

08/14/2006

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

RIGHT NUMBER: 22-12252

NAME AND ADDRESS: GARY PAULSON
18 W 700 S
VICTOR ID 83455

ELIZABETH PAULSON
18 W 700 S
VICTOR ID 83455

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.160 CFS

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/31/1947

POINT OF DIVERSION: T04N R45E S35 SWSESE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	04/15 10/31	0.120 CFS

PLACE OF USE: IRRIGATION Within TETON County

T04N R45E S35 SESE 4.00

DOMESTIC Within TETON County

T04N R45E S35 SESE

4 ACRES TOTAL

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

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

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 - Beneficial Use

08/14/2006

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: 22-12252

GARY PAULSON

18 W 700 S

VICTOR ID 83455

Telephone Number: (208) 787 2820

CELL # 208-390-2470

~~ELIZABETH PAULSON~~

18 W 700 S

VICTOR ID 83455

Telephone Number: (208) 787-2470

KIMBERLY D. PAULSON

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

NAME & PHONE # ONLY

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

NEW WIFE - KIMBERLY D. PAULSON

18W 700S

VICTOR, ID. 83455

208-787-2820 (NEW PHONE #)

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

✓ I AGREE with ~~this proposed~~ ^{the rest of the} recommendation: ~~no changes need to be made.~~

DATE: 12/8/06

SIGNATURE: Gary Paulson

Please print your name:

GARY PAULSON

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

Completed
12/8/06
amr/ahs

08/14/2006

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

SRBA Recommendation:

22-12252

(Irrigation)

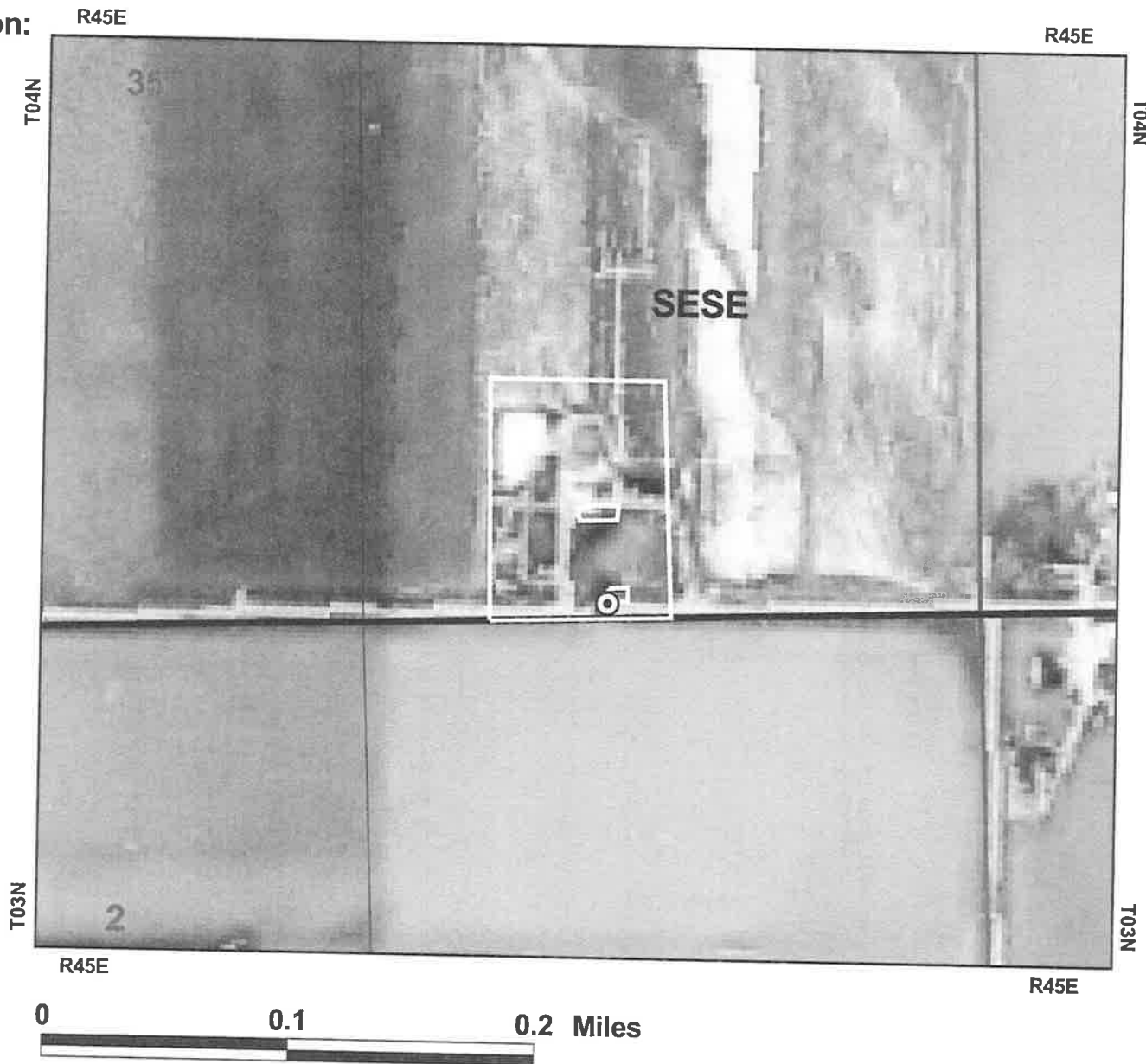
Legend

- ⊙ Point of Diversion
- Place of Use

- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22



Prepared by T. Galbraith
On Monday, August 14, 2006
1987/88 Aerial Photography

FILED

NOV 26 2001

TETON CO.
DISTRICT COURT

R. J. Hoopes (ISB # 1778)
R. J. HOOPES LAW OFFICE, Chartered
760 North Hoopes Road
Post Office Box 240
Tetonia, Idaho 83452-0240
(208) 456-2931

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON
Magistrates Division

IN THE MATTER OF THE ESTATE OF)

ELIZABETH ANN PAULSON,)

Deceased.)

Case No.: C v 01-248

LETTERS TESTAMENTARY

GARY RAYE PAULSON was duly appointed and qualified as General Personal Representative of the estate of the above-named decedent by the Court with all authority pertaining thereto.

Administration of the estate is unsupervised.

These letters are issued to evidence the appointment, qualification, and authority of the said Personal Representative.

WITNESS, my signature and the Seal of this Court, this 26th day of November, 2001.


Honorable Colin W. Luke
Magistrate Judge

Letters Testamentary
55.04301.LT

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

CERTIFICATE OF DEATH

Date Filed SEPTEMBER 24, 2001

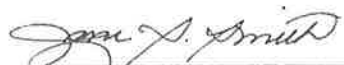
State File No. 2001-06748

DECEDENT - NAME ELIZABETH ANN HOOPES PAULSON				AGE 50 YEARS	
DATE OF DEATH SEPT. 19, 2001		SEX FEMALE	SOCIAL SECURITY NUMBER [REDACTED]	DATE OF BIRTH MAY 11, 1951	
BIRTHPLACE IDAHO		WAS DECEDENT EVER IN U.S. ARMED FORCES? NO		MARRITAL STATUS MARRIED	
SURVIVING SPOUSE (if wife, maiden name) GARY PAULSON		CITY, TOWN OR LOCATION OF DEATH DRIGGS, IDAHO			
RESIDENCE STATE IDAHO		CITY, TOWN OR LOCATION VICTOR			
FATHER - NAME EARL N. HOOPES					BIRTHPLACE IDAHO
MOTHER - FULL MAIDEN NAME ILA MARIE BYRNE					BIRTHPLACE IDAHO
NAME AND ADDRESS OF MORTUARY VALLEY MORTUARY, DRIGGS, IDAHO					
FUNERAL SERVICE LICENSEE SCOTT MCKAGUE					
METHOD OF DISPOSITION BURIAL		TIME OF DEATH 2:30 P.M.		MANNER OF DEATH NATURAL	
CAUSE OF DEATH (underlying cause last) ACUTE MYELOGENOUS LEUKEMIA					Approximate Interval Between Onset and Death 5 MONTHS
DUE TO (or as a consequence of) b					
DUE TO (or as a consequence of) c					
DUE TO (or as a consequence of) d					
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above NONE LISTED					AUTOPSY PERFORMED? NO
NAME OF CERTIFIER CHAD HORROCKS, M.D.				TITLE OF CERTIFIER PHYSICIAN	
CORONER REVIEW AREA					
ACTION				NAME	
EXTERNAL CAUSES ONLY					
DATE OF INJURY		HOUR OF INJURY		INJURY AT WORK?	
DESCRIPTION OF HOW INJURY OCCURRED					
PLACE OF INJURY		LOCATION OF INJURY			

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY.

DATE ISSUED: SEPTEMBER 25, 2001

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.


JANE S. SMITH
STATE REGISTRAR

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



Idaho Department of Water Resources

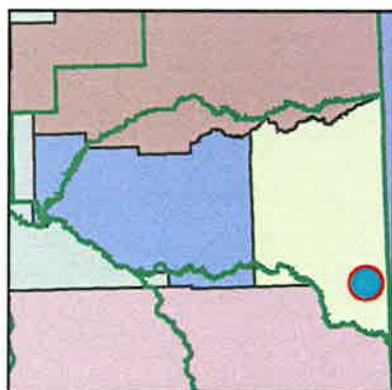
SRBA Recommendation:

22-12252

(Irrigation)

Legend

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



Teton County
IDWR Basin 22



Prepared by T. Galbraith
On Monday, August 14, 2006
1987/88 Aerial Photography

Claim # A22-12252

RECEIVED

AUG 10 2004

May 27, 2004

Department of Water Resources
Eastern Region

TO: THE DEPARTMENT OF WATER RESOURCES & DISTRICT COURT

THIS LETTER IS TO INFORM YOU OF MY PERSONAL KNOWLEDGE OF JIM KAY, MY FATHER, DRILLING A WELL IN 1946 OR 1947 FOR DOMESTIC AND IRRIGATION USE ON THE PROPERTY CURRENTLY DESCRIBED AS 18 WEST 700 SOUTH ON KAY LANE NORTH OF VICTOR, IDAHO. THE IRRIGATION USE INCLUDED WATERING OF LAWN AROUND THE HOUSE, AS WELL AS A GARDEN EAST OF THE HOUSE. IT WAS ALSO USED TO WATER LIVESTOCK, CATTLE, SHEEP AND HORSES AS WELL AS SUPPORTING A DAIRY HERD, MILKING BARN, AND VARIOUS CALVING SHEDS AND OTHER OUTBUILDINGS.

4N456

I LEFT THE VALLEY IN 1951. I CURRENTLY RESIDE AT 2031 15TH ST. DRIVE, HEYBURN, ID. 83336

SINCERELY,
Merlin L Kay DATE 5/27/04
MERLIN KAY

STATE OF IDAHO)
COUNTY OF minidoka) SS.

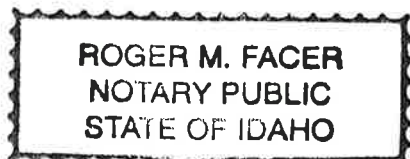
SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 27th DAY

OF may 2004

Roger M. Facer
NOTARY PUBLIC
FOR THE STATE OF IDAHO

RESIDING AT Paul

COMMISSION EXPIRES 11-24-06



PROFILED

SCANNED

AUG 12 2004

Claim # A22-12252

RECEIVED

AUGUST 3, 2004

AUG 10 2004

Department of Water Resources
Eastern Region

TO: THE DEPARTMENT OF WATER RESOURCES & DISTRICT COURT

THIS LETTER IS TO INFORM YOU OF MY PERSONAL USE OF THE EXISTING WELL FOR DOMESTIC AND IRRIGATION USE ON THE PROPERTY CURRENTLY DESCRIBED AS 18 WEST 700 SOUTH ON KAY LANE NORTH OF VICTOR, IDAHO. THE IRRIGATION USE INCLUDED WATERING OF LAWN AROUND THE HOUSE, AS WELL AS A GARDEN EAST OF THE HOUSE. IT WAS ALSO USED TO WATER NURSERY STOCK ON THE SURROUNDING 4 ACRES. THIS USE BEGAN IN NOVEMBER OF 1979.

I CURRENTLY RESIDE AT 18 WEST 700 SOUTH, VICTOR, IDAHO 83455.

SINCERLEY

 DATE 8/3/04

GARY PAULSON

STATE OF IDAHO)
) SS.
COUNTY OF Teton)

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 3 DAY

OF August 2004


NOTARY PUBLIC
FOR THE STATE OF IDAHO



RESIDING AT Victor, Id

COMMISSION EXPIRES 4-10-09

SCANNED

AUG 12 2004

PROFILED

MAILED
23 MARCH 04

March 23, 2004

**GARY PAULSON
18 W 700 S
VICTOR ID 83455**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-12252

Dear Claimant (s):

The Idaho Department of Water Resources is beginning 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 of MAY 01, 1947, from a WELL.

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 required 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**".

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.

Claim no. 2812252

Claimant Contact Log

Date

Remarks

Agent initials

23 March 2010 Mailed Request For Evidence of Priority

with Talking To Gary Poulson part
of the property has been sold.
So this claim will need to be split
when I get the contract & the
change of ownership back, I will
know how the want it split

I Am turning A change of owner
ship with Mr Poulson today 1-26-06
& will pick it back up

Have approx 4 acre of trees &
approx 1 1/2 to 2 acre of lawn &
yard

Contacts Data Entry Form

Claim Number: 2212252

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner:	<u>GARY PAULSON</u>	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.

B.W.

NEW OWNER

307-413-3564

Josh. Thulin

called this number no
 answer. 2-17-06 1:10 pm will call
 again have kindle mulch
 3200 WEST maver
 JACKSON WY 83001

The poa is irrigated from a submersible
 pump + well they have 4 handpumps they hook
 up a garden hose to various sprinklers
 which are moved around the property as needed
 approx 1/2 acres is yard + house and a small
 green house about 25' x 60'

FE pod/poa Conveyance System

Reviewer: _____ Date: _____

Water Right No(s). 2012252



GPS DATA:

Tag # A0009570 Location: ON WELL CASING

Diversion Data:

Source: Ground Water Trib to: _____

MOTOR

Make: Submersible Model: _____ Hp: 1 1/2 Hp.
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

TREES ARE IRRIGATED WITH SPRINKLERS
+ SOME BY HAND WITH HOSE. THEY IRRIGATE
OUT OF HYDRANTS WITH A HOSE + SPRINKLER
HAND MADE

Field Exam Date: 1-26-06 Agent: Nick Olson

Season of Use and Quantity Data Entry Form

Claim Number: 2012252Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
DOMESTIC	1/1	12/31		
IRRIGATION	4/1	12/1		

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

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

IDWR. STD. SOW. 4/15 - 10/31 Irrigation
 1/1 - 12/31 DOMESTIC

Reviewer: _____

Date: _____

22-12252



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: A22-12252
Date Received: 10/20/1988
Receipt No: E003369
Received By: CF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY PAULSON 208-787-2470
Address: 18 WEST 700 SOUTH 83455
VICTOR, ID
AND/OR
Name: ELIZABETH PAULSON 208-787-2470
Address: 18 WEST 700 SOUTH 83455
VICTOR, ID

2. Date of Priority: MAY 01, 1947

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	45E	35	SW	SE	SE		TETON

5. Description of diverting works:
WELL, 8" CASING, 100' DEEP, SUBMERSIBLE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	04/01	12/01	0.120		

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

8. Total consumptive use is 8.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC/ 1 HOME

A22-12252

Page

1

Date: 10/20/88

MICROFILMED
NOV 06 1992

A2212252



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	35	SE	SE		DOMEST	
			SE	SE		IRR	4.0
					Section Acres		4.0
					Total Acres		4.0

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:

TRAIL CREEK SPRINKLER IRRIGATION CO. & KIMBALL CANAL

14. Remarks:

IRRIGATION USE IS FOR APPROXIMATELY 4 ACRES OF TREE NURSERY

15. Basis of Claim: BENEFICIAL USE

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

Signature of Claimant(s): *Harry Paulson* Date: 10/20/88
Elizabeth Paulson Date: 10/20/88

State of Idaho)
County of Bonneville) ss.

Subscribed and sworn (or affirmed) before me this 20th day
of October 19 88

Carter Fritschle
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My commission Expires March 21, 1994

