

11/29/2006

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

RIGHT NUMBER: 22-668C
NAME AND ADDRESS: TODD WILSON
535 W 1100 N
PO BOX 182
TETONIA ID 83452

DANIELLE WILSON
535 W 1100 N
PO BOX 182
TETONIA ID 83452

SOURCE: BADGER CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.400 CFS
PRIORITY DATE: 04/01/1939
POINT OF DIVERSION:

T06N R45E S8 NWSENE 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	0.400 CFS

PLACE OF USE: IRRIGATION in TETON County
T06N R44E S01 Lot 1 NENE 19.00

19 ACRES TOTAL

19

The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 22-52C, 22-286D,
22-668C.

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 Si-Ricks Canal.



Heading for Badger Cr Canal
T6N R45E Sec. 3 NESENE
GPS TAG # A0013824

8/10/04
ABR



State of Idaho

Department of Water Resources
Eastern Region



SCANNED
APR 28 2005
PROFIL

Water Right(s):
22-52C
22-286D
22-668C

Point(s) of Diversion:
T06N R45E
Sec. 8 NWSENE

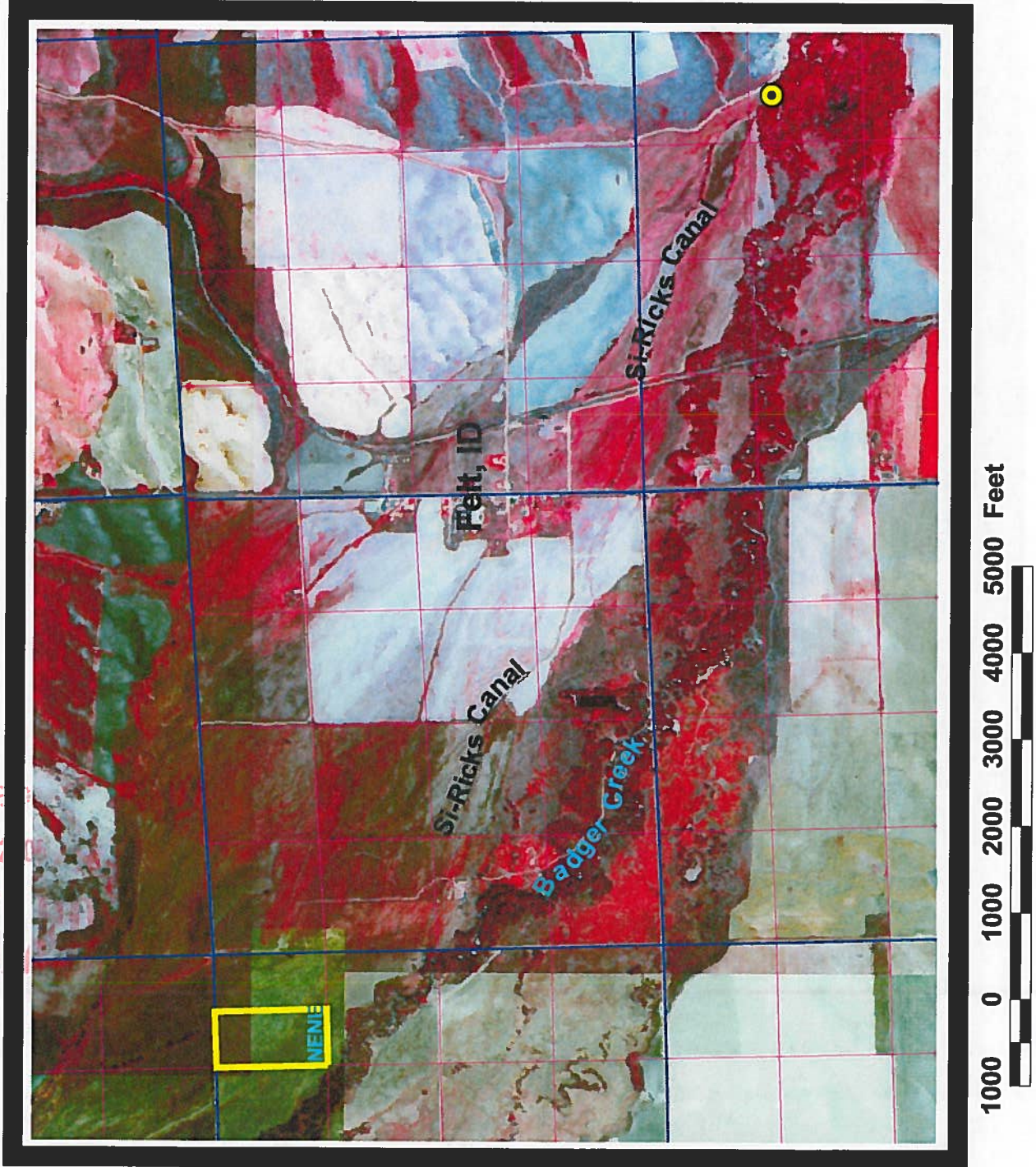
Place of Use (parts of):
T06N R44E
Sec. 1 NENE

Delivered through the Si-Ricks Canal

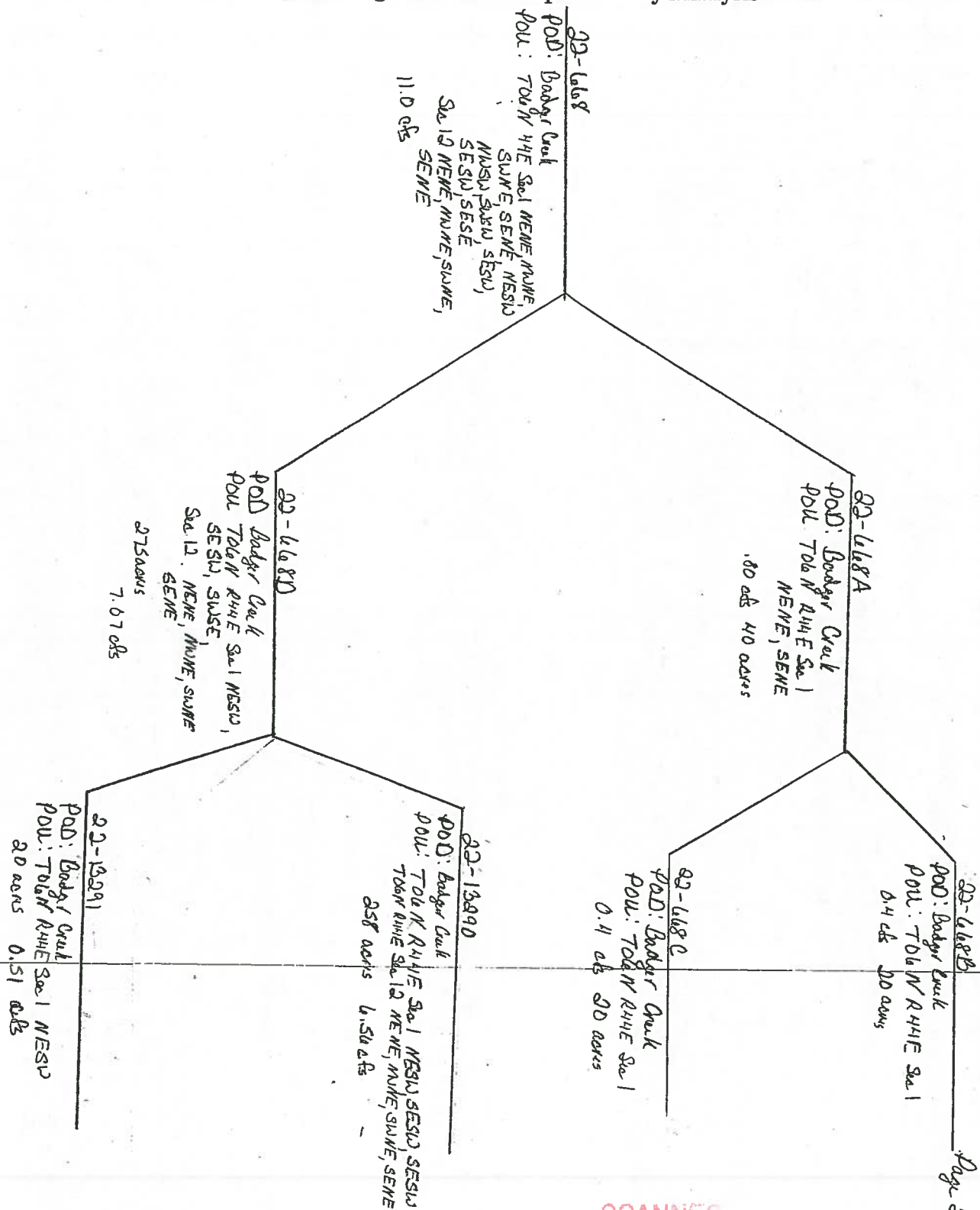
LEGEND

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

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: S. Porter
Date: March 2005



Water Right and SRBA Split History Analysis



Reviewer: _____
mydoc/fieldexamforms/splithistory

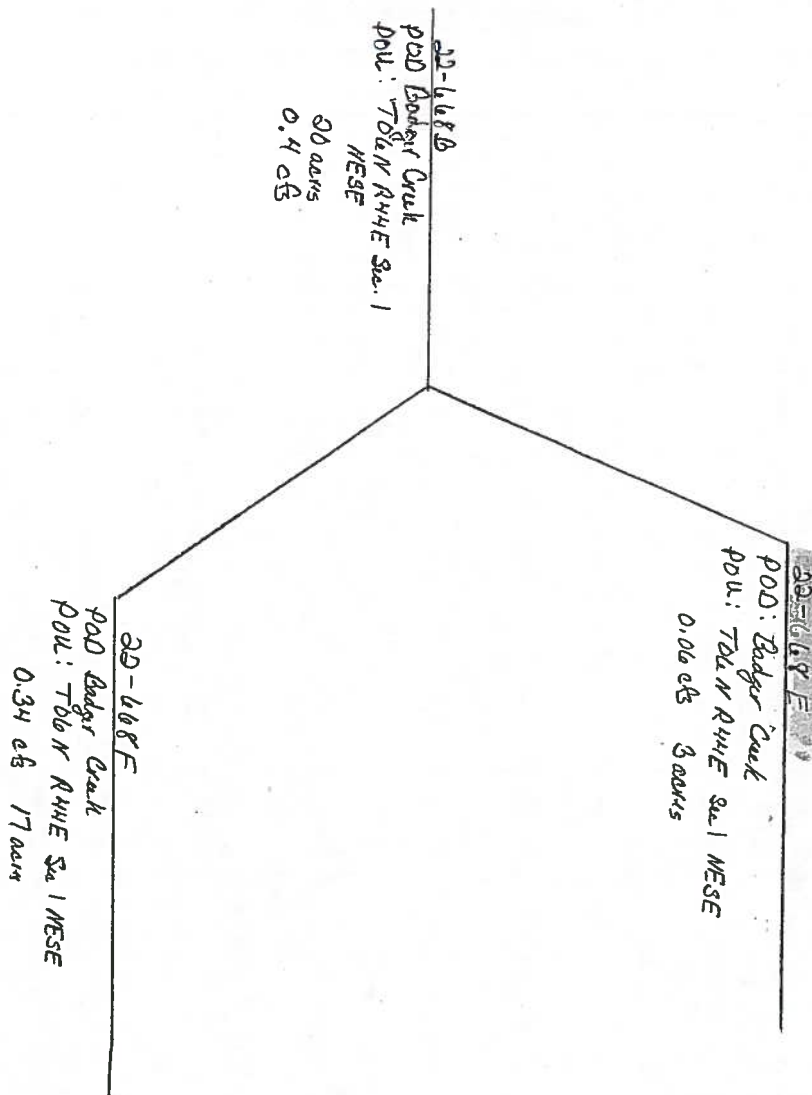
SCANNED
Date:
APR 28 2005

plithistory

PROFILE

Water Right and SRBA Split History Analysis

22-6683



PROFILED

Reviewer: _____
mydoc/fieldexamforms/splithistory

SCANNED

Date: _____

APR 28 2005

Claim No. 22-668C

Document Checklist

☒ Copy License/Decree

Nichols v Eagle

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

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APR 28 2005

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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

October 5, 2001

TODD & DANIELLE WILSON
535 W 1100 N
PO BOX 182
TETONIA ID 83452

RE: CHANGE IN OWNERSHIP FOR A22-52C, 22-286D AND
22-668C

Dear Mr. & Mrs. Wilson:

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(s).

Enclosed is a copy of the Notice(s) of Claim, 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 this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

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APR 28 2005

PROFILE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

OK JC
 10-5-01
RECEIVED
OCT 04 2001

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

Department of Water Resources
 Eastern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
~~22-0284~~ ✓	22-286D				
~~22-0316~~	22-52C				
~~22-0052~~ ✓	22-668C				
~~22-0055~~	~~22-13192~~ ✓				
~~22-0066~~	~~22-13194~~ ✓				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Clara Ward
Tetonia, Idaho 83452

4. New Owner/Claimant(s)

Todd + Danielle Wilson
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

Box 182

City, State and ZIP Code

Tetonia, Id. 83452

New Telephone Number

(208)-454-0921

Physical Address

5. Date you acquired the property

Sept, 1998

535101100 N
Tetonia

PROFIT

SCANNED
 APR 28 2005



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

SEPTEMBER 2, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

TIM TANNER
PO BOX 190
TETONIA ID 83452

RE: CHANGE IN OWNERSHIP FOR A22-00286B, -00052A, -00668A

Dear Mr. Tanner:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) A22-00286B, -00052A, and -00668A have been split as follows:

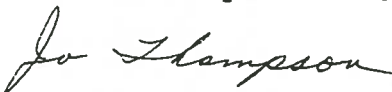
A22-00668B, KIMBROUGH, 0.40 CFS; 20 ACRES
A22-00668C, TANNER, 0.40 CFS; 20 ACRES

A22-00052B, KIMBROUGH, 0.40 CFS; 20 ACRES
A22-00052C, TANNER, 0.40 CFS; 20 ACRES

A22-00286C, KIMBROUGH, 0.40 CFS; 20 ACRES
A22-00286D, TANNER, 0.40 CFS; 20 ACRES

Review the Notices and if there are other corrections or questions, feel free to contact this office (525-7161). If there are no questions, please keep these Notices for your records.

Respectfully submitted,



Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notice(s) of Claim

cc: MARVIN KIMBROUGH/COPY CLAIMS/LETTER

MICROFILMED

NOV 06 1994

PROFILED

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APR 28 2005



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

SEP 01 1994

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM _____
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

- [] 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)
- [] Water Right Number(s) SPLIT
 Assigned by IDWR: A22-00286 B, 00052A, 00668AC
- [] Name and Address of Former Owner/Claimant(s)(Seller): LOLA J. KIMBROUGH
AKA LOLA BETTY
FELT, IDAHO
- [] New Owner/Claimant (Purchaser): TIM & JOHNNA TANNER & JON FISHBURN
- [] New Mailing Address: P.O. BOX 190
TETONIA, IDAHO, 83452
- [] New Telephone Number: (208) 351-2774
- [] Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: (NEW 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.)

- [] Signature of New Owner/Claimant(s) Tim Tanner Date 8/29/94
Johnna Tanner Date 8/29/94
- [] Signature of Former Owner/Claimant(s): _____ Date _____
 _____ Date _____

(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 Numbers of Split, if any:

SCANNED

PROFILE

MICROFILMED

NOV 06 1994

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

114931
WARRANTY DEED

RECEIVED

JAN 04 1994

TETON Co. Id.
Clerk Recorder

For Value Received DOLA L. KIMBROUGH aka DOLA BETTY

Hereafter called the Grantor hereby grants, bargains, sells and conveys unto

TIM W. TANNER & JENNIFER L. TANNER, husband and wife, and JON FLSBURGH, a
single man
whose address is: 39 HOLLANDALE ROAD, DANBURY, CT, 06811

Hereafter called the Grantee, the following described premises situated in Teton County, Idaho, to wit:

W. 2 of Lot 1 of Section 3, Township 6 North, Range 44 East, Boise
Meridian, Teton County, Idaho.

TOGETHER WITH all gas, oil, water, mineral and geothermal rights now known
or hereafter to be known.

Subject to reservations in United States and State Patents; existing and
recorded rights of ways, Easements, Zoning, Building and Subdivision
ordinances; Taxes and Assessments as provided between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs,
heirs and assigns. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee
simple of the said premises, that said premises are free from all encumbrances except current taxes, levies, and assessments, and
except such Easement reservations, restrictions, covenants of record, and easements visible upon the premises, and that Grantor will
keep the said premises free from all claims whatsoever.

PROFILED

SCANNED
APR 28 2005

Post-It brand fax transmittal memo 7671 # of pages 1

To TAM TANNER	From LE THOMPSON
Co.	Co.
Dept.	Phone # 525-7161
Fax # 203 746 6589	Fax # 525-7177

II

2 DISTRICT OF THE STATE OF IDAHO,
NIN 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: A22-00286B
Date Received: 7/18/1988
Receipt No: E 000770
Received By: ERC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

- Name: MARVIN D. KIMBROUGH 208-456-2672
Address: P.O. BOX 117
TETONIA, ID 83452
Name: LOLA J. KIMBROUGH
Address: P.O. BOX 117
TETONIA, ID 83452

2. Date of Priority: JUN 01, 1898

3. Source: BADGER CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	7	NE	NE	NW		TETON
		8	NW	SE	NE		TETON

5. Description of diverting works:
(SEE REMARKS)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		

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

8. Total consumptive use is 160.0 Acre Feet Per Annum

9. Non-irrigation uses:

MICROFILMED
NOV 06 1990

A22-00286B

Page

1

SCANNED Date: 07/18/80

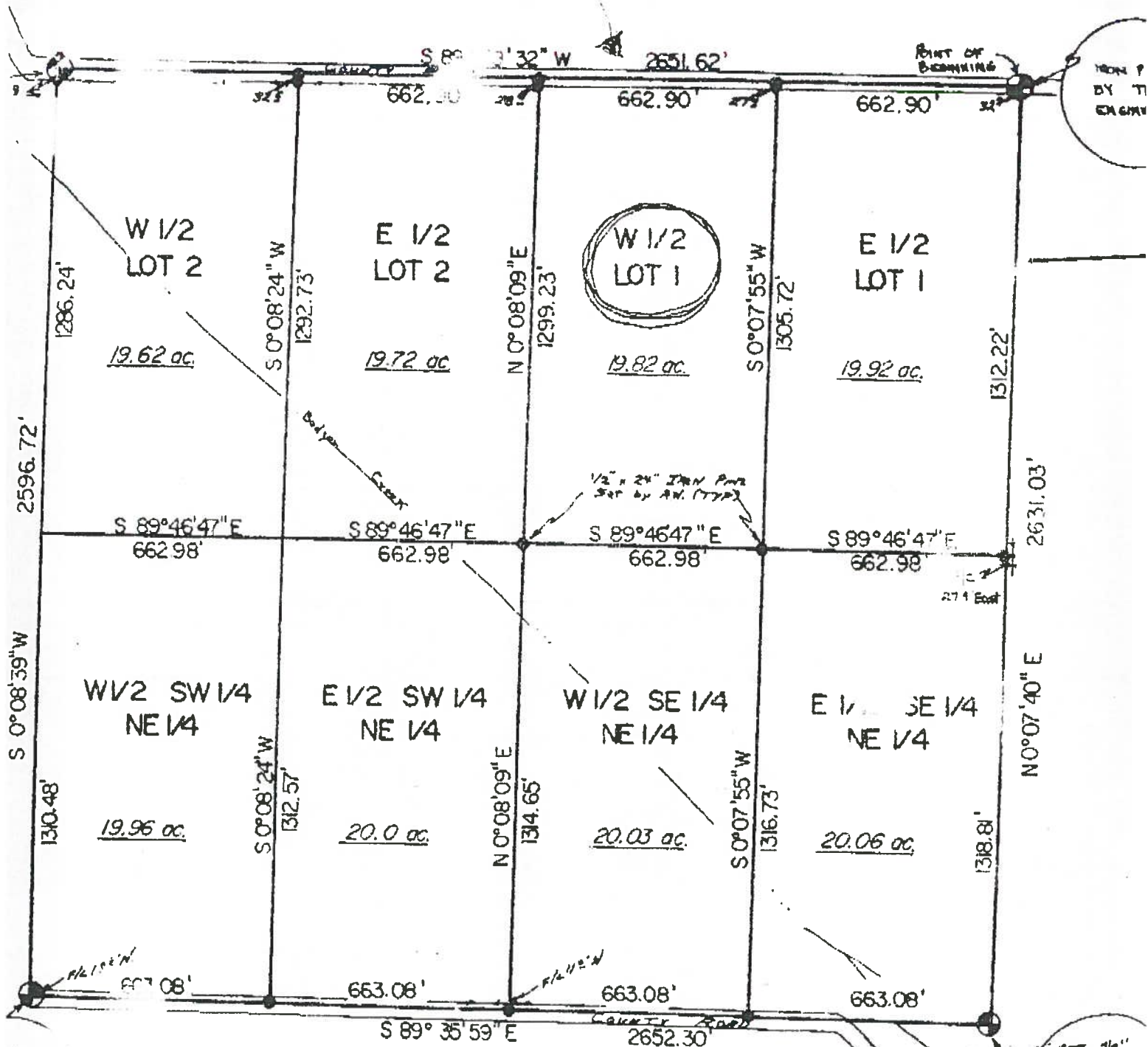
APR 28 2005

MICROFILMED

NOV 04 1992

THIS IS
THE PARCEL WE'LL
BE BUYING

SURV
SEC. 1, TWP. 6N,



PROPERTY DESCRIPTION

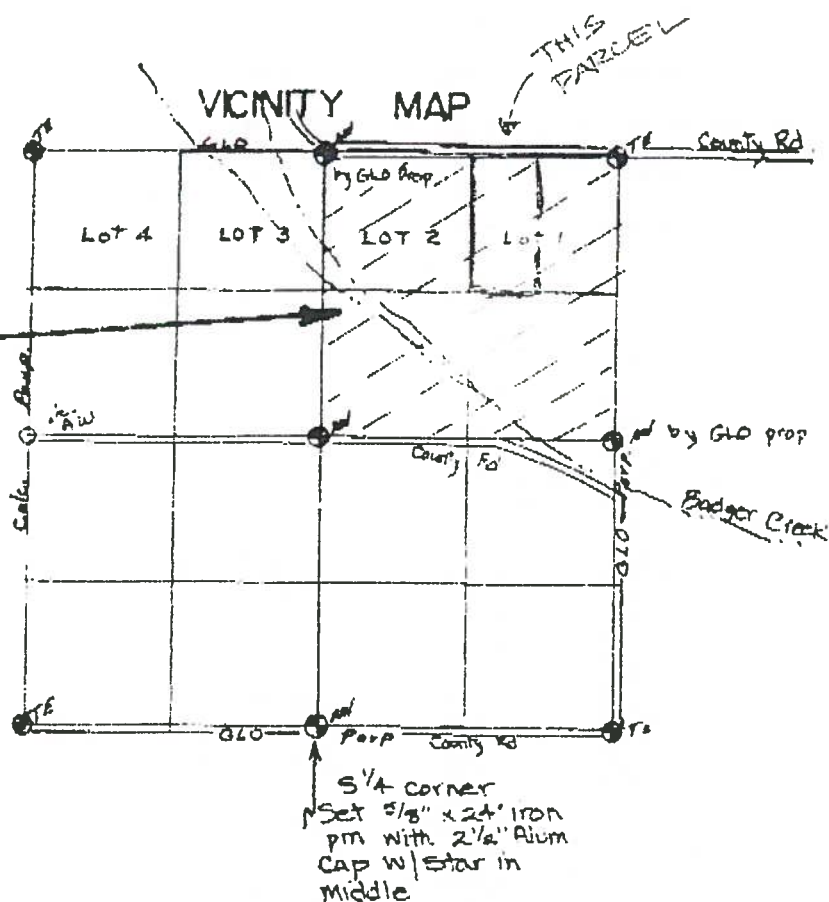
A property survey of the NE 1/4 of Section 1,
Twp. 6N, Rng. 44E, Teton County, Idaho,
being further described as beginning at the
NE corner of Section 1, Twp. 6N, R. 44 E., B.M.
Teton County, Idaho and running thence
S 89° 32' W, 2651.62 ft, thence S 0° 08' 39" W,
2596.72 ft, thence S 89° 35' 59" E, 2652.30 ft,
thence N 0° 07' 40" E, 2631.03 ft to the point of
beginning.

SCANNED

APR 28 2005

MICROFILMED
NOV 06 1990
SET 216"
1/4 PIN NO
2" ALUM. CAR
- E 1/4 CORNER

44 E., B.M.



1005:7
11111

1005:7

A.W. Engineering
50 10 2
March 16, 1987
E. Wayne, Schick
Nora Hill

CERTIFICATE OF SURVEY

I, Arnold W. Woolstenhulme, being a registered Engineer / Land Surveyor in the State of Idaho, No. 2860, do hereby certify that I did survey the tracts of land as herein described and plotted.

Arnold W. Woolstenhulme

Oct. 7, 1986

SCANNED

APR 28 2005



TO: DEPT. OF WATER RESOURCES,
IDAHO FALLS.

ATTN: JO

JO, HERE ARE MAPS & LEGAL
DESCRIPTIONS OF THE 19.82 ACRES
WE WILL BE PURCHASING.

THANK YOU SO MUCH FOR YOUR
HELP.

TIM TANNER

203-746-6589

778-9450

PROFILE

MICROFILMED

NOV 06 1990

Sent Fax of ²²⁻086B Friday

7-7-94

Called 203-778-9450 (Tanner) left msg. to

Call me back on C/o 208-351-2774

7-14-94 Sent c/o form + asked for signed copy of
W. Deed + c/o form.

SD-0601-2 Last Name: KIMBROUGH

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
KIMBROUGH							
	MARVIN D.	C	A22-00286B	06/01/1898	BADGER CREE	0.800	01 IRR
	LOLA J.	C	A22-00286B	06/01/1898	BADGER CREE	0.800	01 IRR
	MARVIN D.	C	A22-10227	04/25/1988	GROUNDWATER	0.040	43 DOMEST
	LOLA J.	C	A22-10227	04/25/1988	GROUNDWATER	0.040	43 DOMEST
	LOLA S.	C	A22-00668A	04/01/1939	BADGER CREE	0.800	01 IRR
	MARVIN D.	C	A22-00052A	01/22/1916	BADGER CREE	0.800	01 IRR
	LOLA	C	A22-00052A	01/22/1916	BADGER CREE	0.800	01 IRR
	MARVIN D.	C	A22-00668A	04/01/1939	BADGER CREE	0.800	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

PROFILED

MICROFILMED

NOV 06 1990

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 22-668C
Date Received: 3/31/1989
Receipt No: X777777
Received By:

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

1. Name of Claimant(s)

TODD WILSON Phone: (208) 456-0921

535 W 1100 N
PO BOX 182
TETONIA ID USA 83452

DANIELLE WILSON Phone: (208) 456-0921

535 W 1100 N
PO BOX 182
TETONIA ID USA 83452

2. Date of Priority: 04/01/1939

3. Source: BADGER CREEK , BADGER CREEK Trib. to: TETON RIVER , TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
06N	45E	8	NW	SE	NE	TETON	
06N	45E	7	NE	NE	NW	TETON	

5. Description of diverting works:

CHECK ACROSS BADGER CRK W/ FLASH BOARDS TO RAISE WATER LEVEL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.4	

7. Total Quantity Appropriated is:
0.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED
APR 28 2005

PROCEED

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	44E	1	NE	NE	IRRIGATION	20
Section Acres						20
Total Acres						20

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:

14. Remarks:

THIS RIGHT PAID FOR UNDER RECEIPT #C006139

15. Basis of Claim: Decreed

SCANNED

APR 28 2005

PROFILED

State

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: **A22-00668C**
Date Received: 3/31/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	TIM TANNER	208-351-2774
Address:	PO BOX 190	
	TETONIA ID	83452
AND/OR		
Name:	JOHNNA TANNER	208-351-2774
Address:	PO BOX 190	
	TETONIA ID	83452
AND/OR		
Name:	JON FISHBURN	208-351-2774
Address:	PO BOX 190	
	TETONIA ID	83452

2. Date of Priority: APR 1, 1939

3. Source: BADGER CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	7	NE	NE	NW		TETON
		8	NW	SE	NE		TETON

5. Description of diverting works:

CHECK ACROSS BADGER CRK W/ FLASH BOARDS TO RAISE WATER LEVEL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

7. Total Quantity Appropriated is:

0.400 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

80.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A22-00668C

PROFILED

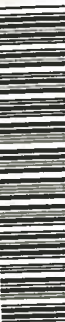
Page

1

SCANNED Date: 09/02/94

APR 28 2005

A2200668C



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	44E	1	NE NE		IRR	20.0
Section Acres						20.0
Total Acres						20.0

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:
A22-00286D AND A22-00052C

14. Remarks:
THIS RIGHT PAID FOR UNDER RECEIPT #C006139.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

NATHAN RICKS
Decree Plaintiff

HENRY EAGLE, WATERMASTER.
vs Decree Defendant

MICROFILMED
NOV 06 1990

PROFILED

SCANNED

APR 28 2005