

11/21/2006

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

RIGHT NUMBER: 22-4157
NAME AND ADDRESS: ELLIOTT CREEK RANCH LLC
1025 S COOK ST
DENVER CO 80209

MARY JEAN GORDON
583 S 100 W
VICTOR ID 83455-5171

Disallowed

SOURCE: SWAMP CREEK
QUANTITY: 1.640 CFS
PRIORITY DATE: 05/25/1916
POINT OF DIVERSION:

TRIBUTARY: FOX CREEK

T04N R45E S22 NENENW Within TETON County
T04N R45E S22 SENWNW Within TETON County
T04N R45E S22 NESWNW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.040 CFS
IRRIGATION	4/15 10/15	1.600 CFS

PLACE OF USE: IRRIGATION in TETON County

T04N R45E S21	NENE	40.00	T04N R45E S22	NWNW	40.00
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STOCKWATER same as IRRIGATION

80 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

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

Water Rights: 22-4157

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party ELLIOT CREEK RANCH LLC & GORDON-ELLIOT CREEK
RANCH LLC

☐ I.C. § 42-222 transfer

☐ point of diversion

☐ place of use

☐ period of use

☐ nature of use

☐ split of water right

☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Sept. 17, 2009

Ernest Carlson

Signature of IDWR Representative

SCANNED

SEP 18 2009

CERTIFICATE OF MAILING

I certify that on Sept 18, 2009, 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:
Elliot Creek Ranch LLC Mary Jean Gordon
1025 S Cook St 583 S 100 W
Denver CO 80209 Victor ID 83455-5171

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
Elliot Creek Ranch LLC
1025 S Cook St
Denver CO 80209

4. One copy to:

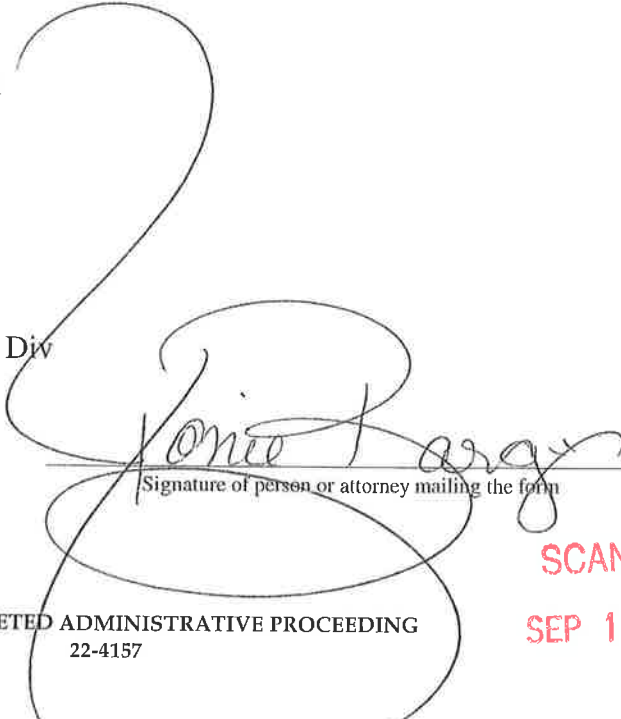
Each party in the subcase, or attorney of record
Elliot Creek Ranch LLC
Represented by:
Robert L Harris
1000 Riverwalk Dr Ste 200
PO Box 50130
Idaho Falls ID 83405

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

SEP 18 2009
Page 2

09/17/2009

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
22-4157	ELLIOTT CREEK RANCH LLC 1025 S COOK ST DENVER CO 80209	Disallowed	

SCANNED¹
SEP 18 2009

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Blackfoot, Idaho,**
has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1882,
"To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of
Emmanuel A. Jenkins

has been established and duly consummated, in conformity to law, for the **northwest quarter of the northwest**
quarter of Section twenty-two and the northeast quarter of the northeast
quarter of Section twenty-one in Township four north of Range forty-five
east of the Boise Meridian, Idaho, containing eighty acres,

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described;
TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of
the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and
rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws,
and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the
authority of the United States.

IN TESTIMONY WHEREOF, I, **Woodrow Wilson**

President of the United States of America, have caused these letters to be made
Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **FOURTH**

(SEAL)

day of **JUNE** In the year of our Lord one thousand
nine hundred and **FIFTEEN** and of the Independence of the
United States the one hundred and **THIRTY-NINTH,**

By the President:

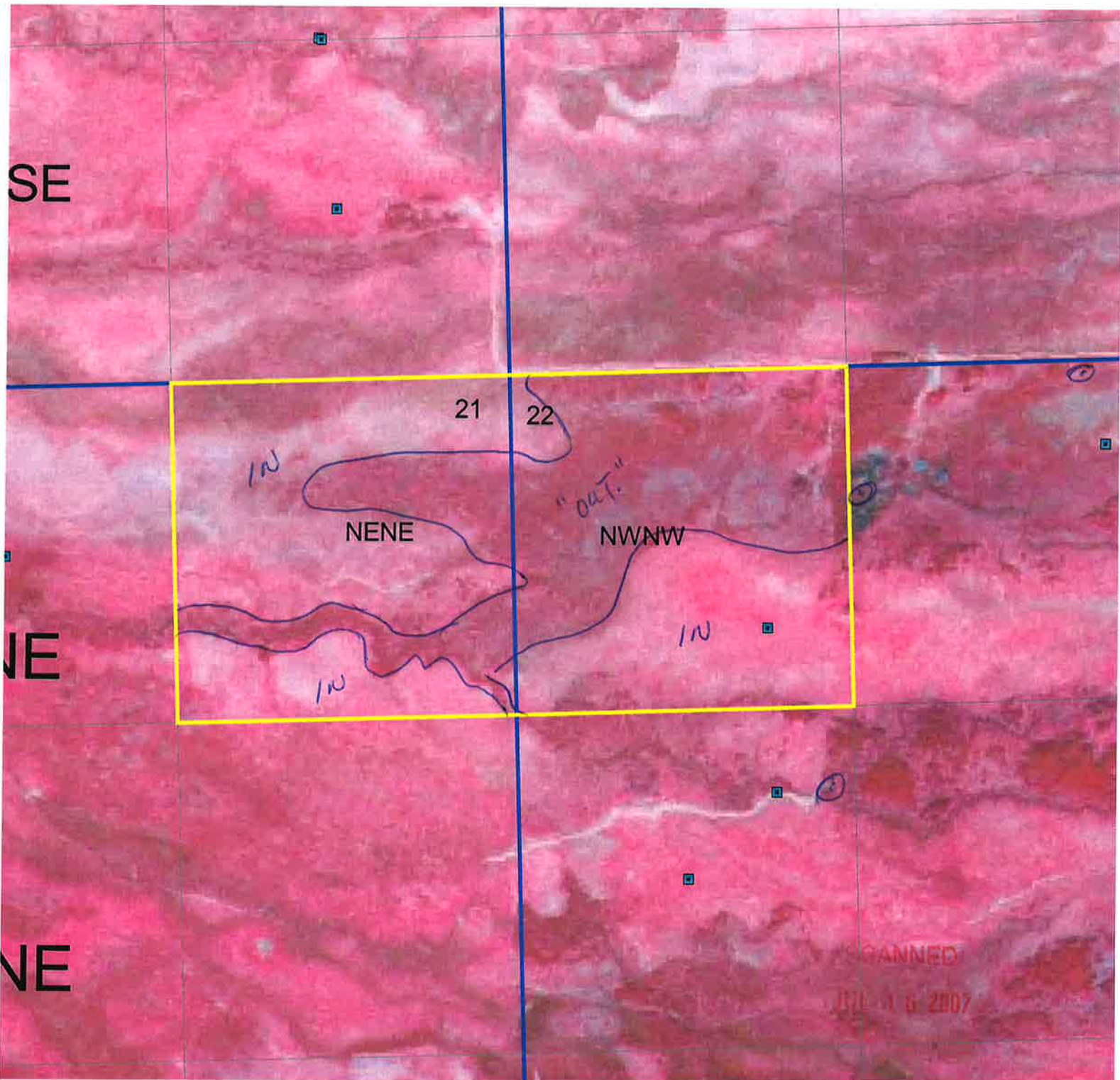
By

Woodrow Wilson
M. P. Le Roy Secretary,
L. B. Lamar
Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number **476361**

9-2137

22-4157



12-12-06

REVIEWED CLAIMANT LETTER DATED 12-11-06.

AFFIDAVIT INDICATES KNOWLEDGE OF BENEFICIAL
USE ATLEAST 3 YEARS PRIOR TO FILING THE CLAIM IN 1988.
HOWEVER, THIS DATE IS AFTER THE 1971 REQUIREMENT TO
FILE APPLICATION FOR THE WATER RIGHT. CLAIM FOR 1916 PRIORITY
DATE DISALLOWED.

SCANNED

JUL 16 2007

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

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
FREDERICK J. HAHN, III
KARL R. DECKER
SHAN B. PERRY
DeANNE CASPERSON**
AMELIA A. SHEETS
ROBERT L. HARRIS
DEBORAH S. O'MALLEY

1000 RIVERWALK DRIVE, SUITE 200
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

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

Of Counsel
Fred J. Hahn

**Also Licensed in Missouri & Kansas

December 11, 2006

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

RECEIVED

DEC 12 2006

Department of Water Resources
Eastern Region

Re: Water Right No. 22-4157

Dear Trent:

We are enclosing with this letter the original Affidavit of Mr. D. Ray Gordon which has just been furnished to us by our clients, together with some aerial photos and maps that were sent to us by their engineer, Mr. Bill Anderson.

We have also received information from our clients with respect to Sundown River Ranch, LLC, that Mr. Charlie Cook and Barry Sorenson dispute the recommended disallowance of Water Right No. 22-11779. As soon as we receive additional information from them, we will forward that on to you.

Yours very truly,



Kent W. Foster

Enclosures

G:\WPDATA\KWF\11925 Anderson, Bill\Trent Galbraith ltr 121106.wpd:cdv

SCANNED

JUL 16 2007

AFFIDAVIT OF D. RAY GORDON

STATE OF IDAHO)
) ss.
COUNTY of TETON)

The undersigned AFFIANT, D. Ray Gordon, being first duly sworn, hereby deposes and says:

1. I am 82 years old, a citizen of the United States and a resident of Teton County, Idaho. I have resided in Idaho my entire life except for the two years that I served in the Navy in the South Pacific (1945 and 1946).
2. I have personal knowledge of the facts set forth below, and am competent to testify.
3. I am employed as a rancher and have been a rancher my entire life, except for a short period of time around high school, and while in the Navy, when I worked as an electrician.
4. I am familiar with the water systems, irrigation procedures and agricultural practices in the area of Water Right #22-4157 because for many years I have lived just down the road, have grazed and irrigated that specific property and other properties in the area, and have worked with and participated in one of the local canal companies (the Fox Creek Canal Company).
5. I personally filed the SRBA claim for Water Right #22-4157 in November of 1988. At that time I was leasing the property and was operating it as a ranch with my wife. I later purchased the property after leasing it for several years.
6. I know that the entire water right was applied to its beneficial use for at least the three-year period before I filed the SRBA claim. I sold the property to the Elliott Creek Ranch LLC in 2003, and used the water right in its entirety until that time.

AFFIDAVIT OF D. RAY GORDON

Page 1 of 2

SCANNED

JUL 16 2007

SWORN TO, This the 7th day of December, 2006.

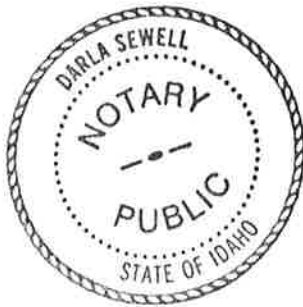
D. Ray Gordon
D. Ray Gordon

ACKNOWLEDGEMENT

STATE OF IDAHO)
)ss.
County of Teton)

On this 7th day of December, 2006, before me, DARLA Sewell, a Notary Public in and for said State, personally appeared D. Ray Gordon, known or identified to me to be the person whose name is subscribed to the within instrument as AFFIANT, 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.



Darla Sewell
Notary Public for Idaho

Residing at: Driggs, Idaho

My Commission Expires: 7/23/07

DELOG
AR
6-16-04OK JC
10-12-05

RECEIVED

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES RECEIVED

JUN 16 2004 NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP JUN 10 2004

Department of Water Resources
Eastern RegionPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
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 (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
--------------------------	------------------------------	-------	-----------------------	------------------------------	-------

22-12203

- \$25

← this is stock water claim

22-4157

HN45K
which
claim

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25
- 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 rights(s) or claims(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 your water rights(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

D. Ray and Mary Jean Gordon

583 S. 100 W., Victor, ID

4. New Owner/Claimant(s)

Elliott Creek Ranch LLC

Name connector (check one): [] and [] or, [] and/or

New Mailing Address

1025 S. Cook St.

City, State and ZIP Code

Denver, CO 80209

New Telephone Number

406-585-1484

5. Date you acquired the property

November 6, 2003

SCANNED

JUL 16 2007

sent
copy
to
state
office
JC
6-16-04

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) *Daniel B. Schley*
(include title if applicable) _____
Managing Member

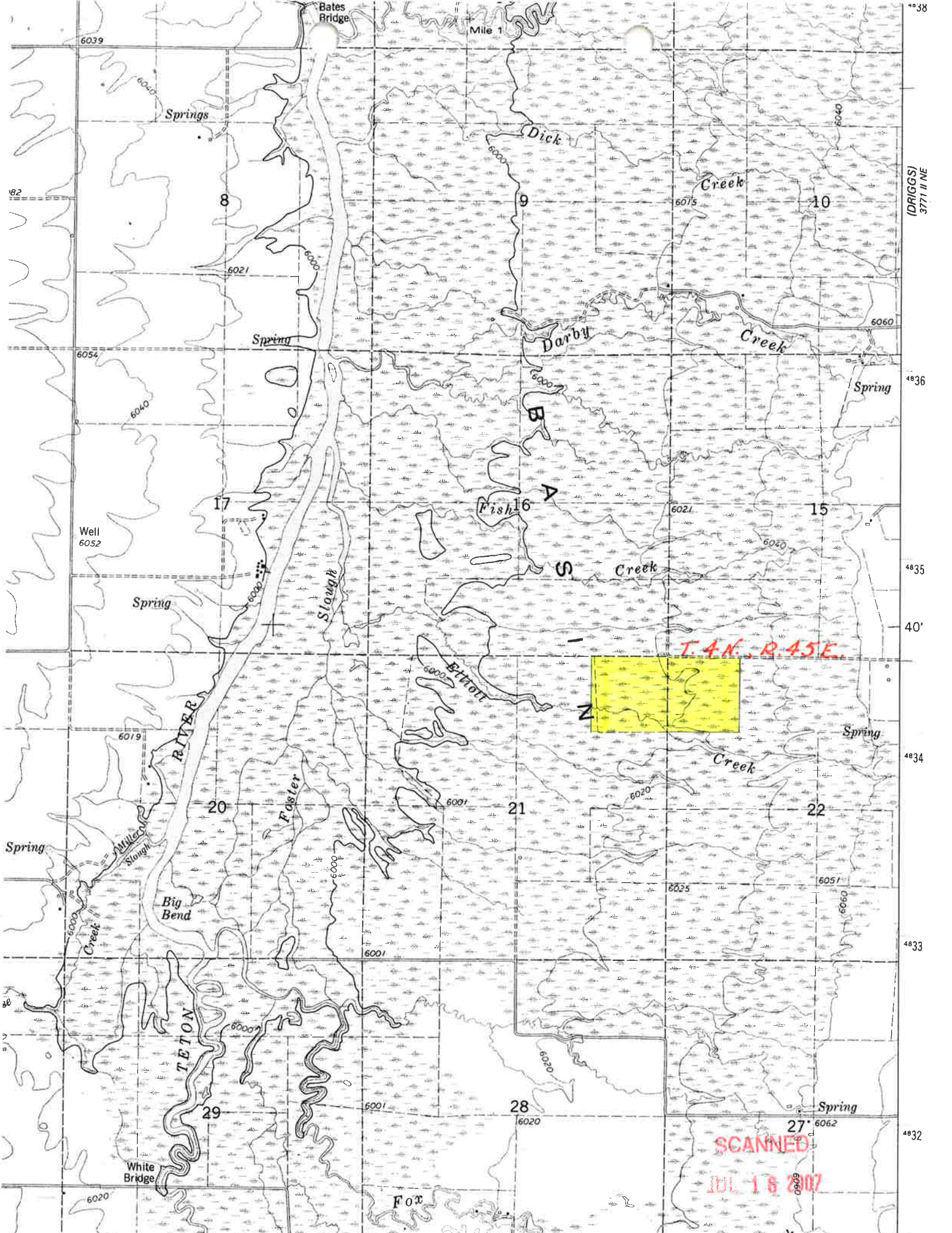
For Snake River Basin Adjudication Claims: Please attached a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

For Office Use Only

Received by *JC* Date *6-16-04* Fee *\$25*
 Receipted by *JC* Date *6-16-04* Receipt No. *E029963*
 Processed by _____ Date _____ WR _____ Date _____

SCANNED

JUL 18 2007



(DRIGGS) 377111 NE

T. 4 N., R. 45 E.

SCANNED
JUL 16 2007

RECEIVED

NOV '06 2003

158350

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

TECH. CO. ID
CLERK RECORDED

WARRANTY DEED

Order No.:3050312193-T

FOR VALUE RECEIVED

Robert J Wilson and Sharman Lee Wilson, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Elliott Creek Ranch LLC, an Delaware Limited Liability Company

whose current address is

1025 South Cook Street Denver, CO 80209

the grantee(s), the following described premises, in County, Idaho, TO WIT:

Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Section 21: NE ¼ SE ¼

Section 22: N ¼ SW ¼, NW ¼ SE ¼

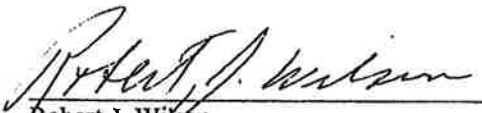
Together with any and all improvements and appurtenances thereto, including rents, issues and profits thereof and reversions and remainders.

Together with and including all water rights, and all oil, gas, and other mineral rights owned by Grantors.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 11/06/2003


Robert J. Wilson

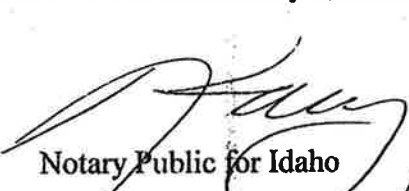

Sharman Lee Wilson

Acknowledgment

STATE OF IDAHO,)
 ss.
County of Teton.)

On this 6 day of November, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared D. Ray and Mary Jean Gordon, known to me to be the General Partners of The D. Ray Gordon Family Limited Partnership, whose names are subscribed to the within instrument and acknowledged to me that they executed the same as General Partners of The D. Ray Gordon Family Limited Partnership.




Notary Public for Idaho

Residing at Dr. eggs, ID

My Commission Expires 2-1-04

RECEIVED

NOV 06 2003

TETON CO., ID
CLERK RECORDER

158358

WARRANTY DEED

ABZ

FOR VALUE RECEIVED, D. Ray and Mary Jean Gordon, as General Partners of The D. Ray Gordon Family Limited Partnership, of 583 South 100 West, Victor, Idaho ("Grantors") do hereby grant, bargain, sell, warrant and convey unto, ELLIOTT CREEK RANCH LLC, a Delaware Limited Liability Company, of 1025 South Cook Street, Denver, Colorado 80209, ("Grantee"), the following described real property in Teton County, State of Idaho, to-wit:

Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Section 22: S1/2NW1/4;NE1/4NW1/4;NW1/4NE1/4, less: Beginning at a point 964 feet East of the North Quarter corner of said Section 22, thence South 75 feet, thence West 50 feet, thence South 100 feet, thence West 14 feet, thence South 1145 feet, thence East 420 feet, thence North 1320 feet, thence West 356 feet to the point of beginning.

Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Section 21: NE1/4NE1/4

Section 22: NW1/4NW1/4

Subject to easements, if any, of record or in existence, for roads and utilities; applicable zoning, use, and subdivision laws, ordinances, and regulations; and accruing 2003 property taxes and assessments:

Together with any and all improvements and appurtenances thereto, including rents, issues and profits thereof; and reversions and remainders.

Together with and including all water rights, and all oil, gas, and other mineral rights owned by Grantors.

Grantors covenant and warrant that fee simple title to the above described property is conveyed to Grantee by this Deed free from all encumbrances.

May 13, 2004

D RAY OR MARY JEAN GORDON
583 S 100 W
VICTOR ID 83455

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-4157

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date MAY 25 1916 from SWAMP CREEK, FOX CREEK.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

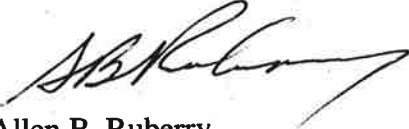
It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

SCANNED
JUL 16 2007

The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.

Please submit documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,



Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"

SCANNED

JUL 16 2007



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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MAY 27, 1993

D RAY GORDON
583 S 100 W
VICTOR ID 83455

RE: CHANGE IN OWNERSHIP FOR A22-12203 AND A22-04157

Dear Mr. Gordon:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner. There were two water rights on the property you purchased.

Enclosed are typed Notices 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 these Notices for your records.

Also enclosed is a letter regarding "Evidence of Priority". You will need to submit some evidence supporting the priority date on the Notices. Do not ignore this letter.

Respectfully submitted,

for *Jo Thompson*

Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: Notices of Claim

MICROFILMED

SCANNED

APR 11 1994

JUL 16 2007



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 4N Range 45E
Section 21, 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.
sec. 22 NWWNW

☐ 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)
Assigned by IDWR: A22-04157 A22-12203

☒ Name and Address of Former Owner/Claimant(s)(Seller): Lou Jean Johnson Hanley

PO Box 234

Milford UT

☐ New Owner/Claimant (Purchaser): D Ray Gordon &/or Mary Jean Gordon

☐ New Mailing Address: 5835 100 W
Victor ID 83455

☐ New Telephone Number: (208) 787 - 2762

☐ Does the change in ownership result in a splitting of the water right owned/claimed? 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: _____

(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) D Ray Gordon Date 5/5/93

Date

☐ 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:

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

MICROFILMED

APR 11 1994

JUL 16 2007

DEC 12 1991

WARRANTY DEED

TETON Co. Id.
Clerk Recorder

For Value Received

ORPHA MARIE J. HART, LOUIE JEAN J. HANLEY, RULA M. MATKIN AND L. DUANE JOHNSON, all married persons dealing with their separate property.

the grantors, do hereby grant, bargain, sell, and convey unto

D. RAY GORDON AND MARY JEAN GORDON, husband and wife
583 South 100 West
Victor, Idaho 83455

the grantees, the following described premises, to-wit:

TOWNSHIP 4 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO.

Section 21: NE1/4NE1/4
Section 22: NW1/4NW1/4

Subject to reservation in United States and State Patents; existing and recorded Right-of-ways, Easements, Zoning, Building and Subdivision ordinances; taxes and Assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: December 2, 1991

x Orpha Marie J. Hart
Orpha Marie J. Hart
x Rula M. Matkin
Rula M. Matkin

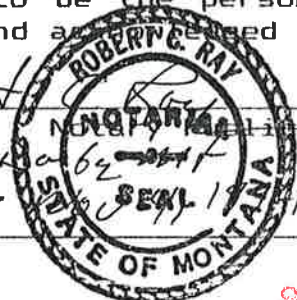
x Louie Jean J. Hanley
Louie Jean J. Hanley
x L. Duane Johnson
L. Duane Johnson

STATE OF Montana, COUNTY OF Bozaville
On this 5 day of December, 1991 before me, a notary public in and for said State, personally appeared

Orpha Marie J. Hart

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

Residing at
Comm. Expires.



MICROFILMED

APR 11 1994

SCANNED

JUL 16 2007

109222
FILED

AT THE REQUEST OF

First American

AT 15 MINUTES PAST 4 PM

DATE Dec. 12, 1991

Ara J. Drake
CLERK OF RECORDER

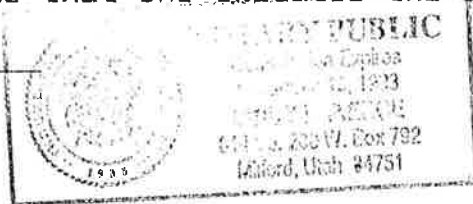
BY Ara Hill
DEPUTY

STATE OF *Utah*, COUNTY OF *Beaver*
On this *29th* day of *November*, 1991 before me, a notary
public in and for said State, personally appeared

Louie Jean J. Hanley

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

Cindy L. Purce
Notary Public
Residing at *Millford, Utah*
Comm. Expires. *11-10-93*



STATE OF *Nevada*, COUNTY OF *Clark*
On this *25th* day of *November*, 1991 before me, a notary
public in and for said State, personally appeared

Rula M. Matkin

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

Mary Jo Cole
Notary Public
Residing at *Overton, NV*
Comm. Expires. *1-14-95*



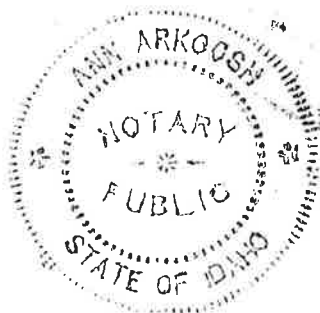
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARY JO COLE
My Appointment Expires Jan. 14, 1995

STATE OF *IDAHO*, COUNTY OF *GOODING*
On this *2nd* day of *December*, 1991 before me, a notary
public in and for said State, personally appeared

L. Duane Johnson

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

Ann Arkocsh
Notary Public
Residing at *Gooding, Idaho*
Comm. Expires. *9-29-97*



SCANNED

JUL 16 2007

MICROFILMED

APR 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

October 7, 1988

RE: Water right claims A22-12203 & A22-04157.

Dear Mr. Hanley:

Thank you for submitting the water claims for your properties in Teton County. Before the Department can process your claims, some additional information is required.

Regarding the stockwater claim, numbered A22-12203. This claim was received (your copy attached) but there were a few errors with the legal descriptions. I have prepared an amended claim which incorporates the corrected legal descriptions as I interpreted your map. Please review this it and if you agree with the changes sign, notarize the claim and return it to our office.

Regarding the irrigation claim, A22-04157. I have also prepared another copy of this claim which is based upon claimed water right 22-4157 as you indicated on the form. I made some corrections to the legal description for the point of diversion based upon the map you enclosed. Again please review this claim and if everything is in order, sign/notarize the claim and return it to our office. You did not submit the fee for this claim, which must be paid before we can accept it. The filing fee for claim A22-04157 is \$130.00 (80 acres @ \$1.00/acre plus \$50.00 claim fee = \$130.00).

Please complete the items as requested and return the claims to this office. We will accept your claim A22-04157 without accessing a late fee if you return it within 30 days of this letter (Nov. 7, 1988). Your prompt attention is appreciated and if you need further assistance, please contact our office.

Sincerely;

Eric S. Verner
Sr. Water Agent

Enclosure

MICROFILMED

OCT 29 1992

SCANNED

JUL 18 2007

Form No. 243
9/81

Claim No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 17 1983

Department of Water Resources
Eastern District Office

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Lou Joan Jonnson Hunley

(Name of Claimant)

P.O. Box 234, Milford, Utah

(Mailing Address)

84751

(Zip Code)

Telephone No. 801-587-2738

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) May 25th 1916

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Swamp Creek tributary to Fox Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>120 acre feet</u>		Use <u>Irrigation, stock</u>		Period of Use From <u>Jan. 1st</u>	To <u>Dec. 31st</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

- (4) 120 acre feet TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SW 1/4 NE 1/4 Sec. 22 Twp. 4 North Rge. 45 East W.M., County of Teton.

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Ditch which runs North by North West for approx. 1/2 mile then entering at approx. the intersection of NE 1/4 Sec 21, NW 1/4 Sec 22, SW 1/4 Sec 22 and SE 1/4 Sec 21.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	45E	21	X																40.00
4N	45E	22					X												40.00

No. of acres 80.00

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: The water is used as well as for irrigation and watering stock.

NOTE: Include here the type and number of stock watered: Range and Dairy cattle of varying number.

- (7) If you are claiming water as a member of an organization, list name of organization:

SCANNED

JUL 16 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

JUN 17 1983

Department of Water Resources
Eastern District Office

To appropriate the public waters of the State of Idaho

1. Name of applicant Lou Jean Johnson Hanley Phone 801-587-2758

Post office address P.O. Box 234, Milford, Utah 84751

2. Source of water supply Swamp Creek which is a tributary of Fox Creek

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22 Township 4 North

Range 45 E B.M. Teton County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 120 AF for IRR./Stock purposes from Jan. 1st to Dec. 31st (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. _____ cubic feet per second and/or b. 120.00 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. ditch which runs North by North West
for approx. $\frac{1}{2}$ mile then entering at approx. the intersection of NE $\frac{1}{4}$ Sec 21, NW $\frac{1}{4}$
NW $\frac{1}{4}$ Sec 22, SW $\frac{1}{4}$ Sec 22, and SE $\frac{1}{4}$ Sec 21/

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is _____ years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

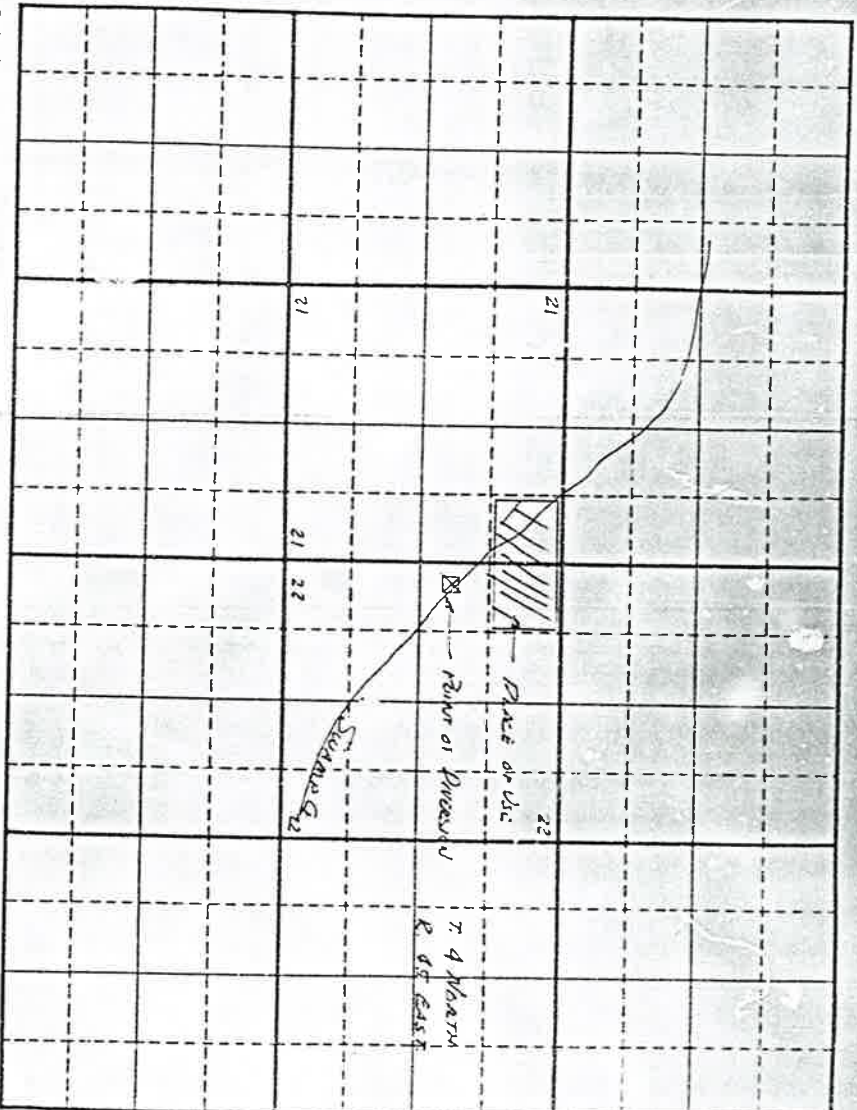
(3) List number of each kind of livestock to be watered range and dairy cattle of varying num-
ber.

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

JUL 16 2007

(B) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Gooding) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 12th day of August, 1983.
Don Jean Johnson
Notary Public for Idaho
Residing at Gooding, Idaho

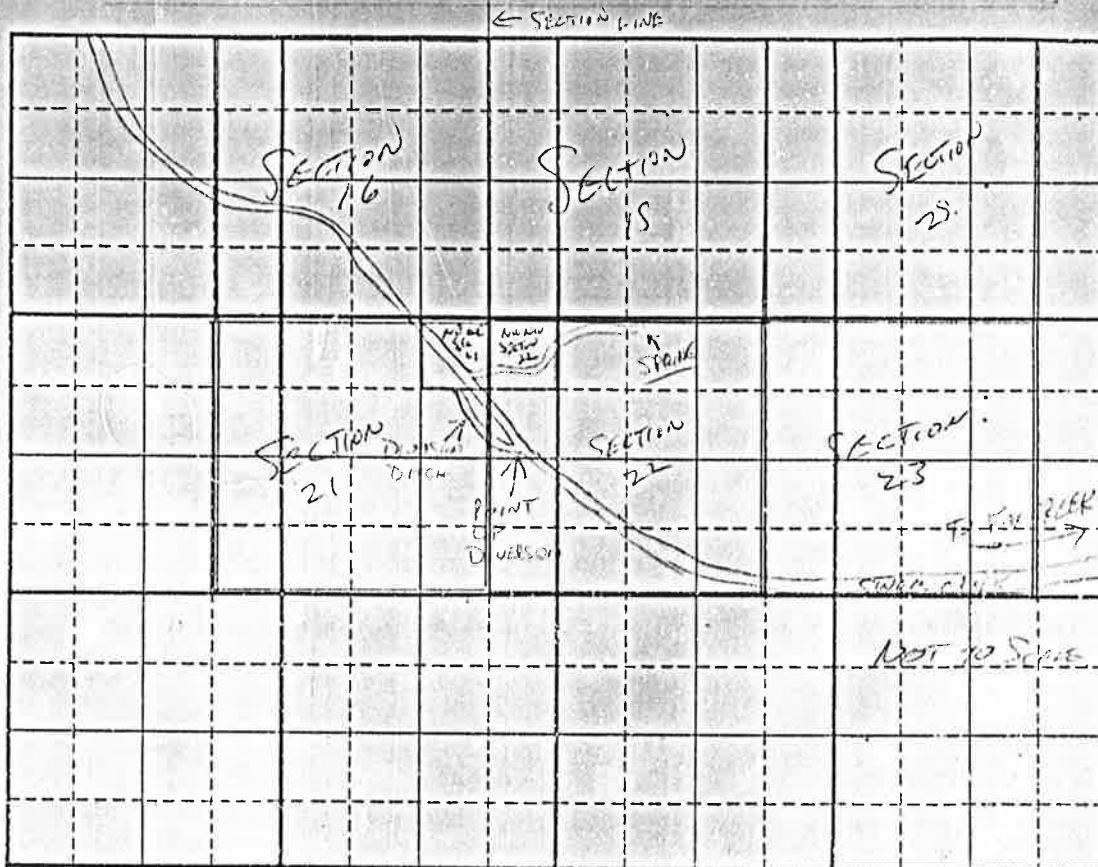
My commission expires 6/22/87

Received by *WJ* Date *8-22-83* FOR DEPARTMENT USE ONLY
Filing check by *KCS* Date *10-21-83* Exception filed by:
\$30.00 fee received by *WJ* Date *10-21-83*
Published in *7-2-83* *College Press* *11/10/83*
Dates *11/3* *11/10/83*

Forwarded to
claimant by: Date

RECORDED
JUL 16 2007

(B) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Adair) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 10th day of June

Lowell Johnson
(Claimant)
19 83

Walter H. Johnson
Notary Public
Residing at Adair City, Idaho

My commission expires 7-23-86

FOR DEPARTMENT USE ONLY

Received by Ad Date 6-17-83
Prelim. check by Ad Date _____
\$30.00 fee received by Ad Date _____
Published in _____
Dates _____

Exception filed by: _____ Date _____
Forwarded to claimant by: _____

SCANNED

JUL 16 2007

DEBRA LYNN HANLEY
OR KEVIN JOHN HANLEY
3411 SOUTH 2300 EAST 4. 58
SALT LAKE CITY, UTAH 84109

2546

June 19, 1983

31-41/1210

577

Pay to the order of STATE OF IDAHO

TRACY A. AND W. J. COLLINS

For Water Right

1:124000611:2546 05240411

TRACY COLLINS
BANK AND TRUST
1000 EAST 200 SOUTH
SALT LAKE CITY, UTAH 84108

Kevin John Hanley

RESOURCES

150 Shoup - Suite 1
Idaho Falls, Idaho 83401
(208) 525-7161

AUG 2, 1983

By 230, MILFORD, UT.

81751

Dear Claimant:

This office is in receipt of a Claim to a Water Right filed in your name. Please be advised that the claim cannot be formally received until the following information is provided:

- Complete name.
- Complete mailing address.
- Date of priority (month, day, and year).
- Source of water.
- Quantity claimed to have been used.
- Nature of use and period of use.
- Location of point(s) of diversion.
- Location of place of use (acres irrigated if water is claimed for irrigation).
- Filing fee (Amount \$).
- ☒ Signature.
- ☒ Notarization of signature.
- Others:

Please note that your claim has been stamped and initialed as received. If you amend this claim by adding the needed information and return the claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee.

Instructions for completing a claim to a Water Right are included for your information. However, if you desire assistance, please feel free to contact this office.

Signed: *Steve McCormick*

SCANNED

JUL 16 2007

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: **A22-04157**
Date Received: 11/ 7/1988
Receipt No: E003850
Received By: _____

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

1. Name: D RAY GORDON 208-787-2762
Address: 583 S 100 W
VICTOR ID 83455
AND/OR
Name: MARY JEAN GORDON 208-787-2762
Address: 583 S 100 W
VICTOR ID 83455

A2204157

2. Date of Priority: MAY 25, 1916

3. Source: SWAMP CREEK Trib. to: FOX CREEK
JOHNSON SPRING 1 FOX CREEK
JOHNSON SPRING 2 FOX CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	45E	22	NE	NE	NW		TETON
			SE	NW	NW		TETON
			NE	SW	NW		TETON

5. Description of diverting works:
IRR. DITCH FROM STREAM TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.600		
STOCKWATER	01/01	12/31	0.040		

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

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

9. Non-irrigation uses:
S/110 BEEF COWS

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JUL 16 2007

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	21	NE	NE		IRR	40.0
						Section Acres	40.0
		22	NW	NW		IRR	40.0
						Section Acres	40.0
						Total Acres	80.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
CLAIM A22-12203 FOR STOCK WATER.

14. Remarks:

THERE ARE ADDITIONAL 40 ACRE FEET DECRTED BACK AT TIME OF THE ABOVE STATED APPROX. 100 ACRE FEET OF WATER. THE SPRINGS ARE SHOWN ON ATTACHED MAP AND THE WATER FROM THESE IS USED IN TOTAL ON SUBJECT PROPERTY.

***** MEMO TO FILE *****

SENT LETTER THIS DATE TO CLAIMANT REQUESTING PROPER FEE AND THAT THIS CLAIM BE SIGNED AND NOTORIZED AS CORRECT CLAIM BASED UPON RIGHT 22-4157 AS INDICATED IN PAPER CLAIM SUBMITTED. PAPER CLAIM HAS SEVERAL ERRORS. I GAVE 30 DAYS FOR FEE AND NOTARIZED CLAIM TO BE RECEIVED BY US W/O PENALTY FEE.

ESV 10/07/88

***** NOV 7, 1988. CLAIMANT SENT CHECK ON NOV. 4, RECEIVED NOV. 7 ESV.

15. Basis of Claim: STATUTORY CLAIM

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: _____

SCANNED

MICROFILMED

JUL 16 2007

Date: 05/27 APR 11 1984

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

Date: _____

State of Idaho)
) SS.
County of _____)

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A22-04157
Date Received: 10/03/1988 11-4-88
Receipt No: 11-4-88 EOO 3850
Received By: EGH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOU JEAN JOHNSON HANLEY 801-387-2738
Address: P.O. BOX 234
MILFORD, UT 84751

2. Date of Priority: MAY 25, 1916

3. Source: SWAMP CREEK Trib. to: FOX CREEK
JOHNSON SPRING 1 FOX CREEK
JOHNSON SPRING 2 FOX CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	45E	22	NE	NE	NW		TETON
			SE	NW	NW		TETON
			NE	SW	NW		TETON

5. Description of diverting works:
IRR. DITCH FROM STREAM TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.600		
STOCKWATER	01/01	12/31	0.040		

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

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

9. Non-irrigation uses:
S/110 BEEF COWS

A22-04157

Page 1

Date: 10/07/88

SCANNED MICROFILMED
JUL 18 2007 OCT 29 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	21	NE	NE		IRR	40.0
						Section Acres	40.0
		22	NW	NW		IRR	40.0
						Section Acres	40.0
						Total Acres	80.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
CLAIM A22-12203 FOR STOCK WATER.

14. Remarks:
THERE ARE ADDITIONAL 40 ACRE FEET DECRTED BACK AT TIME OF THE
ABOVE STATED APPROX. 100 ACRE FEET OF WATER. THE SPRINGS
ARE SHOWN ON ATTACHED MAP AND THE WATER FROM THESE IS USED IN
TOTAL ON SUBJECT PROPERTY.

15. Basis of Claim: STATUTORY CLAIM

5

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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

x Signature of Claimant(s): Lou Jean Hawley Date: 11-2-88

Date: _____

x State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of November 19 88

Nedra Kennedy
Notary Public

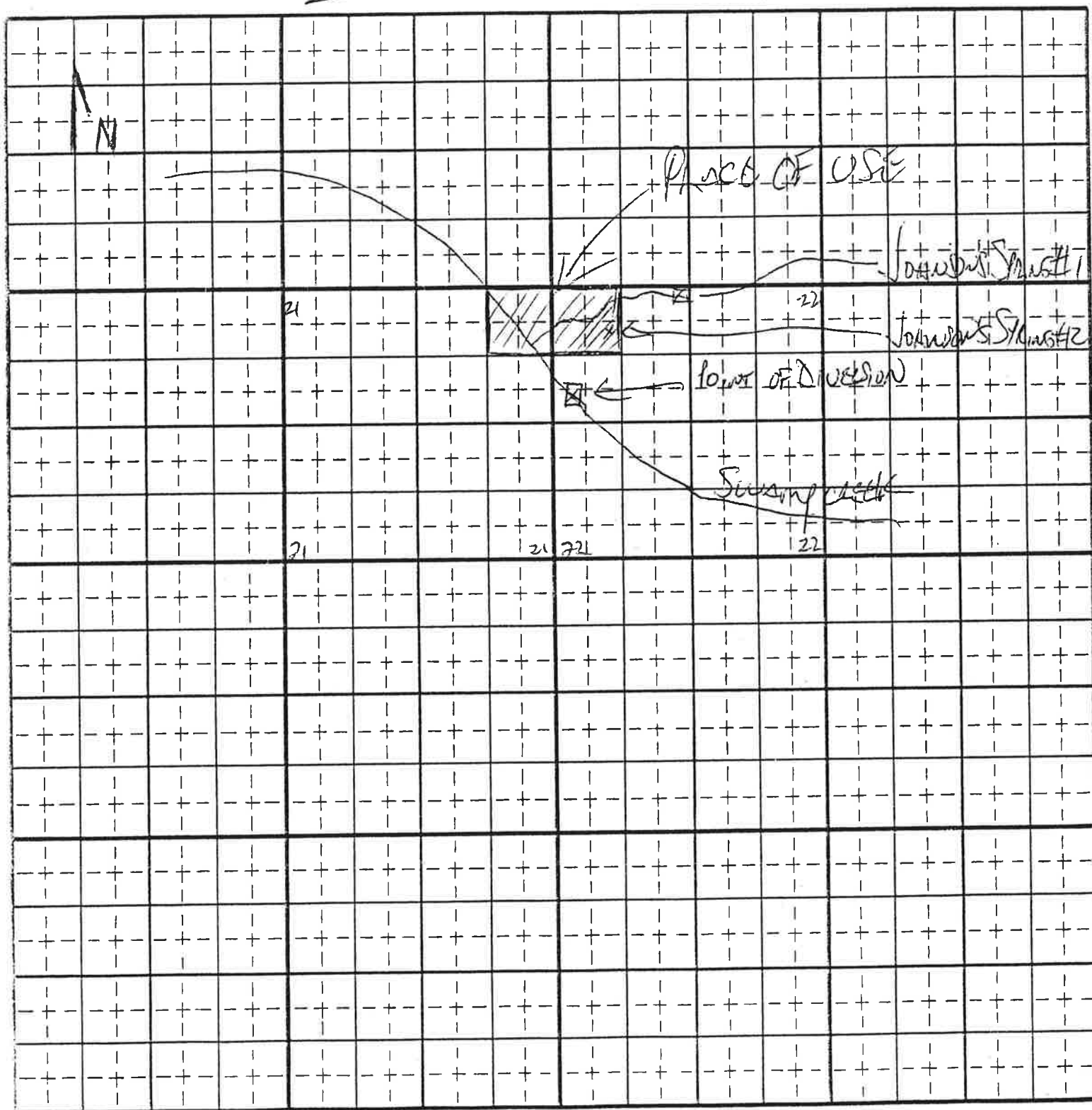
Seal

Residing at Merford, Beaver County, Utah
My Commission Expires 6/10/90

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

NOT TO SCALE



NOT TO SCALE

MICROFILMED

SCANNED

OCT 29 1992

Last Name

HANLEY

Ident No.

JUL 16 2007

Copies: White-State, Yellow-Claimant

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: 39356

Ident. Number A22-04157

Date Received 10-3-88

Receipt Number _____

(See Claim 22 4157, 12Aug8

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 3 1988

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Lou Jean Johnson Hanley Phone (801) 387-2738

Mailing Address P.O. Box 234, Milford, Utah Zip 84751

2. Date of Priority (Only one (1) per claim) 25May1916

3. Source of water supply (a) Swamp Creek

which is tributary to (b) Fox Creek

4. a. Location of existing point of diversion is: Township 4 North Range 45 East Section 22,
SW 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Teton

Additional points of diversion if any: Twp 4N, R 45E, Sec 21, NE 1/4

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

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

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OCT 29 1992

JUL 16 2007

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 01Apr to 01Nov amount 1.65 or 80.00

For Stock Water purposes from 01Jan to 31Dec amount .04 or 20.00

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.69 (cfs) and/or (b) 120.00 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 100 Beef Cattle to 110 Beef Cattle plus calves

10. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	45E	21	40																
		22					40												

Total number of acres irrigated 80.00

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
Johnson's Spring#1, Johnson's Spring#2 both used for irr & stock or None ()

14. Remarks: There are an additional 40 acre feet decreed back at the time of the above stated approx. 100 acre feet of water. The springs are shown on attached map and the water from these is used in total on subject property.

Last Name Hanley Ident No. _____

SCANNED

JUL 18 2007

MICROFILMED

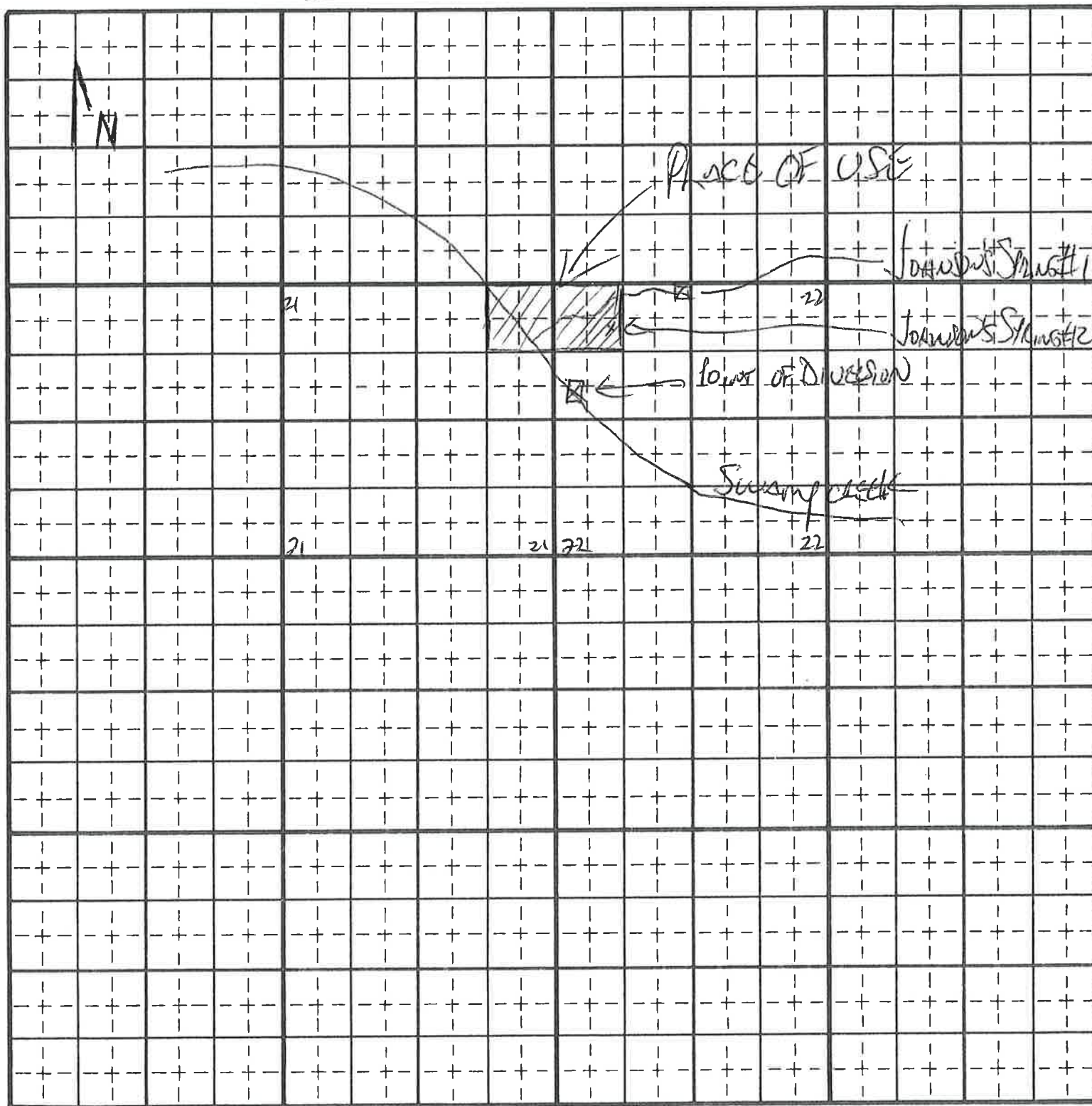
OCT 29 1992

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

NOT TO SCALE



NOT TO SCALE

SCANNED

MICROFILMED

OCT 29 1992

JUL 16 2007

Copies: White-State, Yellow-Claimant

Last Name

HANLEY

Ident No.

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 22 4157
Court _____ Case Number _____ Decree Date 25 May 1916
Plaintiff vs Defendant Presidential Decree and Beneficial use since decree

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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Lor Jean Hawley 9-29-88
Title and Organization _____ Date _____

State of Idaho/or _____)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 29th day of September 19 88

SEAL

Notary Public

Residing at

My Commission Expires

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED

OCT 29 1992

Last Name Hawley Ident. Number _____

SCANNED
JUL 15 2007

Copies White-State, Yellow-Claimant