

12/19/2006

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

---

RIGHT NUMBER: 22-482A

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: 0.900 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: 06/01/1900

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                     | 0.900 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

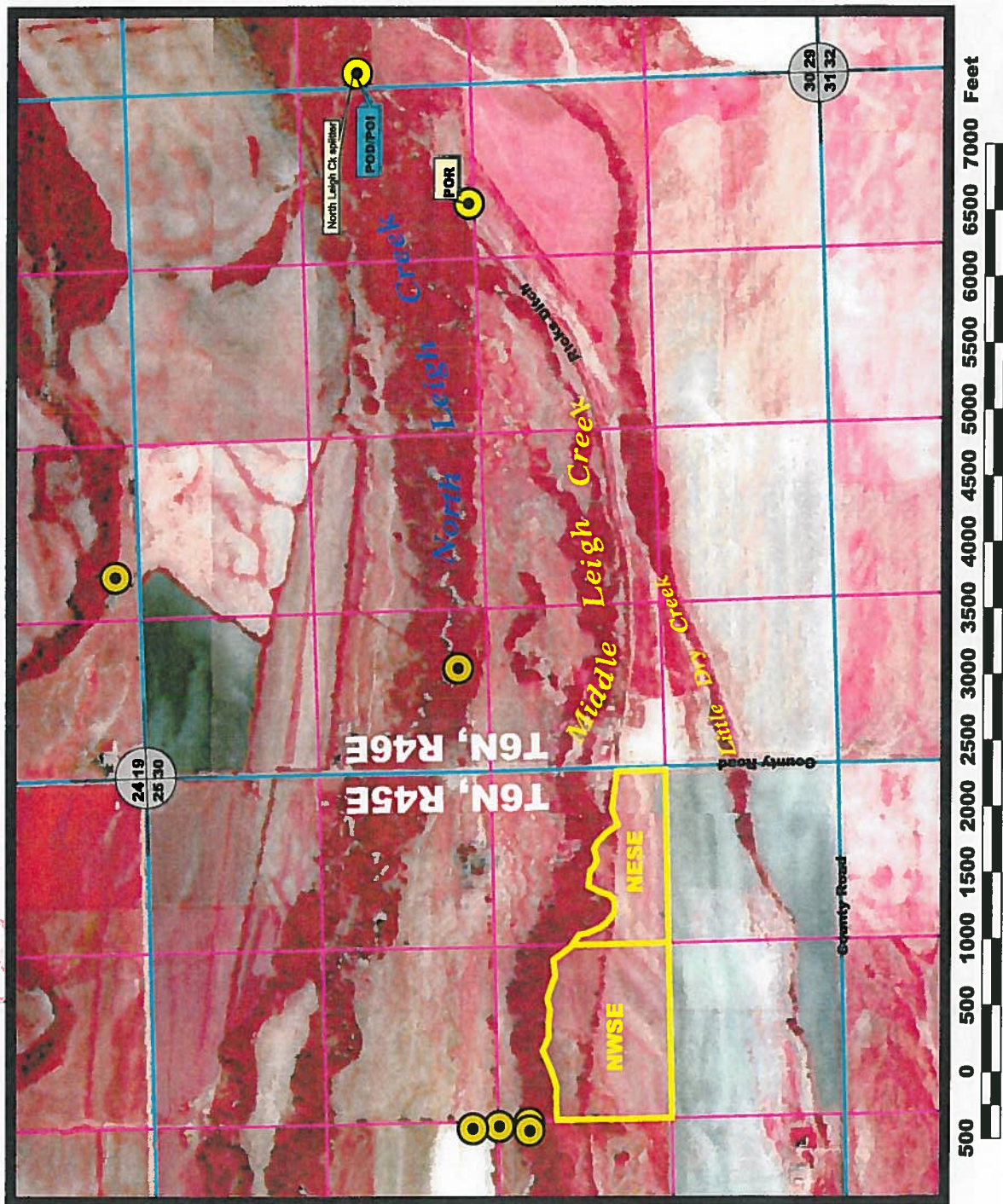
## Department of Water Resources

Eastern Region

SCANNED

JUN 21 2005

PROVIDED



**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
- 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: 22-482A

| Owner Type | Full Name | Address | City | State | Zip |
|------------|-----------|---------|------|-------|-----|
|------------|-----------|---------|------|-------|-----|

Current Owner: Boyd Smith Phone No.: \_\_\_\_\_

Current Owner: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Current Owner: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Name connector: and \_\_\_\_\_, or \_\_\_\_\_, and/or \_\_\_\_\_.

c/o RILCO 9/16

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.

DISCREED UNDER ROXBURG BRIDGE vs TUSTON BRIDGE, 1910. AS: #200, TO W. RICKS, 110", 6/1/1900, NORTH LATCH CREEK. SEE ATTACHED WR RECORD AND SPLIT HISTORY.

PART(S) OF 22-482 ARE NOT CLAIMED, AS KNOWN.

\* THIS CLAIM IS OVERCLAIMED IN (D); UNDERCLAIMED IN AC? WHICH?

FB: The Usual

Overlap Rts: 130B, 2029(1), 481A, 483A

Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

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**Priority Date Data Entry Form**

Claim Number: \_\_\_\_\_

Water Right Priority Date: \_\_\_\_\_ Water Right Basis: \_\_\_\_\_

Claimed Priority Date: 6/1/1900 Claimed Basis: DocnosRecommended Priority Date: 6/1/1900 Recommended Basis: Docnos☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

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

Matches Docnos

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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 6N, R 4SE, Sec. 29, SW, NE, County: TETONSource: NORTH LOTON CREEK Tributary to: TETON RIVER

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       |
|-----------|------------|-----------|---------|----------------|--------------|---------------------|--------------------|
| <u>6N</u> | <u>4SE</u> | <u>30</u> |         | <u>SESENE</u>  | <u>TETON</u> | <u>NO. LOTON CK</u> | <u>TETON RIVER</u> |
|           |            |           |         |                |              |                     |                    |
|           |            |           |         |                |              |                     |                    |

Recommended Point(s) of Diversion and Source.

| Twp       | Rge        | Sec       | Gov Lot | QQQ of QQ of Q | County       | Source                 | Tributary to     |
|-----------|------------|-----------|---------|----------------|--------------|------------------------|------------------|
| <u>6N</u> | <u>4SE</u> | <u>30</u> |         |                | <u>TETON</u> | <u>NO. LOTON CREEK</u> | <u>SPRING CK</u> |
|           |            |           |         |                |              |                        |                  |
|           |            |           |         |                |              |                        |                  |

Other rights from this POD? \_\_\_\_\_

Transfers Pending or approved: \_\_\_\_\_

Document how the POD and Source were verified:

POD UNSPECIFIED BY DECREE. WR RECORDED AND CLAIM BOTH REFERENCE  
T6N R4SE - THIS IS SIX MILES WEST AND DOWNSTREAM FROM CLAIMED  
POD.

NO. LOTON CK IS TRIBUTARY TO SPRING CK NOT TETON RIVER.

C#3

\* 1. VERIFY POD / SOURCE

2. DELIVERY THROUGH EDISON & RICKS CANAL

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 |
|-----|-----|-----|-------------------|---|--------|---------|-----------------|----------------|
| 6N  | 4SE | 2S  | N <sup>2</sup> SE |   | Teton  |         | 46 <sup>0</sup> | Tring.         |
|     |     |     |                   |   |        |         |                 |                |
|     |     |     |                   |   |        |         |                 |                |
|     |     |     |                   |   |        |         |                 |                |
|     |     |     |                   |   |        |         |                 |                |
|     |     |     |                   |   |        |         |                 |                |

Total acres \_\_\_\_\_

Recommended Place of Use

| Twp | Rge | Sec | QQ                | Q | County | Lot Num | Acres | Purpose of Use |
|-----|-----|-----|-------------------|---|--------|---------|-------|----------------|
| 6N  | 4SE | 2S  | N <sup>2</sup> SE |   | TETON  |         |       | Tring.         |
|     |     |     |                   |   |        |         |       |                |
|     |     |     |                   |   |        |         |       |                |
|     |     |     |                   |   |        |         |       |                |
|     |     |     |                   |   |        |         |       |                |
|     |     |     |                   |   |        |         |       |                |

Total acres \_\_\_\_\_

Pending or approved Transfers: \_\_\_\_\_

Document how the POU was verified:

How DOES IRING TAKE PLACE ON BOTH SIDES  
OF EDISON & Ricks CANAL AND LITTLE DRY CREEK

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>Range</i> | <i>4/15</i> | <i>10/15</i> | <i>0.90</i> |        |
|              |             |              |             |        |
|              |             |              |             |        |

Overall Diversion Rate \_\_\_\_\_

Overall Diversion Volume \_\_\_\_\_

Recommended Period of Use and Diversion Rate

| Water Use    | Start       | End          | Rate | Volume |
|--------------|-------------|--------------|------|--------|
| <i>Range</i> | <i>4/15</i> | <i>10/31</i> |      |        |
|              |             |              |      |        |
|              |             |              |      |        |

Overall Diversion Rate \_\_\_\_\_

Overall Diversion Volume \_\_\_\_\_

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

*SOU NOT SPECIFIED BY DECREE - CLAIMS 10/15 - IDWR STD SOU  
for AREA 13 10/31 => SO RECOMMENDED -*

*Q BASED ON 0.014 cfs/AC (AS DOCUMENTED): 10.014 cfs X AC = cfs*

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

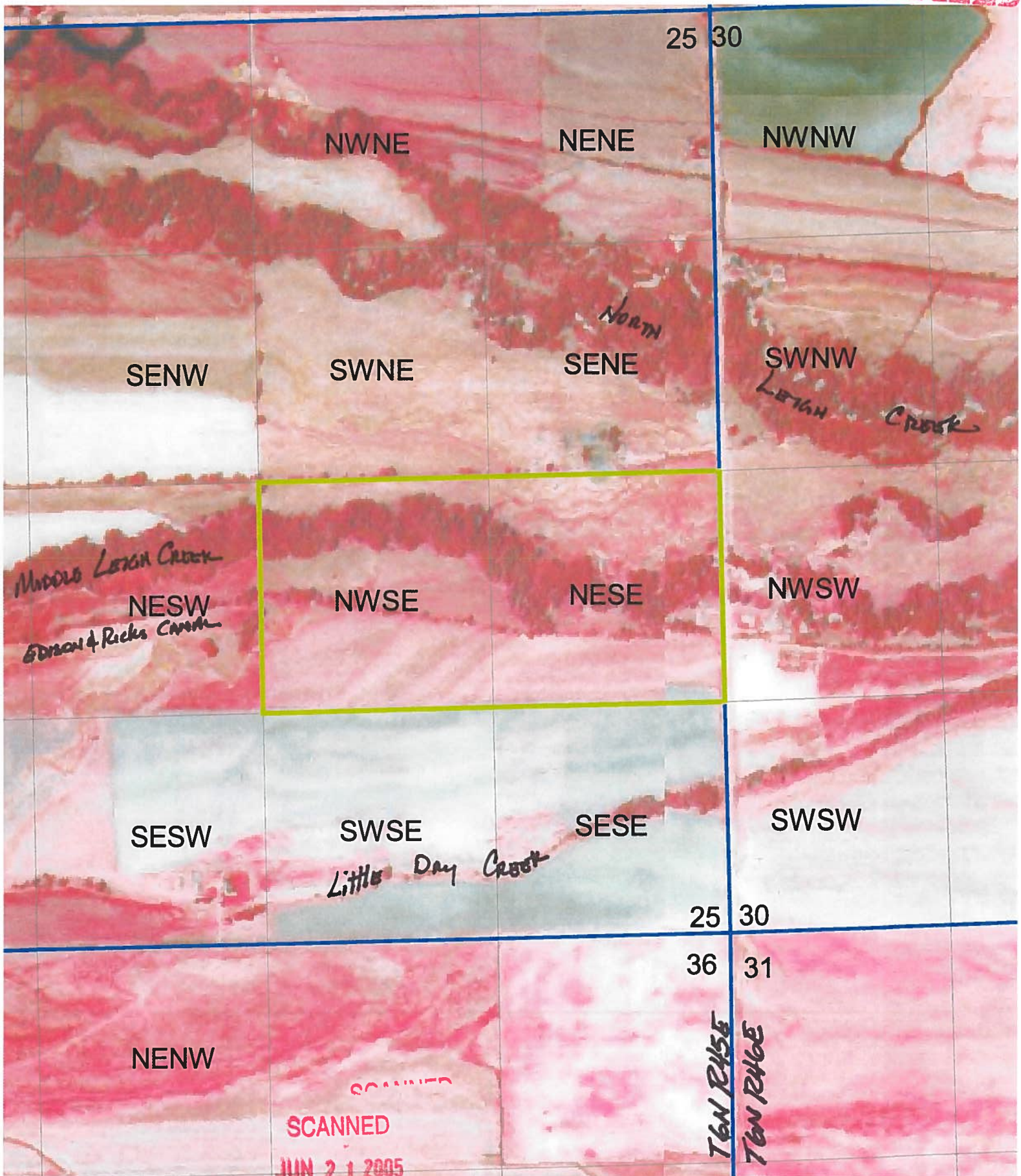
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**SCANNED**

**JUN 21 2005**

# 22-482A

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# 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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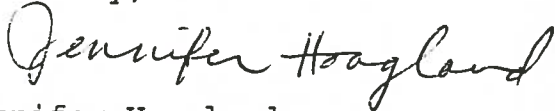
JUN 21 2005

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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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 roden@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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Thank you for your assistance in this very confusing situation.

Very Truly Yours,

*Teresa L. Sturm*  
for Teresa L. Sturm

TLS/dw  
Enclosures

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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

TELEPHONE (208) 523-4445

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D. FREDRICK HOOPES  
LARY S. LARSON  
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KATHERINE STEELE MORIARTY  
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

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SEP 16 1996

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

Department of Water Resources  
Eastern Region

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

JUN 15 1996

DC  
6-22-99

Department of Water Resources RECEIVED

NEW PROPERTY OWNER  
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP SEP 16 1996

Department of Water Resources  
Eastern Region

DATE OF CLOSING: September 6, 1996

LEGAL 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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- [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

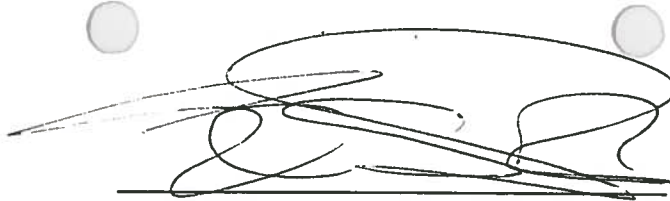
Jill Johnson Smith, and her successors,  
not individually, but as Trustee of The Boyd  
Charles Smith and Jill Johnson Smith Trust  
created by that certain Trust Agreement dated  
December 13, 1990

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

Edmund S. Twining, III Date August 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

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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,

Jo Thompson  
Adjudication Secretary

Enclosure: Notice of Claim

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

MICROFILMED

NOV 10 1994

SCANNED

PROFILE JUN 21 2005

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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[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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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: A22-00482A  
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: JUN 1, 1900

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      | 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 | 0.900 |      |        |

7. Total Quantity Appropriated is:  
0.900 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 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 06N      | 45E   | 25      | NE     | SE  |     | IRR | 14.0  |
|          |       |         | NW     | SE  |     | IRR | 32.0  |

A22-00482A

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1 SCANNED

Date: 11/08/94

JUN 21 2005

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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:

22-00130,00481,00483,2029 (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. 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

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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: A22-00482A  
Date Received: 9/14/1988  
Receipt No: 6002290  
Received By: SB

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        |

A2200482A



2. Date of Priority: JUN 01, 1900

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      | 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 | 0.900  |      |        |

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

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

9. Non-irrigation uses:  
NONE

A22-00482A

Page

1

Date: 09/14/88

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JUN 21 2005

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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:

22-00130,00481,00483,2029 (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. SPLIT BY OWNERSHIP.

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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JUN 21 2005

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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: 2

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): *Lawrence C. Tindal* 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

Seal

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

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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. surface water from North Leigh Creek as appears under identification no. 22-0483 of the Department of Water Resources of the State of Idaho.

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DATE: 06/24/99  
PAGE: 1

**Stage: DECREED**

**TETON County**

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A22-00481A

A22-00482A

A22-00483A

MICROFILMED

POD

EDISON BRKS  
CANAL

(32) (20)

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11500