

11/20/2006

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

RIGHT NUMBER: 22-443A
NAME AND ADDRESS: WILLIAM M WIRTHLIN
402 CANYON OAK WAY
SALT LAKE CITY UT 84103
SOURCE: SPRING CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.780 CFS
PRIORITY DATE: 06/01/1899
POINT OF DIVERSION:

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

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.780 CFS

PLACE OF USE:

IRRIGATION in TETON County

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

155 ACRES TOTAL

155

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

This right is limited to the irrigation of 80 acres within the place of use
described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

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



Idaho Department of Water Resources

SRBA Recommendation:

22-443A

(Irrigation)

Legend

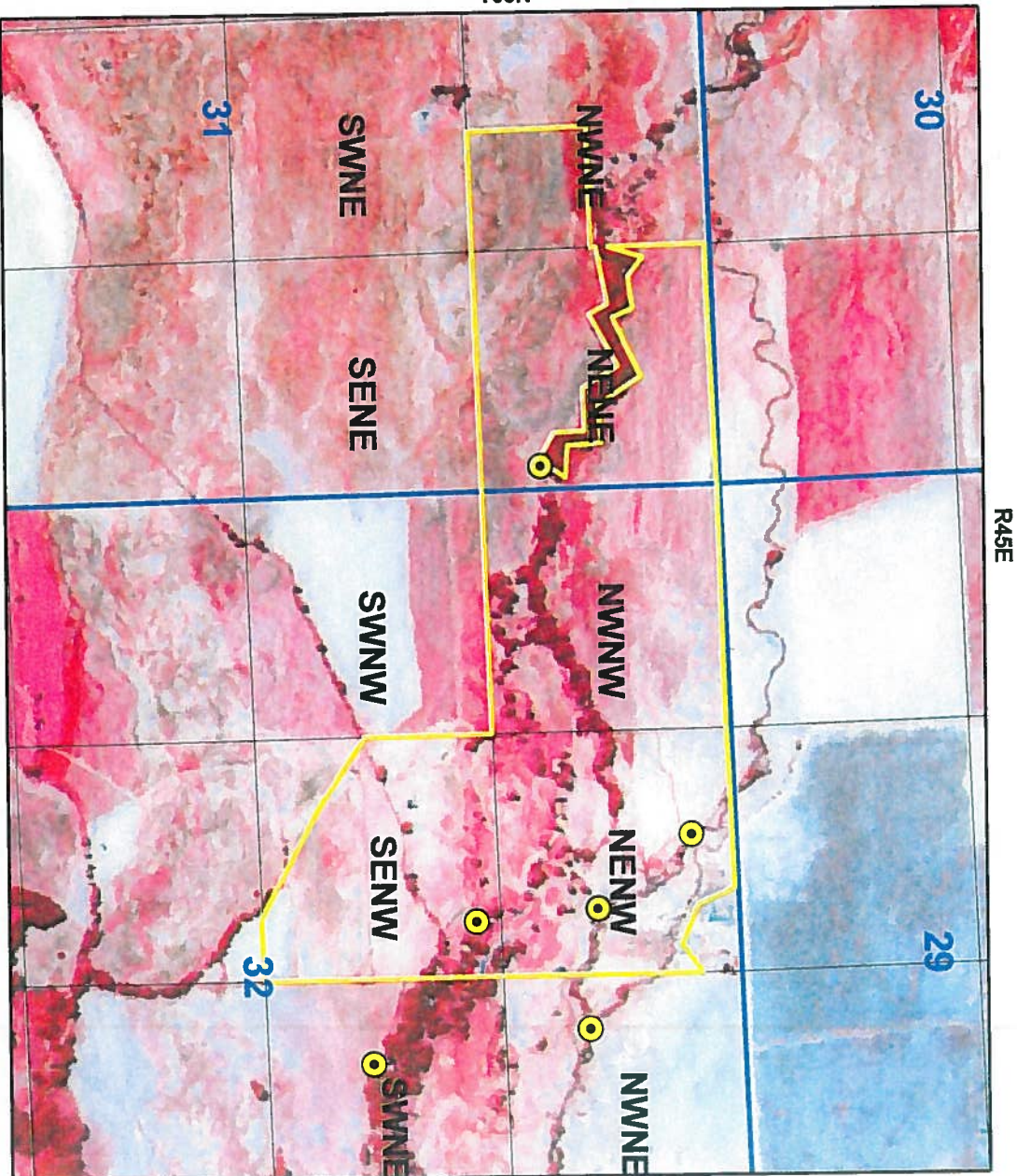
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22



T06N



0

0.4

0.8 Miles

Prepared by D. Carlson
On Monday, November 20, 2006
1987/88 Aerial Photography

Claim No. 22-443A

Document Checklist

☒ Copy License/Decree

Dexburg 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

own half or .80

80 ACRES

32 NENW
SE NW

CLAIMED

447-1897-.78

443-1899-.78

3240-1898-1.52

133-1916-1.60

308 154 ac

COOK DUNN 13

COOK DUNN 14

BUXTON

- UNNAMED -

- UNNAMED -

POD # 1

GPS Tag on Back.
A0014371



There are Two POD's
IN this Leg

This is the First
under GPS #
22-00443A A

POV # 1

GPS Tag on Back.
A0014372



There are Two pod's
IN this legal

This is the 2nd
under GPS
22-00443A B

POD # 2.

There is NO GPS Tag



This GPS #
22-00443A C.

NO GPS Tag



This Gps #

22-00443A D

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	06N	45E	32		NENW	Teton	Spring CK	Teton River
②	"	"	"		SE NW	"	"	"

Recommended Point(s) of Diversion and Source.

	Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
①	06N	45E	32		NENW	Teton	Spring CK	Teton River
②	"	"	"		SE NW	"	"	"
③	"	"	"		SW NE	"	"	"
④	06N	45E	31		SE NENE	"	"	"

Other rights from this POD? _____

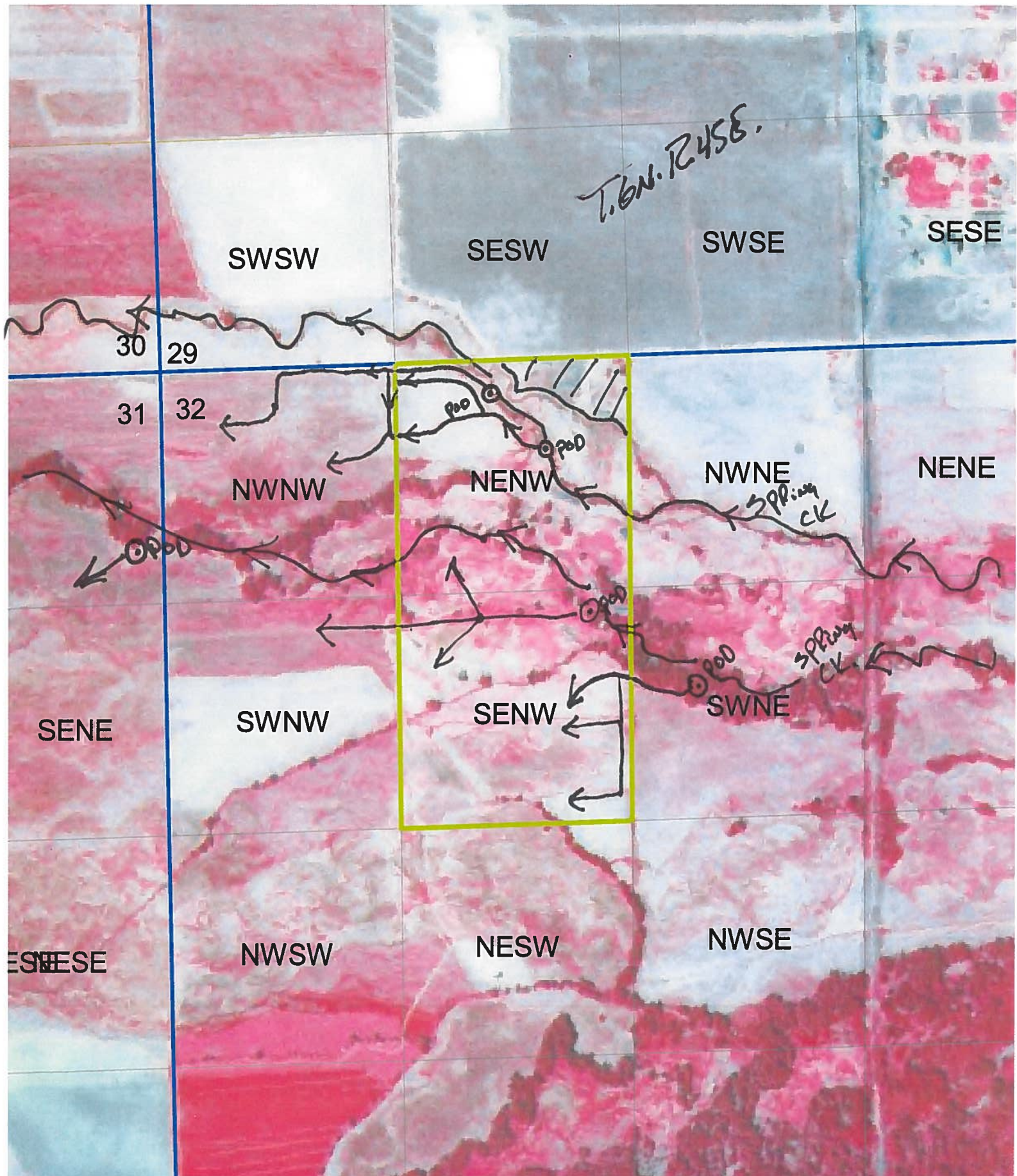
Transfers Pending or approved: _____

Document how the POD and Source were verified:

- ① There are two POD in 06N 45E 32 NENW The
1- GPS Tag # A0014371 2- GPSTag # A0014372
- ② The POD NO Headgate NO GPS-Tag!
- ③ The POD Cement Headgate in FRANK HANSEN Tag # A0012246
- ④ There is NO Headgate NO GPS Tag!

Reviewer: _____ Date: _____

22-443A





State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MARCH 15, 1995

TETON PROPERTIES LLC
6301 HAGGERTY RD
BELLEVILLE MI 48111

RE: CHANGE IN OWNERSHIP FOR A22-00334A, -00442A, -00443A,
-00526, -00527, AND -11995

Dear Sirs:

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

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

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

Respectfully submitted,

A handwritten signature in cursive script that reads "Jo Thompson".

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

MICROFILMED
NOV 06 1995

INTER-DEPARTMENT MEMO — 1

FROM G. TAYLOR

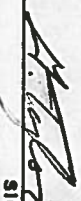
DATE 3-21-95

TO FILES 122-00334A, 00442A, 00443A, 00526, 00527, 11995

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

Are any of these rights from Fox Ct to be changed? 360 + 361? NO!

GO AHEAD AND
DO 11995!


SIGNATURE

MICROFILMED
NOV 06 1995

HOPKINS, RODEN, CROCKETT, HANSEN & HOOPES
LAWYERS

SALISBURY BUILDING - 428 PARK AVENUE
P.O. BOX 51219
IDAHO FALLS, IDAHO 83405-1219
TELEPHONE (208) 523-4445
FAX (208) 523-4474

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

ROBERT A. deGROOT
REGISTERED PATENT AGENT

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

March 15, 1995

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

RECEIVED

MAR 16 1995

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

Department of Water Resources
Eastern District Office

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

Gentlemen:

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

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

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

Very truly yours,



C. Timothy Hopkins

CTH/lc
Encl.

MICROFILMED

NOV 06 1990

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A22-00443A**
Date Received: 10/ 4/1988
Receipt No: E002890
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

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

48111

2. Date of Priority: JUN 1, 1899

3. Source: SPRING CREEK

Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	32	NE	NW			TETON
			SE	NW			TETON

5. Description of diverting works:
DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	12/01	0.780		

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

A.F.A.

8. Total consumptive use is 156.0 Acre Feet Per Annum

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	32	NE	NW		IRR	38.0
			SE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	78.0
					Total Acres	78.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
A22-00442A

14. Remarks:
CHANGED OWNERSHIP 3/21/95/JT/GT

15. Basis of Claim: DECREED

Water Right Number: 220443

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRRIGATION
Decree Plaintiff

TETON IRRIGATION CANAL
vs Decree Defendant

MICROFILMED
NOV 06 1995

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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: 39577

Ident. Number: A22-00443A
Date Received: 7/26/1988
Receipt No: 6002890
Received By: HWJ

A2200443A



NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT BEAN
Address: 339 HARPER AVE
DRIGGS, ID

208-354-2369

83422

2. Date of Priority: JUN 01, 1899

3. Source: SPRING CREEK

Trib. to: TETON RIVER

4. Point of Diversion:

AUG 29 1988

Department of Water Resources
Eastern District Office

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	32		NE	NW		TETON
				SE	NW		TETON

5. Description of diverting works:
DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	12/01	0.780		

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

A.F.A.

8. Total consumptive use is 156.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	32		NE	NW	IRR	38.0
				SE	NW	IRR	40.0

Section Acres 78.0

A22-00443A

Page

1

Date: 07/26/88

MICROFILMED
NOV 05 1992

10. Place of Use: Continued

Total Acres 78.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
A22-00442A

14. Remarks:

15. Basis of Claim: DECREED
Water Right Number: 220443
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRRIGATION
Decree Plaintiff

vs

TETON IRRIGATION CANAL
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): [Signature] Date: 25 Aug 88

Date: _____

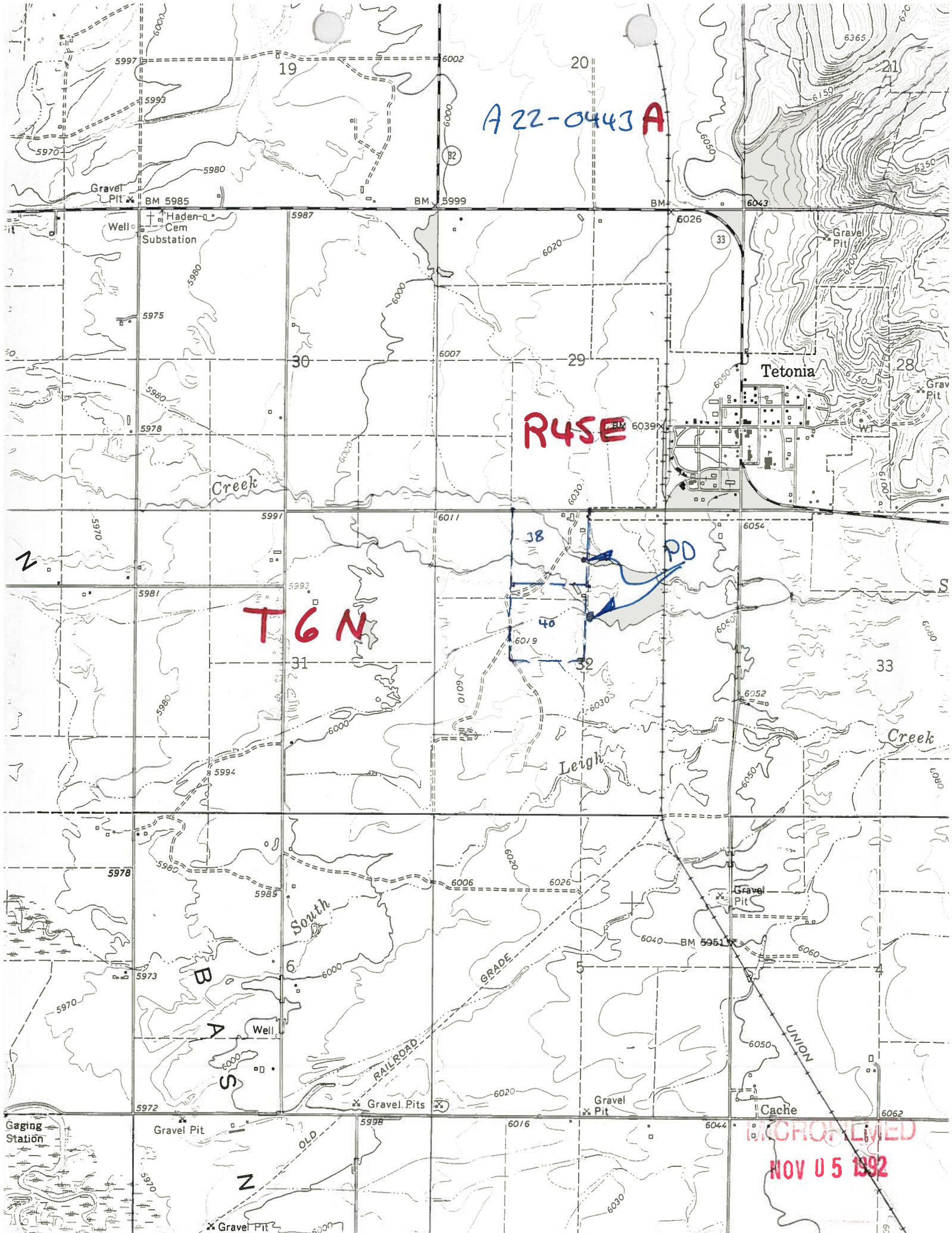
State of Oregon)
Idaho)
County of Multnomah) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of Aug 19 88

[Signature]
Notary Public
[Signature]

Seal

Residing at B+LD OR
My Commission Expires 12-16-88



A 22-0443 A

R4SE

T6N

PD

UNPROCESSED
NOV 05 1992