

12/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-481A

NAME AND ADDRESS: THE BOYD CHARLES SMITH & JILL JOHNSON SMITH TRUST
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

SOURCE: NORTH LEIGH CREEK TRIBUTARY: SPRING CREEK
Water is delivered from Middle Leigh Creek.

QUANTITY: 0.300 CFS
The rights listed below are limited to a total combined diversion rate of 2.18 cfs. Combined Right Nos.:22-130B, 22-481A, 22-482A, 22-483A, 22-2029D.

PRIORITY DATE: 04/01/1898

POINT OF
DIVERSION: T06N R46E S30 SENE 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	0.300 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T06N R45E S25 NESE 14.00 T06N R45E S25 NWSE 27.00		
	41 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 41.0 acres in a single irrigation season. Combined Right Nos.:22-130B, 22-481A, 22-482A, 22-483A, 22-2029D.

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 Ricks Canal.

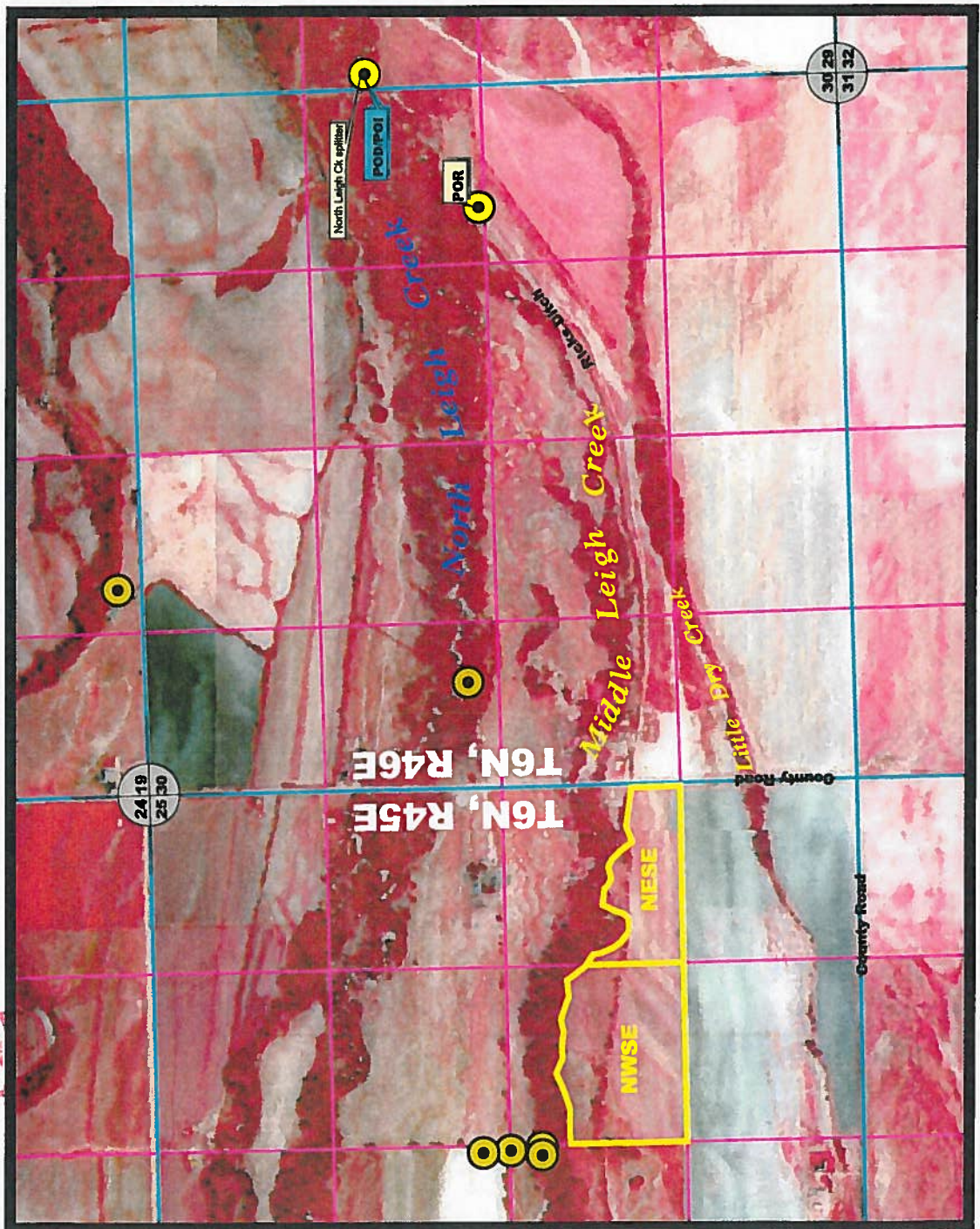
State of Idaho

Department of Water Resources

Eastern Region

SCANNED

JUN 21 2005



Water Right(s):
 22-130B,
 22-481A,
 22-482A,
 22-483A,
 22-2029

Point(s) of Diversion:
 T6N, R46E
 Sec. 29 NWSWNW (POD/POI)
 Sec. 30 SWSENE (POR)

Place of Use: (parts of)
 T6N, R45E Sec. 25 N2SE

Water delivered by Ricks Ditch.

LEGEND

- Point of Diversion
- SESE Place of Use
- Section
- Quarter-Quarter



GIS Place of Use Illustration
 1987/1988 NAPP Photography
 Prepared by: A. Ruberry
 Date: June 2005

Contacts Data Entry Form

Claim Number: 22-4B1A

Owner Type	Full Name	Address	City	State	Zip
Current Owner:	<u>Boyd Smith</u>				
Current Owner:					
Current Owner:					
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.

DECEASED UNDER ROXBURG TANG vs TOTO TANG, 1910, AS: #163
TO W. Richs, April 1, 1898, No LBRH CR, 40 INCHES. (0.80 cts).

3/4/04 TO DATE, ONLY 22-4B1A IS CLAIMED @ 0.30 cts: 0.50 cts UNCLAIMED?

FB: POO/POU, Photo/GPS, CONVOYANCE/System
OVERLAP OF OTHER RIGHTS — 130B, 2029, 482A, 483A

Reviewer: _____ Date: _____

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Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: April 1, 1898 Claimed Basis: DEGREE

Recommended Priority Date: April 1, 1898 Recommended Basis Novelty

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

MATCHES DECEASED

Reviewer: _____

Date: _____

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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
6N	45E	30		SESENE	TETON	NOLICH CK	TETON RIVER

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
							SPRING CK

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

TRIG TO SPRING CREEK - WHICH IS TRIG TO TETON RIVER

Reviewer: _____ Date: _____

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Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
10N	45E	25	NESE		Teton	14		Range
			NWSE		"	32		"

Total acres 468

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Document how the POU was verified:

Overmap w/ 22-2029 (maybe others)

Reviewer: _____ Date: _____

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Season of Use and Quantity Data Entry Form

Claim Number: _____

Water 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
<i>Tring</i>	<i>4/15</i>	<i>10/15</i>	<i>0.30</i>	

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Tring</i>	<i>4/15</i>	<i>10/31</i>	<i>0.30</i>	

Overall Diversion Rate _____

Overall Diversion Volume _____

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

SOU NOT DETERMINED BY DIVERSES - DOTT STO IS 4/15 TO 10/31 => APPROVED?

*Combined Use**Remarks w/**22-2029 +**OTHERS?**w/ County loss 5%/yr**400's*

Reviewer: _____

Date: _____

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JUN 21 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 24, 1999

TERESA L STURM
HOPKINS RODEN CROCKETT HANSEN & HOOPES PLLC
PO BOX 51219
IDAHO FALLS ID 83405-1219

RE: CHANGE OF WATER RIGHT OWNERSHIP FOR TWINING TO BOYD C. & JILL J. SMITH TRUST

Dear Ms. Sturm:

Please refer to the following columns:

A22-00042	A22-00488	22-11544	A22-00208
A22-00063	A22-00489	22-12134	
A22-00130B		22-12135	
A22-00130D		22-12136	
A22-00136C		22-12137	
A22-00160			
A22-00312			
A22-00313			
A22-00481A			
A22-00482A			
A22-00483A			
A22-00487C			
A22-00515B			
A22-00516B			
A22-00517B			
A22-00616			
A22-02029			
A22-04040			

The first column represents the claims that have been changed into the name of Boyd C. & Jill J. Smith Trust. Copies of computer print-outs reflecting this change are enclosed.

The claims in the second column were combined together in 1997 to form a new claim, and this claim was renumbered to A22-13016. The name was changed on this claim to Boyd C. & Jill J. Smith Trust. A computer print-out of this change is enclosed.

The claims in the third column are all domestic and stock claims, currently before the Snake River Basin Adjudication Court in Twin

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Falls. I am required to notify the court of the change in owner and I am in the process of doing this. The owner will be changed to reflect Boyd C. & Jill J. Smith Trust and these claims will be sent to you in another mailing.

Finally, the fourth column reflects the claims that were not changed to reflect your client as the current owner. Claim A22-00208 was split in 1991 into an "A" part and a "B" part. Our records show that neither part was in the name of Twining. Again in 1991 the "B" part was split four more times into a "C" "D" "E" and "F". Again, our records show that none of these parcels of property was in the name of Twining. If the Smith's can prove through legal documents that they own all or some of these parts, then our office will proceed with this change. Otherwise, there is not enough evidence at this time. Copies of computer print-outs for A22-00208 and A22-00208B are enclosed.

If you have further questions regarding these matters, please contact me or Senior Water Agent Dave Carlson.

Sincerely,



Jennifer Hoagland
Technical Records Specialist

Enclosures

cc: Boyd C. & Jill J. Smith

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OLD
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JUN 15 1999

HOPKINS RODEN CROCKETT HANSEN & HOOPES, PLLC
LAWYERS

SALISBURY BUILDING · 428 PARK AVENUE

P.O. BOX 51219

IDAHO FALLS, IDAHO 83405-1219

TELEPHONE (208) 523-4445

FAX (208) 523-4474

E-MAIL hrchh@srv.net

Department of Water Resources

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

OF COUNSEL

JOHN MICHAEL BRASSEY
ORVAL HANSEN
GEORGE DENISON

REGISTERED PATENT AGENT

ROBERT A. deGROOT

802 WEST BANNOCK · SUITE 900

P.O. Box 2110

BOISE, IDAHO 83701-2110

TELEPHONE (208) 336-7930

FAX (208) 336-9154

E-MAIL rodan@micron.net

8 E. STREET S.E.

WASHINGTON, D.C. 20003

TELEPHONE (202) 546-0360

FAX (202) 546-6294

E-MAIL cipr@aol.com

C. TIMOTHY HOPKINS
WILLIAM C. RODEN
GREGORY L. CROCKETT
JOHN D. HANSEN
D. FREDRICK HOOPES
LARY S. LARSON
PAUL B. RIPPEL
TERESA L. STURM
STEVEN K. BROWN
DAVID H. SHIPMAN
KATHERINE STEELE MORIARTY
JOHN R. ROWE
REED E. ANDRUS
CURTIS R. SMITH
LANCE J. SCHUSTER

June 9, 1999

Department of Water Resources
Attn. Glen Saxton
1301 N. Orchard Street
Boise, ID 83706

Re: New Property Owner Notice of Change of Water Right Ownership/
State of Idaho Department of Water Resources Assignment of Notice
of Claims

Dear Glen:

We enclose with this correspondence two documents, a New Property Owner Notice of Change of Water Right Ownership and an Assignment of Notice of Claims these documents represent notice to the department of a change in water rights ownership in attendant to the purchase of certain real property located in Teton County by our clients, Boyd and Jill Smith. Apparently these documents have been languishing in someone's file for a considerable period of time but have never been forwarded to the appropriate office. Our records reflect that the documents were originally filed and that suggestions were made for changes and corrections. These current changes and corrections were made and the documents resubmitted but apparently no action has ever been taken on the same. We believe that the appropriate fee has already been submitted but again our uncertain whether that fact has been documented in your office.

We take this opportunity to forward these documents directly to your attention with the hope that you might forward them on to the appropriate office for proper processing. Please do not hesitate to contact me if you have questions or if there is additional information which is needed or if we need to review the matter of any fees or charges which need to be paid in conjunction with appropriate processing.

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JUN 21 2005

Thank you for you assistance in this very confusing situation.

Very Truly Yours,

for Anna J. Schuster
Teresa L. Sturm

TLS/dw
Enclosures

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JUN 21 2005

SEPTEMBER 17, 1996

TIMOTHY HOPKINS
PO BOX 51219
IDAHO FALLS ID 83405-1219

RE: CHANGE IN OWNERSHIP FOR TWINING AND SMITH

Dear Mr. Hopkins:

Enclosed are the documents you submitted to change the ownership from Twining to Smith. In order to process the change there are several items that need to be discussed.

First of all, "assignments for permits" are to be submitted to Jim Johnson's office in Boise with a fee of \$25. The address for the State office is 1301 N Orchard St, Boise ID 83706-2237.

The Department is now requesting a Warranty Deed with an aerial photo or platt map, showing the property being conveyed, accompany all Notices for Change of Ownerships (NCO). This applies even if both parties sign the NCO.

The Notices of Claim not found to be in Twining's name are "circled". They are A22-00043; 22-00489; and 22-00028.

A22-00063 is not listed on the NCO you sent, but it has been filed under Twining's name in the SRBA. Is it to be included in the "change"?

Please call if you have any questions regarding these changes or additions.

Sincerely,

Jo Thompson
Adjudication Secretary

Enclosure

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JUN 21 2005

JUN 15 1999

DC
6-22-99

Department of Water Resources RECEIVED

NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP SEP 16 1996Department of Water Resources
Eastern RegionDATE OF CLOSING: September 6, 1996LEGAL DESCRIPTION OF PROPERTY: See attached Warranty Deed

[] Served Only by a Public Service Water Supply (all 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 Rights Number(s)
Assigned by IDWR:

A22-00487C; A22-00488; A22-00515B; ✓
A22-00516B; A22-00517B; A22-00616; ✓
A22-02029; A22-04040; A22-11544; ✓
A22-12134; A22-12135; A22-12136; ✓
A22-12137; A22-00042; A22-00043; 63 ✓
A22-00130B; A22-00130D; A22-00136C; ✓
A22-00160; A22-00312; A22-00313; ✓
A22-00481A; A22-00482A; A22-00483A; A22-00488 ✓
22-00489; 22-0028 208 ✓

[x] Name and Address of Former
Owner/Claimant(s)(Seller):

Edmund S. Twining, III, a married man dealing
with his sole and separate property and Edmund
S. Twining, III and Jane Forbes Clark, II, acting
not individually but as Trustees of the Trust
under the Will of Susan Clark Twining for
Edmund S. Twining, III, also known as the
Residuary Trust U/W of Susan C. Twining
Post Office Box 101
The Plains, Virginia 20198

[x] New Owner/Claimant
(Purchaser):

Boyd Charles Smith and Jill Johnson Smith, or
their successors, not individually but as Trustees
of The Boyd Charles Smith and Jill Johnson
Smith Trust created by that certain Trust
Agreement dated Dember 13, 1990

[x] New Mailing Address:

3201 Ash Street
Palo Alto, California 94306-2240

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JUN 21 2005

[x] New Telephone Number: (415) 493-5411

[x] Does the change in ownership result in a splitting of the water right owned/claimed?
_____ yes _____ x no. If yes, then describe the portion of the
water right that is now owned/claimed by the new owner:

[x] Attach proof of ownership,
describe proof attached: Copy of Warranty 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
owner/claimant.)

[x] Signature of New
Owner/Claimant(s)

Boyd Charles Smith Date 30 Aug 96

Boyd Charles Smith, and his successors,
not individually, but as Trustee of The Boyd
Charles Smith and Jill Johnson Smith Trust
created by that certain Trust Agreement dated
December 13, 1990

Jill Johnson Smith Date 8/30/96

Jill Johnson Smith, and her successors,
not individually, but as Trustee of The Boyd
Charles Smith and Jill Johnson Smith Trust
created by that certain Trust Agreement dated
December 13, 1990

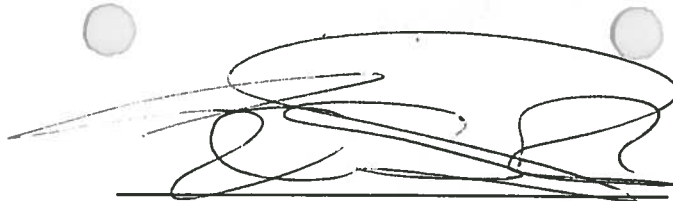
[x] Signature of Former
Owner/Claimant(s)

Edmund S. Twining, III Date Aug 20, 1996
Edmund S. Twining, III, Individually

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JUN 21 2005



Date August 20, 1996

Edmund S. Twining, III, not individually
but as Trustee of the Trust under the Will
of Susan Clark Twining for Edmund S.
Twining, III, also known as the Residuary
Trust U/W of Susan C. Twining



Date 8.22.96

Jane Forbes Clark, II, not individually
but as Trustee of the Trust under the Will
of Susan Clark Twining for Edmund S.
Twining, III, also known as the Residuary
Trust U/W of Susan C. Twining

(Signature of former claimant(s) is not required if
proof of ownership is attached)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Number of Split, if any:

Original to be mailed to Idaho Department of
Water Resources. Copies to Former Owner and
New Owner

G:\WPDATA\CAH5494\TWIN0819 NPO.jht

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JUN 21 2005

HOPKINS, RODEN, CROCKETT, HANSEN & HOOPES
LAWYERS

SALISBURY BUILDING - 428 PARK AVENUE

P.O. BOX 51219

IDAHO FALLS, IDAHO 83405-1219

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JOHN R. ROWE
REED E. ANDRUS
CURTIS R. SMITH
WILLIAM E. DEAN
MARK G. PANNELL*
STEVEN A. RICHARDS

*ADMITTED TO PRACTICE IN INDIANA ONLY

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

ROBERT A. deGROOT
REGISTERED PATENT AGENT

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

September 13, 1996

RECEIVED

SEP 16 1996

Department of Water Resources
Eastern Region

State of Idaho Department of Water Resources
900 North Skyline Drive
Idaho Falls, Idaho 83402-1718

Re: Twining/Smith--Teton County--Assignment of Claims--
Notice of Change of Water Right Ownership--Assignment of
Permit

Dear Folks:

This firm represents Boyd Charles Smith and Jill Johnson Smith who are the new owners and successors in interest of water rights and claims to water rights with respect to real property in Teton County, Idaho, formerly owned by Edmund S. Twining, III and others. You will see that we have enclosed an original Notice of Change of Water Right Ownership signed by the appropriate parties, an Assignment of Notice of Claims signed by the former owners and an Assignment of Permit signed by the former owners. We ask that these documents be filed by the Department and that your receipt of the same for filing be confirmed to us at the above address at your next convenience.

Should you have any questions in this matter please contact me at any time.
Thank you for your cooperation and assistance.

Very truly yours,


C. Timothy Hopkins

CTH/jmk
Encs.

cc: Boyd C. Smith

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JUN 21 2005

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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

NOVEMBER 9, 1994

EDMUND S TWINING III
SUSAN C TWINING
PO BOX 101
TETONIA ID 83452

RE: CHANGE IN OWNERSHIP FOR A22-00130B, -00481A, -00482A,
-00483A, -02029, & -11544

Dear Claimants:

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

cc: Charles Homer/Holden, Kidwell, Hahn & Crapo

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NOV 06 1994

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JUN 21 2005

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

DATE OF CLOSING: _____.

LEGAL DESCRIPTION OF PROPERTY: See description on attached
Warranty 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(s): A22-00130B, A22-00481A,
A22-00482A, A22-0483A, A22-02029
and A22-22-11544.

[X] Name and Address of Former
Owner/Claimant(s): Lawrence C. Tisdell
Curtis N. Tisdell
Charles F. Dahl
Box 427, Driggs, Idaho, 83422

[X] New Owner/Claimant(s): Edmund S. Twining, III, and
Residuary Trust U/W of Susan C.
Twining

[X] New Mailing Address: P.O. Box 101
Tetonia, Idaho, 83452

[X] New Telephone Number: (208) 456 - 2310

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

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

MICROFILMED
NOV 06 1990

FRONT

SCANNED
JUN 21 2005

[X] Signature of New
Owner/Claimant(s):

Date:

[] Signature of Former
Owner/Claimant(s):

Date:

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

Copy of Warranty 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

7574m/srs

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NOV 06 1999

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: A22-00481A
Date Received: 9/14/1988
Receipt No: E002290
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: EDMUND S TWINING III
Address: SUSAN C TWINING
PO BOX 101
TETONIA ID

208-456-2310

83452

2. Date of Priority: APR 1, 1898

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	45E	30	SE	SE	NE		TETON

5. Description of diverting works:
HEADGATE IN STREAM TO EDISON & RICKS CANAL. FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.300		

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

8. Total consumptive use is 92.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	45E	25	NE	SE		IRR	14.0
			NW	SE		IRR	32.0

MICROFILMED

NOV 06 1990

A22-00481A

FILED

Page

1

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JUN 21 2005

Date: 11/08/94

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	46.0
					Total Acres	46.0

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:

22-00130B,00482,00483,2029 (NORTH LEIGH CREEK CANAL)

14. Remarks:

HEADGATE UPPER END OF EDISON & RICKS CANAL. USE THREE HEADINGS FROM CANAL TO FLOOD IRRIGATE PLACE OF USE. SPLIT BY OWNERSHIP. CHANGED OWNERSHIP 11/8/94/JT

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

MICROFILMED
NOV 06 1999

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: A22-00481A
Date Received: 9/14/1988
Receipt No: E002290
Received By: ED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAWRENCE C. TISDEL 208-456-2653
Address: P.O. BOX 427
DRIGGS, ID 83422
OR
Name: CURTIS N. TISDEL 208-456-2653
Address: P.O. BOX 427
DRIGGS, ID 83422
OR
Name: CHARLES F. DAHL 208-456-2653
Address: P.O. BOX 427
DRIGGS, ID 83422

2. Date of Priority: APR 01, 1898

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	45E	30	SE	SE	NE		TETON

5. Description of diverting works:
HEADGATE IN STREAM TO EDISON & RICKS CANAL. FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.300		

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

8. Total consumptive use is 92.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-00481A

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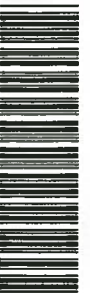
Date: 09/14/88

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NOV 05 1992

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	25	NE	SE		IRR	14.0
			NW	SE		IRR	32.0
						Section Acres	46.0
						Total Acres	46.0

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:

22-00130,00483,00482,2029 (NORTH LEIGH CREEK CANAL CO.)

14. Remarks:

HEADGATE UPPER END OF EDISON & RICKS CANAL. USE THREE HEADINGS
FROM CANAL TO FLOOD IRRIGATE PLACE OF USE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL
Decree Defendant

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MICROFILMED
NOV 05 1994

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 02

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): Jamie C. Tisdell Date: 9/14/88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of Sept 19 88

[Signature]
Notary Public

Residing at Idaho Falls, Id.
My Commission Expires 22 Aug 1994



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DATE: 06/24/99
PAGE: 1

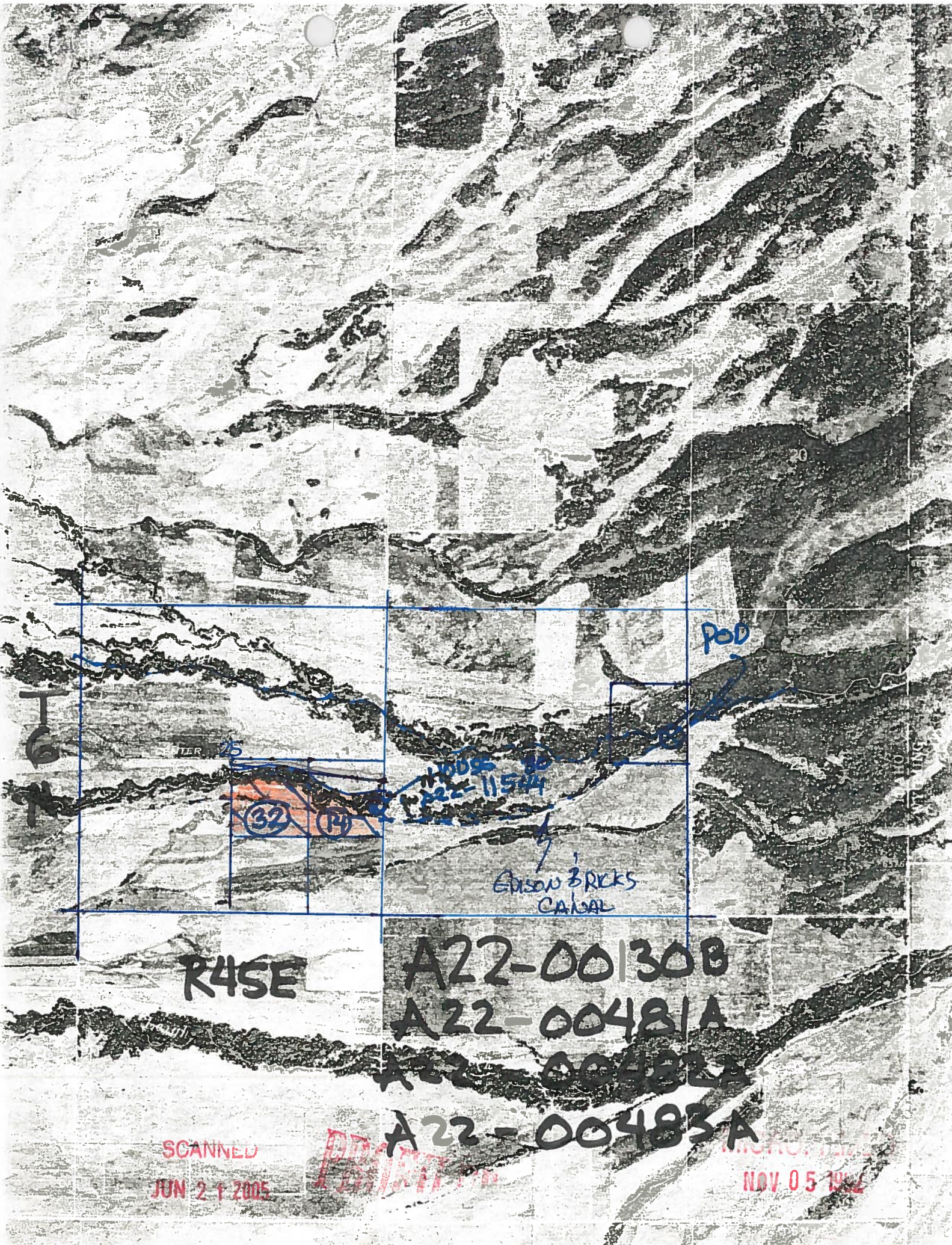
Stage: DECREED

TETON County

46.0

Presumption Flag:

SCANNED
JUN 21 2005



R45E

A22-00130B

A22-00481A

A22-00482A

A22-00483A

SCANNED

JUN 21 2005

NOV 05 1962

EXHIBIT B

DESCRIPTION OF WATER RIGHTS

Attached to and forming part of that certain Warranty Deed dated July 11, 1986, between Kathleene Schrock as Grantor, and Lawrence C. Tisdell, Charles F. Dahl and Curtis N. Tisdell, as Grantees.

All of Grantor's water and water rights, ditch and ditch rights, appurtenant or otherwise related to the property described on Exhibit A hereto, whether represented by decree, license, or otherwise, including, but not limited to, the following:

1. That certain 1916 decreed water right for 1.2 c.f.s. of surface water from North Leigh Creek as appears under identification no. 22-0130 of the Department of Water Resources of the State of Idaho.
2. That certain 1898 decreed water right for .3 c.f.s. surface water from North Leigh Creek as appears under identification no. 22-0481 of the Department of Water Resources of the State of Idaho.
3. That certain 1900 decreed water right for .9 c.f.s. surface water from North Leigh Creek as appears under identification no. 22-0482 of the Department of Water Resources of the State of Idaho.
4. That certain 1904 decreed water right for 3 c.f.s.

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JUN 21 2005
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