

11/28/2006

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

RIGHT NUMBER: 22-7096
NAME AND ADDRESS: BOYD BOWLES
261 E 200 S
DRIGGS ID 83422
SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 1.450 CFS
258.000 AFY
The rights listed below are limited to a total combined diversion rate of 2.08 cfs. Combined Right Nos.: 22-7096, 22-13627, 22-13629.
PRIORITY DATE: 07/15/1974
POINT OF DIVERSION:
T05N R46E S29 NWSW Within TETON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/15	1.450 CFS 258.00 AFY

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in TETON County

T05N R46E S29	SWNW	32.00	T05N R46E S29	SENW	12.00
T05N R46E S29	NESW	6.00	T05N R46E S29	NWSW	36.00

86 ACRES TOTAL

86 The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-7096, 22-13627, 22-13629.

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

11/28/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-7096

BOYD BOWLES

261 E 200 S

DRIGGS ID 83422

Telephone Number: (208)313-2146

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

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

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

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

DATE: 12/5/06

SIGNATURE:



Please print your name:

Boyd Bowles

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



Idaho Department of Water Resources

Adjudication Claim:

22-7096

Legend

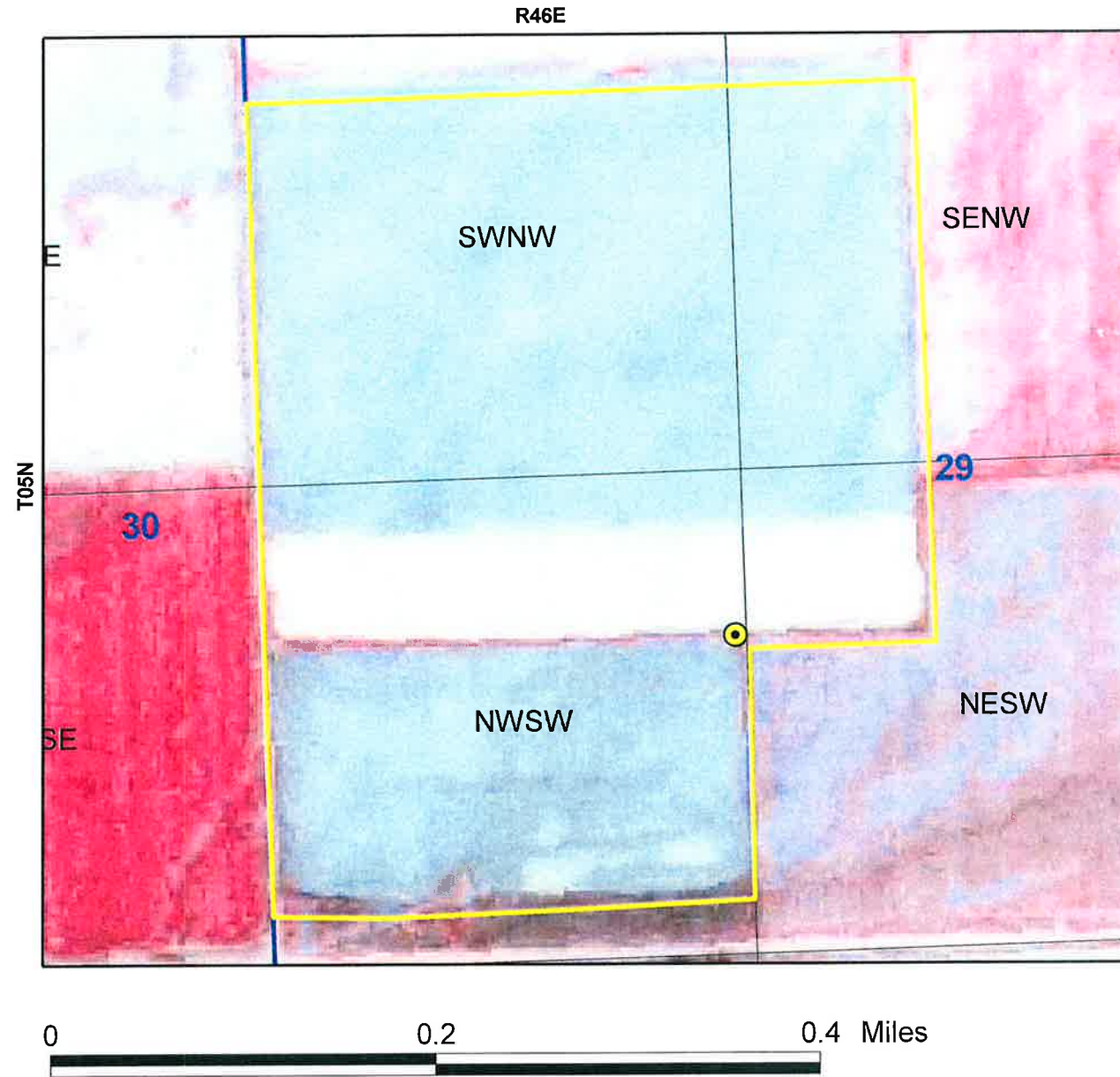
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22



Prepared by D. Carlson
On Tuesday, July 25, 2006
1987/88 Aerial Photography



Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
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Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

20
7/15/04 This claim is co-mingled with claims
A22-13213 & A22-13214 in a mainline
that serves all of Mr Bowles land.

- (13384)
- (13385)

(13386)
(13387)

Reviewer: _____ Date: _____

Water Right No(s). _____

GPS DATA:

Tag # ADD 13655 Location: Electrical box

Diversion Data:

Source: Well Trib to: _____

MOTOR

Make: High Thrust Model: RL Hp: 60
SN: R2841-03-H-454 R2080 268

PUMP

Make: Johnston Model: _____ Disch: 6" into 10" mainline
SN: _____

NOTES:

This water is comingled with water from
Waddell Canal. Refer to claim A22-13213 and
A22-13214.

Field Exam Date: 7/15/04 Agent: DD



Boyd Bowles well & pump,

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7096 Priority July 15, 1974 Amount 1.45 cfs

THIS IS TO CERTIFY, that BOYD BOWLES
of Driggs, Idaho, has complied with the terms and conditions of Permit
No. 22-7096 issued pursuant to Application for Permit dated July 15, 1974,
and has submitted proof to the Department of Water Resources on February 2, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.45 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 15</u> to <u>October 15</u> at <u>1.45</u> cfs and <u>258</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 1.45 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
258 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, Twp. 5N,
Rge. 46E, B. M. in the County of Teton

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5N	46E	29							34	12	5	35							86

Total number of acres irrigated 86

A measuring device of a type approved by the Department shall be maintained
as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this _____ day of
April, 19 78.

Director

1950

~~Department of Water Resources~~
~~Eastern District Office~~

3. Water will be used for the following purposes:

Other uses: _____

- Other Points of Diversions: _____

 $\frac{1}{2}$

6. Lands to be irrigated or place of use.

TOTAL ACREAGE _____ **90**

Permit No. 22-7096
Examination for b/u

Rge. 46E

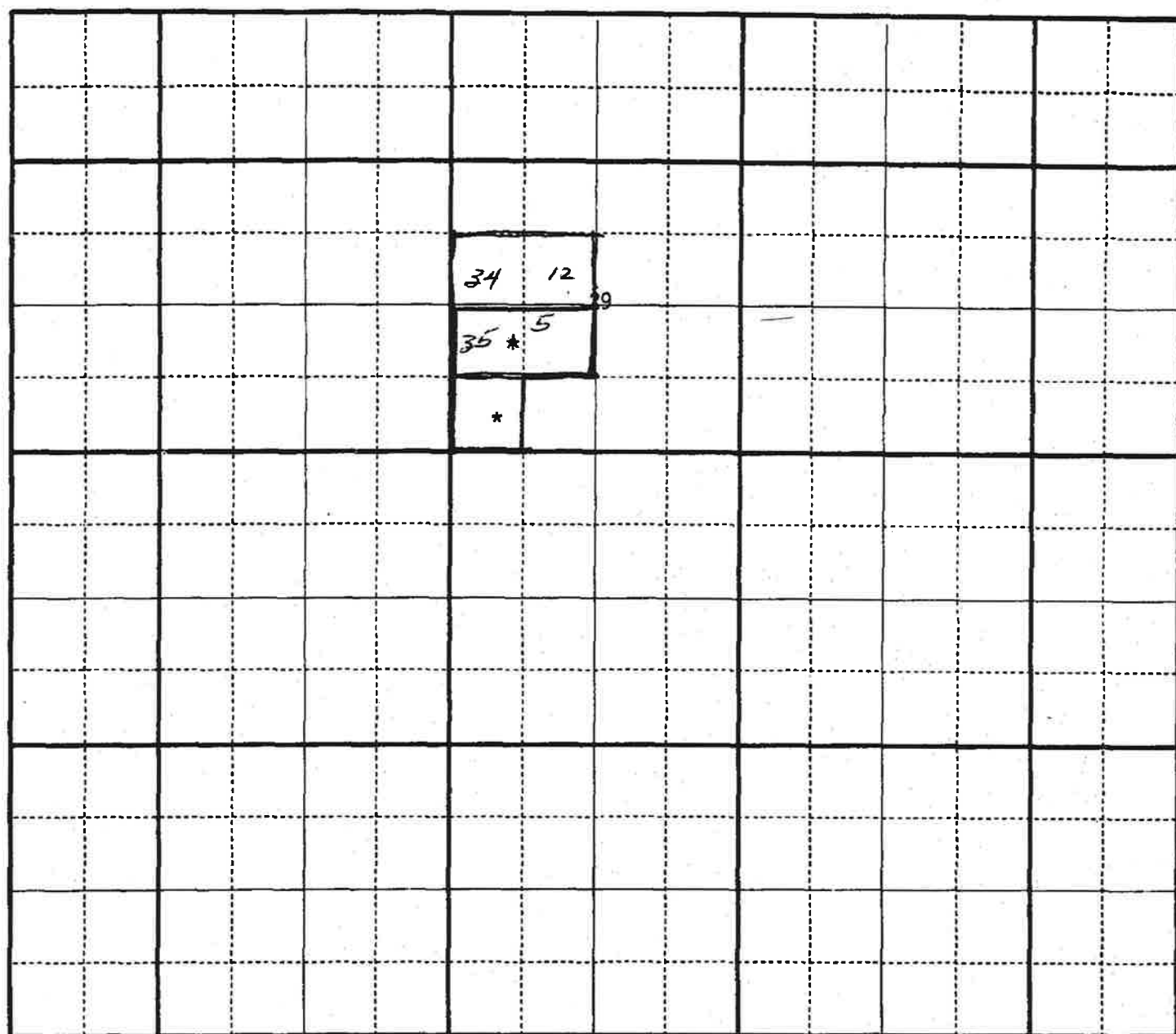
T
5
N

Diagram of System



DATE OF EXAM 11 Aug. 76

ACREAGE
Found 86
Recommended 86

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 1.45 c.f.s. V = 258 AF/Ann. from April 15 to Oct. 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured 1.45 Method of measurement in line meter

Total Q recommended 1.45 Merer No. 75 6 229 Type M² Cron. Condition std. Cond.

Total V recommended 258

Recommended Amendments:

P.D. ☒
Place of Use ☒
Other _____
None _____

MEASUREMENT CALCULATION:

$Q = .01 \text{ AF} / 300 \text{ sec} = 435.6 \text{ ft}^3 / 300 \text{ sec} = 1.45 \text{ cfs.}$

$V = 3.0 \text{ AF Ft/Ac} \times 86 \text{ AC} = 258 \text{ AF/Ann.}$ $\leftarrow 185 \times 1.4833 \times 1.45 = 532 \text{ AF/Ann.}$

SYSTEM DESCRIPTION:

"U.S." meter, 60 Hp, 3 phase, air # R3030268 "Johnston" pump #23920.
6" steel main extends 480 ft. east of P.D. then turns north. a potable
main going south under steel main 12 ft from P.D. system operates
4, 1/4 in. lines, 7 5/32 in & 3/16 in. nozzles

REMARKS:

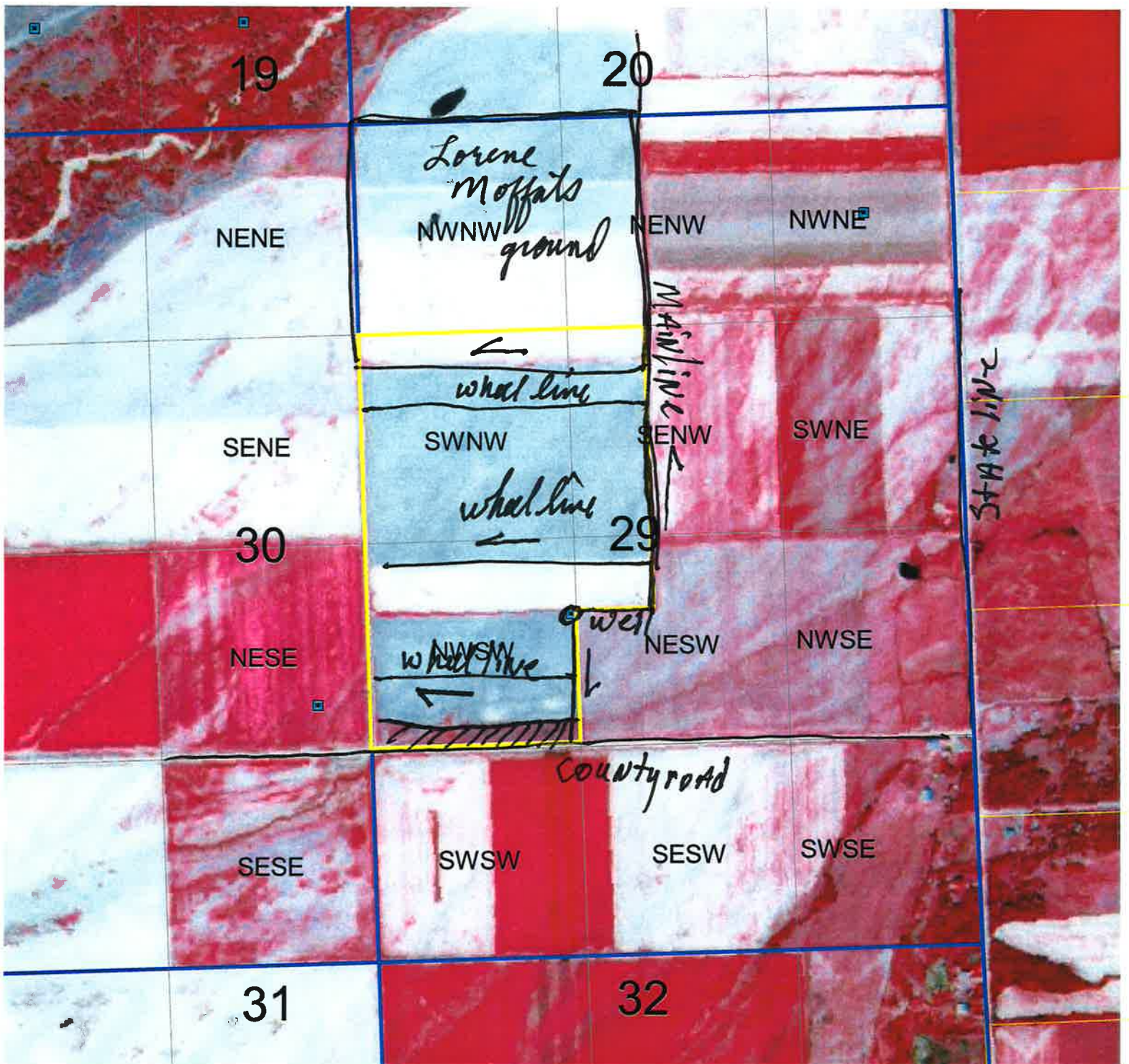
System & lands shown by Boyd Broun.

Examiner's Signature Ernest M. [Signature] Date 4/24/77

Checked by Anthony R. Kozlowski Date 2/4/77

Approved by _____ Date _____

22-7096





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

April 4, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

TREES INC
PO BOX 396
TETON VILLAGE WY 83025

RE: Notice of Change of Water Right Ownership (NCO) for 22-7096, 22-13627
& 22-13629 and Notice of Completed Administrative Proceeding (NCAP)

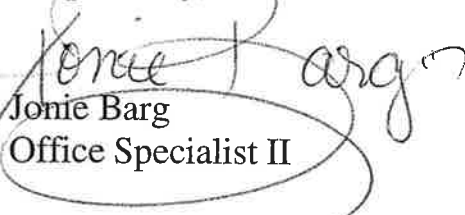
Dear Sir/Madam:

The Idaho Department of Water Resources (IDWR) acknowledges receipt of 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,


Jonie Barg
Office Specialist II

Enclosure

CC: BOYD BOWLES

SCANNED

APR 11 2008

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: 22-7096, 22-13627 &
22-13629

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party BOWLES-TREES INC
- ☐ 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: 4-9-08

Ernest Carlson
Signature of IDWR Representative

SCANNED
APR 11 2008

CERTIFICATE OF MAILING

I certify that on April 10, 2008, 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:
Boyd Bowles
261 E 200 S
Driggs ID 83422

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
Trees Inc
PO Box 396
Teton Village WY 83025

4. One copy to:

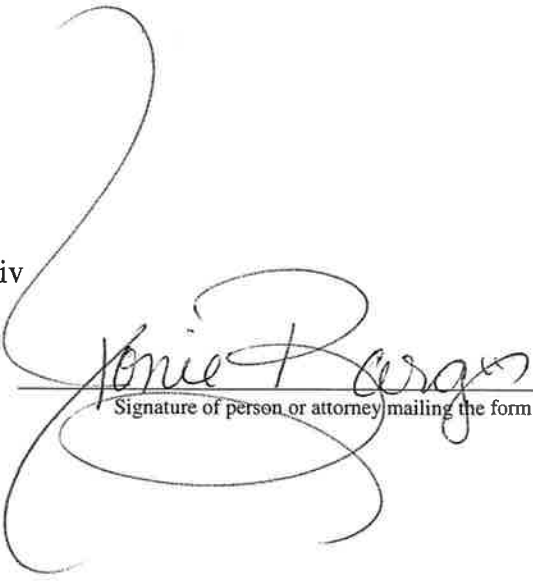
Each party in the subcase, or attorney of record

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

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
22-7096	Adj. Needs NCAP				
22-13627	Adj. Needs NCAP				
22-13629	Adj. Needs NCAP				

OK
DJF

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)

Boyd Bowles

RECEIVED
APR 04 2008

Department of Water Resources
Eastern Region

4. New Owner/Claimant(s)

x Trees Inc

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

New Mailing Address

PO Box 396

City, State and ZIP Code

Teton Village Wy 83025

New Telephone Number

(307) 733-6563 Email: heideshorts@msn.com

RECEIVED
APR 11 2008

187965 MAY 29 07 AM 10:34

Alliance Title & Escrow Corp.
P.O. Box 644
Driggs, Idaho 83422

WARRANTY DEED

Order No.: 3050715378TD

FOR VALUE RECEIVED

Parcel 1: Boyd Bowles, an unmarried person

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

Trees, Inc., a Wyoming Corporation

whose current address is

P.O. Box 396 Teton Village Wyoming 83025

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

PARCEL 1:

Township 5 North, Range 46 East, Boise Meridian, Teton County, Idaho

Section 29: Beginning at a point 14 1/4 rods South of the Southwest corner of the Northwest Quarter Northwest Quarter and running thence East 110 1/2 rods; thence South 94 1/2 rods; thence West 110 1/2 rods; thence North 94 1/2 rods to the point of beginning.

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: 5/16/07

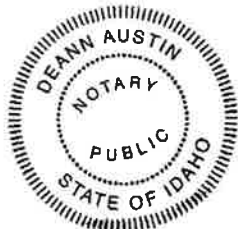

Boyd Bowles

State of Idaho

County of Teton

On this 16th day of May in the year 2007 before me, a Notary Public in and for said state, personally appeared Boyd Bowles known or identified 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 first above written.



Instrument # 187965

TETON COUNTY, IDAHO

2007-05-29

10:34:00 No. of Pages: 1

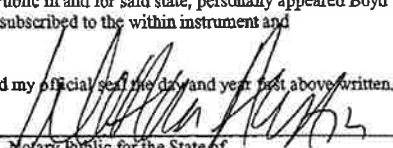
Recorded for: ALLIANCE TITLE & ESCROW

MARY LOU HANSEN

Fee: 3.00

Ex-Officio Recorder Deputy M. Hansen

Index to: DEED, WARRANTY


Notary Public for the State of

Residing at:

Commission Expires: Residing in Jefferson County

Commission Expires: 01-08-13

SCANNED

APR 11 2008

POC

MM

168120 168145

RECEIVED

MAY 19 2005

TETON CO., ID
CLERK RECORDER

WARRANTY DEED

Order No.: 3050513531-T Re-recorded to correct address of Grantee

FOR VALUE RECEIVED

RECEIVED

MAY 20 2005

TETON CO., ID
CLERK RECORDER

Boyd Bowles, an unmarried person

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

Trees, Inc., A Wyoming Coporation

whose current address is

PO Box 396
PO Box 396 Teton Village, WY 83025

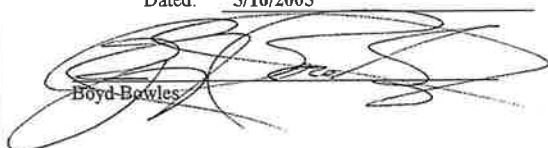
the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

Township 5 North, Range 46 East, Boise Meridian, Teton County, Idaho.
Section 29: Beginning at the SE corner of the NW ¼ SW ¼ and running thence North 51 rods;
thence West 80 rods; thence South 51 rods; thence East 80 rods to the point of beginning.

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.

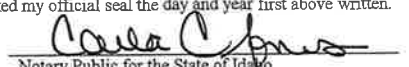
Dated: 5/16/2005


Boyd Bowles

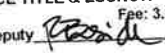
State of Idaho }
County of Teton } ss.

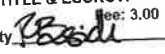
On this 17 day of May, in the year 2005 before me, a Notary Public in and for said state, personally appeared Boyd Bowles known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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


Notary Public for the State of Idaho
Residing at: Driggs
Commission Expires: 11/16/05

CARLA C. JONES
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES NOV. 19, 2005

Instrument # 168145
DRIGGS, TETON, IDAHO
2005-05-20 01:16:42 No. of Pages: 1
Recorded for: ALLIANCE TITLE & ESCROW
NOLAN G. BOYLE Fee: 3.00
Ex-Officio Recorder Deputy 
Index to: DEED, WARRANTY

Instrument # 168120
DRIGGS, TETON, IDAHO
2005-05-19 12:05:49 No. of Pages: 1
Recorded for: ALLIANCE TITLE & ESCROW
NOLAN G. BOYLE Fee: 3.00
Ex-Officio Recorder Deputy 
Index to: DEED, WARRANTY

168120 168145

SCANNED
APR 11 2009

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: A22-07096
Date Received: 7/26/1988
Receipt No: E000893
Received By: DEM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOYD BOWLES 307-353-2408
Address: DRIGGS, ID 83422

2. Date of Priority: JUL 15, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	46E	29	NW	SW			TETON

5. Description of diverting works:
WELL AND PUMP WITH WHEEL LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.450		

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

8. Total consumptive use is 130.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	46E	29	SW	NW		IRR	34.0
			SE	NW		IRR	12.0
			NE	SW		IRR	5.0
			NW	SW		IRR	40.0
Section Acres							91.0

A22-07096 Page 1 Date: 07/26/88

MICROFILMED

OCT 29 1992



10. Place of Use: Continued

Total Acres 91.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS WELL PROVIDES SUPPLEMENTAL WATER TO P/U WHEN CANAL WATER
IS LOW.

15. Basis of Claim: LICENSE

MICROFILMED
OCT 29 1992

(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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

For Individuals:

Signature of Claimant(s): [Signature] Date: 8/26/08
Date:

Subscribed and sworn (or affirmed) before me this 26th day
of July 19 88 Betty J.
Notary Public

Betty J. Thompson
Notary Public

Residing at Idaho Falls
My Commission Expires 6-94



MICROFILMED
OCT 29 1982

A22-07096

P/U

TSN
R46E



P/D 2

UNRECORDED

OCT 29 1942

Diggs Dairy
Cen