

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

RIGHT NUMBER: 22-609A

NAME AND ADDRESS: H D DUNN & SON LTD PARTNERSHIP
326 N 300 W
TETONIA ID 83452

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.600 CFS

The rights listed below are limited to a total combined diversion rate of 4.80 cfs. Combined Right Nos.: 22-276A, 22-276B, 22-609A, and 22-13966.

PRIORITY DATE: 01/22/1916

POINT OF
DIVERSION:

T06N R45E S33 SWSE Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	1.600 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T05N R45E S08 NENE 29.00	T05N R45E S08 NWNE	40.00
	T05N R45E S08 NENW 40.00	T05N R45E S08 SENW	40.00
	T05N R45E S08 NESW 33.00		

182 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 160 acres in a single irrigation season. Combined Right Nos.: 22-276A, 22-276B, and 22-609A.

The rights listed below are limited to the irrigation of a combined total of 182 acres in a single irrigation season. Combined Right Nos.: 22-276A, 22-276B, 22-609A, and 22-13966.

The rights listed below are limited to the irrigation of a combined total of 487 acres in a single irrigation season. Combined Right Nos.: 22-276A, 22-276B, 22-609A, 22-641D, 22-11450, and 22-13966.

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

Use of this right is combined with water from Leigh Creek Canal Co.

Right No. 22-13966 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

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 Gale Moffat ditch.



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

E-mail: rharris@holdenlegal.com

September 18, 2009

RECEIVED

SEP 21 2009

Department of Water Resources
Eastern Region

Ernie Carlsen
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

RE: Amended Claims for Water Right Nos. 22-276A, 22-276B, and 22-609A.

Dear Ernie:

Enclosed please find amended Notices of Claims for the above referenced subcases. Please note that you will likely not be able to process these claims for a few months, as we are awaiting the SRBA Court's determination of whether or not to grant a late enlargement claim, which has been numbered 22-13966. The enlargement claim is for 40 acres. I will notify you when the SRBA Court makes a determination on our late claim filing. If you have any questions or concerns, please let me know.

Best Regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

G:\WPDATA\RLH\15303 Dunn Trust\Ernie Carlsen ltr 091809.wpd.cdv

11/22/2006

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: 22-609A

H D DUNN & SON LTD PARTNERSHIP
326 N 300 W
TETONIA ID 83452
Telephone Number: (208)456-2215

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

Place of use

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

IN ADDITION TO ALLOWS LISTED, THE FOLLOWING should
be added:

TOSH R452 508 N2 H2 H2 20 ACRES

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

This has been irrigated for years by S. Leigh water.

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

DATE: 12/8/06 SIGNATURE: 

Please print your name: KEN DUNN

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

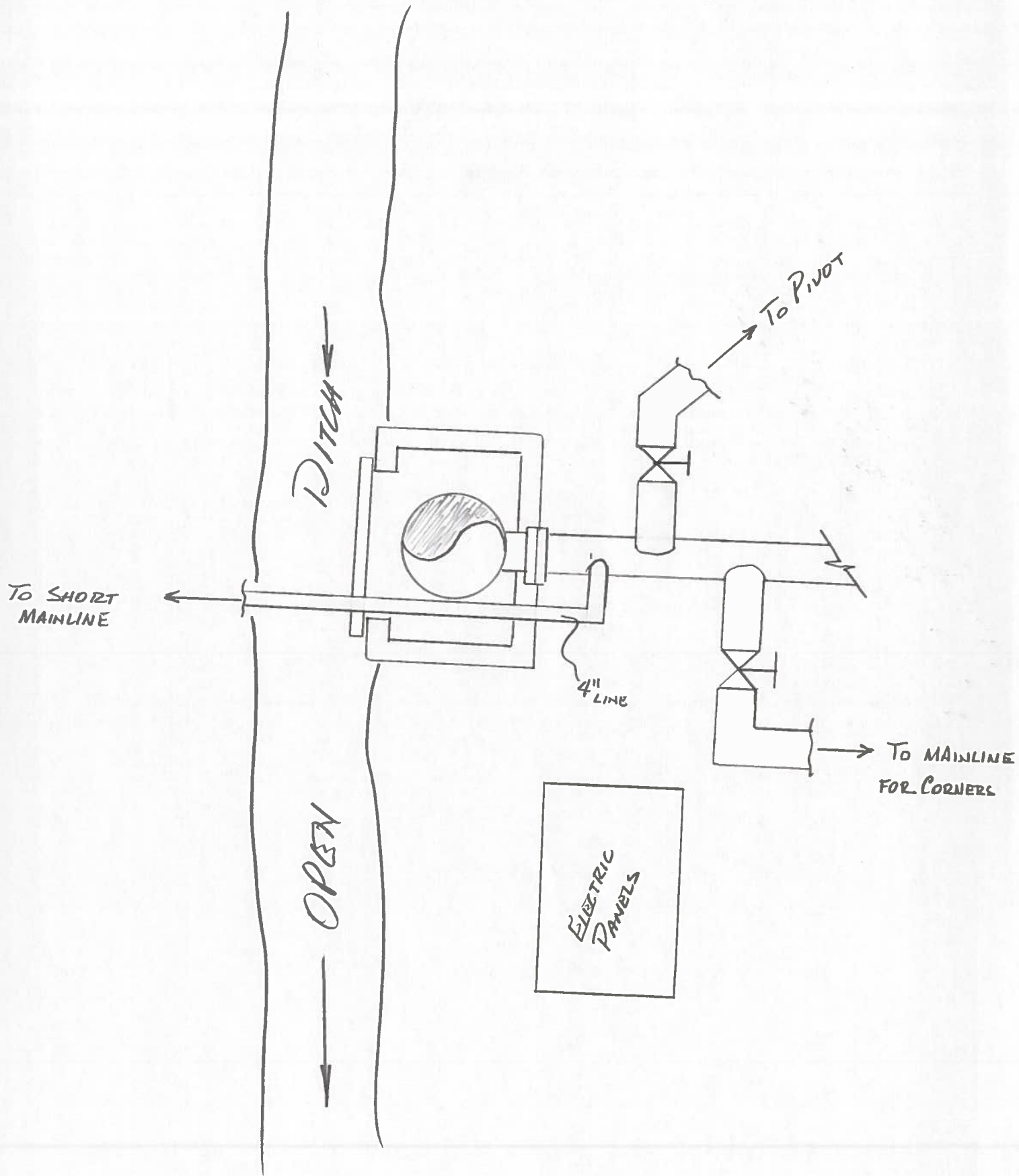
Not in decreed Pov. And it is not
claimed.

12-16-06 TL

SCANNED

AUG 10 2007

KMD
12/14



SCANNED
6/23/04 AUG 12 2007
ABR

Dunn Claims ^{1281.5}
^{21.79 cts}

- 22-641E - claimant ~~owns~~ ^{claims} 123.5 of decreed
pov which he owns. Decree states .017 cts/acre
which is ~~2.1~~ 2.1 cts
- 22-1145 - claimant claims 200 acres of decreed pov
which he owns. Decree states .017 cts/acre which
is 3.4 cts
- 22-12783 - claimant claims 240 acres of decreed
pov which he owns. Decree states .017 cts/acre
which is 4.08 cts
- 22-13383 - claimant claims 159 acres of decreed
pov which he owns. Decree states .017 cts/acre
which is 2.7 cts
- 22-641D - claimant ~~owns~~ ^{claims} 267 acres of decreed
pov which he owns. Decree states .017 cts/acre
which is 4.54
- 22-609A - claimant ~~owns~~ ^{claims} 80 acres of original POV
which he owns. Decree states .02 cts/acre
which is 1.6 cts The rest of 609 is
not claimed.
- 22-406 - claimant own all of decreed Pov and
claims it. Receives .4 cts
- 22-407 - claimant claims and owns all of decreed
Pov he receives all 2.8 cts
- 22-276A - claimant owns all of decreed Pov but
claims land outside of original POV which
he owns. assuming an accomplish change in
POV EOS condition. Receives 1.6 cts

SCANNED

AUG 10 2007

Dunn Claims Cont.

- 22-276B - claimant owns all of decreed pov and claims 80 acres of it. Receives 1.6 cfs
- 22-156 - SW SW of sec 12 could not have been flood irrigated should be SW SE of sec 12. Also there is a lot of swampy land. There are no competing claims for this right. I am giving ~~2.0 cfs~~ the full 2 cfs for his 70 acres.
- 22-262 - swampy land would make it so all of decreed land was not irrigated. Claimant is claiming .8 cfs for 123.5 acres which ~~seems~~ seems ok to me. He owns full POV.
- 22-263 - Same as 262. I am allowing full 1.6 cfs no competing claims.
- 22-264 - Same as 262. I am allowing full .8 cfs no competing claims.
- 22-408B - ~~only owns 120 acres of decreed POV which is .6 cfs based on decreed cfs/acre. Selling of land resulted in an unproportional split of water. 408B retains .7 cfs.~~
- 22-409B - selling of land resulted in unproportional split of water. 409B retains .875 cfs.
- 22-410B - claim reflects amount of water sold to Dunn. 410B retains 1.275 cfs.

2-27-06

SCANNED

AUG 10 2007

season since said date in the irrigation of the above described lands and which has been in addition to any other right fixed or decreed to the same.

XXV.

That the plaintiff Village of Driggs is a municipal corporation embracing the following lands described as,--

SE $\frac{1}{4}$ Sec. 26 and N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 35 Tp. 5 N. R. 45 E. B. M.

which said tract of land has been platted and subdivided into lots and blocks, that on or before and ever since the 22nd day of January, 1916, the said Village of Driggs has diverted and conveyed 3.2 cubic feet or 160 miners inches of the waters of Teton Creek by and through what is known as the Grand Teton Canal with point of diversion about one-half mile east of the Idaho-Wyoming boundary line on the north side of said Teton Creek, for the use of said Village and the inhabitants thereof, and has continually used said quantity of water during each season since said date for domestic and other purposes.

From the foregoing findings of fact the court concludes that,--- the plaintiffs herein named are entitle, and,--

IT IS HEREBY ORDERED, ADJUDGED AND DECREED,

22-0608 1. That the plaintiff Leigh Creek Canal Company, a corporation is awarded a right to the use of 54.4 cubic feet per second or 2,720 miners inches of the waters of South Leigh Creek with priority date of January 22nd, 1916 with point of diversion and for the irrigation of the lands described in paragraph VII of the findings of fact.

22-0609 2. That the plaintiffs J. Carman Buxton, G. L. Wade and Sam Bell are awarded the use of 8 cubic feet per second or 400 miners inches of the waters of South Leigh Creek with date of priority of January 22nd 1916, with point of diversion and for the irrigation of the lands described in paragraph VIII of the findings of fact.

22-0610 3. That the plaintiff A. J. Pullmer is awarded 5.6 cubic feet per second or 280 miners inches of the waters of South Leigh Creek With priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in paragraph IX of the findings of fact.

SCANNED

AUG 10 2007

a corporation, are the owners of or have estate in the following described lands,--

SE $\frac{1}{4}$ sec. 31, S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 33 in township 6 north of range 45 E.B.M., SW $\frac{1}{4}$ Sec. 2, S $\frac{1}{2}$ S $\frac{1}{2}$ Sec. 3, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 4, S $\frac{1}{2}$ Sec. 5, NE $\frac{1}{4}$ Sec. 8, all of section 9, W $\frac{1}{2}$ Sec. 10 all in township 5 north of range 45 E.B.M., SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 7, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8 all in township 5 north of range 46 E.B.M. containing 2,720 acres, more or less,

and the said plaintiff is the owner of a canal or ditch system by and through which it diverts water from South Leigh Creek for the irrigation of the above described lands, with point of diversion and diversion works located about one half mile east of the Idaho-Wyoming boundary line in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5 in township 44 north, range 118 West 6th Prin. Meridian, and the said plaintiff, its stockholders, or predecessors in interest have diverted on or before and ever since the 22nd day of January, 1916, from said South Leigh Creek 54.4 cubic feet per second or 2,720 miners inches of water and applied the same to beneficial use in the irrigation of the above described lands during the irrigating season on or before and ever since said date in addition to any other rights fixed, decreed or granted to the said plaintiff or its stockholders.

VIII.

That the plaintiffs J. Carman Buxton, G. L. Wade and Sam Bell are the owners of or have an estate in the following described lands,--

E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 8, S $\frac{1}{2}$ Sec. 6 township 5 north of range 45 E.B.M.

and are the owners of a common ditch by and through which they divert water from South Leigh Creek with point of diversion and diversion works located in the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 32 Tp. 5 N.R. 45 E.B.M., and on or before and ever since the 22nd day of January, 1916, plaintiffs or their predecessors in interest have so diverted 8 cubic feet per second or 400 miners inches of the waters of said creek and applied the same to beneficial use in the irrigation of the above described lands during each irrigation season which has been in addition to any other rights fixed, decreed or granted to said plaintiffs or their predecessors in interest.

SCANNED

AUG 10 2007

season since said date in the irrigation of the above described lands and which has been in addition to any other right fixed or decreed to the same.

XXV.

That the plaintiff Village of Driggs is a municipal corporation embracing the following lands described as,--

SE $\frac{1}{4}$ Sec. 26 and N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 35 Tp. 5 N. R. 45 E. B. M.

which said tract of land has been platted and subdivided into lots and blocks, that on or before and ever since the 22nd day of January, 1916, the said Village of Driggs has diverted and conveyed 3.2 cubic feet or 160 miners inches of the waters of Teton Creek by and through what is known as the Grand Teton Canal with point of diversion about one-half mile east of the Idaho-Wyoming boundary line on the north side of said Teton Creek, for the use of said Village and the inhabitants thereof, and has continually used said quantity of water during each season since said date for domestic and other purposes.

From the foregoing findings of fact the court concludes that,--- the plaintiffs herein named are entitle, and,--

IT IS HEREBY ORDERED, ADJUDGED AND DECREED,

22-0608 1. That the plaintiff Leigh Creek Canal Company, a corporation is awarded a right to the use of 54.4 cubic feet per second or 2,720 miners inches of the waters of South Leigh Creek with priority date of January 22nd, 1916 with point of diversion and for the irrigation of the lands described in paragaraph VII of the findings of fact.

22-0609 2. That the plaintiffs J. Carman Buxton, G. L. Wade and Sam Bell are awarded the use of 8 cubic feet per second or 400 miners inches of the waters of South Leigh Creek with date of priority of January 22nd 1916, with point of diversion and for the irrigation of the lands described in paragraph VIII of the findings of fact.

22-0610 3. That the plaintiff A. J. Fullmer is awarded 5.6 cubic feet per second or 280 miners inches of the waters of South Leigh Creek With priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in paragraph IX of the findings of fact.

SCANNED

AUG 10 2007

a corporation, are the owners of or have estate in the following described lands,--

SE $\frac{1}{4}$ sec. 31, S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 33 in township 6 north of range 45 E.B.M., SW $\frac{1}{4}$ Sec. 2, S $\frac{1}{2}$ S $\frac{1}{2}$ Sec. 3, S $\frac{1}{2}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 4, S $\frac{1}{2}$ Sec. 5, NE $\frac{1}{4}$ Sec. 8, all of section 9, W $\frac{1}{2}$ Sec. 10 all in township 5 north of range 45 E.B.M., SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 7, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8 all in township 5 north of range 46 E.B.M. containing 2,720 acres, more or less,

and the said plaintiff is the owner of a canal or ditch system by and through which it diverts water from South Leigh Creek for the irrigation of the above described lands, with point of diversion and diversion works located about one half mile east of the Idaho-Wyoming boundary line in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5 in township 44 north, range 118 West 6th Prin. Meridian, and the said plaintiff, its stockholders, or predecessors in interest have diverted on or before and ever since the 22nd day of January, 1916, from said South Leigh Creek 54.4 cubic feet per second or 2,720 miners inches of water and applied the same to beneficial use in the irrigation of the above described lands during the irrigating season on or before and ever since said date in addition to any other rights fixed, decreed or granted to the said plaintiff or its stockholders.

VIII.

That the plaintiffs J. Carman Buxton, G. L. Wade and Sam Bell are the owners of or have an estate in the following described lands,--

E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 8, S $\frac{1}{2}$ Sec. 6 township 5 north of range 45 E.B.M.

and are the owners of a common ditch by and through which they divert water from South Leigh Creek with point of diversion and diversion works located in the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 32 Tp. 6 N.R. 45 E.B.M., and on or before and ever since the 22nd day of January, 1916, plaintiffs or their predecessors in interest have so diverted 8 cubic feet per second or 400 miners inches of the waters of said creek and applied the same to beneficial use in the irrigation of the above described lands during each irrigation season which has been in addition to any other rights fixed, decreed or granted to said plaintiffs or their predecessors in interest.

SCANNED

AUG 10 2007

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS, P.A.
DALE W. STORER
MARIE T. TYLER
JOHN G. SIMMONS
ROBERT M. FOLLETT
FREDERICK J. HAHN, III

WEST ONE BANK BLDG.
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

August 28, 1995

RECEIVED

AUG 29 1995

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

Department of Water Resources
Eastern District Office

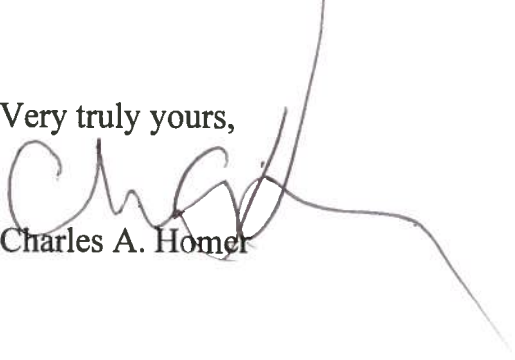
Re: Christoffersen — Dunn Real Estate Transaction

Gentlemen:

Our office recently handled the closing on a real estate sale from Vernon G. Christoffersen to H. D. Dunn & Son Limited Partnership. In connection with such transaction, I am enclosing two separate Notice of Change of Water Right Ownership forms for your records.

If you need any additional information or documentation on this transaction, please advise.

Very truly yours,


Charles A. Homer

Enclosure

pc: Mr. H. Kenneth Dunn

G:\WPDATA\CAH\8970\IDWR0828 LTR.srs

MICRO
NOV 01 1995
SCANNED
AUG 10 2007

RECEIVED
AUG 29 1995

**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Department of Water Resources
Eastern District Office

DATE OF CLOSING: July 14, 1995

LEGAL DESCRIPTION OF PROPERTY: See Description on 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: A22-11447, A22-11449, A22-11450 and A22-11457 ^{NO} ^{- R -} ^{OK} ^{A.T.} ^{- R -}

[X] Name and Address of Former
Owner/Claimant(s)(Seller): Vernon G. Christoffersen
c/o Verla Furniss
4072 East 300 North
Rigby, Idaho 83442

[X] New Owner/Claimant
(Purchaser): H.D. Dunn & Son Limited Partnership

[X] New Mailing Address: 326 North 300 West
Tetonia, Idaho 83452

[X] New Telephone Number: (208) 456-2215

[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: See Attached 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.)

MICROFILMED

NOV 06 1996

SCANNED

AUG 10 2007

[X] Signature of New
Owner/Claimant

**H.D. DUNN & SON LIMITED
PARTNERSHIP**

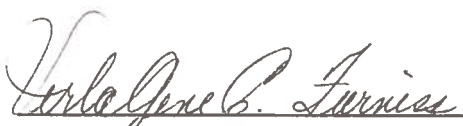
By: 
Harold K. Dunn, General Partner

Date 7-20-95

[X] Signature of Former 
Vernon G. Christoffersen

Date 7-14-95

Owner/Claimant(s)

By: 
Verla Gene C. Furniss, his
Attorney-in-Fact

Date 7-14-95

(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\CAH\8970\WTR20714 NOT.SRS

MICROFILMED

NOV 06 1995

AUG 10 2007

WARRANTY DEED

THIS INDENTURE is made this 14th day of July, 1995, by **VERNON G. CHRISTOFFERSEN**, a single man dealing with his sole and separate property, and acting for himself and for his heirs and assigns, the "Grantor", and **H. D. DUNN & SON LIMITED PARTNERSHIP**, an Idaho limited partnership having as its General Partner Harold K. Dunn, whose mailing address is 326 North 300 West, Teton, Idaho, 83452, the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Teton, State of Idaho, to-wit:

Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho:

Section 8: S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and Tax No. 915 being further described as beginning 15 rods West of Northeast Corner of Section 8, Township 5 North, Range 45 E.B.M., and running thence West 65 rods; South 80 rods; East 80 rods; North 65 rods; West 15 rods; North 15 rods to the place of beginning.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

SCANNED

AUG 10 2007

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Vernon G. Christoffersen

Vernon G. Christoffersen, acting for his own behalf and for and on behalf of his heirs and assigns forever

By:

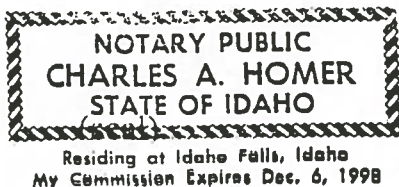
Verla Gene C. Furniss

Verla Gene C. Furniss, his Attorney in Fact

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 14th day of July, 1995, before me, the undersigned, a notary public in and for said State, personally appeared **VERLA GENE C. FURNISS**, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of **VERNON G. CHRISTOFFERSEN**, a single man dealing with his sole and separate property, and acting for himself and for his heirs and assigns, and acknowledged to me that she subscribed the name of Vernon G. Christoffersen thereto as principal, and her own name as attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Charles A. Homer
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 12/6/98



LIFT Pump: NO TAG

SOURCES: CACHO CANAL (Lower TOLON CR) AND
GRAB-MOORE CANAL (SO. LUTON CR)

Motor: US ELECT. Motors Mod: S318 60 HP
SN: ID: E11-S318-M DB

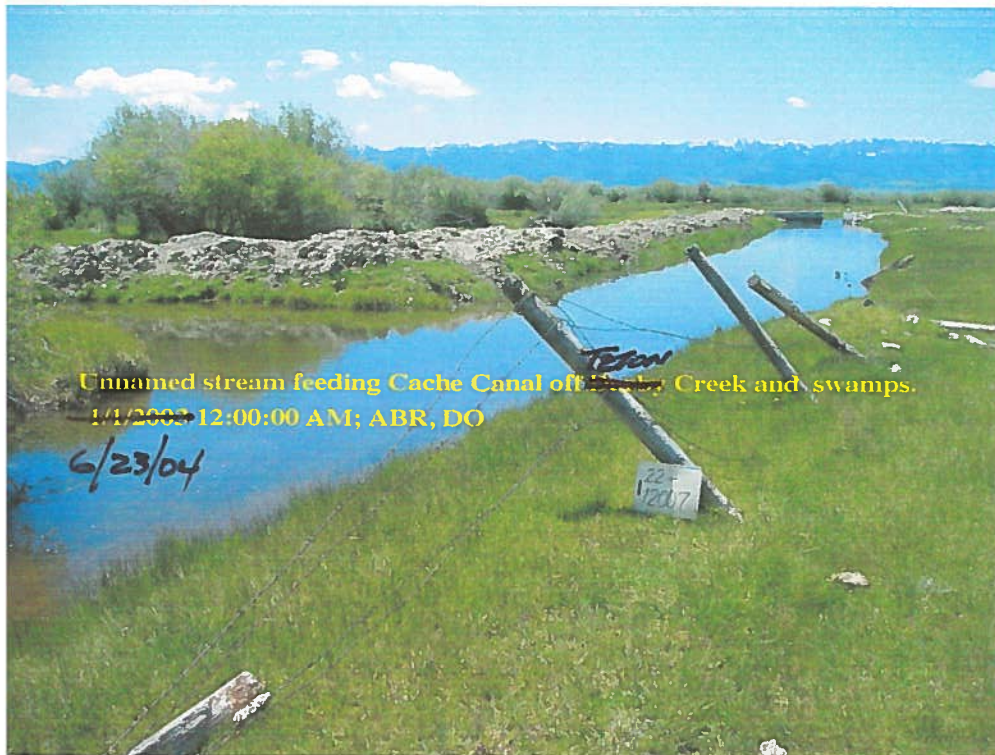
Pump: Pump TOWER. Mod: 12RM7H 8" DISCH.
SN: 272-0602

6/23/04

NR

SCANNED

AUG 18 2007



Unnamed stream feeding Cache Canal off ~~Cache~~ Creek and swamps.

1/1/2003 12:00:00 AM; ABR, DO

6/23/04

SCANNED
AUG 10 2007

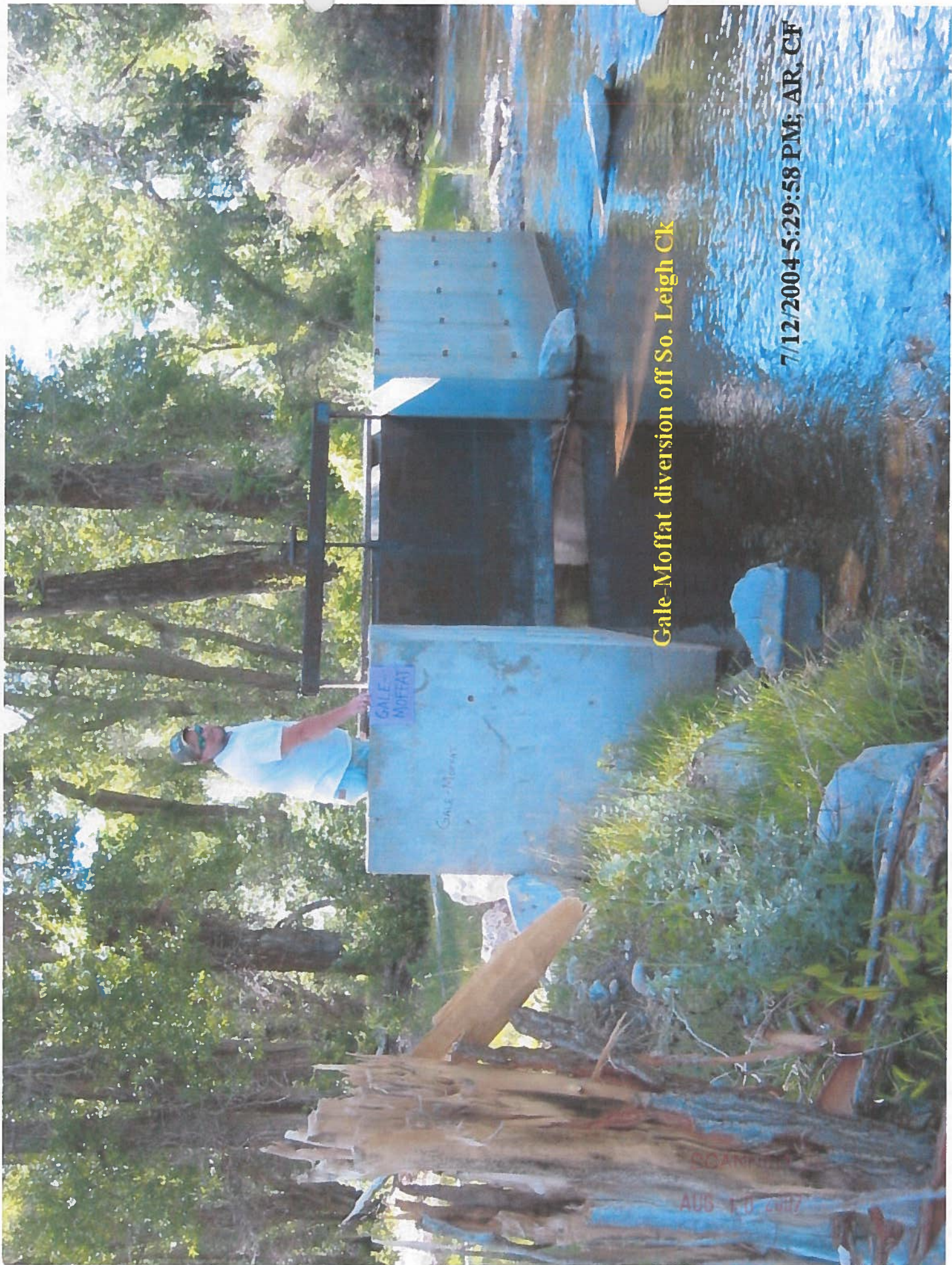


→ CACHA CANAL

6/23/04 ASR DO

SCANNED

AUG 10 2007



Gale-Moffat diversion off So. Leigh Ck

7/12/2004 5:29:58 PM; AR, CF

SCANNED
AUG 10 2007



Idaho Department of Water Resources

SRBA Recommendation:

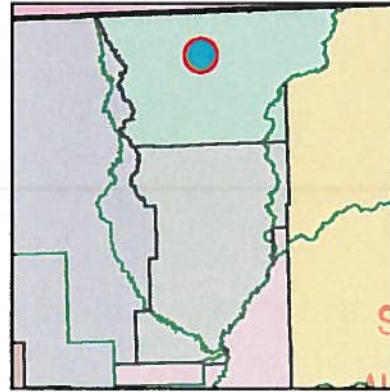
22-276A

22-276B

22-609A (Irrigation)

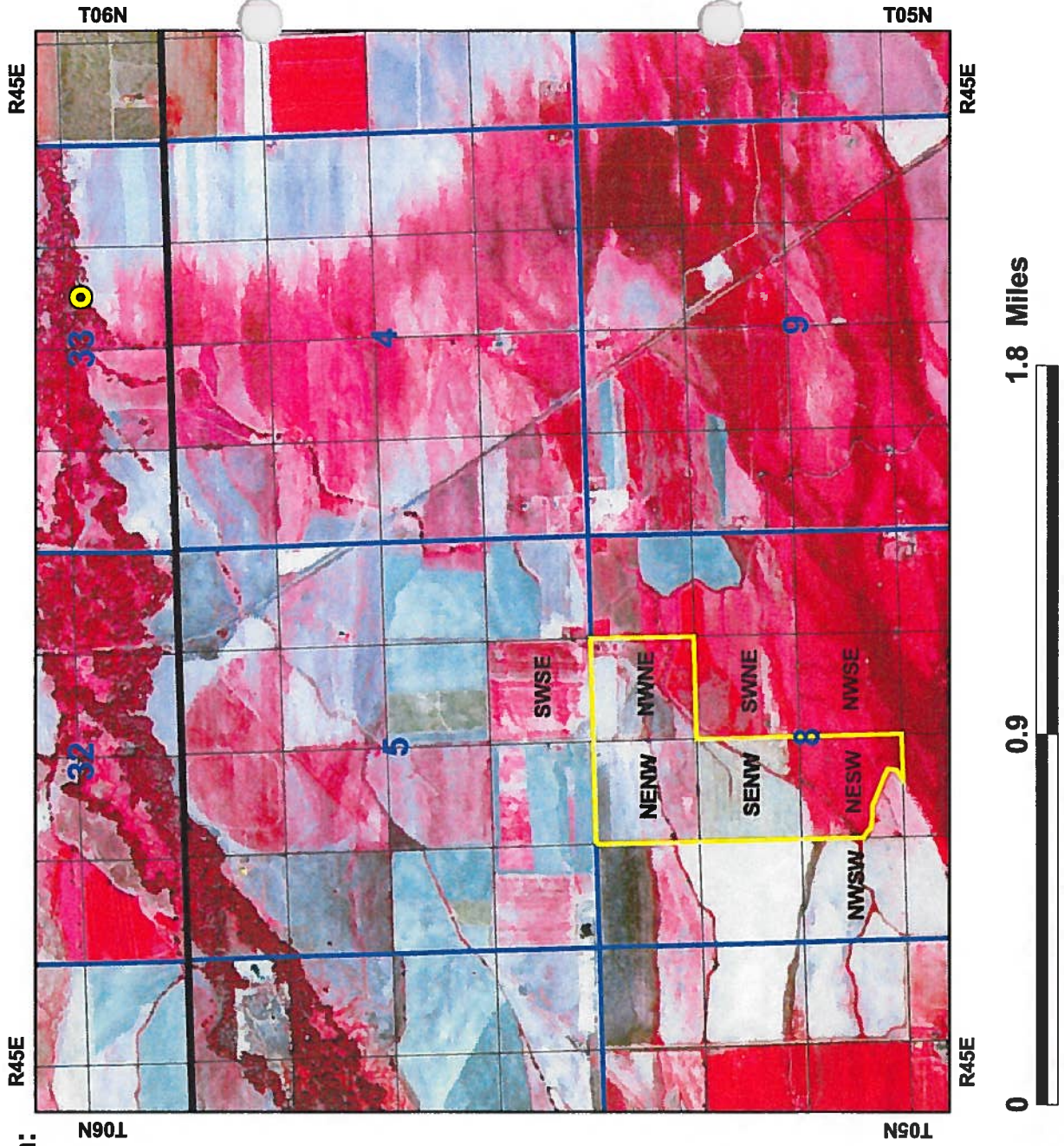
Legend

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



Teton County
IDWR Basin 22

Prepared by T. Galbraith
On Wednesday, November 22, 2006
1987/88 Aerial Photography



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 22-609A

Date Received _____

Receipt Number _____

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

1. Name of Claimant(s) H.D. Dunn & Sons Limited Partnership Phone (208) 456-2215

Mailing Address 326 N. 300 W., Tetonia ID Zip 83452

2. Date of Priority (Only (1) per claim) Jan. 22, 1916

3. Source of water supply (a) South Leigh Creek

which is tributary to (b) Teton River

4.a. Location of existing point of diversion is:

Township 6N Range 45E Section 33, 1/4 of SW 1/4 of SE 1/4, Govt. Lot _____

County of TETON

Parcel (PIN) No. _____

Additional points of diversion if any: _____

If Available, GPS Coordinates: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____

6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/15 to 10/31 amount 1.6 cfs or _____

7. Total quantity claimed (a) 1.6 (cfs) and/or (b) _____ (acre feet)

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

9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	45E	8	40	40			40			40	33								193

Parcel (PIN) No(s). _____

Total number of acres irrigated 193

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

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

12. Describe any other water rights used at the same place and for the same purposes as described above.
22-276A and 22-376B or None ()

13. Remarks:

14. Basis of Claim (Check one) Beneficial Use ☐ Posted Notice ☐ Permit ☐ Decree ☒ License ☐
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

15. 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 Organizations: I do solemnly swear or affirm under penalty of perjury that I am Attorney of (Title)

HD Amis Sons Ltd. Partnership, that I have signed the foregoing document in the space below as (Organization)

Attorney of HD Amis Sons Ltd. Partnership and that the statements contained in the (Title) (Organization)

foregoing document are true and correct.

Signature of Authorized Agent Robert L. Francis

Title and Organization Attorney Date Sept. 17, 2009

Last Name _____ Ident. Number _____

17. Notice of Appearance:

Notice is hereby given that I, Robert L. Francis will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature

Robert L. Francis

Address

PO Box 5030 Ocala Falls, FL 3465

Date

Sept. 17, 2009

11/22/2006

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

RIGHT NUMBER: 22-609A

NAME AND ADDRESS: H D DUNN & SON LTD PARTNERSHIP
326 N 300 W
TETONIA ID 83452

SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER

QUANTITY: 1.600 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:
T06N R45E S33 SWSE Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	1.600 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T05N R45E S08 NWNE 40.00	T05N R45E S08 NENW 40.00	
	T05N R45E S08 SENW 40.00	T05N R45E S08 NESW 33.00	
	153 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 153 acres in a single irrigation season. Combined Right Nos.:22-276A, 22-276B, 22-609A.

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
Water is delivered through Gale Moffat.

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: A22-00609A
Date Received: 9/ 9/1988
Receipt No: E002172
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: H D DUNN & SON LTD PARTNERSHIP 208-456-2215
Address: 326 N 300 W
TETONIA ID 83452

2. Date of Priority: JAN 22, 1916

3. Source: SOUTH 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	33	NW	SW	SE		TETON

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.600		

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

8. Total consumptive use is 160.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Address
05N	45E	8	NE	NW		IRR	40.0
			SE	NW		IRR	40.0

MICROFILMED
NOV 06 1996
SCANNED

AUG 10 2007

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	80.0
					Total Acres	80.0

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:

A22-11449, A22-11450, SOUTH LEIGH CANAL CO., WYOMING RIGHT.

14. Remarks:

CHANGED OWNERSHIP 8/29/95/JT/GT

*THIS RIGHT ORIGINALLY NUMBERED A22-11447. RENUMBERED 5-16-96 GT.

15. Basis of Claim: DECREED

Water Right Number: 0609

Case Number:

Court :

Decree date: 10/24/1938

LEIGH CREEK CANAL CO.

Decree Plaintiff

LYNN CRANDALL W.M.

vs

Decree Defendant

MICROFILMED

NOV 06 1996

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

Renumbered to: A22-00609A
Ident. Number: ~~A22-11447~~ *65*
Date Received: 8/31/1988 *5/16/94*
Receipt No: E 002172
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: V. CHRISTOFFERSEN
Address: RT 1 BOX 1210
CIRCLE V RANCH CACHE
TETONIA, ID

83452

2. Date of Priority: JAN 22, 1916

3. Source: SOUTH 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	33	NW	SW	SE		TETON

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.600		

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

A.F.A.

8. Total consumptive use is 160.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use
05N	45E	8	NE	NW		IRR
			SE	NW		IRR

Acres
40.0
NOV 06 1996

Section Acres 80.0

A22-11447

Page

1

Date: 08/31/88

SCANNED
AUG 10 2007
MICROFILMED
NOV 06 1992

10. Place of Use: Continued

Total Acres 80.0

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:

A22-11449, A22-11450, SOUTH LEIGH CANAL CO., WYOMING RIGHT.

14. Remarks:

15. Basis of Claim: DECREED
Water Right Number: 0609
Case Number:
Court :
Decree date: 10/24/1938

LEIGH CREEK CANAL CO.
Decree Plaintiff

vs

LYNN CRANDALL W.M.
Decree Defendant

MICROFILMED

NOV 06 1990

SCANNED

AUG 10 2007

MICROFILMED

NOV 06 1992

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: 1

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): Vernon Christofferson Date: 9/9/88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of September 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6-94

MICROFILMED
NOV 06 1996

