

12/01/2006

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

RIGHT NUMBER: 22-668E

NAME AND ADDRESS: MONICA MAHR WAITE
4152 W 49 S
IDAHO FALLS ID 83402

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION:

T06N R45E S7 NWNWNE Within TETON County
T06N R45E S7 NENENW 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	0.060 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T06N R44E S01	SENE 2.30	
	2.3 ACRES TOTAL		

Use of this right with Right No. 22-52E and 22-286E are limited to the irrigation of a combined total of 2.3 acres 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 Ward Ditch.



Idaho Department of Water Resources

SRBA Recommendation:

22-52E

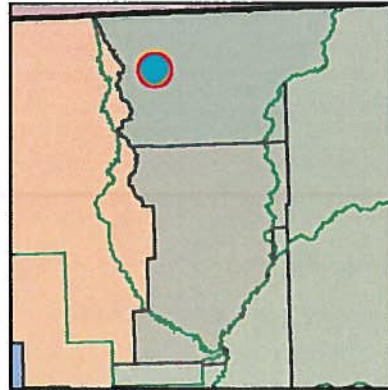
22-286E

22-668E

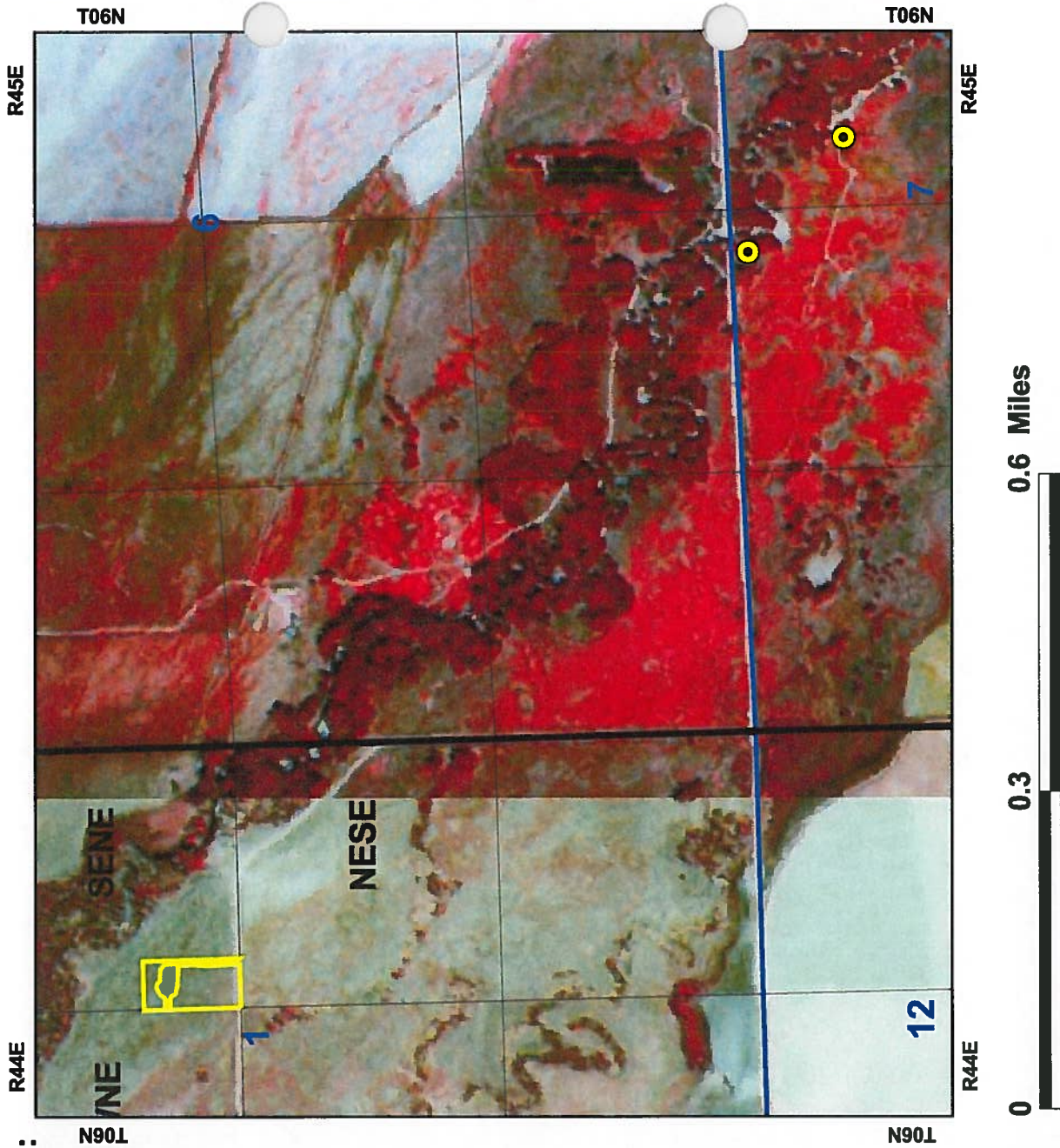
(Irrigation)

Legend

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

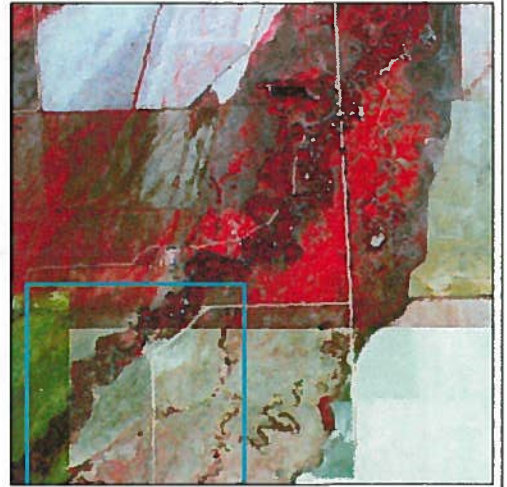
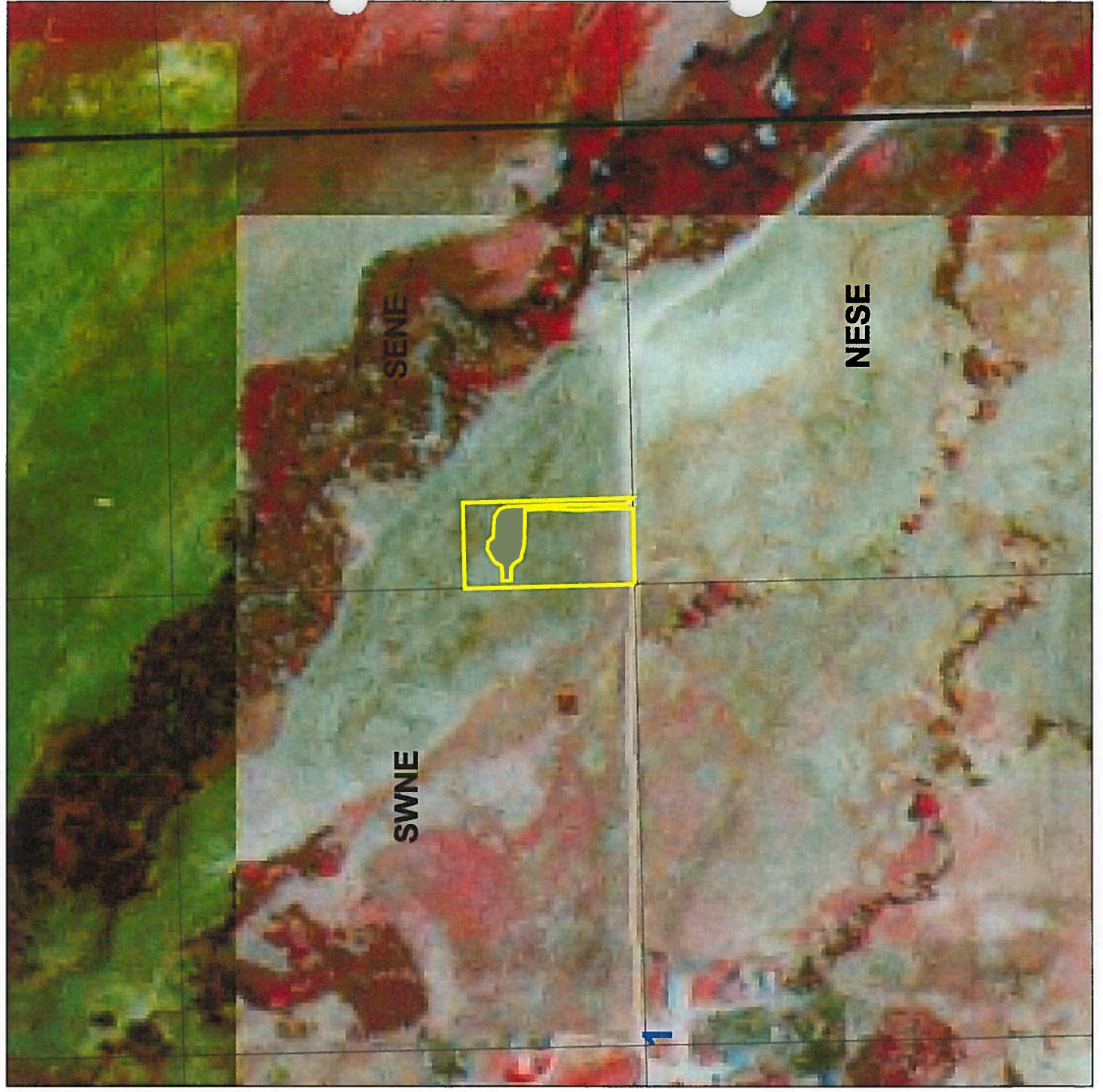


Teton County
IDWR Basin 22



Prepared by K. Moore
On Thursday, November 30, 2006
1987/88 Aerial Photography

22-52E
22-286E
22-668E



22-668E

6/29/2005

Spoke with Teton County Assessor's office, could not provide a current owner for T06N R44E S01 SE/NE. Ms. Waite is no longer an owner of the property.

KMJ

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**SCANNED
AUG 16 2005**

evault

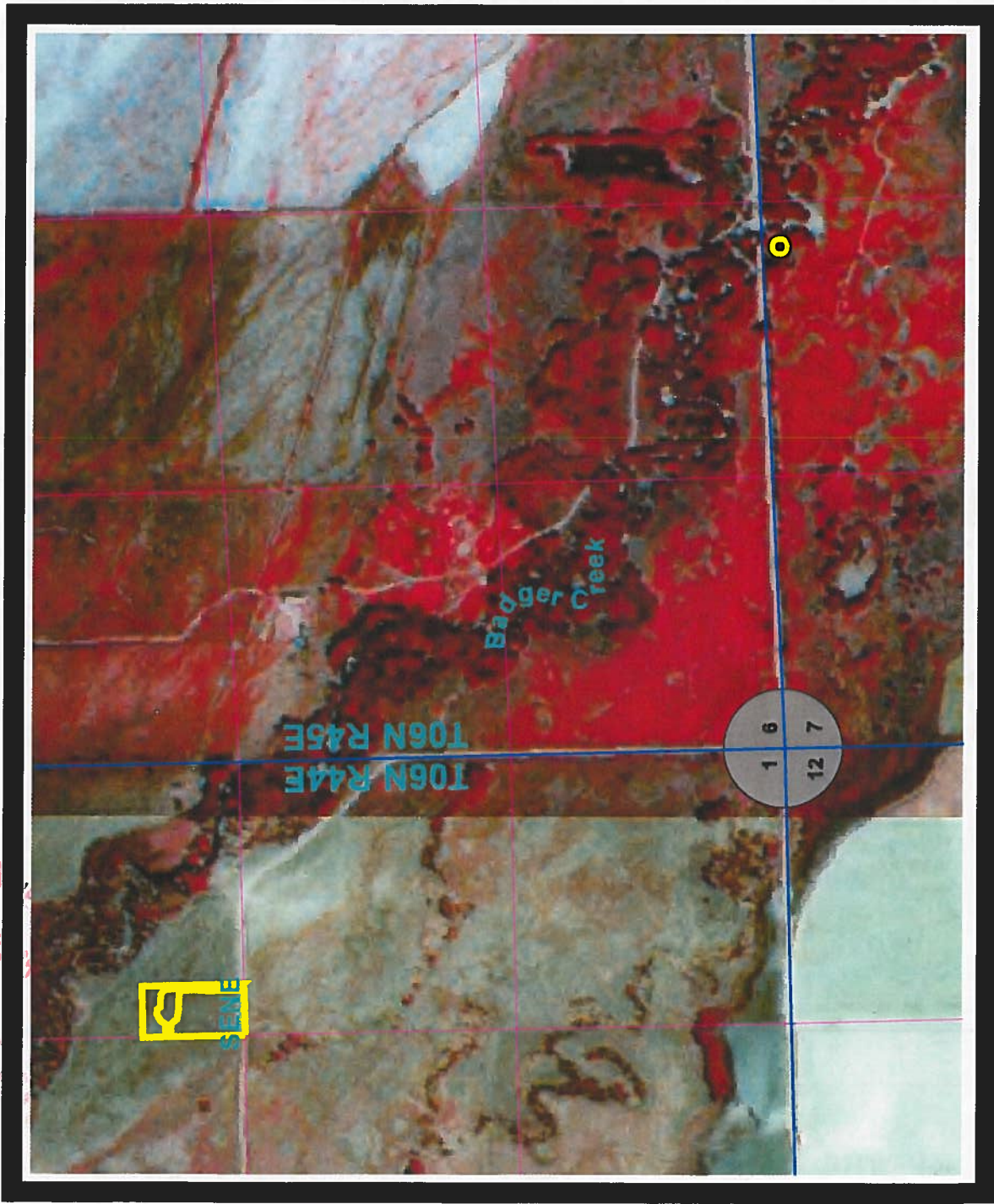


State of Idaho

Department of Water Resources
Eastern Region



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PROF



Water Right(s):
22-52E
22-286E
22-668E

Point(s) of Diversion:
T06N R45E
Sec. 7 NENENW

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

LEGEND



Point of Diversion



SESE
Place of Use



Section



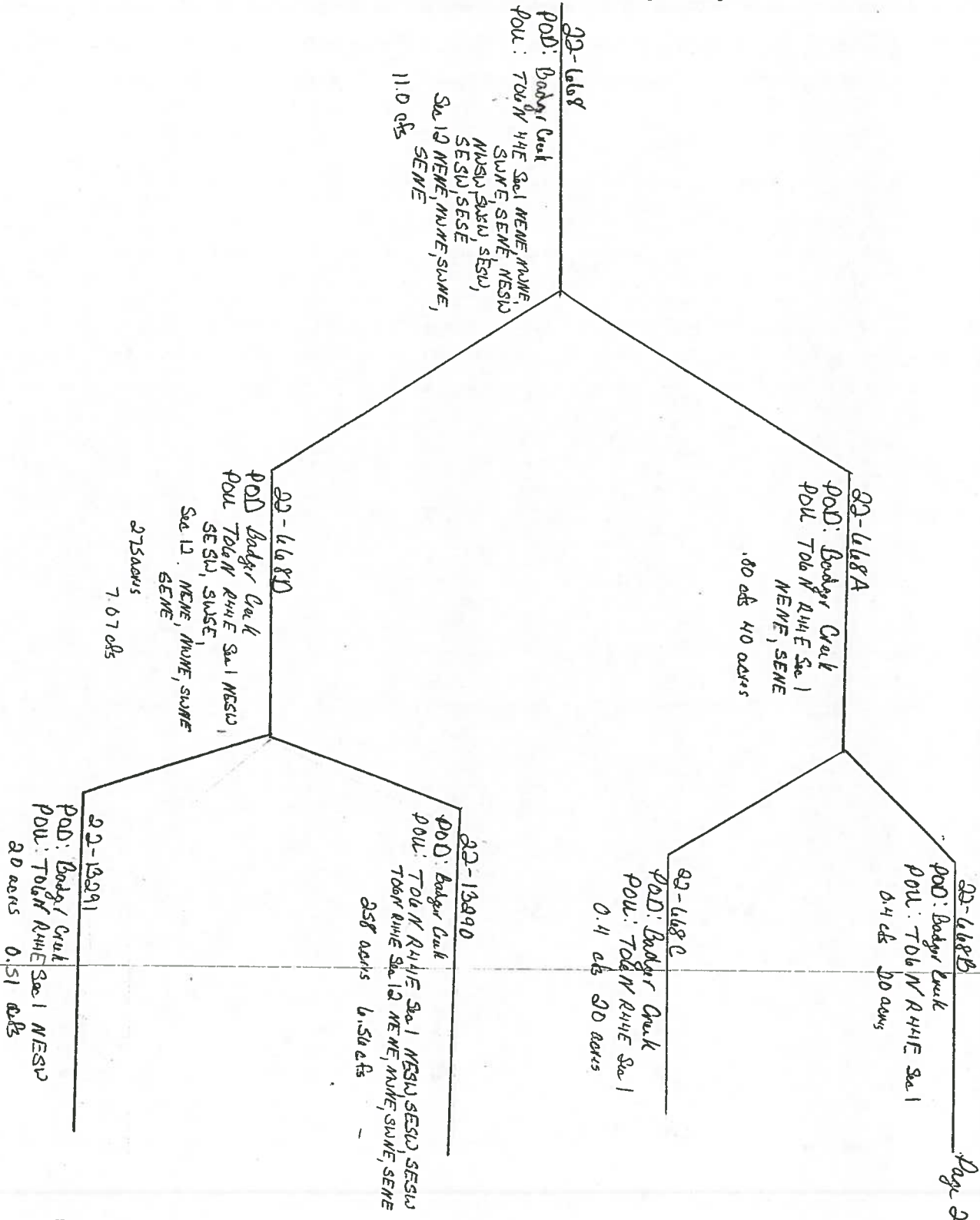
Quarter-Quarter



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

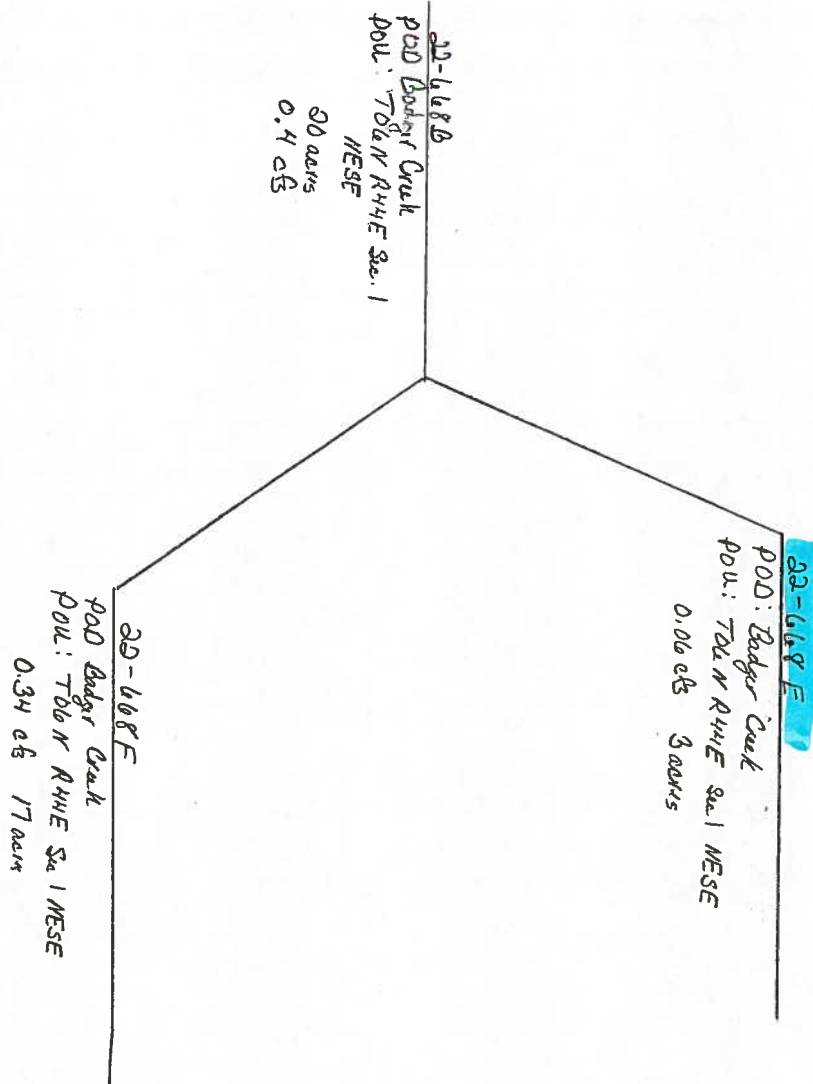
Date: _____

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Water Right and SRBA Split History Analysis

22-668B



Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____
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Water Right No(s). _____

GPS DATA:

Tag # A00 Location: _____

Diversion Data:

Source: Bridge Creek Trib to: Teton River

MOTOR

Make: _____ Model: _____ Hp: _____

SN: _____

PUMP

Make: _____ Model: _____ Disch: _____

SN: _____

NOTES:

Field Exam Date: _____ Agent: _____

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SUN
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Point of Diversion and Source Data Entry Form

Claim Number: 22-668E

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
06N	45E	7		NENENW	Teton	Badger Creek	Teton River
06N	45E	8		NWSENE	Teton	Badger Creek	Teton River

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
06N	45E	7		NENENW	Teton	Badger Creek	Teton River

Other rights from this POD? 22-52-22-28

Transfers Pending or approved: _____

Document how the POD and Source were verified:

POD is Sec. 8 does not serve this right.

Reviewer: _____ Date: _____

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Place Of Use Data Entry Form

Claim Number: 22-668Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
06N	44E	1	SENE		Teton		3	Irrigation

Total acres 3Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
06N	44E	1	SENE		Teton		23	Irrigation

Total acres 23

Pending or approved Transfers: _____

Overlapping rights: 22-52E, 22-66EDocument how the POU was verified:Field exam + GIS

Reviewer: _____ Date: _____

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Season of Use and Quantity Data Entry Form

Claim Number: 22-668 FWater Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate 0.06 cfs

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	04/01	11/01	0.06	

Overall Diversion Rate 0.06 cfs

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	04/15	10/31	0.06	

Overall Diversion Rate 0.06 cfs

Overall Diversion Volume _____

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

$$23 \text{ acres} \times 0.02 \text{ cfs/acre} = 0.46 \text{ cfs} + 0.04 \text{ cfs}^* = 0.06 \text{ cfs}$$

* 0.014 cfs for conveyance loss

Reviewer: _____

Date: SCANNED

PROFIT

APR 29 2005

Claim No. 22-6686

Document Checklist

☒ Copy License/Decree

Richs 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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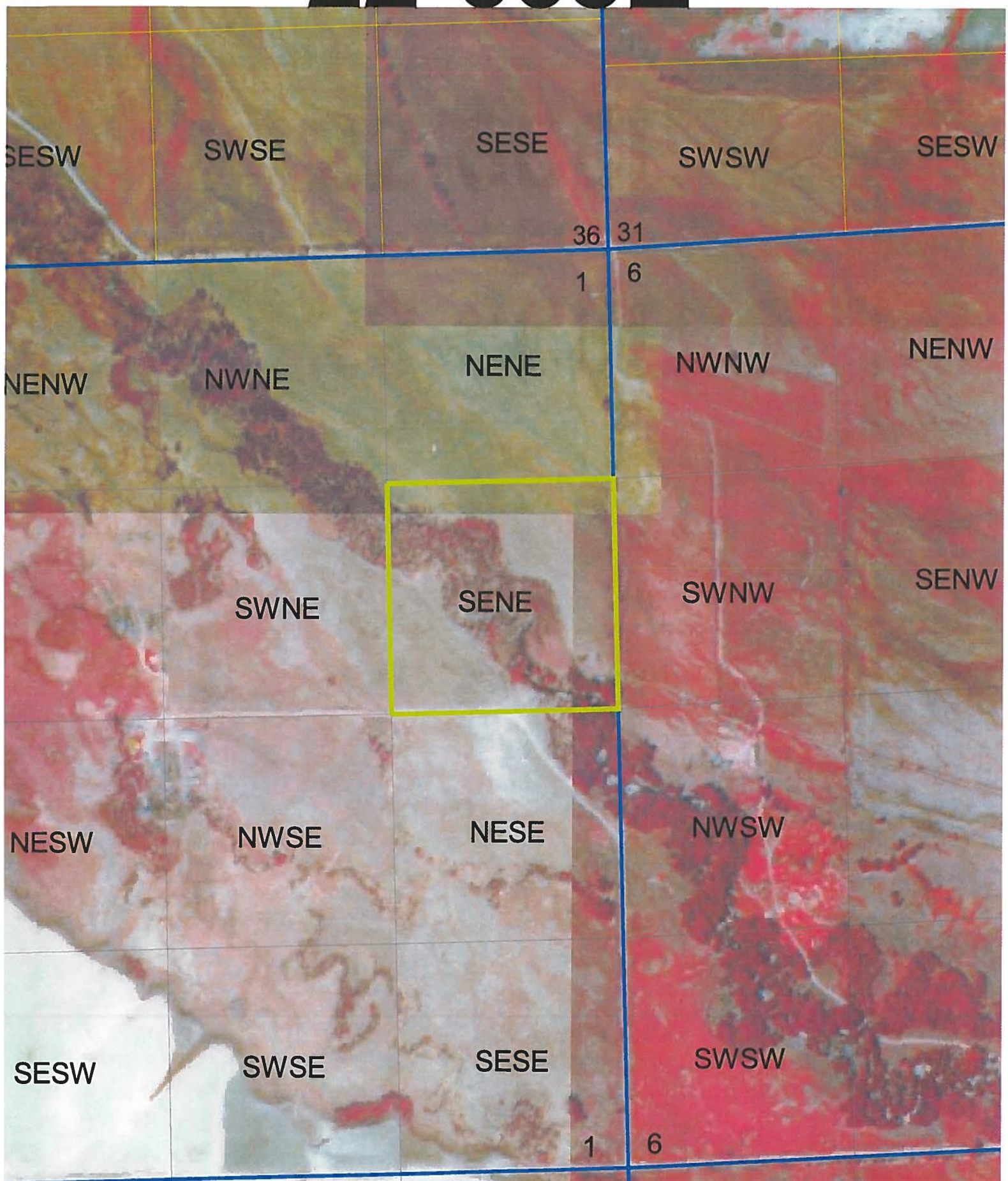
SCANNED

ADD 29 2005

PROFILED

22-668E

SCANNED
APR 29 2005



of Badger Creek with a priority date of April 1, 1939, in addition to all other decreed and other rights now owned by said plaintiff, for domestic purposes and for irrigation of, and to be appurtenant to, the following described lands, to-wit:

Lot Two (2), Section Six (6), Township Six (6) North, Range Forty-five (45) E.B.M., and the West Half of the Southeast Quarter ($W\frac{1}{2}SE\frac{1}{4}$) of Section Thirty-one (31), Township Seven (7) North, Range Forty-five (45) East of the Boise Meridian,

and to be diverted from said Badger Creek in the Northwest Quarter ($NW\frac{1}{4}$) of Section 8, Township 6 North, Range 45, E.B.M.

VIII

22-0668

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that the plaintiff, Leonard Ward, be awarded and is entitled to divert and use 11.0 cubic feet of water per second of time of the waters of Badger Creek with a priority date of April 1, 1939, in addition to all other decreed and other rights now owned by said plaintiff, for domestic purposes and for irrigation of, and to be appurtenant to, the following described lands, to-wit:

The Northeast Quarter ($NE\frac{1}{4}$) of Section Twelve (12), the Northeast Quarter ($NE\frac{1}{4}$), the Southwest Quarter ($SW\frac{1}{4}$) and the South Half of the Southeast Quarter ($S\frac{1}{2}SE\frac{1}{4}$), Section One (1), all in Township Six (6) North, Range Forty-four (44), East of the Boise Meridian,

and to be diverted from said Badger Creek in the Northwest Quarter ($NW\frac{1}{4}$) of Section 8, and the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) of Section 7, all in Township 6 North, Range 45 E.B.M.

IX

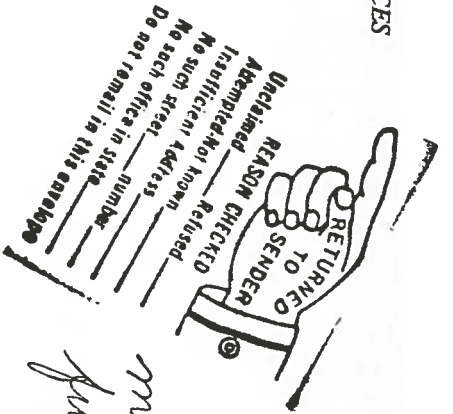
22-0669

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that the plaintiff, Leonard Ward, be awarded and is entitled to divert

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Eastern District Office
900 N. Skyline Dr.
Idaho Falls, ID 83402-1718

Return Service Requested



*moved -
past expiration*



A22-00052E

A22-00286E

A22-00668E

RECEIVED

JAN 10 2000

change of ownership

Department of Water Resources
Eastern Region

MARVIN & LOLA KIMBROUGH
PO BOX 117
TETONIA ID 83452

RECEIVED

SCANNED
APR 28 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

January 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARVIN & LOLA KIMBROUGH
PO BOX 117
TETONIA ID 83452

RE: CHANGE IN OWNERSHIP FOR A22-00052B, A22-00286C,
A22-00688B

Dear Mr. & Mrs. Kimbrough:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A22-00052E, 0.060 CFS, 3 ACRES, KIMBROUGH
A22-00052F, 0.340 CFS, 17 ACRES, WAITE

A22-00286E, 0.060 CFS, 3 ACRES, KIMBROUGH
A22-00286F, 0.340 CFS, 17 ACRES, WAITE

A22-00668E, 0.060 CFS, 3 ACRES, KIMBROUGH
A22-00668F, 0.340 CFS, 17 ACRES, WAITE

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree

Jennifer Crabtree

Technical Records Specialist

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APR 28 2005

PROFILED

75117
DELOG 9/7/99STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIPBC
OK due 1/3/00

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) _____
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Marvin Kimbrough
4. New Owner/Claimant(s) Monica Mahr Waite
 Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
 New Mailing Address 4152 W. 49 S.
 City, State and ZIP Code Idaho Falls ID 83402
 New Telephone Number (208) 529-4117
5. Date you acquired the property 9/20/96
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 10 Number and type of stock 4 horses

Diversion rate in CFS 7 cubic feet per second Number of homes 1 Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Monica Mahr Waite Date 8/27/99
 _____ Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your

APR 28 2005

PROHIBITED

Warranty Deed

ALLIANCE TITLE & ESCROW CORP., INC.
P.O. BOX 644 / 78 N. MAIN ST
DRIGGS, IDAHO 83422

For Value Received

MARVIN KIMBROUGH, AN UNMARRIED PERSON

the grantor , does hereby grant, bargain, sell and convey unto

MONICA MAHR, AN UNMARRIED PERSON

whose current address is P.O. BOX 996, DRIGGS, IDAHO 83422

the grantee , the following described premises, in TETON County Idaho, to wit:

The W1/2SE1/4NE1/4 of Section 1, Township 6 North,
Range 44 East, Boise Meridian, Teton County, Idaho.

Less the following:
Beginning at the Southwest corner of W1/2SE1/4NE1/4 of
Section 1, Township 6 North, Range 44 East, Boise
Meridian, Teton County, Idaho, and running thence North
502.62 feet; thence East 260 feet; thence South 502.62
feet; thence West 260 feet, to the point of beginning.

Excepting therefrom and retaining in the Grantor all
oil and gas rights but conveying to the Grantee all
other mineral rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,
her heirs and assigns forever. And the said Grantor does hereby covenant to and with the said
Grantee , that she is the owner in fee simple of said premises; that they are free from all incumbrances except;
Subject to all existing patent reservations, easements, rights of way, protective
covenants, zoning ordinances, and applicable building codes, laws and regulations

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: SEPTEMBER 20, 1996

Marvin Kimbrough
MARVIN KIMBROUGH

OFFICIAL SEAL
NANCY ANN PERRY
NOTARY PUBLIC - IDAHO
TETON COUNTY
MY COMMISSION EXPIRES 4/3/01

STATE OF IDAHO, COUNTY OF Teton
On this 27th day of September , 1996
before me, a notary public in and for said State, personally appeared

Marvin Kimbrough

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
he executed the same.

Nancy Ann Perry
Nancy Ann Perry Notary Public
Residing at Teton County, Idaho , Idaho
Comm. Expires 4/3/01

125200
FILED
AT THE REQUEST OF

ALLIANCE TITLE AND ESCROW

AT 55 MINUTES PAST 3 P.M.
DATE September 27, 1996
BY *[Signature]*
CLERK OF RECORD
DEPUTY

SCANNED
APR 28 2005

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: **A22-00668E**
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: LOLA S KIMBROUGH 208-456-2672
Address: PO BOX 117
TETONIA ID 83452
AND/OR
Name: MARVIN D KIMBROUGH 208-456-2672
Address: PO BOX 117
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 of	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	0.060		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A2200668E



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APR 29 2005

PROFILE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	44E	1	SE NE		IRR	3.0
Section Acres						3.0
Total Acres						3.0

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:
A22-00286C AND A22-00052B

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

CLAIM A22-00668B SPLIT INTO A22-00668E AND A22-00668F BY
CHANGE OF OWNERSHIP 1/2/00. BCONTOR.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

NATHAN RICKS
Decree Plaintiff

HENRY EAGLE, WATERMASTER.
vs Decree Defendant