

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 22-00641D

NAME AND ADDRESS: HAROLD K DUNN TRUST
326 N 300 W
SALT LAKE CITY, UT 84103

SOURCE: SWAMP TRIBUTARY: TETON RIVER

QUANTITY: 5.70 CPS

PRIORITY DATE: 10/30/1901

POINT OF DIVERSION: T05N R45E S22 SWSE Within Teton County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	5.70 CFS

PLACE OF USE:	Irrigation	Within Teton County
T05N R45E S08	NENE 9.0 SWNE 40.0 NENW 40.0 NESW 33.0 NESE 38.0 SWSE 40.0 S09 NWSW 26.0 SESW 1.0	NWNE 40.0 SENE 29.0 SENW 40.0 SESW 20.0 NWSE 40.0 SESE 38.0 SWSW 33.0
	467.0 Acres Total	

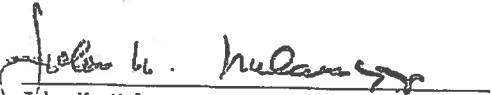
Right Nos. 22-641D and 22-11450 are limited to the irrigation of a combined total of 467 acres in a single irrigation season. This right is limited to the irrigation of 267 acres within the place of use described above in a single irrigation season.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

12/16/2006

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

RIGHT NUMBER: 22-641D

NAME AND ADDRESS: HAROLD K DUNN TRUST
1231 CHANDLER CIR
SALT LAKE CITY UT 84103

SOURCE: SWAMP

TRIBUTARY: TETON RIVER

QUANTITY: 5.700 CFS

PRIORITY DATE: 10/30/1901

POINT OF DIVERSION:

T05N R45E S22 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	5.700 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S08	NENE	9.00	T05N R45E S08	NWNE	40.00
T05N R45E S08	SWNE	40.00	T05N R45E S08	SENE	29.00
T05N R45E S08	NENW	40.00	T05N R45E S08	SENW	40.00
T05N R45E S08	NESW	33.00	T05N R45E S08	SESW	20.00
T05N R45E S08	NESE	38.00	T05N R45E S08	NWSE	40.00
T05N R45E S08	SWSE	40.00	T05N R45E S08	SESE	38.00
T05N R45E S09	NWSW	26.00	T05N R45E S09	SWSW	33.00
T05N R45E S09	SESW	1.00			

467 ACRES TOTAL

Right Nos. 22-641D and 22-11450 are limited to the irrigation of a combined total of 467 acres in a single irrigation season.

This right is limited to the irrigation of 267 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

9331 S. 1000 E.
SALT LAKE CITY, UT 84102

DRESS SERVICE
REQUESTED

HAZARD K DUNN TRUST
1231 CHANDLER CIR
SALT LAKE CITY UT 84103

NO SIGNATURE
AT POST OFFICE
MAILBOX
UNDELIVERABLE
RETURN TO SENDER
POSTAL SERVICE
FBI
28

28

22- 276 A
22- 408 B
22- 409 B
22- 410 B
22- 641 D

U.S. POSTAGE
1211
PB3523907
8992\$01.110 NOV 28 2006
6128 MAILED FROM ZIP CODE 83402

SCANNED
JUN 08 2007

Sent
1-19-07

22-480C 129H
136G

22-621A 78

13290

7029

13372

84

13413

7349

7388

13246

11526

7373

7339

13248

11529

13590

12064

13610

11530

13540

2128

13612

356

10835

133A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

2281

278

EASTERN REGION

7338

12533

7178

IDAHO FALLS ID

208-525-7161 - PHONE

276A

12629

7215B

208-525-7177 - FAX

408B

2146

12239

409B

4076

2206

410B

TRANSMITTAL COVER SHEET

184A

11677

OMNIFAX

641D

10105

178A

10132

2293

178B

FAX: 354-8410

TO: JESSIE

FROM: JENNIFER

Teton County Assessor

11384

10236

4139

13457

4161

7403

DOCUMENT DESCRIPTION: REQUEST FOR CURRENT OWNER INFORMATION. I HAVE SENT A SPREADSHEET INDICATING WHO WE HAVE IN OUR RECORDS AND THEIR LEGAL DESCRIPTION OF THEIR PROPERTY. EACH OF THESE LETTERS WAS RETURNED TO SENDER. PLEASE FILL OUT THE

LAST COLUMN WITH THE OWNER AND ADDRESS INFORMATION FOR THE PROPERTY LISTED. I HAVE ATTACHED A MAP FOR EACH PROPERTY WHEN I HAD ONE AVAILABLE.

PLEASE CALL ME WITH ANY QUESTIONS. THANKS SO MUCH FOR YOUR HELP.

TOTAL NUMBER OF PAGES (Including this page): X 13

*

*

*

Billing address: N/A

*

*

*

*

*

*

*

*

No of Pages Cost / Page Total Charge N/A

*

*

*



HD DUNN & Son
ANGUS RANCH

Sunday, December 10, 2006

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

**SUBJECT: Right numbers- 22-13383, 22-11450, 22-12783, 22-641E, 22-641D
NOTICE of ERROR**

Dear Mr. Carlson,

In reviewing the subject water rights, I believe the quantity of water is incorrect.

The total amount of water for these rights should equal 20.94 CFS.

The 1948 decree establishing the water rights in the Cache Canal was for a total of 1,368 miners inches. We own 264 of the 345 shares in the canal, or 76.52%. We therefore have claim to 20.94 CFS of water.

Please adjust the subject right numbers to equal 20.94 CFS.

Sincerely,



Ken Dunn

326 North 300 West
Tetonia, Idaho 83452

PHONE: (208) 456-2215
FAX: (208) 456-2764
MOBILE (208) 221-3866
TOLL FREE (866) 456-2215

SCANNED

JUN 08 2007

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: 22-641E

HAROLD K DUNN
662 N SADDLE HILL RD
SALT LAKE CITY UT 84103
Telephone Number: (801)533-9730

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

Quantity

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

CHANGE CFS

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

- SEE ATTACHED LETTER

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

DATE: 12/16/06 SIGNATURE: 

Please print your name: K. Dunn

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

Ernie said to give him hrs 20.94 cfs. And apply same rate per acre for all of splits from 22-641. Dunn owns 985.5. $\frac{20.94}{985.5} = .0212$

TB

12-16-06

SCANNED
JUN 08 2007

K2

1007
12/14

Dunn Claims ^{1281.5}
^{21.79 cts}

- 22-641E - claimant ~~claims~~ ^{123.5} of decreed
POV which he owns. Decree states .017 cts/acre
which is ~~2.1~~ 2.1 cts
- 22-11450 - 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 claims 267 acres of decreed
POV which he owns. Decree states .017 cts/acre
which is ~~4.57~~ 4.57
- 22-609A - claimant ~~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

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 SWSE 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

SCANNED

JUN 08 2007

2-27-06 TL

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

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

Total acres _____

Recommended Place of Use

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

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

all irrigation is west of cache Canal in Sec. 9.

Reviewer: _____ Date: _____

SCANNED

JUN 08 2007

DEC 4 1931

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT
OF IDAHO, IN AND FOR THE COUNTY OF FREMONT

Eastern District Office

CACHE CANAL COMPANY, a corporation,

Plaintiff,

vs.

Lynn Crandall, Watermaster,
District 36 Idaho,

Defendant.

DECREE

This cause came on regularly to be heard by the Court this 28th day of May, 1948, S. H. Atchley, of Driggs, Idaho, appearing as counsel for the plaintiff, and it appearing to the satisfaction of the Court that the defendant was served with a copy of the summons and a copy of the complaint in this action, and that he failed to appear and plead to said complaint, and that the default of the defendant has been entered; and,

It further appearing that an order was made on the 11th day of April, 1948, directing the publication of a Notice, once a week for not less than 3 weeks successigely, in the Teton Valley News, a newspaper published weekly at Driggs, Teton county, Idaho, and in the Peak Chronicle, a newspaper published weekly at St. Anthony, Fremont county, Idaho, containing the title of the Court and cause, the name of the stream in the waters of which plaintiff claims an interest, the date of priority claimed by it, as is required, and the date and short title of the decree of this Court heretofore entered, fixing the permanent rights in and to the waters of Snake River and its tributaries; that the said notice was published in accordance with said order and the proof of publication has been filed herein; that no person or persons have appeared to defend against said action;

The plaintiff introduced documentary and oral proof in support of its complaint and the Court, after hearing the evidence and examining the proof submitted, finds as follows:

That the plaintiff is a corporation organized and existing under the laws of the State of Idaho, with its principal place of

SCANNED

JUN 08 2007

business in Teton county, Idaho; that the sole object of its organization is for the benefit of its several stockholders in the diversion and conveyance of agricultural and domestic waters for the irrigation of their lands and domestic purposes, and that the stockholders of the said corporation are entitled to the use of the quantity of water diverted by the said corporation in proportion to the amount of capital stock or acreage of land owned by them.

That the stockholders of the plaintiff are the owners of, and the lands irrigated under the ditch or canal system of the plaintiff, are situate in Teton county, Idaho, described:

Sections Seven³⁷⁰ and Eight (7 and 8); Southwest Quarter (SW $\frac{1}{4}$), Section Nine (9); Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section Twenty-one (21); Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$),^{640 640} Section Seventeen (17), and South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$),¹⁶⁰ Section Seventeen (17) all in Township Five (5) North, Range Forty-five (45) E. B. M.

1600
acres
10/11

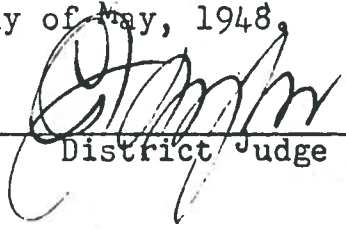
That said lands are arid in character and require artificial application of water by irrigation to produce agricultural crops; that the plaintiff, through its stockholders and predecessors in interest, ever since the 30th day of October, 1901, have diverted 1368 miner's inches of the unappropriated waters of the Swamp in said Teton county that the diversion works of the plaintiff are located approximately three miles south of the village of Tetonia and about three miles east of Teton River in said Teton county; that ever since the said 30th day of October, 1901, said stockholders have applied said quantity of water during the irrigation seasons, to beneficial use in the irrigation of crops grown upon the aforementioned lands, and which quantity or stream flow has been in addition to any other rights fixed, decreed or in any manner granted to the plaintiff through its stockholders and/or predecessors in interest.

From the above findings the Court concludes that the plaintiff is entitled to, and,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, That the plaintiff for the use of its stockholders, and for the irrigation of the herein before described lands, is awarded the use of ^{27.36 cfs} 1368 miner's inches of water, with a priority date of October 30, 1901, of the waters of the Swamp hereinbefore described.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the rights awarded and decreed in that certain decree commonly known as the "Rexburg or Snake River Decree," made and entered in this Court December 16, 1910, both as to dates of priority and the amounts of the rights awarded, are binding upon the plaintiff in this action.

Done in open Court this 28th day of May, 1948.


District Judge

SCANNED

JUN 08 2007



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DECEMBER 2, 1992

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

CHARLES A HOMER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 51030
IDAHO FALLS ID 83405

RE: CHANGE IN OWNERSHIP FOR HAROLD K DUNN TRUST
A22-00410, 00409, 00276, 00408, 11521, AND 11520

Dear Mr. Homer:

The request for Change in Ownership concerning your client's Notices of Claim in the above reference has been processed and the Notices modified to reflect your client as the new owner.

A22-00408 was split as follows: To Talmage Michelsen & Sons, 0.10 cfs on 20 acres; to Harold K Dunn, 0.70 cfs on 140 acres.

A22-00409 was split as follows: To Talmage Michelsen & Sons, 0.125 cfs on 20 acres; to Harold K Dunn, 0.875 cfs on 140 acres.

A22-00410 was split as follows: To Talmage Michelsen & Sons, 0.175 cfs on 20 acres; to Harold K Dunn 1.225 cfs on 140 acres.

As regards to A22-11521 and A22-11520, the entire water right for A22-11521 was transferred to Harold K Dunn, as was A22-11520, except that A22-11520 was renumbered to reflect the old Decreed water right number, A22-00641D.

As regards to A22-00276, this Notice was returned to your office on Augst 27, 1992, for clarification, changes, and signatures. It has since been returned and a copy of A22-00276A is included with the above Notices.

Review the enclosed forms and if there are other corrections or questions, feel free to contact this office.

SCANNED
JUN 08 2007

MICROFILMED
DEC 09 1992

Charles A Homer
Page - 2 -

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

Respectfully submitted,

Jo Thompson

for Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: Copies of Harold K Dunn Notices

cc: Talmage Mickelsen & Sons/Change Ownership
Letter/Copies of Notices of Claim

File: P

MICROFILMED

DEC 09 1992

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

DATE OF CLOSING: March 10, 1992.

LEGAL DESCRIPTION OF PROPERTY: See Description on attached 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 Numbers: A22-11521 and A22-~~11520~~ 00641D

[X] Name and Address of Former Owner/Claimants: Talmage Mickelsen and Sons and Thelma W. Mickelsen
1008 West 500 North
Blackfoot, Idaho 83221

[X] New Owner/Claimant: Harold K. Dunn, M.D., not individually but as Trustee of the Harold K. Dunn Trust

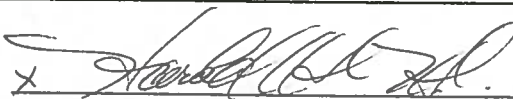
[X] New Mailing Address: 1231 Chandler Circle
Salt Lake City, Utah 84103

[X] New Telephone Number: (801) 533-9730

[X] 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:

[X] Signature of New Owner/Claimant:

X 
Harold K. Dunn, Trustee

Date:

3-23-92

SCANNED

JUN 08 2007

MICROFILMED

DEC 09 1992

[X] Signature of Former
Owner/Claimant:

TALMAGE MICKELSEN & SONS

By:

Ted Mickelsen
Ted Mickelsen

Thelma Mickelsen

Thelma Mickelsen, Individually and as
Trustee of the Testamentary Trust
established under the Last Will and
Testament of Talmage M. Mickelsen,
deceased.

Date:

3-12-92

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

See Attached 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

CAH/7163j/rfs

SCANNED

-2-JUN 08 2007

MICROFILMED

DEC 09 1992

100735

MAR 13 1992

TETON Co. Id.
Clerk Recorder

FILMED _____
INDEXED _____
PLATED _____

WARRANTY DEED

First American
AT 30 MINUTES PAGE 2 P
DATE *March 13, 1992*
Asa J. Drake

THIS INDENTURE is made this 12th day of March, 1992, by THELMA W. MICKELSEN, acting individually, and THELMA W. MICKELSEN, acting not individually but as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage M. Mickelsen, deceased, the Grantor, and HAROLD K. DUNN, M.D., not individually but as Trustee of the Harold K. Dunn Trust, whose mailing address is 1231 Chandler Circle, Salt Lake City, Utah 84103, 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 successors and assigns forever, all of the following described property in the County of Teton, State of Idaho, to-wit:

TRACT I:

Township 5 North, Range 45 East Boise Meridian
Section 8:
E 1/2 SW 1/4
SE 1/4

Section 9:
SW 1/4

TRACT II:

Township 5 North, Range 45 East Boise Meridian
Section 18:
Lots 1, 2, 3, and 4
E 1/2 NW 1/4
E 1/2 SW 1/4
SE 1/4
S 1/2 NE 1/4

Township 5 North, Range 44 East Boise Meridian
Section 13:
N 1/2 SE 1/4

SCANNED
JUN 08 2007

MICROFILMED
DEC 09 1992

SUBJECT TO Electric Line Right-of-Way Easement granted by Talmage Mickelsen and Thelma Mickelsen, husband and wife, to Fall River Rural Electric Cooperative, Inc., a corporation, recorded August 27, 1973, as Instrument No. 73194, Records of Teton County, Idaho.

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. ALSO TOGETHER with all ditch rights and water rights appurtenant to such property including, but not limited to, any such water rights which are evidenced by water stock certificates issued by the Cache Canal Company and the Leigh Creek Canal Company.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor and the Grantor's successors 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.

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.

Thelma W. Mickelsen

Thelma W. Mickelsen, individually

Thelma W. Mickelsen

Thelma W. Mickelsen, not individually but as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage Mickelsen, deceased.

STATE OF IDAHO)
County of Bingham) ss.
)

On this 12th day of March, in the year 1992, before me, the undersigned Notary Public in and for said state, personally appeared THELMA W. MICKELSEN, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage Mickelsen, deceased, and acknowledged to me she executed the same as such Trustee.

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

Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires 8-9-97

(Seal)

STATE OF IDAHO)
County of Bingham) ss.

On this 12th day of March, in the year 1992, before me, the undersigned Notary Public in and for said state, personally appeared THELMA W. MICKELSEN, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me she executed the same.

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

Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires 5-9-97

(Seal)

CAH/7161j/rfs

State of Idaho
Department of Water Resources
ASSIGNMENT OF NOTICE OF CLAIMS

Talmage Mickelsen & Sons and Thelma W. Mickelsen, individually and as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage M. Mickelsen, deceased, hereby assign to Harold K. Dunn, not individually but as Trustee of the Harold K. Dunn Trust, of 1231 Chandler Circle, Salt Lake City, Utah 84103.

All our right, title, and interest in and to Notice of Claim Nos. A22-11521 and A22-11520 to Water Rights Acquired Under State Law.

Made this 12th day of March, 1992.

TALMAGE M. MICKELSEN & SONS

By: T. D. Mickelsen

Ted Mickelsen

Thelma W. Mickelsen

Thelma W. Mickelsen, individually and as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage M. Mickelsen, deceased.

SCANNED
JUN 08 2007

MICROFILMED
DEC 09 1992

STATE OF IDAHO)
)ss.
County of Bingham)

On this 12th day of March, in the year 1992, before me the undersigned, a Notary Public in and for the State of Idaho, personally appeared Ted Mickelsen, known or identified to me to be one of the partners in the partnership of Talmage Mickelsen & Sons, and the partner or one of the partners who subscribed said partnership to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

(Seal)



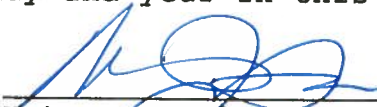
Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires 8-9-97

STATE OF IDAHO)
)ss.
County of Bingham)

On this 12th day of March, in the year 1992, before me, the undersigned Notary Public in and for said state, personally appeared THELMA W. MICKELSEN, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Testamentary Trust established under the Last Will and Testament of Talmage Mickelsen, deceased, and acknowledged to me she executed the same as such Trustee.

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

(Seal)

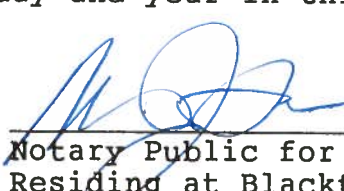


Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires 8-9-97

STATE OF IDAHO)
)ss.
County of Bingham)

On this 12th day of March, in the year 1992, before me, the undersigned Notary Public in and for said state, personally appeared THELMA W. MICKELSEN, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me she executed the same.

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

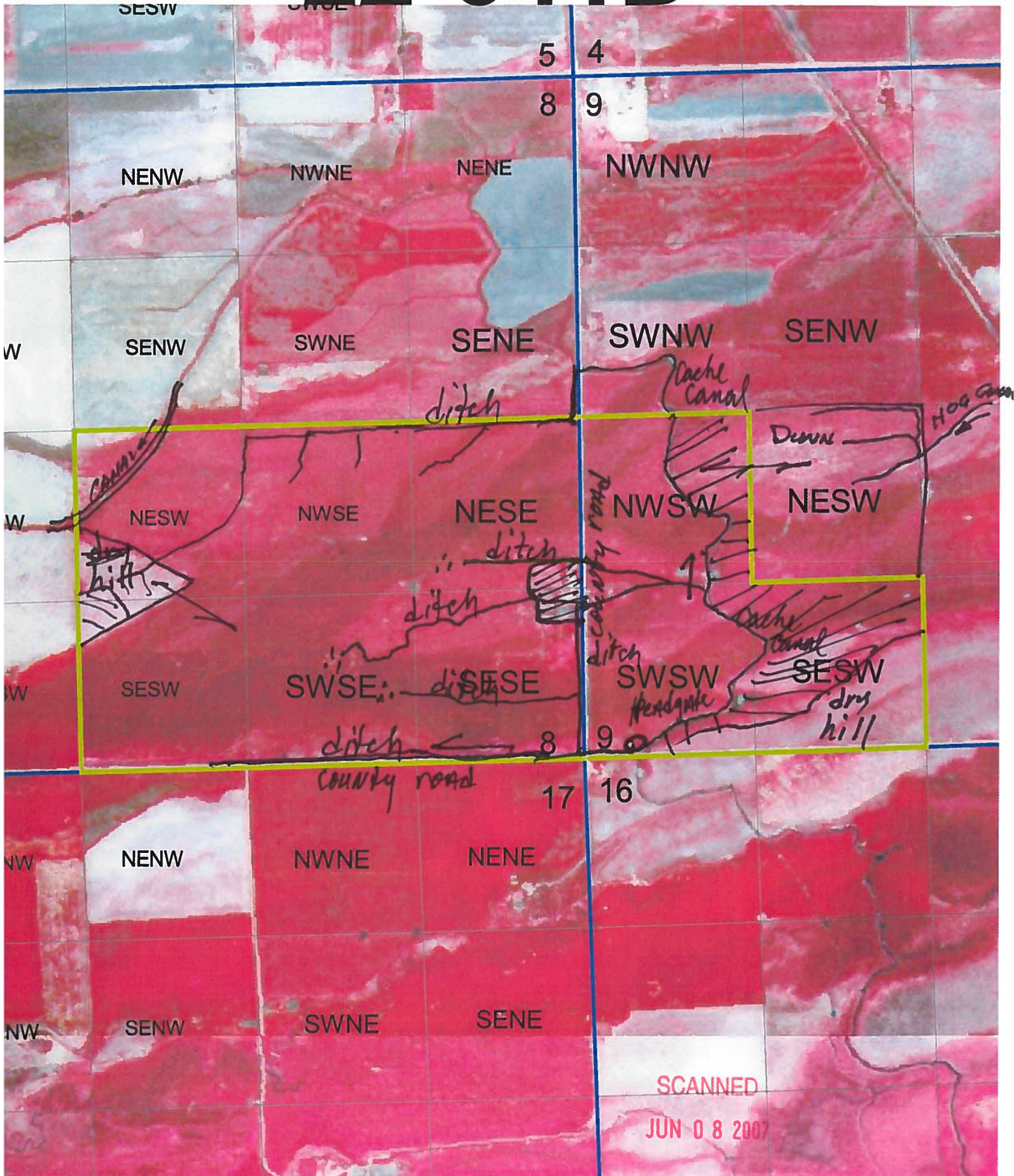


Notary Public for Idaho
Residing at Blackfoot, Idaho
My commission expires E-9-97

(Seal)

CAH/7162j/rfs

6/23/04 ^{DO}
AR





Idaho Department of Water Resources

SRBA Recommendation:

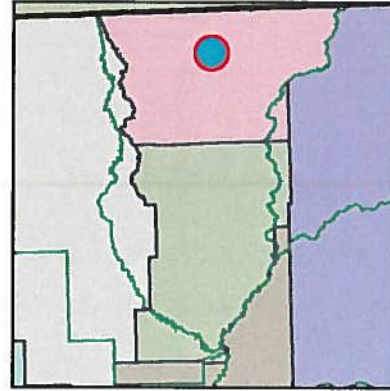
22-641D
22-11450

(Irrigation)

SCANNED
JUN 08 2007

Legend

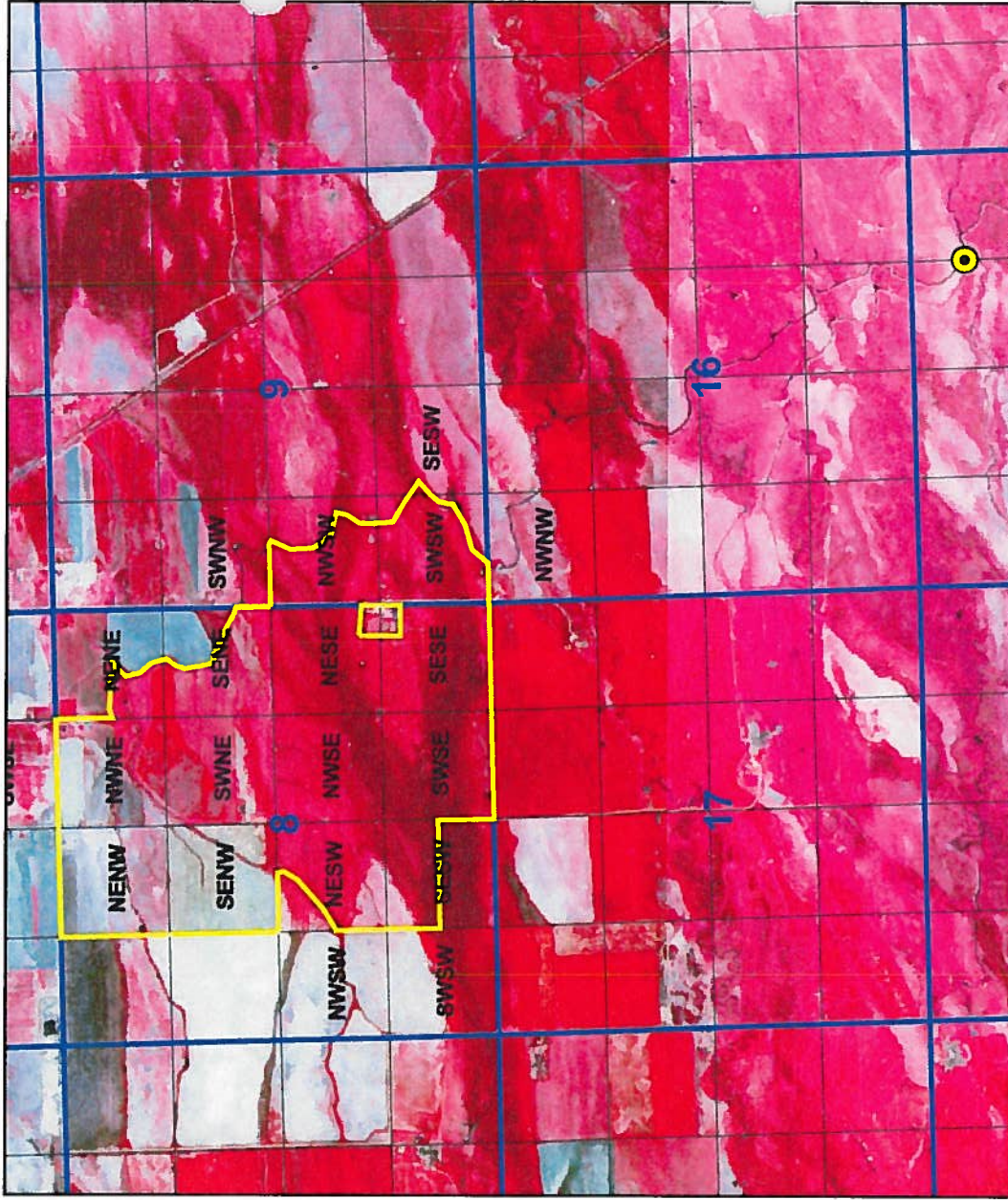
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22

Prepared by T. Galbraith
On Tuesday, November 21, 2006
1987/88 Aerial Photography

R45E



T05N

0 0.9 1.8 Miles

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: A22-00641D
Date Received: 9/12/1988
Receipt No: E002207
Received By: _____

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

1. Name: HAROLD K DUNN TRUST 801-533-9730
Address: 1231 CHANDLER CIRCLE
SALT LAKE CITY UT 84103

2. Date of Priority: OCT 3, 1901

3. Source: UNNAMED SPRINGS Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	45E	22		SW	SE		TETON

5. Description of diverting works:
NUMEROUS SPRINGS COLLECTED INTO CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	10.800		

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

8. Total consumptive use is 534.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	8	NE	SW		IRR	34.0
			SE	SW		IRR	22.0
			NE	SE		IRR	38.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	8	SE	SE		IRR	36.0
Section Acres							209.0
		9	NW	SW		IRR	25.0
			SW	SW		IRR	32.0
			SE	SW		IRR	1.0
Section Acres							58.0
Total Acres							267.0

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:
NONE

14. Remarks:

CLAIM OWNS 120 SHARES IN CACHE CANAL CO. THEY HAVE ISSUED 304 SHARES. THE QUANTITY CLAIMED IS BASED A PROPORTIONATE SHARE OF THE 27.36 CFS DECREED TO THE CACHE CANAL CO. THE RIGHT WAS ORIGINALLY NUMBERED 22-00461.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL

Decree Plaintiff

TETON IRR. CANAL CO.

vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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 A22-00641D

Ident. Number: ~~A22-11520~~

Date Received: 9/09/1988

Receipt No: E 002207

Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ~~TALMAGE MICKELSEN & SONS~~ *DUNN C/O* 208-684-4783
Address: C/O TED MICKELSEN
1008 W. 500 N.
BLACKFOOT, ID 83221

2. Date of Priority: OCT 03, 1901

3. Source: UNNAMED SPRINGS Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	45E	22	SW	SE			TETON

5. Description of diverting works:
NUMEROUS SPRINGS COLLECTED INTO CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	10.800		

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

8. Total consumptive use is 534.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	8	NE	SW		IRR	34.0
			SE	SW		IRR	22.0
			NE	SE		IRR	38.0

A2200641D



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	8	NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	36.0
Section Acres							209.0
		9	NW	SW		IRR	25.0
			SW	SW		IRR	32.0
			SE	SW		IRR	1.0
Section Acres							58.0
Total Acres							267.0

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:
NONE

14. Remarks:
CLAIM OWNS 120 SHARES IN CACHE CANAL CO. THEY HAVE ISSUED 304 SHARES. THE QUANTITY CLAIMED IS BASED A PROPORTIONATE SHARE OF THE 27.36 CFS DECREED TO THE CACHE CANAL CO. THE RIGHT WAS ORIGINALLY NUMBERED 22-00461.

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.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Partner of _____
Title

Salvage Michelson & Sons, that I have signed the foregoing
Organization

document in the space below as Partner of _____
Title

Salvage Michelson & Sons and that the statements contained in the
Organization

foregoing document are true and correct.

Salvage Michelson
Signature of Authorized Agent

Partner of Salvage Michelson & Sons
Title and Organization

9- Sept. 88
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 9 day

of Sept. 19 88

Ernest Carlson
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 14 June 1994

MICROFILMED
DEC 09 1992

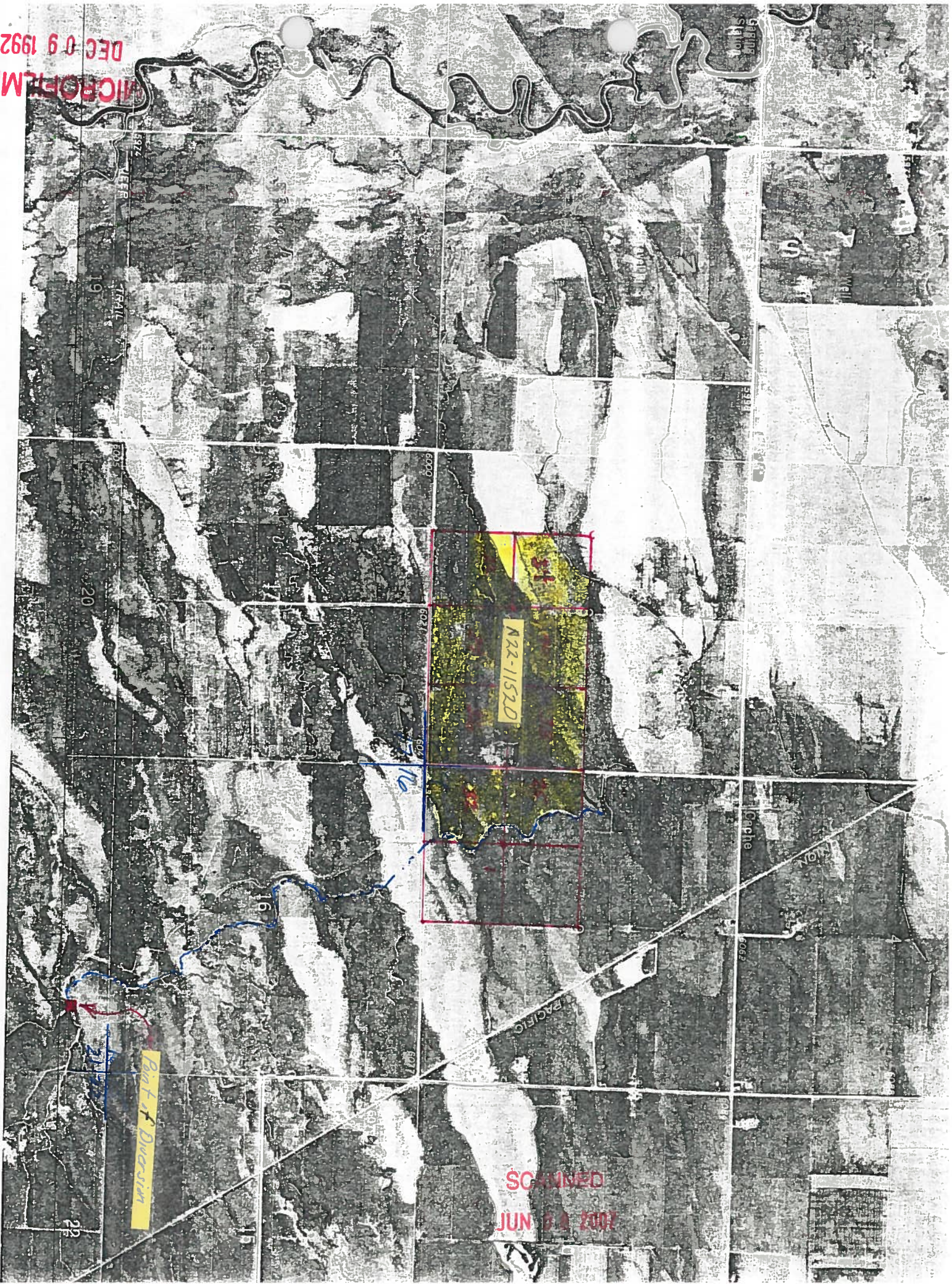
SCALE 1:24 000

120.

A72-11520

4 89000m. E.

1



SCANNED
JUN 04 2007