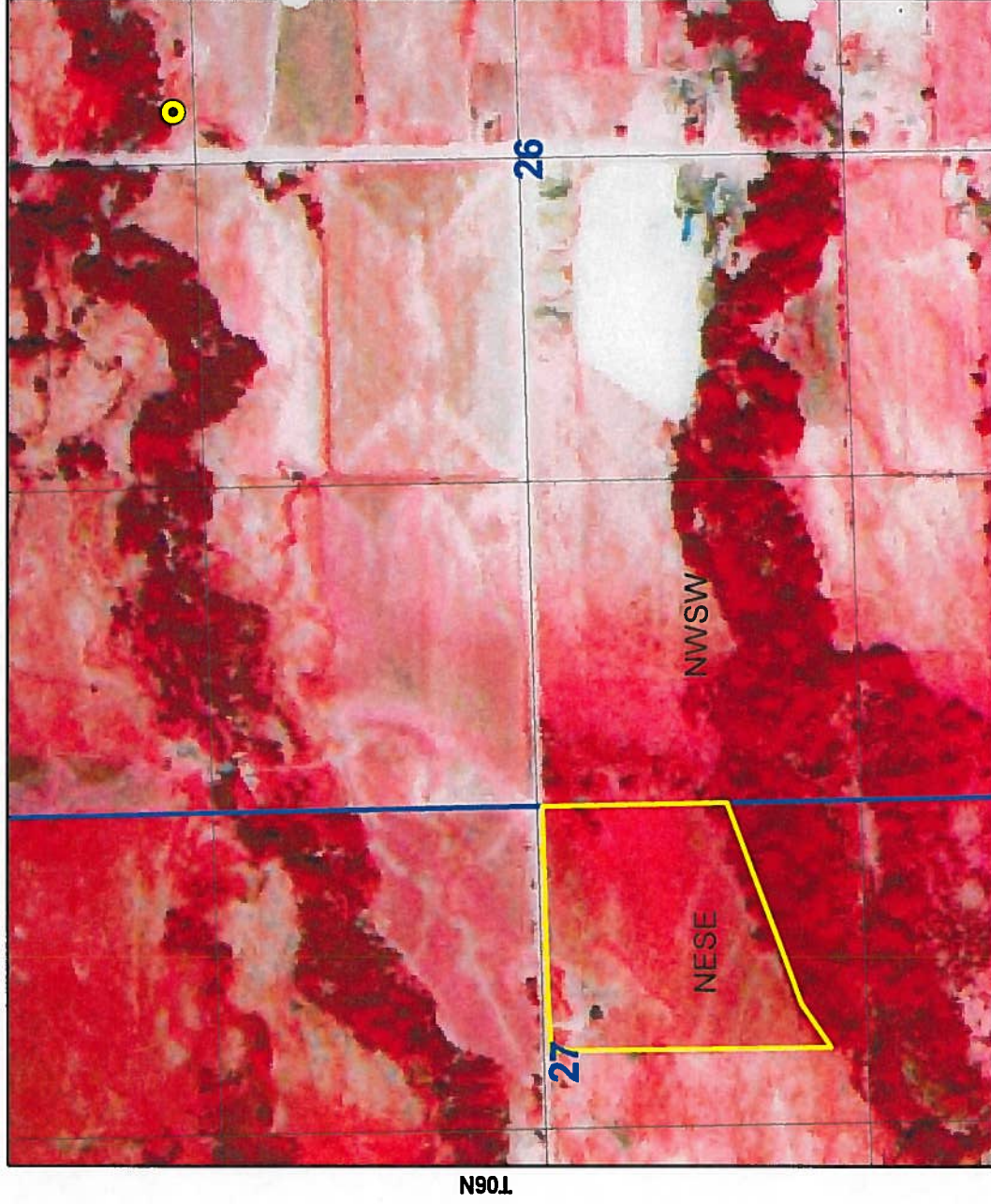
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22

Prepared by D. Carlson
On Wednesday, July 19, 2006
1987/88 Aerial Photography

R45E



T06N

26

27

NWSW

NESE

0.6 Miles

0.3

0

07/19/2006

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: 22-429A

DONALD P STREUBEL
133 W 650 N
TETONIA ID 83452
Telephone Number: (208)456-2680

JANE A STREUBEL
133 W 650 N
TETONIA ID 83452
Telephone Number: (208)456-2680

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:

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

DATE: 12/4/06

SIGNATURE:

Donald P. Streubel

Jane A. Streubel

Please print your name: Donald P. Streubel

Jane A. Streubel

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

KMG
12/11

T6N, R45E

Leigh Creek

North



NESE

Creek

Leigh

Middle

County Road

County Road

23 24

25 26

26 25

35 36

T6N, R45E

Leigh Creek

North

County Road

NESE

Creek

Leigh

Middle

23 24

25 26

26 25

35 36

22 23

27 26

04/25/2005

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: 22-429A

DONALD P STREUBEL
9648 CHESTNUT HILL DR
POCATELLO ID 83204

JANE A STREUBEL
9648 CHESTNUT HILL DR
POCATELLO ID 83204

> Address change:

133W 650N
Tetonia, ID 83452

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

The acreage has been arbitrarily reduced to 16 acres from 30 acres. The 2 water rights for this property has traditionally been necessary to farm the entire 30 acres.

2. Describe the changes you wish to make in the proposed recommendation:

Re-instate the full acreage.

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

16 acres is not what I actually farm and irrigate.

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

DATE: 6/13/05

SIGNATURE:

Donald P. Streubel

Please print your name:

Donald P. Streubel

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

SCANNED

JUN 21 2005

Address
Change
Completed
6/13/05

PROFILED

RECEIVED

JUN 20 2005

Department of Water Resources
Eastern Region

22-132A
22-429A

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
300 N. STANLEY DR.
IDAHO FALLS, IDAHO 83402

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

832042006 1405 02 06/07/05
FORM 3547

STREUBEL
133 W 650 N
TETONIA ID 83452-5432



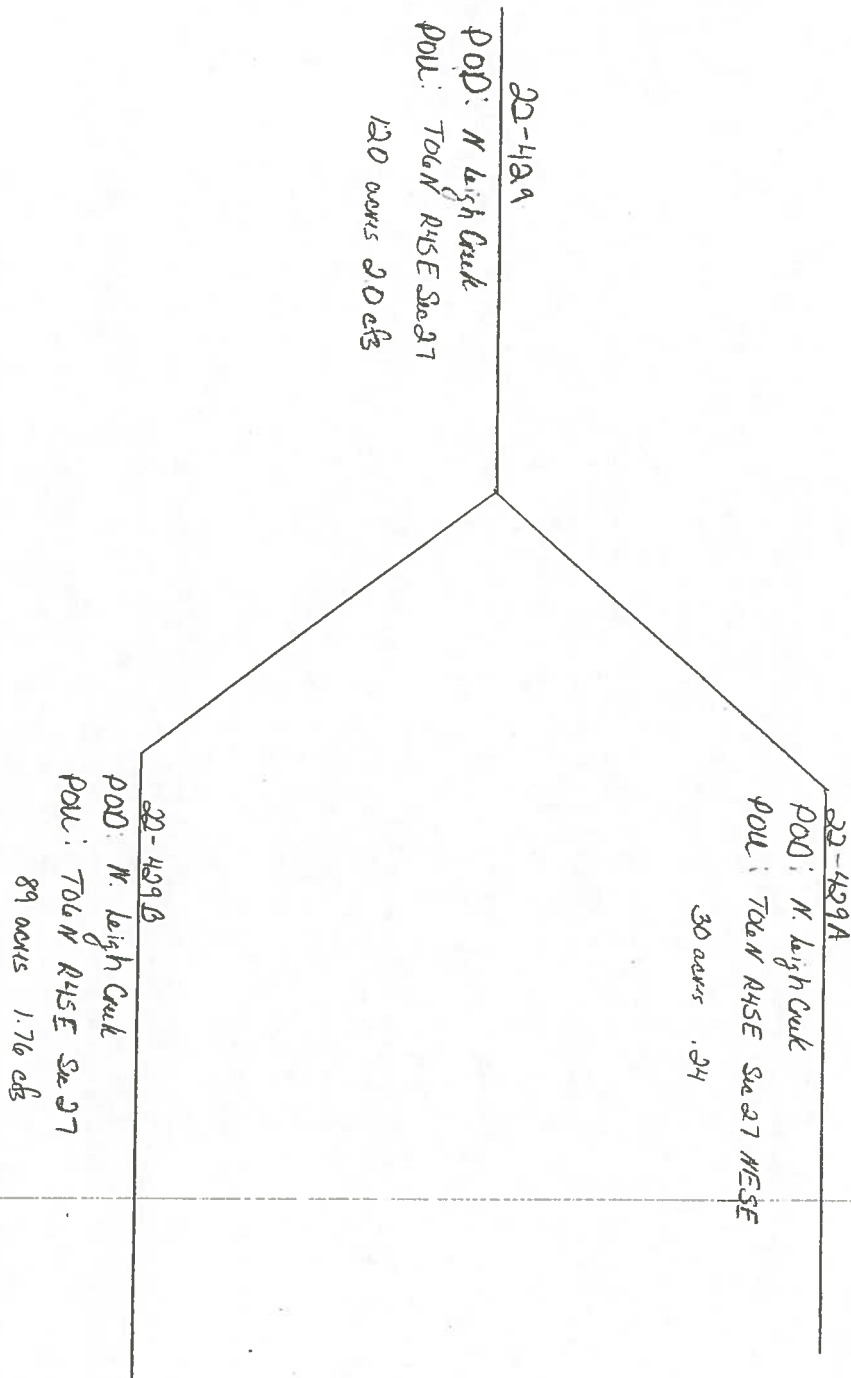
DONALD P STREUBEL
JANE A STREUBEL
9648 CHESTNUT HILL DR
POCATELLO ID 83204

PROFIT

SCANNED
JUN 15 2005

Water Right and SRBA Split History Analysis

22-429



SCANNED

APR 29 2005

Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____

PROFILED

Claim No 22-429A

Document Checklist

☒ Copy License/Decree

hexberg v Rton

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

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

☒ Generate Arcview Map

PROFIT

SCANNED
APR 23 2005

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

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

Source: _____ Tributary to: _____

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

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
① 106N	46E	29		NW NE	Teton	N. Scigh	Spring CK

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
① 106N	46E	29		WENW NE	Teton	N. Scigh	Spring CK
② 106N	46E	26		SE NW SE	Teton	"	"
③ 106N	46E	26		SW NW NE	"	"	"

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

① POD is North Scigh Canal GPS tag # A0014298
 ② POD is Behind Frank Hansen House GPS tag # A0012248
 ③ POD is one historic POD GPS tag # A0012277

Reviewer: _____ Date: _____

PROFILED

SCANNED
APR 29 2005

Place Of Use Data Entry Form

Claim Number: 22-132A

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
06N	4SE	27	NESE		Teton		30.0	Irrigation

Total acres 30.0

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
06N	4SE	27	NESE		Teton		16.0	Irrigation

Total acres 16.0

Pending or approved Transfers: _____

Overlapping rights: 22-132A

Document how the POU was verified:

Field exam + GZS

Reviewer: _____ Date: _____

SCANNED

APR 29 2005

PROFILED

Season of Use and Quantity Data Entry Form

Claim Number: 22-499AWater 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
Irrigation	04/01	11/01	.25	11

Overall Diversion Rate .18

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	04/15	10/31	.24	

Overall Diversion Rate .24

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

SOU shorter to fit IDWR SOU standards
 Only cleared .24 cfs not .25 cfs!

Reviewer: _____

Date: _____

PROFILED

SCANNED
 APR 29 2005

Water Right No(s). _____

GPS DATA:

Tag # A06 14298 Location: NORTH Leigh Canal

Diversion Data:

Source: North Leigh Trib to: SPRING CK.

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Field Exam Date: _____ Agent: _____

B.; June 1, 1886; Spring Creek	8,000
n L.; June 1, 1886; Moody Creek	300
duced to 25 inches after June 20th of each	50
n L.; June 1, 1886; Teton River	25
e. David; June 1, 1887; North Leigh Creek;	25
amp Creek for a late right	260
John; June 1, 1887; Wood Creek and	60
ns J.; June 1, 1887; Bigler Slough	80
ctor; Sept. 1, 1887; Horse Shoe Creek	30
stor; June 1, 1888; Horse Shoe Creek	290
n Agricultural & Milling Canal Co.; Teton	1,325
gh water right until July 1st of each year	168
William; June 1, 1888; Teton River. (Stew-	200
Walters Ditch.) Joint appropriation with	160
l. Anderson)	80
he S.; June 1, 1888; Twin Creeks	120
Charles H.; Mar. 15, 1889; Moody Creek	280
duced to 80 inches after June 20th of each	112
n; Apr. 1, 1889; Trail Creek	140
W.; Apr. 1, 1889; South Leigh Creek	80
m; Apr. 5, 1889; Pack Saddle Creek	150
Christian; May 1, 1889; Teton River.	40
gh the Nelson-Jacobs Ditch)	140
nas; May 3, 1889; Mahogany Creek	10
enezer, and J.; June 1, 1889; Fox Creek	160
J.; June 1, 1889; John Creek	150
John; June 1, 1889; Warm Creek	140
C.; June 1, 1889; Spring Creek	10
ham; June 1, 1889; Mahogany Creek	160
am P.; June 1, 1889; Mahogany Creek	150
Frank, and wife; June 1, 1889; North Leigh	40
annuel; June 1, 1889; South Leigh Creek	20
O.; June 1, 1889; Darby Creek	20
amin; June 1, 1889; Trail Creek	160
Abner; June 10, 1889; North Leigh Creek.	160
W.; June 15, 1889; Trail Creek	95
rge M.; July 5, 1889; Trail Creek	55
r; July 15, 1889; Fox Creek	80
Sept. 1, 1889; Warm Creek, Spring	620
and Deep Creek	3,000
ee-Johnson Ditch; Oct. 1, 1889; Teton River	500
illing Co.; Oct. 1, 1889; Teton River. (Wood-	80
-Johnson Ditch.) For power purposes only,	2
ject to rights of users for agricultural pur-	115
of water through same ditch	2,335
ation & Manufacturing Co.; Oct. 2, 1889;	87
River. (To be diverted at the Bird head-	
at the Teton Mill	
ary E.; Apr. 1, 1890; Warm Creek; Spring	
and Deep Creek	
R., Adminr. Estate of Fred Sinclair (de-	
); April 1, 1890; Trail Creek	
Co.; Apr. 1, 1890; Teton River	
A. I.; Apr. 1, 1890; Trail Creek	

PROFILED

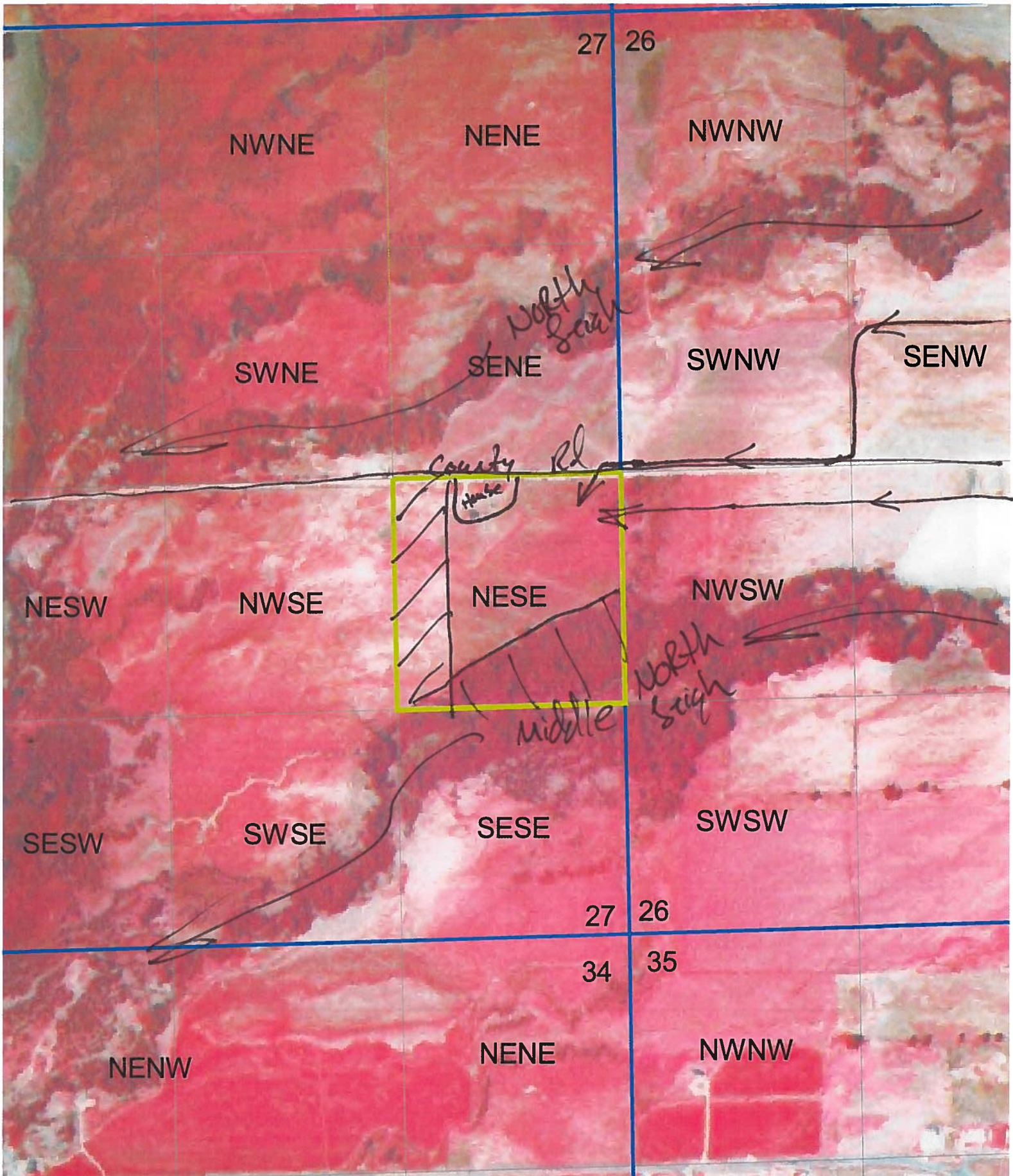
APR 29 2005

82 Rice, Ed.; Apr. 1, 1890; Trail Creek	160
82 Curtis, Nahum; Apr. 1, 1890; Trail Creek	160
82 Blanchard, John; Apr. 1, 1890; Trail Creek	120
82 Eynon, John; Apr. 1, 1890; Trail Creek	80
85 Paul, John; June 1, 1890; Springs on land	15
85 Paul, William H.; June 1, 1890; Little Springs and Deep	60
Creek	80
85 Jenkins, William; June 1, 1890; Fox Creek	110
85 Kimball, R. C., and A. L.; June 1, 1890; Fox Creek	240
85 Lawson, B. G.; June 1, 1890; Spring Creek	150
85 Murphy, G. M.; June 1, 1890; Darby Creek	160
85 Smith, C. M.; Jan. 1, 1890; Darby Creek	140
85 Walton, D. O.; June 1, 1890; Darby Creek	135
85 Shaw, O. W.; June 1, 1890; North Leigh Creek or Spring	240
Creek	160
85 Yearsley, H. C.; June 1, 1890; Spring Creek	200
85 Drake, Richard; June 1, 1890; Patterson Creek	85
85 Chelsey, John P.; June 1, 1890; Paul Spring Creek,	100
Grove Creek, Deep Creek and Little Spring Creek	120
85 Byrne, Michael; June 1, 1890; Fox Creek	15
85 Buxton, Mary A.; June 1, 1890; Sloughs from Twin	145
Creeks	100
85 Beezley, Ebenezer, and J.; June 1, 1890; Fox Creek	240
85 Andrews, L. W.; June 1, 1890; Grove Creek	155
85 Dunne, P. S.; June 1, 1900; Trail Creek	160
85 Foote, Arthur L.; June 1, 1890; Mahogany Creek	150
85 Ferguson, John; June 1, 1890; Grove Creek and Willow	135
Spring Creek	160
85 Eames, William; June 1, 1890; Spring Creek	100
85 Edlefson, E. B.; June 1, 1890; Leigh Creek	200
85 Drake, Lavina; June 1, 1890; Boquat Creek and Drake	150
Creek	135
88 Drake, William; July 1, 1890; Mahogany Creek	160
90 Tonks, William H.; July 15, 1890; Trail Creek	160
92 Curtis, Clarissa A.; Sept. 1, 1890; Trail Creek	100
96 Rice, A. L.; Jan. 1, 1891; Patterson Creek	2,600
98 O'Brien, James A.; June 1, 1891; North Leigh Creek	20
98 Siddoway-Briggs Co.; June 1, 1891; Teton River. (For	100
power purposes)	100
98 Sinclair, D. R.; Adminr. Estate of Fred Sinclair (de-	200
ceased); June 1, 1891; Eynon Ditch	120
98 Smith, Ellington; June 1, 1891; Spring Creek, Darby	150
Creek and Crandall Springs	200
98 Shaw, L. C.; June 1, 1891; Raqter Creek and water	120
from springs on T. A. Phillips' land	150
98 Swanner, Samuel; June 1, 1891; South Leigh Creek	200
98 Hubbard, Susan; June 1, 1891; North Leigh Creek and	120
Middle Leigh Creek	150
98 Harrop, Samuel; June 1, 1891; Leigh Creek	200
98 Hill, Mary Ann; June 1, 1891; Pack Saddle Creek	160
98 Clark & Houghton; June 1, 1891; Teton River	160
98 Dewey, George A.; June 1, 1891; Fox Creek	160
98 Barney, Walter; June 1, 1891; South Leigh Creek	100
98 Bowles, Sarah; June 1, 1891; Spring Creek	640
98 Blamires, Robert, and C. J. Burton, W. S. Burton and	40
Thomas H. Phillips; June 1, 1891; Badger Creek	300
and springs on land of T. A. Phillips	
98 Edlefson, Noah C.; June 1, 1891; Leigh Creek	
100 Siddoway Irrigation & Manufacturing Co.; July 1, 1891;	
Teton River	

PROFILED

22-429A

SCANNED
APR 29 2005
10-18-04





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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 26, 2003

DONALD P & JANE A STREUBEL
9648 CHESTNUT HILL DR
POCATELLO ID 83204

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-132A, 22-429A

Dear Mr. & Mrs. Streubel:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Kristen Forsgren
Office Specialist 1

Enclosure

PROFILED

SCANNED

APR 29 2005

OK YC
8/25/03

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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, 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
22-12767					
22-132A					
22-429A					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25
- 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) are 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)

Richard Levin

4. New Owner/Claimant(s)

Donald P. Streubel and Jane A. Streubel

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

New Mailing Address

9648 Chestnut Hill Dr.

City, State and ZIP Code

Pocatello, Idaho 83204

New Telephone Number

(208) 233-9235

5. Date you acquired the property

November 1, 2002

SCANNED

PROFILED

APR 29 2005

WARRANTY DEED

RECEIVED
NOV 01 2002
CLERK'S OFFICE

For Value Received **Richard J. Levin and Susan M. Levin, husband and wife**

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

Donald P. Streubel and Jane A. Streubel, husband and wife

whose address is: **9648 Chestnut Hill Drive, Pocatello, Id 83204**

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

Beginning at a point 990 feet West of the East quarter corner of Section 27, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence South 400 feet; thence East 400 feet; thence North 400 feet; thence West 400 feet to the point of beginning.

Beginning at the East quarter corner of Section 27, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence South 1320 feet; thence West 990 feet; thence North 920 feet; thence East 400 feet; thence North 400 feet; thence East 590 feet to the point of beginning.

TOGETHER WITH twelve (12) inches of 1891 Decree and forty (40) inches of 1916 Decree in the North Leigh Creek, and all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto.

TOGETHER WITH all mineral, gas, oil and geothermal rights thereon.

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

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

Dated: October 29, 2002

Richard J. Levin
Richard J. Levin

Susan M. Levin
Susan M. Levin

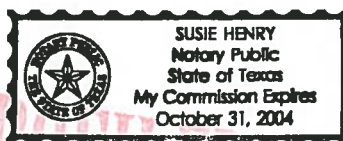
Instrument # 151099

DRIGGS, TETON, IDAHO
2002-11-01 03:50:50 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE COMPANY
NOLAN G. BOYLE Fee: 3.00
Ex-Officio Recorder Deputy Reulmer
Index to DEED WARRANTY

STATE OF Texas
COUNTY OF Brewster ss.

On this 29th day of October, 2002, before me, a Notary Public, personally appeared Richard J. Levin and Susan M. Levin, known or identified to me (or proved to me on the oath of _____), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

[Signature]
Notary Public of Texas
Residing at Lajitas
Commission Expires: 10/31/04



SCANNED
APR 29 2005



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

May 2, 1989

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Richard T. Knight
All West Realty
20 South Main Street
Driggs, ID 83422

Dear Mr. Knight:

Enclosed for your records are three (3) Notices of Claim, generated by computer entry with the information provided on the Notice of Claim forms from Richard J. and Susan M. Levin.

Copies of the first and second pages from each original notice are attached to the printed notices showing the modifications made during computer entry.

The warranty deed provided with the Levin notices stated that 12 inches, (0.24cfs) of the 1891 right were conveyed in the purchase. Notice A22-00429A, however, lists 12.5 inches (0.25cfs). The claimant may wish to amend this notice to reflect the amount stated on the warranty deeds.

The claimants may also be interested to know that Department personnel conducted a field inspection of the place of use in November, 1985. The inspection revealed that of the 30 acres owned by Mr. Levin, 19 acres had historically been irrigated under these rights. The inspection was related to the processing of an application for transfer of a portion of water right A22-00429, filed by William O'Brien.

Naturally, if you have questions, feel free to contact this office.

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

SCANNED

APR 29 2005

MICROFILMED

NOV 04 1992

PROFILED

ALL WEST REALTY



RECEIVED

APR 27 1989

Department of Water Resources
Eastern District Office

20 SOUTH MAIN ST. DRIGGS, IDAHO 83422
OFFICE (208) 354-8601 RICHARD T. KNIGHT, BROKER HOME (208) 354-2976

26 April, 1989

Idaho Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401

Dear Sirs;

Enclosed are claims for 3 water rights in Teton County, Idaho. You will note that the normal filing fee plus late fees are included in the enclosed check.

The letter and Request for Extension enclosed are self-explanatory.

I have talked with Mr. Brunson. The reason these water rights were not filed, is the Water Board set up in Driggs told him he did not need to file because the water right diversion point was in Wyoming.

The new owners of the Brunson property (Levin's) would like the water rights filed. I have also talked with Boise and they suggest that we file.

We are asking that you consider not charging the late fee on the decreed rights, but, we know the late fee on the well is valid.

Please return the completed filing to me for deposit with the Levin's.

Thank you for your consideration in this matter.

Sincere and Kindest Regards.


R. T. Knight

PROFILED

SCANNED

APR 29 2005

MICROFILMED

NOV 04 1992

Date Received

APR 13 1989

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

RICHARD J. AND SUSAN M. LEVIN
Name of Claimant

P.O. Box 486, Driggs, ID 83422
Post Office Address

83422
City, State, Zip Code

TETON
County(s) where Place of Use is located

6th October 1988
Date Claim Originally Due

"See Attached Sheet"

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

Due to divorce and many personal problems
the then owners of the property did not file
for the water rights (See letter enclosed)

Claimant requests an extension to June 1, 1989 or before.

Richard T. Brought
Signature

Broker, All West Realty.
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby
granted ☒ denied,
and the filing deadline extended to _____ 19____.

Signed this 17 day of April, 1989.

DAVID B. SHAW
Director or his designated agent

MICROFILMED

NOV 04 1992

APR 29 2005

PROFILED

COPY



COPY

20 SOUTH MAIN ST. DRIGGS, IDAHO 83422
OFFICE (208) 354-8601 RICHARD T. KNIGHT, BROKER HOME (208) 354-2976

10 April, 1989

State of Idaho
Department of Water Resources

Dear Sir; Attention Mr. Dave Shaw

The water rights shown on the enclosed legal description were not filed by the due date of 6 October, 1988.

The property was sold by William O'Brien on a Contract of Sale dated October 15, 1979 to Carl and Kristine Brunson.

An assignment of Contract was taken by Richard T. and Barbara A. Knight on October 12, 1987.

Richard and Barbara Knight did not know the water rights had not been filed until the property was sold to Richard J. and Susan M. Levin (set for closing April 15, 1989). This sale took place on 9 March, 1989.

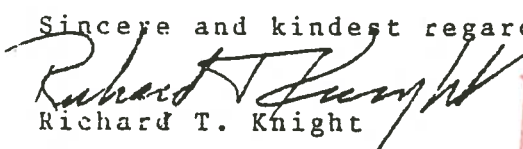
It is the request of Richard and Barbara Knight that an extension be allowed and the water rights be filed in the name of the new owners, Richard J. and Susan M. Levin as soon as possible.

Richard T. Knight, writing this letter is also the Broker for All West Realty handling the sale of the property to the Levin's.

Upon your receiving this letter please call All West Realty (208-354-8601) collect if you have any questions.

During the time the Water Resources Board was set up in Driggs, I spent considerable time filing rights for many out of state clients. Their water rights would be protected by my efforts, and had this 30 acres not sold at the present time, I may have lost these decreed rights.

I wish to thank you in advance for your attention to this matter.

Sincere and kindest regards,

Richard T. Knight

SCANNED

APR 29 2005

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NOV 04 1992

WARRANTY DEED

For Value Received CARL A. BRUNSON, III and KRISTINE BRUNSON

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

RICHARD J. LEVIN and SUSAN M. LEVIN, husband and wife
3300 Ridge Pike, Eagleville, Pa. 19403

the grantee s , the following described premises, to-wit:

Beginning at a point 990 feet West of the East quarter corner of Section 27, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence South 400 feet; thence East 400 feet; thence North 400 feet; thence West 400 feet to the point of beginning.

Beginning at the East quarter corner of Section 27, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho and running thence South 1320 feet; thence West 990 feet; thence North 920 feet; thence East 400 feet; thence North 400 feet; thence East 590 feet to the point of beginning.

Together with twelve (12) inches of 1891 Decree and forty (40) inches of 1916 Decree in the North Leigh Creek, and all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto.

Together with all mineral, gas, oil and geothermal rights thereon.

Subject to reservations in United States and State Patents: existing and recorded Right-of-Ways, Easements, Zoning, Building and Subdivision ordinances; Taxes and Assessments as prorated between the parties hereto

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

Dated: April 14, 1989

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APR 29 2005

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Carl A. Brunson, III

Kristine Brunson

CLAIMANT'S NAME Levin, Rick R. CLAIM ENT. NO. A22-00429A

DATE RECEIVED April 27, 1989 CK # 520. AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? ☒ | | | |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ | | | |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | |
| 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? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☒ | |
| 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, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 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.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☐ | ☒ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be receipted and data entered? | ☒ | ☐ | |

Claim checked by: Ernest Carben Date: 1 May 1989

Claim must be returned to claimant: ☐ (Yes) ☒ (No)

Claimant must be notified of modifications: ☒ (Yes) ☐ (No)

Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: _____ Date: _____

Comments: _____

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APR 23 2005

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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 22-429A
Date Received: 5/1/1989
Receipt No: E007070
Received By:

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

1. Name of Claimant(s)

DONALD P STREUBEL Phone: (208) 233-9235
9648 CHESTNUT HILL DR
POCATELLO ID USA 83204

JANE A STREUBEL Phone: (208) 233-9235
9648 CHESTNUT HILL DR
POCATELLO ID USA 83204

2. Date of Priority: 06/01/1891

3. Source: NORTH LEIGH CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	46E	29	NW NE	TETON	

5. Description of diverting works:

NORTH LEIGH CREEK CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.25	

7. Total Quantity Appropriated is:
0.25 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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APR 29 2005

06N	45E	27	NE	SE	IRRIGATION	30
					Section Acres	30
					Total Acres	30

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THE POINT OF DIVERSION LISTED AS BEING SECTION 29, TWP 6N, R46E IS WHERE THE NORTH LEIGH CREEK CANAL ENTERS IDAHO. THE HEADING OF THIS CANAL IS IN WYOMING. THE NORTH LEIGH CREEK CANAL MAINTAINS THE DITCH ONLY. EACH INDIVIDUAL IS RESPONSIBLE FOR FILING THEIR OWN CLAIM TO THE DECREED RIGHTS.

15. Basis of Claim: Decreed

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: A22-00429A
Date Received: 5/02/1989
Receipt No: E007070
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD J. LEVIN
Address: 133 W 650 N
TETONIA, ID

83452

AND

Name: SUSAN M. LEVIN
Address: 133 W 650 N
TETONIA, ID

83452

2. Date of Priority: JUN 01, 1891

3. Source: NORTH LEIGH CREEK

Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	46E	29	NW		NE		TETON

5. Description of diverting works:
NORTH LEIGH CREEK CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.250		

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

A.F.A.

8. Total consumptive use is 105.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A22-00429A

Page 1

Date: 05/02/89

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APR 29 2005

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A2200429A



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	45E	27	NE SE		IRR	30.0
Section Acres						30.0
Total Acres						30.0

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:
40 INCHES OF 1916 DECREE

14. Remarks:

THE POINT OF DIVERSION LISTED AS BEING SECTION 29, TWP 6N, R46E IS WHERE THE NORTH LEIGH CREEK CANAL ENTERS IDAHO. THE HEADING OF THIS CANAL IS IN WYOMING. THE NORTH LEIGH CREEK CANAL MAINTAINS THE DITCH ONLY. EACH INDIVIDUAL IS RESPONSIBLE FOR FILING THEIR OWN CLAIM TO THE DECREED RIGHTS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

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: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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 A22-00429 A.

Date Received _____

Receipt Number _____

RECEIVED

APR 27 1989

Department of Water Resources
Eastern District Office

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

Please type or print clearly

1. Name of Claimant (s) Richard J. and Susan M. Levin Phone () _____
Mailing Address 133 W. 650 N. Tetonia, ID Zip 83452

2. Date of Priority (Only one (1) per claim) 12 inches of 1891 decree, see attached sheet

3. Source of water supply (a) North Leigh Creek
which is tributary to (b) Teton River

4. a. Location of existing point of diversion is: Township 6N Range 46 EBM Section 29,
NW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

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. North Leigh Creek Canal

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 1 Apr to 1 Nov amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .25 (cfs) and/or (b) .5 (acre feet)

8. Total consumptive use claimed is 105 acre feet per annum.

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

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	45E	BM 27													30 ac.				

Total number of acres irrigated 30 acres

11. In which county (ies) are lands listed above as place of use located? Teton

12. Do you own the property listed above as place of use? Yes x No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
40 inches of 1916 decree or None ()

14. Remarks: The point of diversion listed as being Section 29, TWP 6N, R46
EBM is where the North Leigh Creek Canal enters Idaho. The heading of
this canal is in Wyoming. The North Leigh Creek Canal maintains the
ditch only. Each individual is responsible for filing their own claim
to the decreed rights.

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Last Name Levin Ident No. _____

Copies: White -State, Yellow-Claimant

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree xx

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Richard Levin Date 4-15-89

Susan Levin Date 4-15-89

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Pa)
County of Montgomery) SS.

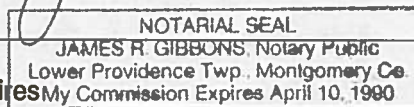
Subscribed and sworn (or affirmed) before me this 15 day of April 19 89

SEAL

Notary Public James R. Gibbons

Residing at _____

My Commission Expires _____



Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

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Last Name Levin Ident. Number _____

Copies White-State, Yellow-Claimant