

10/18/2005

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

RIGHT NUMBER: 22-2299B
NAME AND ADDRESS: DALLAN JEPPESEN
434 MORGAN DR
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.810 CFS
105.00 AFY

PRIORITY DATE: 12/12/1960

POINT OF DIVERSION:
T05N R40E S17 NENWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.810 CFS 105.00 AFY

PLACE OF USE: IRRIGATION Within MADISON County
T05N R40E S17 SWSW 30.0 T05N R40E S17 SESW 30.0

60 ACRES TOTAL

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 - License

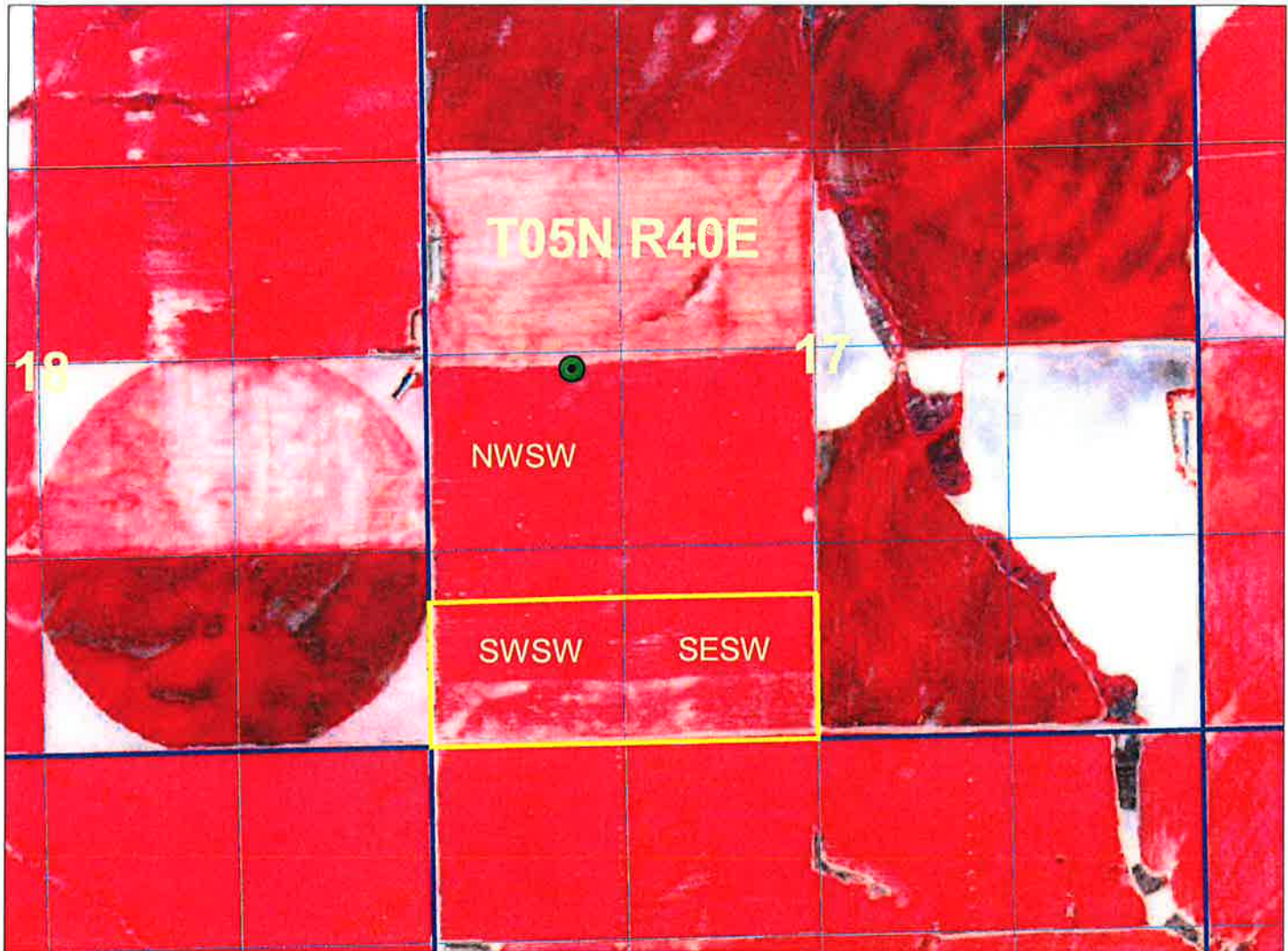
Right No. 22-2299A is also diverted through point of diversion described above.

Department of Water Resources

Eastern Region



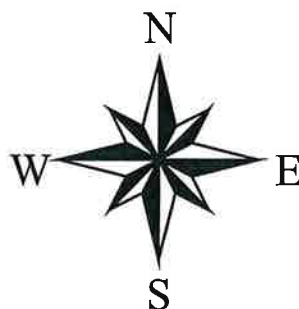
Claim No.: 22-2299B



0 660 1320 1980 2640 Feet



- Point of Diversion
- 22-2299B
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: October 2005

SCANNED
JUN 01 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

May 25, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

DKJ FARMS LLC
665 CENTENNIAL LOOP
REXBURG ID 83440

RE: Notice of Change of Water Right Ownership (NCO) for 22-2299B and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On January 31, 2007, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Dallan Jeppesen

SCANNED
JUN 01 2007

CERTIFICATE OF MAILING

I certify that on May 29, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:

Dallan Jeppesen
434 Morgan Dr
Rexburg ID 83440

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

DKJ Farms LLC
665 Centennial Loop
Rexburg ID 83440

4. One copy to:

Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

SCANNED
JUN 04 2007

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

RECEIVED**JAN 31 2007**Department of Water Resources
Eastern Region

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

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 (under the "split" heading), 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
22-2635	E	☐			☐
22-12195		☐			☐
22-12195		☐			☐
OK 22-2299	B	☐			☐

needs
NAP

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) is 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)

~~Marle Jeppesen + Julie Jeppesen~~
 132 S Hidden Valley Rd.

Dellan Jeppesen
 Rexburg 83440

4. New Owner/Claimant(s)

DKJ Farms LLC

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

665 Centennial Loop

City, State and ZIP Code

Rexburg ID 83440

New Telephone Number

(208) 356-7433

5. Date you acquired the property

12-29-2000

✓
 CM 5-9-07

SCANNED**JUN 01 2007**

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) DKS Farms LLC
(include title if applicable) by Dawn Jeppesen President

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
JUN 01 2007

Warranty Deed

RERECORDING TO CORRECT VESTING

For Value Received Dallan K Jeppesenthe grantor, do hereby grant, bargain, sell and convey unto DKS LLC
DKS Farms LLC DOwhose current address is 434 Morgan Drive, Rexburg, Idaho 83440the grantee, the following described premises, in Madison County Idaho, to wit:

The South 60 rods of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 17, Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho.

Instrument # 328005
REXBURG, MADISON, IDAHO
2006-05-09 04:40:00 No. of Pages: 1
Recorded for: FIRST AMERICAN
MARILYN R. RASMUSSEN
Ex-Officio Recorder Deputy MR Fee: 3.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee, that he the owner in fee simple of said premises; that they are free from all incumbrances

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

Dated: 4-16-04

Dallan Jeppesen

STATE OF IDAHO, COUNTY OF

On this 16 day of April, 2004
before me, a notary public in and for said State, personally appeared

Dallan Jeppesen

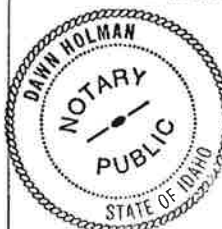
known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
he executed the same.

Dawn Holman
Residing at Rigby, Idaho
Comm. Expires 9-1-06

Notary Public

Instrument # 311368

REXBURG, MADISON, IDAHO
2004-04-16 03:00:00 No. of Pages: 1
Recorded for: DALLAN JEPPESEN
MARILYN R. RASMUSSEN
Ex-Officio Recorder Deputy MR Fee: 3.00



SCANNED
JUN 01 2007

Warranty Deed

For Value Received Dallan K. Jeppesen

the grantor, do hereby grant, bargain, sell and convey unto DFJ LLC

whose current address is 434 Morgan Drive, Rexburg, Idaho 83440

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

The South 60 rods of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 17, Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee, that he the owner in fee simple of said premises; that they are free from all incumbrances

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

Dated: 4-16-04

Dallan Jeppesen

STATE OF IDAHO, COUNTY OF
On this 16 day of April, 2004
before me, a notary public in and for said State, personally appeared
Dallan Jeppesen

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

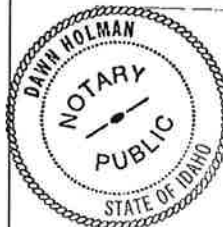
Residing at Rigby
Comm. Expires 9-1-06

Notary Public
, Idaho



Instrument # **311386**

REXBURG, MADISON, IDAHO
2004-04-18 03:00:00 No. of Pages: 1
Recorded for: DALLAN JEPPESEN
MARILYN R. RASMUSSEN Fee: 3.00
Ex-Officio Recorder Deputy



SCANNED
JUN 01 2007



Law Offices

**RIGBY, THATCHER, ANDRUS
RIGBY, & MOELLER, Chartered**

SCANNED

NOV 17 2006

*Ray W. Rigby
Gordon S. Thatcher
G. Rich Andrus
Jerry R. Rigby
Michael S. Kam (1954-2001)
Gregory W. Moeller
Reed E. Andrus*

*P.O. Box 250
25 North Second East
Rexburg, ID 83440*

*Telephone: (208) 356-3633
Fax: (208) 356-0768
E-Mail: jrigby@rigby-thatcher.com*

Idaho Department of Water Resources
ATTN: Trent Galbraith
900 N Skyline Drive, Suite A
Idaho Falls, ID 83402-6105

RECEIVED

MAY 03 2006

Department of Water Resources
Eastern Region

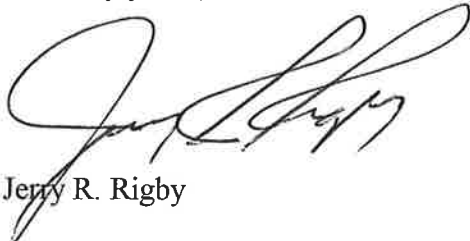
May 2, 2006

RE: Water Right Numbers: 22-7528, 22-7683, 22-265D, 22-265E, 22-2299A, 22-2299B, 22-4195, 22-7091, 22-7115, 22-13454, 22-13479, and 22-7195.

Dear Trent,

Please take notice that this firm represents BMJ Farms LLC, owned by Bevan Jeppesen, and DKJ Farms LLC, owned by Dallan Jeppesen, in the above entitled water rights. Please see that we are included in all future mailings and matters.

Sincerely yours,



Jerry R. Rigby

Adj #1's
updated 5/4/06
Kmj

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JUN 01 2007

NOTES

22-2299 { A 3.49 cfs 260 ac.
4.3 cfs
320 ac. { B 0.81 cfs 60 ac.

License claimed in full.

10-18-05

Recommending as licensed for both parts A + B. Didn't find any evidence that owner ties two splits back together, therefore recommending as separate rights.

SCANNED

JUN 01 2007

Water Right No(s). A22-2299 A + A22-2299B

See Attached

GPS DATA:

Tag # A0000279 Location: on Arvent
GPS data - 2678605 GPS File - 222299
1398275

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: U.S. Motors Model: _____ Hp: 250
SN: 1204859

PUMP

Make: Layne-Bowler Model: _____ Disch: _____
SN: None

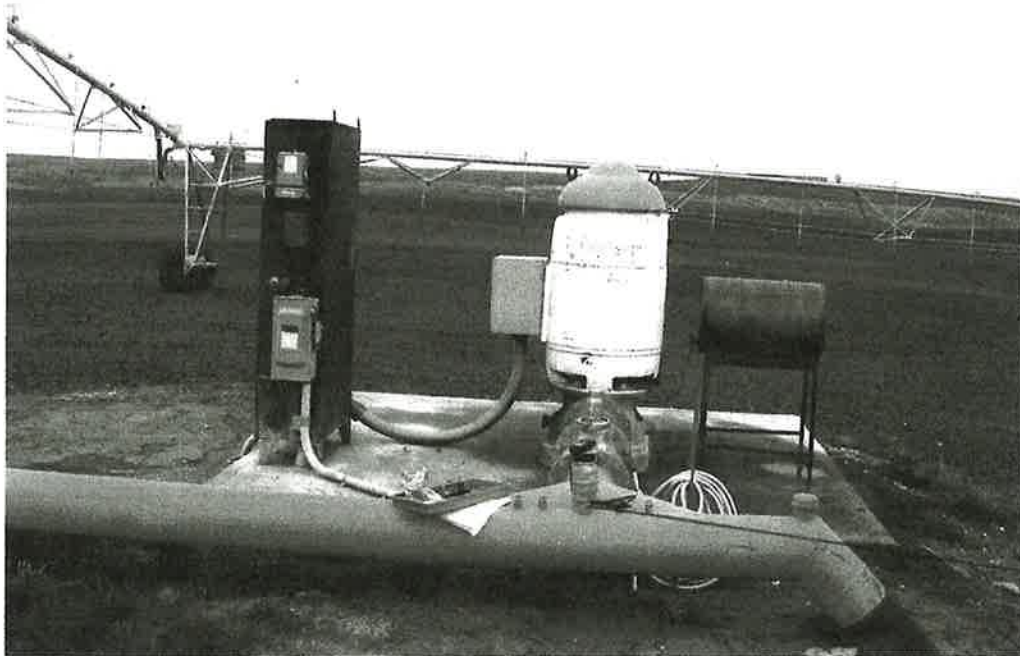
NOTES:

DKJ LLC c/o Dallas Jeppson owns both claims. Change of
ownership for "B" portion submitted at time of exam.
Well, pump to 10" mainline to pivots

Field Exam Date: 5-10-2005 Agent: H. Jones

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JUN 01 2007



GPS
Tag

A22-22994+B, Looking East

SCANNED
JUN 01 2007

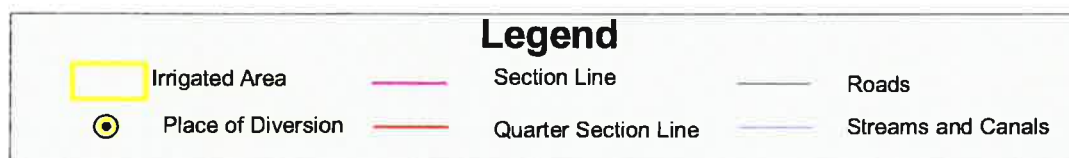
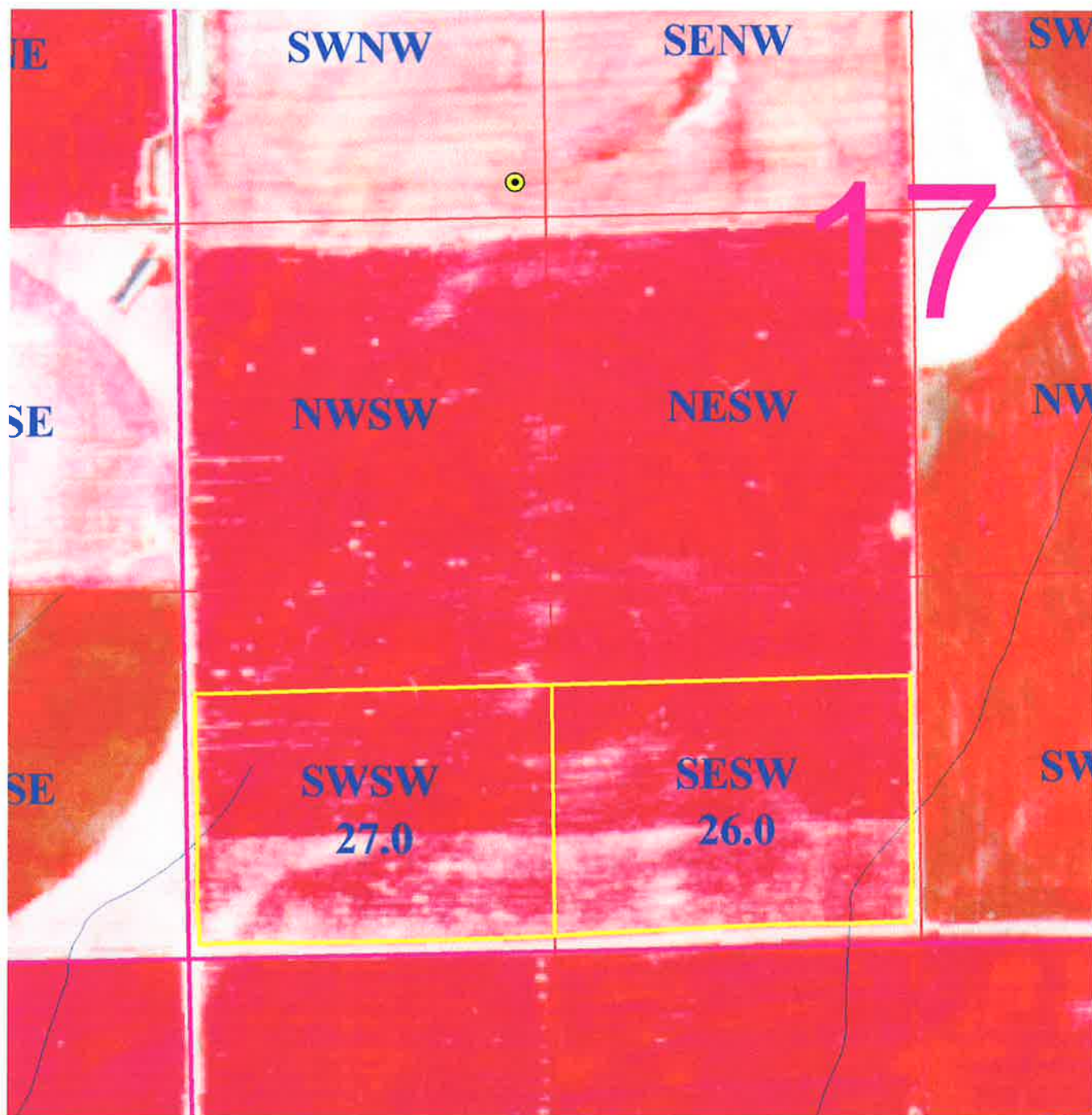
222299

SCANNED

JUN 01 2007

Water Right Claim Number 22-02299B
Township , 5N40E

06/29/2001



SCANNED
JUN 01 2007

SPATIAL
DYNAMICS



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

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

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 (under the "split" heading), 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
22-2299B		☒			
22-2299A		☒			

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) is 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)

Vivian ATKinson
1536 Willow Ln Twin Falls ID 83301

4. New Owner/Claimant(s)

DKJ LLC c/o Dallon Jeppesen

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

434 Morgan Dr

City, State and ZIP Code

Rexburg ID 83440

New Telephone Number

(208) 359-8055 or 390-1006

5. Date you acquired the property

March 25th 2004

SCANNED

JUN 01 2007

PERSONAL REPRESENTATIVE'S DEED

For good and valuable consideration, receipt of which is hereby acknowledged,
ORVIL ATKINSON & GAY DAVIS, CO-PERSONAL REPRESENTATIVES OF THE ESTATE
OF MARY VIVIAN ATKINSON, deceased, as Grantors, does hereby GRANT, SELL and
CONVEY to Dallan Jeppesen, whose address is 434 Morgan Drive, Rexburg, ID 83340 , all right,
title, interest and estate of the decedent at the time of death, and all right, title and interest that the
estate may have subsequently acquired by operation of law or otherwise, in and to the real property
situated in the County of Madison, State of Idaho, described as follows:

The South 60 rods of the S½SW¼ of Section 17, Township 5 North,
Range 40 East, Boise Meridian, Madison County, Idaho, Together
with all water rights appurtenant thereto.

Subject to taxes for 2004 and subsequent years.
Subject to easements and rights-of-way of record or apparent.

DATED this 25th day of March, 2004.


ORVIL ATKINSON Co-Personal Representative of
the Estate of Mary Vivian Atkinson


GAY DAVIS Co-Personal Representative of the
Estate of Mary Vivian Atkinson

Instrument # 311022

REXBURG, MADISON, IDAHO

2004-03-31

11:41:00 No. of Pages: 2

Recorded for : COLEMAN, RITCHIE & ROBERTSON

MARILYN R. RASMUSSEN

Fee: 6.00

Ex-Officio Recorder Deputy 

SCANNED

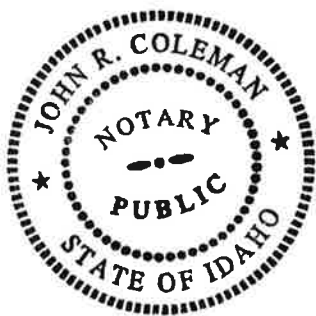
JUN 8 1 2007

ACKNOWLEDGMENT

STATE OF IDAHO)
)ss
County of Twin Falls)

On this 30th day of March, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Orvil Atkinson, known to me to be the person who executed the foregoing instrument and acknowledged to me that he 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.





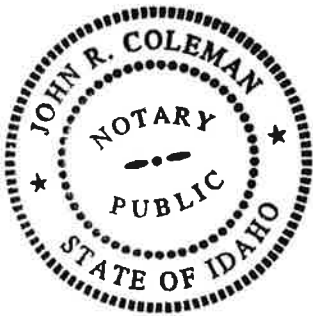
NOTARY PUBLIC
Residing at Twin Falls Id.
My Commission Expires 6-11-05

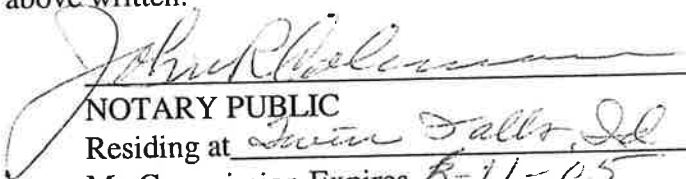
ACKNOWLEDGMENT

STATE OF IDAHO)
)ss
County of Twin Falls)

On this 25th day of March, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Gay Davis, known to me to be the person who executed the foregoing instrument and acknowledged to me that 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
Residing at Twin Falls Id.
My Commission Expires 6-11-05



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

May 24, 1999

DALLAN JEPPESEN
434 MORGAN DR
REXBURG ID 83440

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A22-02299A

Dear Mr. Jeppesen:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed.

Our office did not change water right A22-02299B. We show it in the name of Vivian Atkinson. Please refer to the enclosed documents and pink highlighted areas.

If you have questions about these changes, please contact Senior Water Agent Allen Ruberry at (208) 525-7161.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure

SCANNED

JUN 01 2007



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

March 15, 1999

VIVIAN ATKINSON
1536 WILLOW LN
TWIN FALLS ID 83301

RE: CHANGE IN OWNERSHIP FOR A22-02299

Dear Ms. Atkinson:

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:

A22-02299A, 4.30 cfs on 260 acres, Ricks
A22-02299b, 0.81 cfs on 60 acres, Atkinson

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 Hoagland
Technical Records Specialist

Enclosure

SCANNED
JUN 01 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 1, 1999

John Coleman
PO Box 525
Twin Falls, ID
83303

RE: Claim A22-02299

Dear Mr. Coleman;

We have received the signed Change of Ownership form and supporting documents for the above-referenced claim. A date-stamped copy of the form is enclosed for your records. Since this Basin 22 is administered by our Idaho Falls office, we are forwarding these documents to them. If you have questions on this matter, please contact them directly.

Regards,

James E. Stanton
Sr. Water Resource Agent

SCANNED
JUN 01 2007

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
MAR 02 1999

RECEIVED
FEB 23 1999

Department of Water Resources
Southern Region

DELOG JH 3-2-99
JH 3-4-99
AR 3-5-99

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 No(s).: _____
Adjudication Claim No(s).: A22-02299 - ~~A22~~
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 attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant
Peter J. Ricks (deceased)
Rexburg, ID
4. New Owner/Claimant(s)
Vivian Atkinson
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address
1536 Willow Lane
City, State and ZIP Code
Twin Falls, ID 83301
New Telephone Number
() 733-4793
5. Date you acquired the property
6-12-1962
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 you irrigate 60 Number and type of stock _____
Diversion rate in CFS 0.81 Number of homes _____ 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 or Claimant(s)
Vivian Atkinson
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

SCANNED

JUN 01 2007

CHECK PAYABLE TO: TAX BILL/RECEIPT CODE AREA 00 PARCEL NUMBER
 ON COUNTY TAX COLLECTOR RP05N40E176745A
 DX 65 356-6871 TAX YEAR 1994 BILL NO 5935 L 32,043
 RG ID 83440

TAX 249.77 2ND TAX 249.77 FULL TAX 499.54 TOT MV 32,043
 PEN HALF PEN PEN
 INT INT INT
 COST COST COST
 TOT TOT TOT WAC 3.000
 TOT ACS 57.000

ATKINSON VIVIAN
 1536 WILLOW LN
 TWIN FALLS ID 83301

S 60 RODS S2 SW4
 17-05-40

TAXING DISTRICT **RATE** **AMOUNT**
 STATE .000000000
 COUNTY .006299131 201.84
 SCH DIST 321 .007539801 241.60
 SUTTON CEM .000153190 4.92
 LIBRARY .000600000 19.24
 MOSQ ABATE .000036000 1.16
 MADISON FIRE .000960377 30.78
 TOTALS .015588499 499.54
 NET TAX/SPECIALS DUE 499.54

*** IMPORTANT ***
 PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
 APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
 RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
 SUBJECT TO BANK CLEARANCE.

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
 PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

SQN VIVIAN

1994
 5935

ATKINSON VIVIAN

1994
 5935



40E176745A

00

1M



249.77

PEN
 INT
 COST
 TOT

JUNE 20, 1995
 CHECK #
 CASH

IF NOT PAID ON OR BEFORE
 PAID
 BY



RP05N40E176745A

4-00

1M

DELINQUENT IF NOT PAID ON OR BEFORE
 DATE PAID
 PAID BY



249.77

PEN
 INT
 COST
 TOT

DECEMBER 20, 1994
 CHECK #
 CASH



499.54

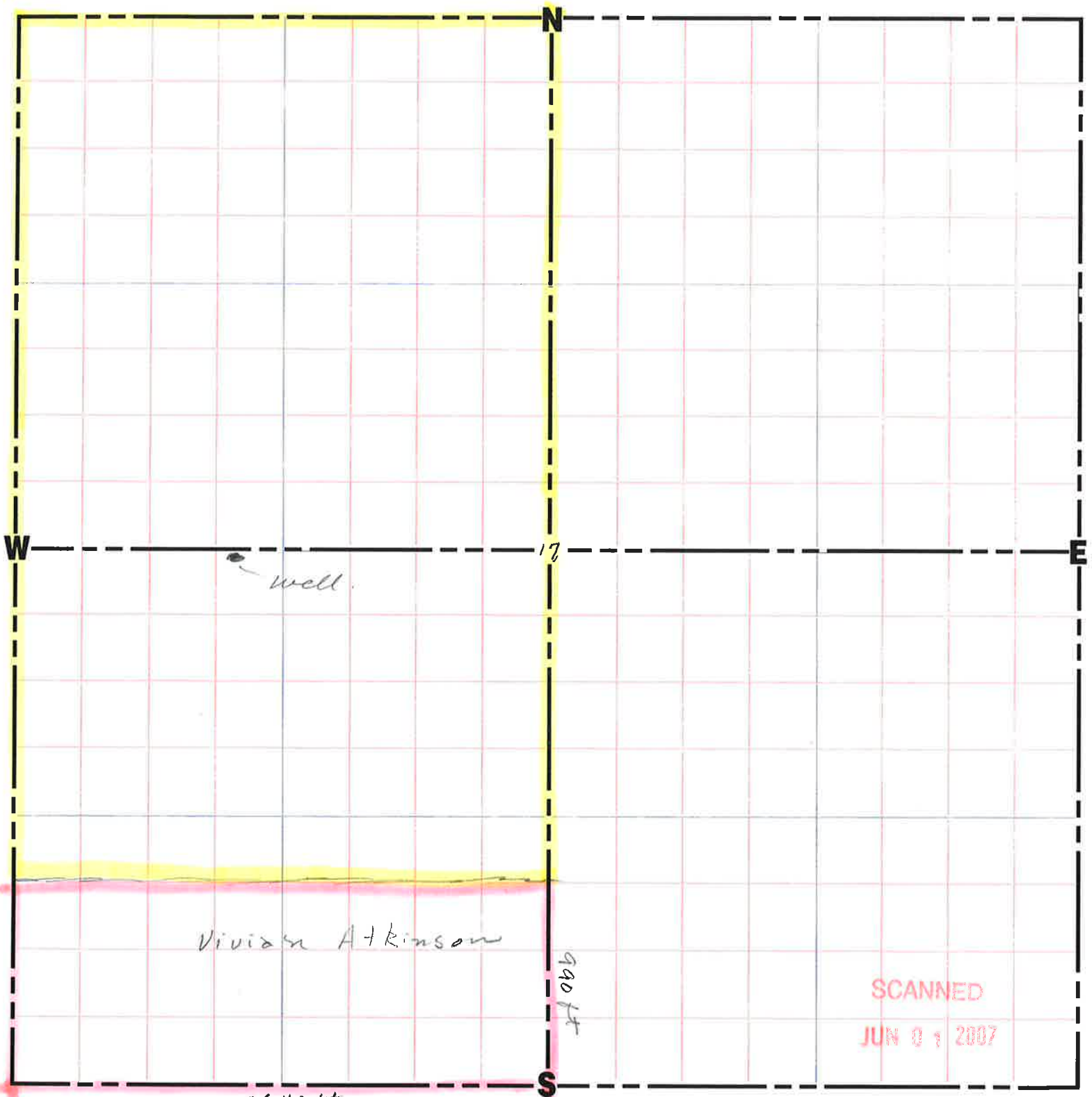
PEN
 INT
 COST
 TOT

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Township 5 North R. 40 E B.M.

SCALE FOR SECTION,
660 Ft. = 1 inch

{ Each side large blue squares = 20 chains, 80 rods, 1320 feet; area of square 40 acres.
Each side small red squares = 5 chains, 20 rods, 330 feet; area of square 2½ acres.



SCALE FOR QUARTER SECTION.
330 Ft. = 1 inch

{ Each side large blue squares = 10 chains, 40 rods, 660 feet; area of square 10 acres.
Each side small red squares = 2.5 chains, 10 rods, 165 feet; area of square .625 of 1 acre.

PRONTO LAND MEASURE 660-330 MAP SHEET

PRONTO LAND MEASURE
P.O. Box 3219, Flint, MI 48502
Phone (810) 233-7950

No R record

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JUN 01 2007

260 (A)

604c (3)

$$\begin{array}{r} 60 \text{ rods} \\ 16.5' / \text{rod} \\ \hline 990' \end{array}$$

(A) $4.3 \text{ cfs} \times \frac{260}{320} = 3.49 \text{ cfs}$

$$\textcircled{8} \quad 4.3 \text{ cfs} \times \frac{60}{320} = 0.81 \text{ cfs}$$

$$\frac{1}{2} m\omega = 2640$$

$$990'$$

$$\frac{2,613,600}{43,560} = 60 \text{ ac}$$

COLEMAN, RITCHIE & ROBERTSON

Attorneys at Law
156 2nd Avenue West
P. O. Box 525
Twin Falls, Idaho 83303-0525

RECEIVED

FEB 23 1999

Department of Water Resources
Southern Region

JOHN R. COLEMAN, CHTD.
JOHN S. RITCHIE
THOMAS M. ROBERTSON
DAVID A. COLEMAN, CHTD.

TELEPHONE (208)734-1224

FAX (208)734-3983
E-MAIL: cr@micron.net

February 22, 1999

Mr. Jim Stanton
Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

Dear Jim:

I am writing this letter to you regarding Adjudication Claim A22-02299, which I discussed with you in your office a few days ago. As you may recall, my client, Vivian Atkinson, was deeded 60 acres by her father in a gift deed in 1962. A few years prior to that her brother, who owned adjoining land, obtained a permit to appropriate and a license to appropriate ground water designated as Permit No. G-29201. The permit and license covered the property of our client, Mrs. Atkinson, as well as other land.

I have had a Notice of Change of Water Right Ownership signed by Mrs. Atkinson and am enclosing that signed Application with this letter, together with a copy of the Gift Deed of the property from her father to her in 1962, and also a copy of a map I have drawn showing the location of the well and the land now owned by Mrs. Atkinson. The enclosed map shows Mrs. Atkinson's property outlined in pink and the land of her brother outlined in yellow.

Also enclosed is a copy of the 1994 tax bill on the property of Mrs. Atkinson and a 1999 copy of the Madison County assessment notice, both to show that she still owns this property.

Would you please take the necessary steps to have the record ownership of this portion of the water right appurtenant to Mrs. Atkinson's land registered to her name. If you need any additional information, please feel free to call me. After this change has been recorded, would you please send to me a copy of the

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COLEMAN, RITCHIE & ROBERTSON

Jim Stanton

Page 2

February 22, 1999

registration of this right so that I might have my file complete, showing that a portion this right is registered in the name of Vivian Atkinson.

If you have any questions, please feel free to call me.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "John R. Coleman".

JOHN R. COLEMAN

JRC/jlk

Encls.

cc: Mrs. Gay Davis

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Print Key Output

5746881 V3R7M0 961108

MADISON

Page 1
02/05/99 09:10:09Display Device Ai
User ELAINE

2/05/99

PM0100 - PARCEL MASTER INQUIRY

9.10:03

PARCEL: RP 05N40E176745 A

F17=DD F23=AG

NAME/ADDRESS
ATKINSON VIVIANLEGAL DESCRIPTION
S 60 RODS 32 SW4
17-05-40

-1536 WILLOW LN

CODE AREA 400 OWNER CODE
PARC TYPE LOC CODE
EFFDATE EXPDATE
PREV PARCEL

TWIN FALLS ID 83301

DATE	RY	QUANTITY	UN	VALUE	MO	MRKT	NO	EXMP	CB	MRKT	OTHER
1	1998	37000	AC	32453							
19	1998	3000	AC								

TOTALS

60000

32453

ENTER NEXT PARCEL NUMBER

RP

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=MS F20=Src F22=EU

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GIFT **WARRANTY DEED**DEED PLATED
By *[Signature]*
Madison County AssessorTHIS INDENTURE, Made this 12th day of June
in the year of our Lord One Thousand Nine Hundred and sixty-two, between

PETER J. RICKS, a widower,

of the , County of Madison , State of Idaho,
the party of the first part, and VIVIAN ATKINSON, a married woman,of Twin Falls , County of Twin Falls , State of Idaho,
the party of the second part:

WITNESSETH: That the said part y of the first part, for and in consideration of the sum of
 ----- LOVE AND AFFECTION ----- DOLLARS
~~lawful money of the United States of America, to ----- in hand paid by the said part~~
~~of the second part, the receipt whereof is hereby acknowledged~~

, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said
 party of the second part, and to his heirs and assigns forever: All the certain
 lot , piece , or parcel of land situate, lying and being in the County of Madison
 State of Idaho, bounded and more particularly described as follows, to-wit:

The South 60 rods of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 17, Twp. 5
 N., R. 40, E.B.M.

This deed is given without money consideration, and
 therefore, no revenue stamps are attached.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging
 or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and
 privileges thereunto incident unto the said part y of the second part, and to her heirs
 and assigns forever. And the said party of the first part, and his heirs the said prem-
 ises in the quiet and peaceable possession of the said part y of the second part, her heirs
 and assigns against the said party of the first part, and his heirs and against all and
 every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant
 and by these presents forever defend.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his
 hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Peter J. Ricks (SEAL)
 _____ (SEAL)
 _____ (SEAL)
 _____ (SEAL)

SCANNED
 JUN 01 2007

STATE OF IDAHO } ss.
County of Madison.

On this 12th day of June 1962, the undersigned, a Notary Public before me, in and for said County and State, personally appeared

PETER J. RICKS,

known to me to

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

Lay v. Lay

Notary Public

Residence Rexburg, Idaho

My commission expires 1-26-63

WARRANTY DEED

Peter J. Ricks

TO

Vivian Atkinson

Dated *June 12, 1962*

STATE OF IDAHO

County of *Madison* } ss.

I hereby certify that this instrument was filed for record at the request of

Peter J. Ricks

at *10* minutes past *2*

o'clock *P.* M., this *11* day of

July A.D., 19*62*

at my office and duly recorded in Book

206 of Deeds at page *97*

G. I. McKinlay
Ex-Officio Recorder

By *Cullyn Allen*
Deputy

Fee, \$ *1.50*

State of Idaho License and Certificate of Water Right

Water License No. G-29201

Amount 4.3 c.f.s.

Water District No.

Priority December 12, 1960

THIS IS TO CERTIFY that

PETER J. RICKS, Jr.

of Rexburg, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 12, 1960; that Permit No. G-29201 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 4.3 second feet, was issued thereunder on October 2, 1961, showing that said works were completed on the 24th day of March, 1961; and that on the 24th day of March, 1961,

PETER J. RICKS, Jr.

of Rexburg, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-29201 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

11 of Licenses at page 7173, on the 2 day of October, 1961;

The right hereby confirmed dates from December 12, 1960;

The Point of Diversion is located on the quarter section line of SW $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$ in the -- $\frac{1}{4}$ -- $\frac{1}{4}$, Sec. 17, Tp. 5-N, R. 40-E, B. M. Madison County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	40 E.	17	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	<u>40</u>
Total number of acres to be irrigated:				320	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 2nd day of October, 1961.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. Q-29201

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Peter J. Ricks, Jr.

2. Source of water supply: a deep well

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ or NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17

T. 5 N R. 40 E.B.M. County of Madison

4. Describe works as they exist, giving dimensions and capacities of same: 250 HP U.S. Motor

#1204859, Layne Boulder Pump #27469 (1700 GPM @ 480' 1770 RPM)

327' x 10" column 14" Bwells stage-6 Well- 333' x 20", 30' x 20" cap.

(6-1/4 mile hand lines and 1 Self Propelled system)

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

W $\frac{1}{2}$ Sec. 17., Twp. 5 N., Rge. 40 E.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

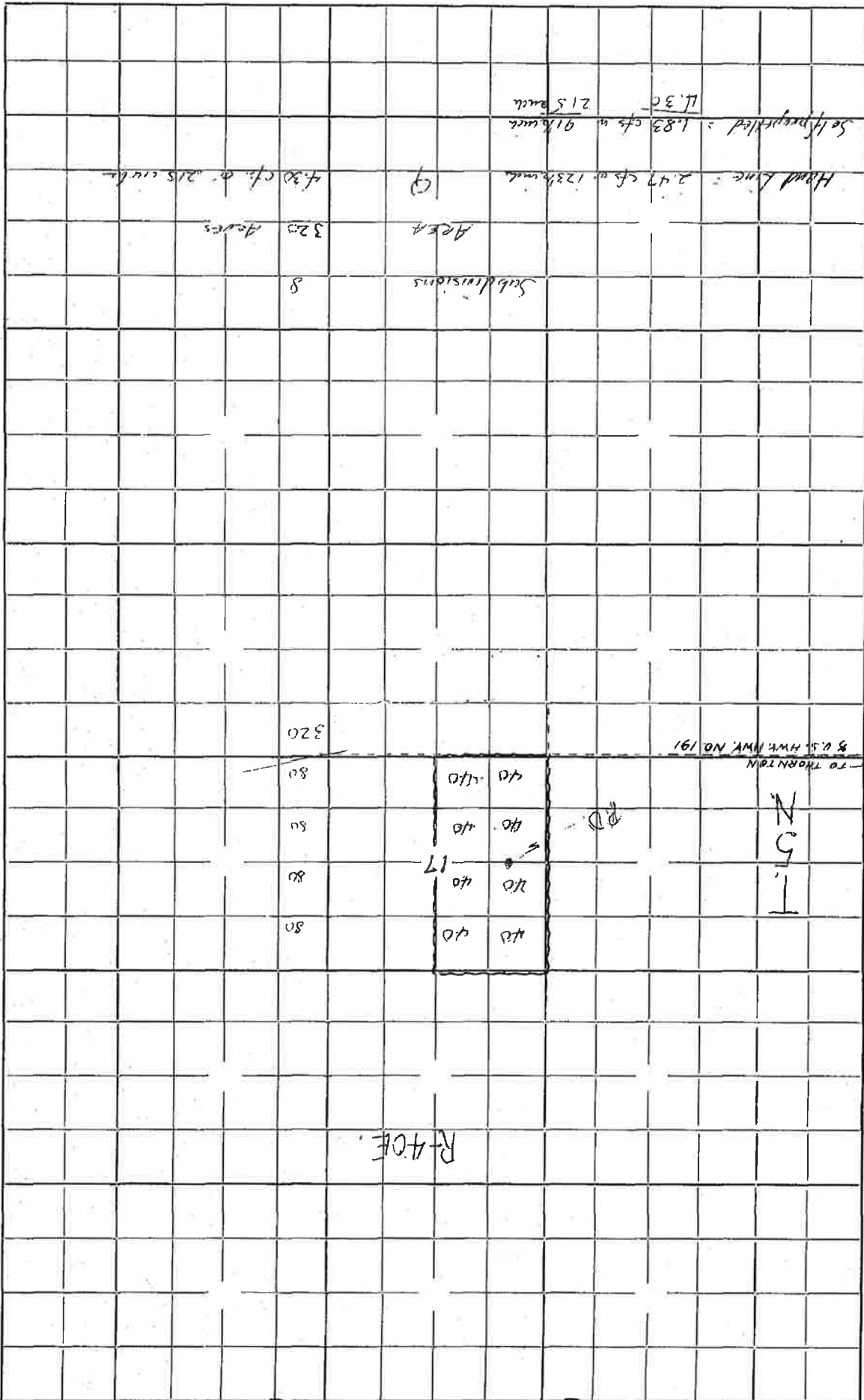
Remarks: Mo. River, J. Ricks, Jr. along

Measurement made by taking pressure readings at intervals along each line

This examination was made on the 16th day of August, 19 61

(Signed) Layne Johnson Examiner.

Scale: 2 inches Equals 1 Mile. Draw Map In Ink.



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: A22-02299B
Date Received: 8/ 3/1988
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: VIVIAN ATKINSON
Address: 1536 WILLOW LANE
TWIN FALLS ID

83301

208-733-4793

2. Date of Priority: DEC 12, 1960

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	40E	17	SE	SW	NW		MADISON

5. Description of diverting works:
WELL W/ PUMP TO CENTER PIVOTS/HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.810		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	17	SW	SW		IRR	30.0
			SE	SW		IRR	30.0

A2202299B



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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	60.0
					Total Acres	60.0

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

P/D DESCRIBED AS ON QUARTER SECTION LINE OF SWNW AND NWSW.

RIGHT IS FROM SPLIT OF A22-02299, 3/15/99. RECEIPT NO. E001068.

15. Basis of Claim: LICENSE

Water Right Number: 29201